

OSCAR LEESER  
MAYOR

SEAN MCGLYNN  
INTERIM 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

## MINUTES FOR REGULAR COUNCIL MEETING

June 3, 2014  
COUNCIL CHAMBERS, CITY HALL  
8:00 AM

The City Council met in regular session at the above place and date. Meeting was called to order at 8:00 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Larry Romero, Carl Robinson, Lilia Limón, and Cortney Carlisle Niland. Late arrival: Eddie Holguin, Jr. at 8:05 a.m. and Michiel R. Noe at 8:09 a.m. Absent: Emma Acosta requested to be excused. The invocation was given by Chaplain Carlos Clugy-Soto, followed by the Pledge of Allegiance to the Flag of the United States of America.

### ROLL CALL

### INVOCATION BY CHAPLAIN CARLOS CLUGY-SOTO

### PLEDGE OF ALLEGIANCE

William C. "Nemo" Herrera Elementary

Anahi De la Pena  
Ella Keel  
Genessis Melero  
Victoria Montoya  
Avery Rojas  
Kiara Rojas  
Amanda Sotelo  
Janet Urquiza  
Jesus Villela  
Mia Bella Wong

### 8:00 A.M. – 8:30 A.M. CALL TO THE PUBLIC – PUBLIC COMMENT

The following members of the public commented:

1. Mr. Steven Strumer
2. Ms. Wally Cech
3. Mr. Salvador Gomez
4. Mr. Leo Mendoza

Mayor Leeser and Representative Niland commented.

The following City staff members commented:

1. Mr. Sean McGlynn, Interim City Manager
2. Ms. Sylvia Firth, City Attorney, gave legal advice.

### MAYOR'S PROCLAMATIONS

1. **Men's Cancer Awareness Day**
2. **El Paso County Historical Society Year**
3. **United States Army Week**

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### RECOGNITIONS

**Northwest Early College High School - Gates Millennium Scholars**

**Alexandria Rosario Holden  
Monique Gabriela Davis**

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### NOTICE TO THE PUBLIC

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### CONSENT AGENDA

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, 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, Robinson, Noe, Holguin, Limón, and Niland

NAYS: None

ABSENT: Representative Acosta

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#### **1. APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of May 27, 2014.

\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of May 27, 2014.

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

\*Motion made, seconded, and unanimously carried to **EXCUSE, AS REVISED** Representative Emma Acosta from the Regular Council Meeting of June 3, 2014.

**3. RESOLUTIONS:**

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**3.1.**

**RESOLUTION**

**A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR A PORTION OF LOT 2E, BLOCK 14, VISTA DEL SOL UNIT TEN REPLAT, 1225 BARRANCA DRIVE, CITY OF EL PASO, EL PASO, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, on November 15, 1994, City Council rezoned the property described as *a portion of Lot 2E, Block 14, Vista Del Sol Unit Ten Replat, 1225 Barranca Drive, City of El Paso, El Paso County, Texas*, from P-1 (Planned Industrial) to C-4/c (Commercial/conditions) and as part of the rezoning imposed conditions that prior to the issuance of any building permits, a detailed site development plan must be approved by the City Plan Commission and the Mayor and City Council; and,

**WHEREAS**, the property owner **Jorge Gutierrez** (the "Owner") is ready to proceed with development and has submitted a detailed site development plan for review; and,

**WHEREAS**, the detailed site development plan is subject to the development standards in the C-4/c (Commercial/conditions) District regulations and subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission; and,

**WHEREAS**, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

**WHEREAS**, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

**WHEREAS**, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code;

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

1. Pursuant to requirements imposed on the subject property described as *a portion of Lot 2E, Block 14, Vista Del Sol Unit Ten Replat, 1225 Barranca Drive, City of El Paso, El Paso County, Texas*, the City Council hereby approves the detailed site development plan submitted by the Applicant. The detailed site development plan is subject to the development standards in the C-4/c (Commercial/conditions) District.

2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.

3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-4/c (Commercial/conditions) District regulations.

4. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-4/c (Commercial/conditions) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

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

Representatives Robinson and Limón commented.

**1<sup>ST</sup> MOTION**

\*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR**.

**2<sup>ND</sup> AND FINAL MOTION**

Motion made by Representative Limón, seconded by Representative Romero, and unanimously carried to **APPROVE** the Resolution.

3.2.

