OSCAR LEESER
MAYOR

JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
LARRY ROMERO, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHIEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

# REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
APRIL 1, 2014
8:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:02 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Larry Romero, Carl Robinson, Michiel R. Noe, Lilia Limón, and Cortney Carlisle Niland. Late arrivals: Eddie Holguin, Jr. at 8:04 a.m. and Emma Acosta at 8:13 a.m. The invocation was given by CIMA Chaplain Carlos Clugy-Soto, followed by the Pledge of Allegiance to the Flag of the United States of America.

## PLEDGE OF ALLEGIANCE

**Jakob Gibson**

## CALL TO THE PUBLIC – PUBLIC COMMENT

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.
Requests to speak must be received by 8:00 a.m. on the date of the meeting.
30 Minutes total is allotted for speakers.
Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. Mike Rodriguez
2. Ms. Wally Cech
3. Ms. Lisa Turner
4. Mr. John Vandeven
5. Mr. Richard Schecter
6. Mr. Salvador Gomez

Representatives Holguin and Noe commented.

Ms. Joyce Wilson, City Manager, commented.

## MAYOR'S PROCLAMATIONS

1. **Earth Day 2014 Celebration in El Paso**
2. **Mayors' Day of Recognition for National Service**

3. **Price's Creameries April Pools Month by the Drowning Prevention Coalition of El Paso**

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**CONSENT AGENDA**

Motion made by Mayor Pro Tempore Niland, seconded by Representative Noe, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}.

AYES: Representatives Lilly, Romero, Acosta, Robinson, Holguin, Noe, Limón, and Niland
NAYS: None

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**1. APPROVAL OF MINUTES**

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of March 25, 2014.

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**2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS**

**NO ACTION** was taken on this item.

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**3.1 BOARD RE-APPOINTMENT**

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Cesar Gomez to the Historic Landmark Commission by Representative Ann Morgan Lilly, District 1.

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**3.2 BOARD RE-APPOINTMENT**

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Beatriz Lucero to the Historic Landmark Commission by Representative Michiel R. Noe, District 5.

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**4.1 BOARD APPOINTMENT**

*Motion made, seconded, and unanimously carried to **APPOINT** Frank Lozano to the City Accessibility Advisory Committee by Representative Ann Morgan Lilly, District 1.

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**5.1**

**ORDINANCE 18145**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF EL PASO, TEXAS, COMBINATION TAX AND AIRPORT REVENUE CERTIFICATES OF OBLIGATION, TAXABLE SERIES 2014", IN AN AMOUNT NOT TO EXCEED $40,000,000, LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID CERTIFICATES; AND RESOLVING OTHER MATTERS WHICH ARE NECESSARY TO EFFECTUATE SAID ISSUANCE, INCLUDING THE DELEGATION OF MATTERS RELATING TO THE SALE AND ISSUANCE OF THE CERTIFICATES TO AN AUTHORIZED CITY OFFICIAL WITHIN CERTAIN SPECIFIED PARAMETERS..**

Ms. Carmen Arrieta-Candelaria, Chief Financial Officer, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Leeser and Representatives Noe, Acosta, and Limon commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Monica Lombrana, Director of Aviation

The following members of the public commented:

1. Ms. Lisa Turner
2. Mr. Richard Schecter

Motion duly made by Representative Noe, seconded by Representative Lilly, that the Ordinance be **ADOPTED.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Limón and Niland
NAYS: Representative Holguin

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED.**

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**5.2**

**ORDINANCE 18146**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF EL PASO, TEXAS, GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2014," IN AN APPROXIMATE PAR AMOUNT OF $102,500,000; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; AND RESOLVING OTHER MATTERS WHICH ARE NECESSARY TO EFFECTUATE SAID ISSUANCE, INCLUDING THE DELEGATION OF MATTERS RELATING TO THE SALE AND ISSUANCE OF THE BONDS TO AN AUTHORIZED CITY OFFICIAL WITHIN CERTAIN SPECIFIC PARAMETERS.**

