

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
JULY 2, 2013
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:35 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Larry Romero, Emma Acosta, Carl Robinson, Michiel R. Noe, Lilia Limón, and Cortney Carlisle Niland. Late arrival: Eddie Holguin, Jr. at 8:43 a.m. Absent: Ann Morgan Lilly requested to be excused. The invocation was given by Police, Fire and CIMA Chaplain Sam Faraone followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

NATIONAL PARKS AND RECREATION MONTH

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 Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland

NAYS: None

ABSENT: Representative Lilly

1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of June 25, 2013, the LRC of the Whole of June 24, 2013, the Special City Council Meeting of June 20, 2013 (Canvass the Returns of the June 15, 2013 Run Off Election), and the Special City Council Meeting of June 24, 2013 (Canvass the Returns of the June 15, 2013 Run Off City Election for District 4).

2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Ann Morgan Lilly from the Regular Council Meeting of July 2, 2013.

3. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Richard V. Teschner to the Open Space Advisory Board by Representative Emma Acosta, District 3.

4A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Mary S. Newton to the Retired and Senior Volunteer Program Advisory Council by Representative Emma Acosta, District 3.

4B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Pifas Silva to the Greater El Paso Civic, Convention and Tourism Advisory Board, to fill an unexpired term, by Representative Lily Limón, District 7.

5. INTRODUCTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Noe, and unanimously carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

ABSENT: Representative Lilly

An Ordinance amending Ordinance No. 17924 amending Title 5 (Business License and Permit Regulations) of the El Paso City Code to add Chapter 5.17 (Credit Access Businesses) in order to set forth registration requirements and credit extension guidelines, to amend the effective date of Ordinance No. 17924.

PUBLIC HEARING WILL BE HELD ON JULY 16, 2013, FOR ITEM 5

6.

ORDINANCE 18030

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF EL PASO, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013" IN AN AMOUNT NOT TO EXCEED \$27 MILLION FOR DEBT SERVICE SAVINGS TO THE CITY.**

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

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

Ms. Lisa Turner, citizen, commented.

Motion duly made by Representative Noe, 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 Romero, Acosta, Noe, Limón and Niland
- NAYS: Representatives Robinson and Holguin
- ABSENT: Representative Lilly

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.

ORDINANCE 18031

The City Clerk read an Ordinance entitled: **AN ORDINANCE ESTABLISHING DEADLINES AND PROCEDURES FOR PLACING MATTERS ON THE AGENDA FOR CITY COUNCIL MEETINGS AND REPEALING ORDINANCE NO. 017616.**

Representatives Noe and Acosta commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Sylvia Firth, City Attorney, gave legal advice.

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

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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8A.

ORDINANCE 18032

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST13-00004, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED REAR SETBACKS ON THE PROPERTY DESCRIBED AS A PORTION OF BLOCK B, BRITTON DAVIS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. PROPERTY OWNER: DANIEL ENRIQUEZ, LOCATION: 8424 DYER STREET PZST13-00004.**

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Romero and Robinson commented.

Motion duly made by Representative Robinson, seconded by Representative Acosta, 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 Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
NAYS: None

ABSENT: Representative Lilly

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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8B.

ORDINANCE 18033

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST13-00005, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED LOT AREA, AND LOT WIDTH ON THE PROPERTY DESCRIBED AS LOTS 4, 5, & 6, BLOCK 1, LOS ESCONDIDOS SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. PROPERTY OWNER: JUAN AND ANA RAMIREZ, LOCATION: 7916, 8000 AND 8004 MITZIE RAM PLACE, PZST13-00005.**

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Motion duly made by Representative Acosta, 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 Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland

NAYS: None

ABSENT: Representative Lilly

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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8C.

ORDINANCE 18034

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 3, BLOCK 5, CASTNER RANGE SUBDIVISION NO. 1, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1 (COMMERCIAL) TO C- 3 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. PROPERTY OWNER: INVESTMENT BUILDERS INC.: LOCATION: 9301 DYER STREET, PZRZ13-00006.**

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Robinson commented.

Motion duly made by Representative Robinson, 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 Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland

NAYS: None

ABSENT: Representative Lilly

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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8D.

ORDINANCE 18035

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 9 AND 10, BLOCK 3, ALAMEDA ACRES, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2/SP (APARTMENT/SPECIAL PERMIT) AND R-4 (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. PROPERTY OWNER: 125 GLENWOOD LLC, LOCATION; 125-127 GLENWOOD STREET. PZRZ13-00021.**

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Acosta commented.

