

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  
MICHEL 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 29, 2014  
8:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:03 a.m. Mayor Leeser present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Larry Romero, Emma Acosta, Carl Robinson, Lilia Limón, and Cortney Carlisle Niland. Late Arrival: Michiel R. Noe at 8:27 a.m. Absent: Eddie Holguin, Jr. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

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**PLEDGE OF ALLEGIANCE**

**DEL NORTE HEIGHTS ELEMENTARY**

Javier Aranda  
Catalina Perez  
Alexis Duran  
Isabel Rivera  
Kevin Cabral  
Mia Rodriguez  
Tony Brown  
Joshua Mariscal  
Ashlyn Olivas  
Ryan Salas  
Isaiah Siphon  
Bryan Gunter  
Alejandra Reyes  
Lizbeth Nunez

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**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](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. Ms. Wally Cech

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**MAYOR’S PROCLAMATIONS**

- 1. Del Norte Heights Elementary 50th Anniversary
- 2. Joseph M. Arabit, DEA Agente Day

**RECOGNITIONS**

**CITY EMPLOYEES**

Ms. Joyce Wilson, City Manager, presented the following employee recognitions:

- 1. Mr. Raul Castaneda – 25 Years
- 2. Mr. Martin E. Rodriguez – 25 Years
- 3. Fire Medical Lieutenant Jose J. Santiago – 25 Years
- 4. Ms. Rebecca D. Vasquez – 25 Years
- 5. Ms. Elizabeth Ballesteros – 30 Years
- 6. Mr. Alberto Rodriguez – 30 Years
- 7. Fire Paramedic Rogelio Razo – 35 Years

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**CONSENT AGENDA**

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, 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, Noe, Limón, and Niland  
 NAYS: None  
 ABSENT: Representative Holguin

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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 April 22, 2014.

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

\*Motion made, seconded, and carried to **EXCUSE**, Representative Eddie Holguin from the Regular Council Meeting of April 29, 2014.

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**3.1.**

**\*RESOLUTION**

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

That the City Manager be authorized to sign a First Amendment to the Golf Course Management Agreement by and between the City of El Paso and Kemper Sports Management, Inc. which will extend the term of the agreement for an additional three years.

Ms. Monica Lombrana, Director of Aviation, commented

Ms. Lisa Turner, citizen, commented

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3.2.

**\*RESOLUTION**

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

That the City Manager be authorized to sign a Second Amendment to the Industrial Site Lease by and between the City of El Paso and the El Paso Independent School District for the premises described as follows:

A 686,218 square foot parcel, more or less, being Lots 4-8, Block 3 and Lots 6 and 7, Block 2C and a portion of Bonanza Street vacated by Ordinance No. 2947, El Paso International Airport Tracts Replat of Unit 3; a portion of Lot 10, Block 2C, El Paso International Airport Tracts Replat of Unit 4, and Lots 3 and 4, Block 3, El Paso International Airport Tracts Replat of Unit 5, El Paso, El Paso County, Texas, and municipally known as 6531 Boeing Dr., El Paso, Texas.

Mayor Leeser commented

Mr. Cary Westin, Director of Economic Development, Commented

Ms. Lisa Turner, citizen, commented

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3.3.

**\*RESOLUTION**

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

WHEREAS, Drag In, LLC d/b/a The Palomino Tavern and Star City Kitchen Bar (hereinafter referred to as "Grantee/Licensee") is sponsoring The Robinson Street Block Party (hereinafter referred to as "Event"), from 12:00 pm on Saturday, May 3, 2014 to 2:00 am Sunday, May 4, 2014; and

WHEREAS, the City is not a sponsor of the Event and the Grantee assumes full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, the Grantee/Licensee is authorized to provide for the sale and service of alcoholic beverages during the Event; and

WHEREAS, the Grantee/Licensee has received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for less than twenty-four (24) hours on portions of City rights-of-way on Robinson Street between Mesa Street and Oregon Street from 6:00 am Saturday, May 3, 2014 to 2:00 am Sunday, May 4, 2014 in conjunction with the proposed Event; and

WHEREAS, the Grantee/Licensee desires to provide for the sale and serving of alcoholic beverages on the closed portions of City rights-of-way during the Event; and

WHEREAS, the Texas Alcoholic Beverage Commission requires that the City Council for the City of El Paso approve, as a permissible activity, the sale and service of alcoholic beverages during the Event.