**\*RESOLUTION**

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

**WHEREAS**, Alonso Martinez (hereinafter referred to as "Grantee") is producing 613 Alley Music Fest to be open to the public from 9:00 pm on Friday, June 13, 2014 to 1:00 am on Saturday, June 14, 2014 (hereinafter referred to as "Event"); and

**WHEREAS**, the Grantee has submitted an application for a Special Privilege Permit pursuant to Title 15.08.120 (D) of the El Paso Municipal Code, for the use and closure of portions of City rights-of-way on the alley at the 1600 block of Texas Avenue between North Cotton Street and South Dallas Street in conjunction with the Event; and

**WHEREAS**, the Grantee has indicated their intent to authorize the Larry O's Lounge, (hereinafter referred as "TABC Permittee") to provide for the temporary sale and service of alcoholic beverages within the identified closed portions of City rights-of-way during the Event; and

**WHEREAS**, the Texas Alcoholic Beverage Commission (TABC) requires that the City Council for the City of El Paso approve, as a permissible activity, the sale and service of alcoholic beverages within City rights-of-way, prior to issuance of such permit; and

**WHEREAS**, the Grantee assumes full responsibility for the TABC Permittee, including verification that the Permittee has obtained a permit for the temporary sale and service of alcoholic beverages from the TABC prior to the Event.

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

That the temporary sale and service of alcoholic beverages by Alonso Martinez and Larry O's Lounge, in the closed portions of City rights-of-way on the alley at the 1600 block of Texas Avenue between North Cotton Street and South Dallas Street from 9:00 pm on Friday, June 13, 2014 to 1:00 am on Saturday, June 14, 2014 is a permissible activity in conjunction with 613 Alley Music Fest, upon issuance of the required permits from the Texas Alcoholic Beverage Commission and the City of El Paso.

**4. BOARD RE-APPOINTMENTS:**

- 4.1. \*Motion made, seconded, and unanimously carried to **RE-APPOINT** Irma Chavez-Rodriguez to the Retired and Senior Volunteer Program by Mayor Oscar Leeser.

**5. BOARD APPOINTMENTS:**

- 5.1. \*Motion made, seconded, and unanimously carried to **APPOINT** Robert A. Gonzales to the Bicycle Advisory Committee by Representative Ann Morgan Lilly, District 1.
- 5.2. \*Motion made, seconded, and unanimously carried to **APPOINT** Suzanne Todd to the Community Development Steering Committee by Representative Cortney Niland, District 8.
- 5.3. \*Motion made, seconded, and unanimously carried to **APPOINT** Kenneth Gorski to the Museums and Cultural Affairs Advisory Board by Representative Lily Limón, District 7.
- 5.4. \*Motion made, seconded, and unanimously carried to **APPOINT** Leonard Gutierrez to the Bicycle Advisory Committee by Representative Larry Romero, District 2.

**REGULAR AGENDA – PUBLIC HEARINGS**

**6. CITY DEVELOPMENT:**

**6.1. ORDINANCE 18177**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST13-00026, TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN REAR SETBACK AND A 50% PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 17-25, AND THE EAST 10' OF LOT 26, BLOCK 23, COTTON ADDITION, 2030 GRANT AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 2030 GRANT AVENUE. PROPERTY OWNER: EL PASO CHINESE BAPTIST CHURCH.**

**PZST13-00026**

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, Robinson, Noe, Holguin, Limón, and Niland  
NAYS: None  
ABSENT: Representative Acosta

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

**6.2.**

**ORDINANCE 18178**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 9A, BLOCK 5, UPPER VALLEY SURVEYS, 261 LINDBERGH AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-1 (RESIDENTIAL) TO R-2 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 261 LINDBERGH AVENUE. PROPERTY OWNER: LAWRENCE L. AND PATRICIA S. BYLICKI. PZRZ14-00010**

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 Representative Limón, 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, Robinson, Noe, Holguin, Limón, and Niland  
NAYS: None  
ABSENT: Representative Acosta

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

**ITEMS 6.3.1, 6.3.2 AND 6.3.3 TAKEN TOGETHER**

**6.3.1**

**ORDINANCE 18179**

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING A CONDITION AND AMENDING A CONDITION PLACED ON PROPERTY BY ORDINANCE NO. 014596 WHICH CHANGED THE ZONING OF LOTS 3 AND 4, BLOCK 2, MEDANO HEIGHTS SUBDIVISION, REPLAT "A", 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: NORTH OF MEDANO DRIVE AND EAST OF DESERT NORTH BOULEVARD. PROPERTY OWNER: THE HOUSING AUTHORITY OF THE CITY OF EL PASO. PZCR13-00005**

Representative Lilly commented.