Mr. Sergio Castillo, representing applicant, commented.

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 Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland

NAYS: None

ABSENT: Representative Lilly

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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8E.

ORDINANCE 18036

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST13-00009, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED FRONT, AND REAR SETBACKS ON THE PROPERTY DESCRIBED AS LOTS 6 AND 7, BLOCK 4, EMERALD VALLEY ESTATES REPLAT A, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. PROPERTY OWNER: WINTON AND ASSOCIATES, LOCATION: 5524-5528 WOODGREEN DRIVE, PZST13-00009.**

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Robinson commented.

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

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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8F.

ORDINANCE 18037

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING A CONDITION PLACED ON PROPERTY BY ORDINANCE NO. 014240 WHICH CHANGED THE ZONING OF THE SOUTH 1/3 OF LOTS 16-20, BLOCK 67, HARTS SURVEY NO. 9 OF SATTERWAITE ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. PROPERTY OWNER: REVERY INVESTMENTS, LLC, LOCATION: 1000 N. MESA STREET, PZCR13-00002.**

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

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

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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8G. CITY DEVELOPMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the public hearing on an Ordinance granting Special Permit No. PZST12-00023, to allow for a Facility-Mounted Personal Wireless Service Facility (PWSF) and imposing a condition on the property described as Lot 19 and a portion of Lot 17, Block 138, Chaparral Park Unit 30, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.455 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 6520 Loma De Cristo Drive. Applicant: Ascension Lutheran Church. PZST12-00023

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8H.

ORDINANCE 18038

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACTS 12 AND 13, J.M. JETT SURVEY 155, CITY OF EL PASO, EL PASO COUNTY, TEXAS**

FROM R-5 (RESIDENTIAL) TO C-3 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 4864 DONIPHAN DRIVE. PROPERTY OWNER: EL PASO INDEPENDENT SCHOOL DISTRICT. PZRZ13-00003

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Leeser commented.

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

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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8I-1. CITY DEVELOPMENT

*Motion made, seconded, and unanimously carried to **DELETE** the public hearing on an Ordinance changing the zoning of Parcel 1: Lots 1-2 and 4-5, Block 1, Del Mesa Additions, City of El Paso, El Paso County, Texas from C-2 (Commercial) to G-MU (General Mixed Use); Parcel 2: A portion of Tract 4-C-1, Morehead Survey, City of El Paso, El Paso County, Texas from C-2/SP (Commercial/special permit) to G-MU (General Mixed Use); Parcel 3: A portion of 4-C-1, Morehead Survey, City of El Paso, El Paso County, Texas R-4/SP (Residential/special permit) to G-MU (General Mixed Use); Parcel 4: Lots 1-2, Block 1, V.A.L. Tract, City of El Paso, El Paso County, Texas from C-1/C/SP (Commercial/condition/special permit) 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: Parcel 1: 5305 and 5331 Montana Avenue, Parcel 2: 1015 Chelsea Street, Parcel 3: 1012 Cardon Street, and Parcel 4: 1039 Chelsea Street. Property Owner: Chicos Tacos, Inc., Mora Holdings, LLC, Johanna Welsh Estate, and Omega Paving Contractors, Inc. PZRZ12-00044

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8I-2.

*Motion made, seconded, and unanimously carried to **DELETE** the public hearing on an Ordinance releasing a condition placed on property by Ordinance No. 16788 which changed the zoning of Lots 1-2, Block 1, V.A.L. Tract, 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: 1039 Chelsea Street. Property Owner: Omega Paving Contractors, Inc. PZCR13-00004

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9.

ORDINANCE 18039

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE 2025 PROPOSED THOROUGHFARE SYSTEM, AS INCORPORATED INTO PLAN EL PASO, TO ADD RIVER BEND DRIVE AS A COLLECTOR ARTERIAL FROM FRONTERA ROAD TO SUNSET DRIVE, TO DELETE A PORTION OF MILLS AVENUE FROM OREGON STREET TO SAN FRANCISCO STREET CURRENTLY**

DESIGNATED AS A MINOR ARTERIAL AND TO DELETE A PORTION OF EL PASO STREET FROM SAN FRANCISCO STREET TO THE NORTHERLY INTERSECTION WITH SAN ANTONIO AVENUE CURRENTLY DESIGNATED AS A MINOR ARTERIAL.