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

That the sale and service of alcoholic beverages by Drag In, LLC d/b/a The Palomino Tavern and Star City Kitchen Bar, in the closed portions of City rights-of-way on Robinson Street between Mesa Street and Oregon Street from 12:00 pm on Saturday, May 3, 2014 to 2:00 am Sunday, May 4, 2014 in conjunction with The Robinson Street Block Party, is a permissible activity.

3.4.

**\*RESOLUTION**

**A RESOLUTION NOMINATING DAL-TILE CORPORATION AS A TEXAS STATE ENTERPRISE ZONE PROJECT**

WHEREAS, the city council of the city of El Paso ("City") passed Ordinance No. 017116 on May 26, 2009, authorizing the City to participate in the Texas Enterprise Zone Program; and

WHEREAS, the local incentives offered under this Resolution are the same on this date as were outlined in Ordinance No. 017116; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code ("Act"), Dal-Tile Corporation has applied to the City for designation as an enterprise zone project; and

WHEREAS, the Office of the Governor Economic Development and Tourism ("EDC") through the Economic Development Bank ("Bank") will consider Dal-Tile Corporation as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the city and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals; and

WHEREAS, the City finds that Dal-Tile Corporation meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. Dal-Tile Corporation is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located outside of an enterprise zone and at least thirty-five percent (35%) of the business' new employees will be residents of an enterprise zone or economically disadvantaged individuals; and
2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and
3. The designation of Dal-Tile Corporation as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

WHEREAS, the City finds that Dal-Tile Corporation meets the criteria for tax relief and other incentives adopted by the City and nominates Dal-Tile Corporation for enterprise project status on the grounds that it will

be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, the City finds that it is in the best interest of the City to nominate Dal-Tile Corporation as an enterprise project pursuant to the Act.

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

1. That Dal-Tile Corporation is a "qualified business" as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act;
2. That the enterprise zone project shall take effect on the date of designation of the enterprise project by the agency and terminate five years after date of designation; and
3. That the City Manager or her designee be authorized to sign any and all documents required by EDC to complete the nomination process.

Ms. Lisa Turner, citizen, commented

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3.5

**\*RESOLUTION**

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

That the City Manager be authorized to sign an Underground Electrical to the El Paso Electric Company for the purpose of providing electrical service for the Barron Park, a Quality of Life Bond Project, at 11101 Rogers Hornsby St., said property being more particularly described as a portion of Block 81, Township 1, Section 21, T&P RR Surveys, El Paso, El Paso County, Texas.

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3.6

**\*RESOLUTION**

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

THAT the City Manager be authorized to sign Consent to Assignment of the contract by and between the City of El Paso, i2, Inc. ("Assignor") and International Business Machines Corporation ("Assignee") with respect to the Analysis Suite 7 and COPLINK software contracts.

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3.7

**\*RESOLUTION**

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

That the City Council declares that the expenditure of District 2 discretionary funds in an amount not to exceed FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00) to pay towards the costs of shelter rental, park permits, staff time and other related items necessary for the support of the "Music in the Park" event, a series of musical entertainment nights in parks located within District 2 or any parks adjacent to District 2, and this expenditure serves the municipal purpose of providing recreational and cultural activities to the residents

of and visitors of the City of El Paso, which benefits the community and instills community pride, and is authorized; and

That the City Manager be authorized to accept donations for sponsorship of the event, to negotiate and sign contracts as approved by the City Attorney, and to appropriate and ensure that the funds are properly expended for the municipal purpose.

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**4.1 BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Charles N. Taylor to the Building and Standards Commission by Representative Carl Robinson, District 4.

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**4.2 BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** William Wickline to the Foster Grandparent Program Advisory Council by Representative Carl Robinson, District 4.

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**5.1 FOR NOTATION ONLY:**

\*Motion made, seconded, and unanimously carried to **APPROVE** for notation the donation of \$1,000 from El Paso Electric Company for Movies in the Park in District 3.

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**5.2 FOR NOTATION ONLY:**

\*Motion made, seconded, and unanimously carried to **APPROVE** for notation the donation of \$500.00 from Stagecoach Cartage and Distribution, LP for Movies in the Park in District 3.

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**5.3 FOR NOTATION ONLY:**

\*Motion made, seconded, and unanimously carried to **APPROVE** for notation the donation of \$1,000 from River Oaks Properties for the Economic Development Familiarization Tours by Mayor Leeser.