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, Robinson, Noe, Holguin, Limón, and Niland

NAYS: None

ABSENT: Representative Acosta

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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6.3.2

**ORDINANCE 18180**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 3 AND 4, BLOCK 2, MEDANO HEIGHTS SUBDIVISION, REPLAT "A", CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5/C (RESIDENTIAL/CONDITIONS) TO S-D/C (SPECIAL DEVELOPMENT/CONDITIONS). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: NORTH OF MEDANO DRIVE AND EAST OF DESERT NORTH BOULEVARD. PROPERTY OWNER: THE HOUSING AUTHORITY OF THE CITY OF EL PASO. PZRZ13-00012**

Representative Lilly commented.

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, Robinson, Noe, Holguin, Limón, and Niland

NAYS: None

ABSENT: Representative Acosta

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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6.3.3

**ORDINANCE 18181**

The City Clerk read an Ordinance entitled: **AN ORDINANCE APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR LOTS 3 AND 4, BLOCK 2 MEDANO HEIGHTS SUBDIVISION, REPLAT "A", CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.150 AND 20.10.360. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT**

**PROPERTY: NORTH OF MEDANO DRIVE AND EAST OF DESERT NORTH BOULEVARD. PROPERTY OWNER: THE HOUSING AUTHORITY OF THE CITY OF EL PASO. PZDS13-00022**

Representative Lilly commented.

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, Robinson, Noe, Holguin, Limón, and Niland

NAYS: None

ABSENT: Representative Acosta

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. POLICE DEPARTMENT:**

- 7.1. \*Motion made, second, and unanimously carried to **DELETE** the public hearing on an Ordinance amending Title 5 (Business License and Permit Regulations), Chapter 5.12 (Dealers in Secondhand Goods, Dealers in Crafted Precious Metals, Coin Dealers and Pawnbrokers) in its entirety relating to all provisions including clarifications and revisions of definitions and exclusions; clarification regarding license denial suspension, revocation; clarification regarding violations and penalties.

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**REGULAR AGENDA - OTHER BUSINESS**

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**8. CITY DEVELOPMENT:**

8.1. **RESOLUTION**

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

That the City Council hereby waives the two factor requirement to designate a property with an infill development overlay pursuant to Municipal Code 20.10.280A for the following property legally described as Lot 5, Block 1, Armour Square, 5550 Confetti Drive, City of El Paso, El Paso County, Texas.

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

ABSENT: Representative Acosta

9. **MAYOR AND COUNCIL:**

- 9.1. Discussion and action regarding a request that the City Manager prepare a plan to finance the restoration of the Lincoln Center for use as a Community Center.

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and carried to **REVISE AND POSTPONE** four weeks the item regarding a request that the City Manager prepare plan to finance the restoration of the Lincoln Center for use as a Community Center as soon as TXDOT gives the City a favorable decision.

AYES: Representatives Lilly, Romero, Robinson, and Niland

NAYS: Representatives Robinson, Holguin, and Limón

ABSENT: Representative Acosta

**ADDITION TO THE AGENDA**

1. **MAYOR AND COUNCIL:**

- 1.1. Discussion and action to review the policies related to the use of the baseball luxury box, with discussion to include list of past attendees and schedule of departments using the luxury box.

Motion made by Representative Limón, seconded by Representative Holguin, and unanimously carried to **POSTPONE** one week the item regarding discussion and action to review the policies related to the use of the baseball luxury box, with discussion to include list of past attendees and schedule of departments using the luxury box.

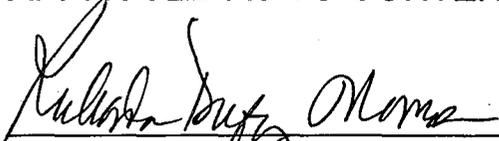
ABSENT: Representative Acosta

Representative Limón commented.

**ADJOURN**

Motion made by Mayor Pro Tempore Niland, seconded by Representative Limón, and unanimously carried to **ADJOURN** this meeting at 9:00 a.m.

**APPROVED AS TO CONTENT:**

  
Richarda Duffy Morsen, City Clerk