Ms. Carmen Arrieta-Candelaria, Chief Financial Officer, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Leeser and Representatives Limón, Niland, Robinson, and commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Ben Fyffe, Interim Director of Museums and Cultural Affairs

The following members of the public commented:

1. Ms. Lisa Turner
2. Mr. Richard Schecter

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative Lilly, that the Ordinance be **ADOPTED.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED.**

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**6.1**

**ORDINANCE 18147**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.010 (SCHEDULE I – ONE-WAY STREETS), OF THE EL PASO CITY CODE, TO ADJUST THE ONE-WAY LIMITS IN THE DOWNTOWN AREA AND ON NORTH AND SOUTH DESERT BOULEVARD, THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO CITY CODE.**

Mr. Ted Marquez, Director for Department of Transportation, commented.

Ms. Lisa Turner, citizen, commented.

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative Noe, that the Ordinance be **ADOPTED.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED.**

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**7.1**

**ORDINANCE 18148**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.04 (SOLID WASTE MANAGEMENT), SECTION 9.04.020 (DEFINITIONS) TO AMEND THE DEFINITION OF "SELF-TRANSPORTER" TO INCLUDE SINGLE OR DOUBLE-AXLE, NON-DUMP TRAILERS; THE PENALTY BEING AS PROVIDED IN SECTION 9.04.630 OF THE EL PASO CITY CODE.**

Representative Holguin commented.

Ms. Ellen Smyth, Director of Environmental Services, commented.

Motion duly made by Representative Acosta, seconded by Representative Lilly, that the Ordinance be **ADOPTED.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED.**

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**7.2**

## ORDINANCE 18149

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO "DEMCON DISPOSAL MANAGEMENT, LLC", TO OPERATE AND MAINTAIN A SOLID WASTE COLLECTION AND HAULER SERVICE WITHIN THE CITY OF EL PASO SUBJECT TO THE TERMS AND CONDITIONS DESCRIBED IN THE ORDINANCE; THE PENALTY AS PROVIDED IN SECTION 9.04.630 OF THE EL PASO CITY CODE.**

Motion duly made by Representative Acosta, seconded by Mayor Pro Tempore Niland, that the Ordinance be **ADOPTED.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED.**

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**8.1**

## ORDINANCE 18150

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE WESTERLY HALF OF BLOCK 31, LOTS 17-20, AND PORTION OF LOT 16, OF ALEXANDER ADDITION, 401 AND 405 RIVER AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) TO G-MU (GENERAL MIXED USE) AND APPROVING A MASTER ZONING PLAN. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 401 & 405 RIVER AVENUE. PROPERTY OWNER: EDUARDO & JOSEPHINA SOTO. PZRZ14-00009.**

Mr. Mathew McElroy, Director of City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Leeser and Representatives Holguin, Noe, Niland, Romero, and Limón commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. Julio Norman
2. Ms. Rose De Leon
3. Ms. Beatriz Lynch
4. Mr. Terry Hammond

**1st MOTION**
Motion made by Mayor Pro Tempore Niland, seconded by Representative Noe, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the signup period.

**2nd AND FINAL MOTION**

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative Noe, that the Ordinance be **ADOPTED.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin and Niland
NAYS: None
ABSTAIN: Representative Limón

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED.**

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**8.2**

**ORDINANCE 18151**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE SOUTH 24 FEET OF LOT 13, AND ALL OF LOTS 14, 15, AND 16, BLOCK 163, ALEXANDER ADDITION, 2208 N. OREGON, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM SD (SPECIAL DEVELOPMENT) TO G-MU (GENERAL MIXED USE) AND APPROVING A MASTER ZONING PLAN. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 2208 N. OREGON. PROPERTY OWNER: MARGARET PON. PZRZ13-00041**

Mr. Mathew McElroy, Director of City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Motion duly made by Representative Lilly, seconded by Mayor Pro Tempore Niland, that the Ordinance be **ADOPTED.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED.**

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**8.3**

**ORDINANCE 18152**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.18 (SIGN REGULATIONS), ARTICLE IV (ON PREMISES SIGN REGULATIONS), SECTION 20.18.410 (R-F, R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, RMH, AND PMD DISTRICTS), SUBSECTION C (SCHOOL AND CHURCH MONUMENT SIGNS). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Director of City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Lilly and Acosta commented.