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**6.1. REQUEST TO ISSUE PURCHASE ORDER:**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Engineering and Construction Management Department to issue a purchase order to Garland/DBS Inc., a contractor under the US Communities Purchasing Cooperative, Contract MICPA #09-5408 for roof restoration of the Facilities Building. Total estimated expenditure is \$166,892.00.

The City has made the determination that purchasing from the cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the US Communities Purchasing Cooperative was approved by City Council on February 27, 2007.

Department: El Paso Zoo  
Award to: Garland/DBS, Inc.

El Paso, Texas  
Total Estimated Award \$166,892.00  
Account No: 190-29020-580270-4800-PCP13ZOOD11  
Funding Source: 2012 Quality of Life Bonds  
Reference No: #09-5408

This is a Cooperative, unit price contract.

Ms. Lisa Turner, citizen, commented

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**7.1 – 7.4 INTRODUCTIONS**

Motion made by Representative Romero, seconded by Representative Acosta, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

ABSENT: Representative Holguin

7.1. An Ordinance granting special permit no. PZST14-00009, to allow for a Ballroom/Banquet Hall in a C-2/c/sc (Commercial/conditions/special contract) zone district on the property described as a portion of Lot 1, Block 1, Las Flores Subdivision Unit 4, 8825 North Loop Drive, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.260 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Applicant: Eloisa Gutierrez, Location: 8825 North Loop Drive.

**PUBLIC HEARING WILL BE HELD ON MAY 20, 2014**

7.2. An Ordinance changing the zoning the following parcels: Parcel 1: a portion of Section 30, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch-Farm) to C-2 (Commercial); and, Parcel 2: a portion of Section 30, Block 80, Township 1, Texas and Pacific Railways Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch-Farm) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: South of Patriot Freeway and East of McCombs Street. Property Owner: EP Plaza Partners, LP. PZRZ13-00026

**PUBLIC HEARING WILL BE HELD ON MAY 20, 2014**

7.3. An Ordinance changing the zoning of the South 35 feet of Lots 28 through 32, Block 62, Supplemental Map No. 1 of East El Paso, 512 N. San Marcial Street, City of El Paso, El Paso County, Texas from R-5 (Residential) to R-MU (Residential-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: 512 N. San Marcial Street. Property Owner: Gary and Laura Monteleone. PZRZ13-00040

**PUBLIC HEARING WILL BE HELD ON MAY 20, 2014**

7.4. An Ordinance authorizing the City Manager to sign a Contract of Sale and a Special Warranty Deed conveying a 0.2594 acre parcel of land being a Portion Of Lot 1, Block 2, International Industrial Center, Unit 1, City Of El Paso, El Paso County, Texas, and any other documents necessary to complete the sale to EP Shalom, L.P.

**PUBLIC HEARING WILL BE HELD ON MAY 6, 2014**  
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**ITEMS TAKEN TOGETHER**

**8.1 BID**

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried to **AWARD** Solicitation No. 2014-113 for EPIA Consolidated Rental Agency Complex to Arrow Building Corporation, for an estimated total amount of \$37,285,000.00.

ABSENT: Representative Holguin

Department:	Engineering and Construction Management
Award to:	Arrow Building Corporation
	El Paso, TX
Base Bid:	\$36,940,000.00
Option 1:	\$345,000.00
Total Estimated Award:	\$37,285,000.00
Time for Completion:	610 Consecutive Calendar Days
Accounts:	562-62230-580270-3080-PAP00590
Funding Source:	EPIA Costumer Facility Charges (CFC's)

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a Competitive Sealed Proposal contract. The Engineering & Construction Management Department recommends award to the bidder offering the best value bid.

**8.2**

**RESOLUTION**

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

That the City Manager be authorized to sign an Agreement for Professional Services for Construction Management by and between the City of El Paso and ECM International, Inc., a Texas Corporation, for a project known as "Consolidated Rental Car Agency Complex (CONRAC)" for an amount not to exceed One Million Four Hundred Ten Thousand Five Hundred Seventy Four and 40/100 Dollars (\$1,410,574.40); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services, for a total contract amount not to exceed One Million Four Hundred Sixty Thousand Five Hundred Seventy Four and 40/100 (\$1,460,574.40); and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this agreement.