Mr. Fred Lopez, Department of Transportation, presented a PowerPoint presentation (copy on file in City Clerk's office) and read revisions into the record.

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

Ms. Joyce Wilson, City Manager, commented.

The following members of the public commented:

1. Ms. Alma Ramsey, President of the Love Rd Association
2. Mr. William Pettit
3. Ms. Carol Miller
4. Ms. Caroline North
5. Mr. Bernie Sargent
6. Ms. Chris Goodwin
7. Mr. Bob Bouilly
8. Ms. Meg Murphy
9. Mr. Mike Quarles
10. Ms. Karen Bouilly
11. Ms. Mary Gates
12. Ms. Susan Martinez
13. Ms. Jean Quarles
14. Ms. Gene Karam
15. Ms. Waynelyn Segotta
16. Ms. Elva O'Hara
17. Dr. Kay Mooy

1ST MOTION

Motion made by Representative Noe, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the sign-up period.

2ND MOTION

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative Noe, that the Ordinance be **ADOPTED, AS REVISED** to place River Bend back on the Major Thoroughfare Plan and accept revisions read into the record by Fred Lopez, Department of Transportation. 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 Romero, Acosta, Noe, and Niland

NAYS: Representatives Robinson, Holguin, and Limón

ABSENT: Representative Lilly

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

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and carried to **INCLUDE** Mills portion of the Major Thoroughfare Plan.

AYES: Representatives Romero, Robinson, Noe, Holguin, Limón, and Niland

NAYS: Representative Acosta

ABSENT: Representative Lilly

10.

RESOLUTION

WHEREAS, on June 19, 2012, the City Council for the City of El Paso adopted a Final Action Plan for 2012-2013 for the Consolidated Plan 2010-2015, including the 38th Year (2012-2013) Community Development Block Grant (CDBG) Program, and on the same date authorized the City Manager to sign and submit to the United States Department of Housing and Urban Development (HUD) the Annual Action Plan (2012-2013) and all certifications contained therein; and

WHEREAS, the City Council, based on the recommendation of the Director of the Community and Human Development Department, now desires to amend the Annual Action Plan (2012-2013) of the 2010-2015 Consolidated Plan and 2012-2013 CDBG Program Budget by deleting two public service activities and transferring those funds to the CDBG Contingency Account to be reprogrammed for future use; and

WHEREAS, on May 24, 2013, the City of El Paso published in the El Paso Times and El Diario newspapers public notice and allowed a 30-day public comment period regarding the proposed amendment to the Annual Action Plan (2012-2013) and 38th Year (2012-2013) CDBG Program Budget and City Council has duly considered public comment, if any; and

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

- 1. That the Annual Action Plan (2012-2013) and 38th Year (2012-2013) CDBG Program Budget is hereby amended as follows:

Accessible Housing Units Database - \$25,000 (**All Districts**): This public service project is deleted from the CDBG program at the request of the City of El Paso, the original applicant; and

El Paso Human Services – Transitional Housing for Former Foster Youth - \$30,000 (**All Districts**): This public service project is deleted from the CDBG program by mutual agreement between the City of El Paso and El Paso Human Services; and

The funds retrieved from these two projects will be transferred to the CDBG Contingency Account to be re-programmed for future use.

- 2. That the City Manager be authorized to take any actions necessary to accomplish the intent of this resolution upon approval by the City Attorney's Office and Director of Community and Human Development Department.

Mayor Leeser and Representative Acosta commented.

Mr. William Lilly, Director of Community and Human Development, commented.

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

11. **CITY ATTORNEY**

1ST MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Holguin, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 11:44 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

2ND MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, and unanimously carried to **ADJOURN** the Executive Session at 12:01 p.m. and **RECONVENE** the meeting of the City Council.

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, and unanimously carried to **POSTPONE** two weeks the item on Interim Rate Adjustment Request filed by Texas Gas Service Company, a division of ONEOK, Inc., on April 2, 2013.

Mr. Norman Gordon, outside counsel, presented a PowerPoint presentation (copy on file in City Clerk's office).