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative Noe, that the Ordinance be **ADOPTED.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED.**

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**8.4**

**ORDINANCE 18153**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.20 (PARKS AND OPEN SPACE), SECTION 19.20.030 (PARKLAND CALCULATION), SECTION 19.20.050 (STANDARDS FOR DEEDED PARKLAND) AND SECTION 19.20.120 (PARKLAND FEES SPECIAL FUND) OF THE CITY OF EL PASO CITY CODE TO AMEND THE REQUIREMENTS, STANDARDS AND FEE STRUCTURE FOR PARKLAND DEDICATION AND TO CLARIFY STANDARDS FOR PARK PROJECTS DEVELOPED THROUGH THE CITY OF EL PASO ENGINEERING AND CAPITAL CONSTRUCTION PROGRAMS. THE PENALTY BEING AS PROVIDED IN CHAPTER 19.42 OF THE CITY OF EL PASO CITY CODE.**

Mr. Mathew McElroy, Director of City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Motion duly made by Representative Lilly, seconded by Mayor Pro Tempore Niland, that the Ordinance be **ADOPTED.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED.**

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ITEMS TAKEN TOGETHER

**8.5.1**

**ORDINANCE 18154**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 (STOPPING, STANDING AND PARKING GENERALLY), SECTION 12.44.290 (RESTRICTIONS ON PARKING IN DOWNTOWN PARKING DISTRICTS) OF THE EL PASO CITY CODE, TO ESTABLISH A PROCESS FOR THE CREATION OF DOWNTOWN PARKING DISTRICTS, TO REVISE THE APPLICATION REQUIREMENTS FOR A DOWNTOWN PARKING DISTRICT PARKING PERMIT, TO AUTHORIZE A REPLACEMENT FEE FOR DOWNTOWN PARKING DISTRICT PARKING PERMITS AND TO IDENTIFY THE BOUNDARIES OF AN AREA IN THE VICINITY OF THE EL PASO BALLPARK AND ESTABLISH RULES FOR PARKING IN THAT AREA, AND TO AMEND CHAPTER 12.88 (SCHEDULES), TO ADD SECTION 12.88.220 (SCHEDULE XIX - RESTRICTIONS OF PARKING IN DOWNTOWN PARKING DISTRICTS) TO EXPAND PARKING ZONE A TO INCLUDE AN AREA IN THE VICINITY OF THE EL PASO BALLPARK AND THE OLD SAN FRANCISCO DISTRICT AND TO REALIGN THE BOUNDARIES OF THE EXISTING DOWNTOWN**

**PARKING DISTRICTS; THE PENALTY BEING AS PROVIDED IN CHAPTERS 12.84 (VIOLATION - PENALTY) AND 12.85 (PARKING VIOLATIONS) OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Director of City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Niland, Lilly, and Robinson commented.

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative Noe, that the Ordinance be **ADOPTED.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED.**

**8.5.2**

**RESOLUTION**

**RESOLUTION AMENDING SCHEDULE C FOR THE CITY OF EL PASO FY 2014 BUDGET RESOLUTION**

**WHEREAS,** the City Council adopted the Budget Resolution for FY 2014 on August 20, 2013; and,

**WHEREAS,** paragraph 46 of the Budget Resolution provides that revisions or additions to the fees set forth in Schedule C, attached to the Budget Resolution, may be approved by simple resolution of the City Council; and

**WHEREAS,** the City Council desires to establish the amounts of parking permit fees and create a new replacement parking permit fee related to the downtown parking district,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF EL PASO:**

That Schedule C, attached to the FY 2014 Budget Resolution and effective September 1, 2013, shall be amended as set forth in Attachment A to the Resolution Amending Schedule C for the City of El Paso FY 2014 Budget, to establish the amount for the replacement parking permit related to the downtown parking districts and made necessary by the proposed revisions to Title 12 (Vehicles and Traffic) and to confirm the remaining fees related to the downtown parking districts which were approved on February 5, 2013.