Ms. Monica Lombrana, Director of Aviation, and Ms. Margaret Schroeder, Engineering Division Manager, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Leeser and Representatives Niland and Acosta commented

Ms. Lisa Turner, citizen, commented

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

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**9.1 PURCHASING AND STRATEGIC SOURCING**

Motion made by Representative Romero, seconded by Mayor Pro Tempore Niland, and unanimously carried to **AUTHORIZE, AS REVISED** the Director for Purchasing & Strategic Sourcing to issue a Purchase Order to Sirsi Corporation dba SirsiDynix for the upgrade of the telemessaging system (i-Tiva), enriched content basic public subscription, software licenses and services for new bookmobiles. Additional items to include; software upgrades, training and annual support and maintenance for an estimated four (4) years in the amount of \$134,152.83 with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

ABSENT: Representative Holguin

Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department: Information Technology Services  
Division: \$22,343.57 (1 year)  
Funds Available: 580100-4560-190-PCP12IT050  
Funds Source: Information Technology, Capital

Department: Library  
Division: \$111,809.26 (3 years)  
Funds Available: 522020-1000-239-P1506-15240  
Funds Source: Information Technology, General Fund  
Total Estimated Amount: \$134,152.83  
Reference No.; 2014-311 SirsiDynix i-tiva Messaging and Book Mobiles

This is a sole source contract.

Mr. Enrique Martinez, Interim Director of Information Technology, commented.

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**10.1**

**ORDINANCE 18165**

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING ALL CONDITIONS PLACED ON PROPERTY BY SPECIAL CONTRACT DATED JUNE 3, 1970, AND ORDINANCE NO. 10030 WHICH CHANGED THE ZONING OF LOT 3, BLOCK 40, CEDAR GROVE PARK UNIT FIVE REPLAT "A", 7380 ALAMEDA AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 7380 ALAMEDA. PROPERTY OWNER: CITY OF EL PASO, TEXAS. PZCR13-00009**

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

Representative Acosta commented.

Motion duly made by Representative Acosta, 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, Limón, and Niland  
NAYS: None  
ABSENT: 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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**10.2**

**ORDINANCE 18166**

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING ALL CONDITIONS PLACED ON PROPERTY BY ORDINANCE NO. 7544 WHICH CHANGED THE ZONING OF A PORTION OF A.F. MILLER SURVEY NO. 214 N/K/A TRACT 35, A.F. MILLER SURVEY NO. 214, 111 RIO FLOR PLACE, CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 111 RIO FLOR PLACE. PROPERTY OWNER: MARIA OVALLE. PZCR14-00001**

Motion duly made by Mayor Pro Tempore Niland seconded by Representative Romero, 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: None  
ABSENT: 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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**10.3**

**ORDINANCE 18167**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACTS 15, 15A, 15B AND 16D, BLOCK 52, YSLETA GRANT, 1139, 1149, AND 1175 SOUTHSIDE ROAD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH-FARM) TO C-4 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 1139, 1149, AND 1175 SOUTHSIDE ROAD. PROPERTY OWNER: KARINA RUIZ SANCHEZ, GUADALUPE DANIEL RUIZ, & DANIEL RUIZ. PZRZ14-00002**

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

Mayor Leeser, Representatives Noe and Limon commented.

Ms. Karla Nieman, Assistant City Attorney, gave legal advice.

Ms. Lisa Turner, citizen, commented

Motion duly made by Representative Noe, seconded by Representative Limon, 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: None  
ABSENT: 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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**10.4**

**ORDINANCE 18168**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, PENDALE INDUSTRIAL UNIT A REPLAT, 8600 GATEWAY EAST BOULEVARD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM P-I (PLANNED INDUSTRIAL) TO C-4 (COMMERCIAL), AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. APPLICANT: CALVIN K. KESSLER AND GERALDINE KESSLER, LOCATION: 8600 GATEWAY EAST BOULEVARD, PZRZ14-00011**

Representative Limon commented.

Motion duly made by Representative Limon, 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: None  
ABSENT: 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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**11.1**

**RESOLUTION**

**A RESOLUTION PROVIDING FOR THE 2014 SPECIAL ELECTION IN THE CITY OF EL PASO, CALLING FOR AN ELECTION OF THE DISTRICT 6 REPRESENTATIVE TO BE HELD WITHIN THE CITY ON JULY 19, 2014; AND MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION.**

**WHEREAS**, on December 1, 2013, District No. 6 Representative Eddie Holguin Jr. announced his candidacy for an office of profit or trust in the state of Texas and by operation of law automatically resigned from his office; and

**WHEREAS**, the City Council for the City of El Paso finds that a vacancy exists in the position of City Representative District No. 6; and

**WHEREAS**, the City Council requested from the Texas Governor's Office permission to conduct a special election on July 19, 2014, to fill the vacancy in City Representative District No. 6; and

**WHEREAS**, Governor Rick Perry issued a proclamation on April 21, 2014, granting the City's request to hold a special election on July 19, 2014.