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12. MAYOR AND COUNCIL

Motion made by Mayor Pro Tempore Niland, seconded by Representative Noe, and carried to **DIRECT** the Mayor to work with TxDOT and Department of Transportation to identify solutions and funding to improve commercial traffic flow at Bridge of the Americas and to explore strategy of tolling approaches to the Bridge of the Americas to relieve congestion at BOTA and redistribute cross border traffic among other ports of the region and to include looking at the possibility of leasing the Texas Border Safety Inspection Site and implementation of an infrastructure fee.

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

Mayor Pro Tempore Niland presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Leeser and Representatives Acosta, Robinson, Noe commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager commented.
- 2. Ms. Sylvia Firth, City Attorney, gave legal advice.

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13. CITY MANAGER

Report back to Council on Council's June 25, 2013 directive regarding outreach to Mountain Star Group, LLC for personal guarantees.

Mayor Leeser and Representatives Holguin, Limón, Acosta commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. Mark Osborn, Attorney for Mountain Star, LLC
2. Mr. Richard Schechter
3. Mr. David Ochoa
4. Mr. Othon Medina
5. Dr. Kay Mooy

NO ACTION was taken on this item.

ITEMS TAKEN TOGETHER

ADDITION TO THE AGENDA

1A.

RESOLUTION

WHEREAS, the City Council of the City of El Paso passed and approved the Motion attached to this Resolution (Exhibit "A") on November 6, 2012, granting broad authority to the City Manager to buy or lease office space and parking in the Central Business District; and

WHEREAS, the acquisition of office space and parking spaces required for the relocation of City operations as a result of the relocation of City Hall has been completed.

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

That the broad authority granted to City Manager by the City Council as evidenced by the attached motion is hereby revoked.

1B.

RESOLUTION

WHEREAS, the City Council of the City of El Paso awarded Solicitation No. 2013-10R for El Paso Ballpark to Jordan/Hunt, a Texas Joint Venture, on January 8, 2013 and amended the solicitation on June 18, 2013;

WHEREAS, in conjunction with awarding the solicitation, the City Council authorized the City Manager to "establish funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.";

WHEREAS, the City Manager was also authorized to sign "...any related documents and agreements necessary to effectuate this award, including the Guaranteed Maximum Price Amendment."; and

WHEREAS, the City Council would like to make an adjustment to the authority granted to the City Manager without impeding the progress on the Project.

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

All authority granted to the City Manager in connection with award of Solicitation No. 2013-10R for the construction of the El Paso Ballpark to Jordan/Hunt a Texas Joint Venture and the AIA A133-2009 Standard Form of Agreement between Owner and Construction Manager as Contractor is hereby modified to require that the City Manager may only exercise authority, approvals, sign documents and agreements, including the Guaranteed Price Amendment, in consultation with the Mayor of the City of El Paso.

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

The following members of the public commented:

1. Mr. David Ochoa
2. Mr. Othon Medina

Motion made by Representative Limón, seconded by Representative Robinson, and unanimously carried to **APPROVE** the Resolutions.

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 8:30 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. Jack Bradford
2. Mr. Richard Schechter
3. Mr. Rick Najera
4. Mr. Othon Medina
5. Dr. Kay Mooy
6. Ms. Juliet Hart
7. Ms. Anna Howell
8. Mr. Wade Hampton
9. Ms. Wally Cech
10. Mr. Mark Benitez

Representatives Noe and Holguin commented.

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

WORK SESSION/LEGISLATIVE REVIEW COMMITTEE OF THE WHOLE

14. ENGINEERING AND CONSTRUCTION MANAGEMENT

Briefing by City Staff on proposed reprogramming of existing bond authorization to finish the (Mulligan) Luther Building, 218 Campbell St.

Representatives Acosta, Noe, and Niland commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Sylvia Firth, City Attorney, gave legal advice.
3. Mr. Javier Reyes, Engineering Division Manager
4. Mr. Scott Gilliland, Architect/Division Manager

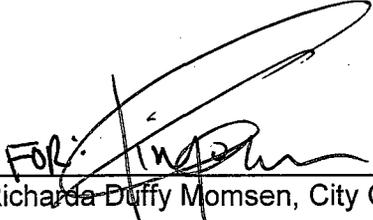
The following members of the public commented:

1. Mr. Richard Schecter
2. Mr. Othon Medina

NO ACTION was taken on this item.

Motion made by Representative Robinson, seconded by Representative Acosta, and unanimously carried to **ADJOURN** this meeting at 2:42 p.m.

APPROVED AS TO CONTENT:


FOR: _____
Richard Duffy Momsen, City Clerk