**Attachment A**
**Department of Transportation**

**Add the following lines in Schedule C, attached to the FY 2014 Budget Resolution**

| Department | Account | Fee Description | Detail | City Code Section | Fee |
|---|---|---|---|---|---|
| Department of Transportation | 440050-1000-GF | Downtown Parking District – Parking Permit Fee (Initial Permit) | Downtown Parking District | 12.44.290 | $30.00 |

| | | | | | |
|---|---|---|---|---|---|
| Department of Transportation | 440050-1000-GF | Downtown Parking District – Parking Permit Fee (Additional Permit) | Downtown Parking District | 12.44.290 | $200.00 |
| Department of Transportation | 440050-1000-GF | Downtown Parking District – New Resident Temporary Parking Permit Fee | Downtown Parking District | 12.44.290 | $30.00 |
| Department of Transportation | 440050-1000-GF | Downtown Parking District - Replacement Parking Permit Fee | Downtown Parking District | 12.44.290 | $30.00 |

Motion made by Mayor Pro Tempore Niland, seconded by Representative Noe, and unanimously carried to **APPROVE** the Resolution.

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**9.1 DEPARTMENT OF TRANSPORTATION**

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the public hearing on an Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.020 (Installation), Paragraph 12.56.020F (Parking Meter Hours), of the El Paso City Code, to add an exception to the standard meter hours for the baseball park district; the penalty being as provided in Section 12.84.010 of the El Paso City Code.

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**9.2 DEPARTMENT OF TRANSPORTATION**

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the public hearing on an Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.090 (Parking Meter Rates), of the El Paso City Code, to establish standard parking meter rates, to set maximum parking meter rates and hours for exceptions to standard parking meter rates and hours and to add an exception to the standard parking meter rates for parking meters in the baseball park district; the penalty being as provided in Section 12.84.010 of the El Paso City Code.

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**10.1**

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign a Local Transportation Project Advance Funding Agreement by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the design and construction of standard buffered and protected bicycle lanes citywide, for a total project amount of $2,158,610.00 with a contribution by the City of $182,732.00.

Ms. Irene Ramirez, Interim City Engineer, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Niland, Noe, Limon, and Robinson commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Fred Lopez, Transportation Planning
3. Mr. Ted Marquez, Director for Department of Transportation

4. Ms. Sylvia Firth, City Attorney, gave legal advice.

Mr. Scott White, citizen, commented.

Motion made by Representative Noe, seconded by Mayor Pro Tempore Niland, and unanimously carried to **APPROVE** the Resolution authorizing the City Manager to sign a Local Transportation Project Advance Funding Agreement by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for a total project amount of $2,158,610.00 with a contribution by the City of $182,732.00, with the **AMENDMENT** to require that the design and construction be set to the federal standards for bicycle lanes that City Council committed to at an earlier meeting.

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**11.1**

**RESOLUTION**

**WHEREAS,** by way of a Resolution on April 12, 2005, City Council adopted the Public Art Master Plan dated March 1, 2005, as the primary guideline in determining and appropriating expenditures from the public art fund; and

**WHEREAS,** under the provisions of City Code Chapter 2.40 (Department of Museums and Cultural Affairs) Section 2.40.70 (Art in Municipal Places) and Section 2.40.80 (Administration of the Public Art Program and Establishment of the Public Art Committee) the City of El Paso provided for art in municipal places, established a means of funding acquisition or commissioning of art for municipal places and established that the Public Art Committee and the Museums and Cultural Affairs Advisory Board shall submit an annual Public Art Plan to the City Council; and

**WHEREAS,** the 2014 Public Art Plan (the "Plan") was approved by City Council on January 7, 2014; and

**WHEREAS,** the City Council now desires to amend the Plan to reflect the current budget for the acquisition or commissioning of art for those projects whose art budgets have increased as a result of an increase to the underlying project budgets; and

**WHEREAS,** the City Council determines that the amended Plan is reasonable and appropriately adopted and that said amended Plan serves the public purpose of enhancing the quality of life of the citizens of El Paso through the development of fine arts and cultural properties and by encouraging the integration of art in the architecture of municipal structures.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the amended 2014 Public Art Plan for the City of El Paso, Texas ("the Amended Plan"), attached hereto, be and is hereby officially adopted.