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

1. That pursuant to the Texas Election Code, as amended, an election will be held on Saturday, July 19, 2014, in the City of El Paso for the purpose of electing the District Representative from Single-Member District No. 6.

2. That at such election, any candidate for the office of Representative shall file an application for a specific place on the ballot as Representative, District No. 6. At the polling places in the Representative District the ballot in such election shall show the office of Representative for such district, the district number and the name of each candidate for office; and the Representative shall be elected by the voters in the district in which the person is a candidate. The period for filing such application shall begin on April 30, 2014, and end on May 19, 2014.

3. That such election shall be held at the precincts and the polling places designated in Exhibit "A" or such other locations as may be designated prior to the election by the City Council, attached hereto and made a part hereof for all purposes, and said polling places shall open at 7 a.m. and remain open until 7 p.m. on the day of the election.

4. That Richarda Duffy Momsen, the City Clerk of the City of El Paso, shall be the clerk for early voting, and Javier Chacon, County Elections Administrator, shall be the deputy clerk for early voting for said City election. The County Courthouse, 500 E. San Antonio, is hereby designated as the main early voting polling place for such election. In addition, early voting may also occur at such branch early voting polling places and at such times as are designated herein as Exhibit "B," attached hereto and made a part hereof for all purposes, or otherwise designated by the El Paso County Elections Administrator. The City Clerk is further authorized to make corrections or revisions to the list of early voting stations as set forth in Exhibit "B", including the respective hours for early voting by personal appearance at these stations, and revise and correct all election notices regarding the early voting locations and the dates and times for such voting.

Applications for voting by mail shall be submitted to the Early Voting Clerk no earlier than May 20, 2014, and no later than the close of business on July 10, 2014, at the following address:

Mr. Javier Chacon  
Deputy Early Voting Clerk  
500 E. San Antonio, Room 402  
El Paso, Texas 79901

5. A special canvassing board shall be appointed by the Mayor or by the Council, as provided by law, to count and canvass all early votes and ballots cast at said election.

6. That electronic voting machines shall be used for voting at the regular polling places in such election and for the casting of early ballots by persons voting early by personal appearance.

7. That such election shall be held in the manner and form prescribed by the laws of the State of Texas, and at such election all qualified voters in District No. 6 of the City are authorized to vote.

8. That a runoff election shall be held, if required, on Saturday, August 23, 2014, or Saturday, August 30, 2014, or another date permitted by the Texas Election Code. Such election, if any, shall be called by the City Council. Early voting dates and sites will be identified if such runoff election shall be held.

9. That by approving and signing this resolution, the Mayor officially certifies and confirms as his action, all matters recited herein which by law come within his jurisdiction.

10. A substantial copy of this resolution shall serve as proper notice of said election.

11. The City Clerk shall give notice of such election by posting a notice of such election in English and Spanish in the Office of the City Clerk as provided by law and by publishing a copy of said notice in both English and Spanish in a newspaper in the City as required by law.

12. The City Clerk shall deliver notice of this election to the county clerk and voter registrar of El Paso County, as required by law, not later than Tuesday, May 6, 2014.

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

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

Ms. Lisa Turner, citizen, commented

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

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, and Niland

NAYS: Representative Limón

NOT PRESENT FOR THE VOTE: Representative Noe

ABSENT: Representative Holguin

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**12.1 MAYOR AND COUNCIL**

Discussion and action on the Lincoln Center and update.

Mayor Leeser commented.

Representatives Acosta and Limon commented.

Mr. Hector Gonzalez, citizen, and Mr. Miguel Juarez, citizen, presented a PowerPoint presentation (copy on file in City Clerk's office).

**NO ACTION TAKEN**

Motion made by Representative Lilly, seconded by Representative Romero, and unanimously carried to **ADJOURN** this meeting at 9:47 a.m.

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APPROVED AS TO CONTENT:



Richarda Duffy Momsek, City Clerk