2. That the Amended Plan includes new projects to be initiated in the 2014 fiscal year, and describes the planned location, proposed budget, timetable and artist selection process for each project, and contains updated budget amounts for public art projects in progress.

3. That adoption of the Amended Plan is fully funded through 2010, 2011, and 2012 Certificates of Obligation and the 2012 Quality of Life Bonds.

4. That the City Manager or a designee is authorized to enter into contracts to carry out the Amended Plan as described in Amended Exhibit "A" and to revise project budgets to reflect modifications to project budgets subject to the Public Art Program.

Mr. Ben Fyffe, Interim Director of Museums and Cultural Affairs, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Leeser and Representatives Limon and Romero commented.

Ms. Pat Dalbin, Public Art Program Manager, commented.

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried to **APPROVE** the Resolution.

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## 12.1 MAYOR AND COUNCIL

Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, and carried to **DIRECT** the City Manager and the City Attorney to work with the bicycle advisory committee, end users, the medical community and the nursing doctorial students to explore options to promote bicycle safety, to include exploring the option of drafting an ordinance for bicycle helmet use for children under 17 years of age, contacting other Texas cities to get their experience on enforcement of their juvenile bicycle helmet ordinances.

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Limón, and Niland
NAYS: Representative Holguin

Mr. Jeremy Jordan, Legislative Aide for District 8, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Leeser and Representatives Niland, Holguin, Noe, Robinson, Limon, and Acosta commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Ms. Alex Valenzuela, nurse practitioner
2. Ms. Bilha A. Candelaria, nurse practitioner
3. Ms. Lisa Turner
4. Mr. Scott White

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## 12.2 MAYOR AND COUNCIL

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Niland, and unanimously carried to **REAFFIRM** City Council action in support of NW Master Plan, smart code rezoning of NW Master Plan, and assurance that the stormwater open space identified in the Plan has adequate controls to ensure its continued preservation in accordance with the Plan.

Mr. Mathew McElroy, Director of City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Leeser and Representatives Niland and Lilly commented.

The following members of the public commented:

1. Mr. Jim Tolbert
2. Mr. Scott White
3. Mr. Rick Bonart

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Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 12:32 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.087 to discuss any of the following:

| | |
|---|---|
| Section 551.071 | CONSULTATION WITH ATTORNEY |
| Section 551.072 | DELIBERATION REGARDING REAL PROPERTY |
| Section 551.073 | DELIBERATION REGARDING PROSPECTIVE GIFTS |
| Section 551.074 | PERSONNEL MATTERS |
| Section 551.076 | DELIBERATION REGARDING SECURITY DEVICES |
| Section 551.087 | DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS |

Discussion and action on the Executive Session items listed on the Agenda.

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried to adjourn the Executive Session at 2:01 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Acosta

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**EX1.** Economic Development incentives and Lease for Medical Center of Americas Foundation (551.071 and 551.087)

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero and unanimously carried that the City of El Paso retain The Gilbert Law Firm, P.C. as outside counsel to provide professional legal services involving various land transactions with the Medical Center of Americas.

NOT PRESENT FOR THE VOTE: Representative Acosta

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**EX2.** Proposed economic incentives for a hospital to locate to West El Paso. (551.072 and 551.087)

**NO ACTION** was taken on this item.

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**EX3.** Economic incentives for shared services center to relocate to El Paso. (551.087)

**NO ACTION** was taken on this item.

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**ADDITION TO THE AGENDA**

**EX1.** Real estate acquisition for joint police and fire facility. (551.071 and 551.072)

**NO ACTION** was taken on this item.

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Motion made by Mayor Pro Tempore Niland , seconded by Representative Romero, and unanimously carried to **ADJOURN** this meeting at 2:02 p.m.

NOT PRESENT FOR THE VOTE: Representative Acosta

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk