

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
EMMA ACOSTA, DISTRICT 3  
CARL ROBINSON, DISTRICT 4  
RACHEL QUINTANA, DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
NOVEMBER 3, 2009  
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:33 a.m. Mayor Pro Tempore Acosta present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Carl Robinson, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Late arrival: Rachel Quintana at 8:42 a.m. Early departure: Steve Ortega at 12:06 p.m. Absent: Mayor John F. Cook requested to be excused from the meeting. The invocation was given by Police Chaplain Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

.....  
**MAYOR'S PROCLAMATIONS**

1. JUNIOR DEVIL DOGS DAY
2. VETERAN'S DAY
3. DIABETES MONTH
4. NATIONAL ALZHEIMER'S DISEASE AWARENESS MONTH
5. AREA 19 SPECIAL OLYMPICS FALL GAMES WEEK
6. MUNICIPAL COURT WEEK

**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 9:00 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. Lisa Turner
2. Mr. Ray Gilbert

Ms. Joyce Wilson, City Manager, commented.

.....  
Motion made by Representative Holguin, seconded by Representative Lilly, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:34 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 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.

NOT PRESENT FOR THE VOTE: Representative Quintana

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried to adjourn the Executive Session at 9:21 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Byrd, Robinson, and O'Rourke

.....  
**EX1.** Portions of Lot 1, Block 1, Hawkins Plaza, El Paso, Texas. (551.071 and 551.072)

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

.....  
**EX2.** Javier E. Avila vs. City of El Paso and El Paso Metropolitan Planning Organization, Cause No. 2009-1660. (551.071)

Motion made by Representative Lilly, seconded by Representative Byrd, and unanimously carried that outside counsel for the City of El Paso be authorized to **REJECT** Plaintiff's settlement demand in the lawsuit styled Javier E. Avila vs. City of El Paso and El Paso Metropolitan Planning Organization; Cause No. 2009-1660

.....  
**EX3.** Jake Canavan vs. City of El Paso, Cause No. 09-CV-043-KC. (551.071)

Motion made by Representative Lilly, seconded by Representative Byrd, and unanimously carried that outside counsel for the City of El Paso be authorized to **REJECT** Plaintiff's settlement demand in the lawsuit styled Jake Canavan vs. City of El Paso; Cause No. 09-CV-043-KC.

.....  
**CONSENT AGENDA**

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, 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, Byrd, Acosta, Robinson, Quintana, Holguin, and Ortega

NAYS: None

NOT PRESENT FOR THE VOTE: Representative O'Rourke

.....  
**1. APPROVAL OF MINUTES**

\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of October 27, 2009, and the Special City Council Meetings of October 27, 2009 (Regional Growth Management Plan).

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

\*Motion made, seconded, and unanimously carried to **EXCUSE** Mayor John F. Cook from the Regular Council Meeting of November 3, 2009.

**3A.**

**\*RESOLUTION**

That the City Manager be authorized to sign a Tenth Amendment to the Facilities Management and Tourism Agreement between the City of El Paso and SMG to clarify the amounts and calculations used for determining the fixed fees and incentive fees paid under the agreement, to revise the definition of facility, and clarify the provisions regarding termination of the agreement for convenience.

Representatives Byrd and Ortega commented.

Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services, commented.

**3B.**

**\*RESOLUTION**

That the Mayor be authorized to sign a First Amendment to Interlocal Agreement by and between the City of El Paso, Texas ("City"), acting in its capacity as the fiscal agent to the Metropolitan Planning Organization for the El Paso Urban Transportation Study Area ("MPO"), and the University of Texas at El Paso ("UTEP"), whereby UTEP agrees to provide technical support to the MPO in certain transportation areas.

**3C.**

**\*RESOLUTION**

That the City Manager be authorized to sign an Exhibition Agreement between the City of El Paso and Trustees of the Walters Art Gallery, for the Walters Art Museum, for an exhibition known as "Bedazzled: 5,000 Years of Jewelry" in the amount of \$100,000 for the participation fee and the amount of \$37,000 for costs.

Representative Ortega commented.

Mr. Michael Tomor, Deputy Director for Museums, commented.

**4A. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Armando Uranga to the Building and Standards Commission, as an alternate community affairs member, by Representative Beto O'Rourke, District 8.

**4B. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** James R. Ratcliff to the Building and Standards Commission, as an alternate member, by Representative Rachel Quintana, District 5.

**5A. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Joel G. Guzman to the Historic Landmark Commission by Representative Susie Byrd, District 2.

**5B. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Larry Nance to the City Plan Commission by Representative Ann Morgan Lilly, District 1.

**6. APPLICATIONS FOR TAX REFUNDS**

Motion made, seconded, and carried that the following tax refunds be **APPROVED**:

- A. GMAC Mortgage, LLC in the amount of \$3,997.17 overpayment of 2008 taxes.  
(PID #H788-006-0350-0390).
- B. CitiMortgage in the amount of \$5,947.40 overpayment of 2008 taxes.  
(PID #M344-999-0070-5400).
- C. Loren K. Hockett in the amount of \$2,648.75 overpayment of 2007 taxes.  
(PID #M425-999-0030-4500).
- D. OCWEN Loan Servicing in the amount of \$3,000.00 overpayment of 2008 taxes.  
(PID #P654-999-1100-3100)
- E. Indy MacBank in the amount of \$2,530.89 overpayment of 2008 taxes.  
(PID #T217-000-0010-5700).

**7A. PURCHASING REQUEST TO ISSUE PURCHASER ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a purchase order to Environmental Systems Research Institute Inc. (ESRI), a State Department of Information Resources (DIR) contractor under DIR State Contract DIR-SDD-492 for annual license and maintenance support in the amount of \$103,140.27 for various ESRI products used by the City's GIS Division. Participation by the City of El Paso in the DIR Program was approved by Mayor and Council on February 27, 2007.

Department:	Information Technology
Account No.:	39010351 – 502202 - 01101
Funding Source:	Data Processing Services Contracts
Total Estimated Amount:	\$103,140.27
Reference No.:	2010-072

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.

Representative Quintana commented.

Mr. John Neal, City Manager's Office, commented.

**7B. PURCHASING REQUEST TO ISSUE PURCHASER ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a purchase order to DLT Solutions, Inc., a State Department of Information Resources (DIR) contractor under DIR State Contracts DIR-SDD-513 and DIR-SDD-491, in the amount of \$53,733.77, for AutoCAD software maintenance and support. Participation by the City of El Paso in the DIR Program was approved by Mayor and Council on February 27, 2007.

Department: Information Technology  
Account No.: 39010351-502202-01101  
Funding Source: FY 2010 Information Technology General Fund  
Total Estimated Amount: \$53,733.77  
Reference No.: 2010-073

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.

.....  
**7C. PURCHASING REQUEST TO ISSUE PURCHASER ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a purchase order to GTSI Corporation, a U. S. Communities contractor under Contract Number RQ09-997736-42D, in the amount of \$184,540.18 for the software license, implementation, and the first year maintenance agreement, and that the City Engineer be authorized to approve up to \$5,000 in additional services for a total contract amount not to exceed \$189,540.18. Participation by the City of El Paso in the U.S. Communities Purchasing Alliance Program was approved by Mayor and Council on February 27, 2007.

Department: Engineering  
Account No.: 31250204-508035-60507-PCAP06001  
Funding Source: FY 2002 Certificates of Obligation  
Total Estimated Amount: \$189,540.18  
Reference No.: 2010-075

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.

Representative Quintana commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services
3. Ms. Terry Quezada, Engineering Capital Improvement Program Administrator

Mr. Ray Gilbert, citizen, commented.

.....  
**7D. PURCHASING REQUEST TO ISSUE PURCHASER ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue purchase orders referencing El Paso Bolt & Screw, Inc. (\$20,000), Johnstone Supply (\$15,000), Ewing Irrigation (\$20,000), and American Refrigeration Supplies, Inc. (\$20,000) under the Region 19 Purchasing Cooperative Contract 08-6131, for plumbing, HVAC parts and supplies, irrigation and hardware supplies and services as the need arises in the estimated amount of \$75,000. This is in addition to a previous purchase issued to Dale Boren's Service Supply, Inc. in an approximate amount of \$30,000. Total expenditures are \$105,000. Participation by the City of El Paso in the Region 19 Purchasing Cooperative Program was approved by City Council on March 4, 2008.

Department: Aviation  
Account No.: 62620003 – 503121 - 40101

Funding Source: Airport Cost Centers  
Total Estimated Amount: \$75,000 (Total Expenditures \$105,000)  
Reference No.: 2010-070

.....  
**7E. PURCHASING REQUEST TO ISSUE PURCHASER ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue purchase orders to Bazaar Uniforms & Men's Store and to Northern Imports, Inc. d/b/a Work Wear Safety Shoes, Region 19 Cooperative Purchasing Program contractors under Contract No. 08-6133, for the purchase of uniforms, shoes and related items for the Departments of Aviation and Streets, in the estimated amount of \$125,047. Participation by the City of El Paso in the Region 19 Cooperative Purchasing Program was approved by Mayor and City Council on March 4, 2008.

Departments: Streets and Aviation  
Award to: Bazaar Uniforms & Men's Store (\$79,000)  
Northern Imports, Inc. d/b/a Work Wear Safety  
Shoes (\$46,047)  
Account No.: 32010200 – 503120 – 01101 (Streets)  
62620003 – 503121 – 40101 (Aviation)  
Funding Source: General Funds; Airport Cost Centers  
Total Estimated Amount: \$125,047  
Reference No.: 2010-068

.....  
**8A. – 8B. INTRODUCTIONS**

Motion made by Representative Byrd, seconded by Representative Ortega, 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:

NOT PRESENT FOR THE VOTE: Representative O'Rourke

**8A.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.15 (Roadways), Section 19.15.110 (Street Width and Design) and Chapter 19.20 (Parks and Open Space), Section 19.20.090 (Provision for Private Park Facilities and Private Open Space) and Section 19.20.100 (Provision for Bonus Reductions for Additional Land or Facilities on New or Existing Public Parklands), of the El Paso City Code to amend credit procedures for private park facilities and off-site park facilities and to allow for alternative road design. The penalty as provided in Chapter 19.04.090 of the City of El Paso City Code.

Representative Quintana commented.

Ms. Joyce Wilson, City Manager, commented.

**8B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.110 (Schedule IX - Special Truck Routes for Hazardous Material Carrying Vehicles), of the El Paso City Code by amending the routes on Loop 375, Americas Avenue (Loop 375 Frontage), Joe Battle Boulevard (Loop 375 Frontage), and Zaragoza Road and adding SPUR 601 between Patriot Freeway (U.S. 54) and Loop 375. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code.

Representative Robinson commented.

Mr. Alan Shubert, City Engineer, and Mr. Daryl Cole, Director of Street, commented.

**PUBLIC HEARING WILL BE HELD ON NOVEMBER 10, 2009, FOR ITEMS 8A – 8B**

**9. FINANCIAL SERVICES**

Motion made by Representative Ortega, seconded by Representative Quintana, and unanimously carried to **AWARD** Solicitation No. 2009-126 (Building Electrical Supplies and Related Products) to Summit Electric Supply for a total estimated amount of \$540,000.

Department:	General Services
Award to:	Summit Electric Supply
	El Paso, TX
Items:	All items: Group I, II, III, and IV
Annual Estimated Amount:	\$180,000
Account No.:	31010325 – 503200 – 01101
	62620003 – 503121 – 40101
Funding Source:	General Services General Fund, Airport Cost Centers
Total Estimated Award:	\$540,000 (3 year total)

This is a thirty-six month requirements type contract for Building Electrical Supplies and Related Products.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

The Departments of Financial Services, Purchasing Division, and General Services recommend award as indicated to the lowest responsive, responsible bidder.

Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services, commented.

**10.**

**ORDINANCE 17225**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 (STOPPING, STANDING, AND PARKING GENERALLY), SECTION 12.44.280 (RESTRICTIONS ON PARKING IN RESIDENTIAL PARKING DISTRICTS), OF THE EL PASO CITY CODE TO PROVIDE FOR THE CREATION AND DISSOLUTION OF RESIDENTIAL PARKING DISTRICTS, ISSUANCE AND REVOCATION OF VISITOR, OWNER, NEW RESIDENT, TEMPORARY, AND RESIDENT PARKING PERMITS AND ESTABLISHING FEES; THE PENALTY BEING AS PROVIDED IN SECTION 12.84 (VIOLATION - PENALTY) AND SECTION 12.85 (PARKING VIOLATIONS) OF THE EL PASO CITY CODE.**

Mr. Alan Shubert, City Engineer, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Byrd, Lilly, Ortega, O'Rourke, and Holguin commented.

Ms. Joyce Wilson, City Manager, commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke  
NAYS: None

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

.....  
**11. ENGINEERING**

Discussion and action on a Resolution amending Schedule C of Fiscal Year 2010 Budget Resolution to add new fees to be charged by the City for residential parking districts pursuant to Section 12.44.280.

Mr. Alan Shubert, City Engineer, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Byrd, Lilly, Ortega, O'Rourke, and Holguin commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Ray Gilbert and Mr. Don Pullen, citizens, commented.

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

Motion made by Representative Robinson, seconded by Representative Quintana, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Pullen an additional two minutes to address the Council.

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

Motion made by Representative Ortega, seconded by Representative O'Rourke, and unanimously carried to **POSTPONE** the item for one week.

.....  
ITEMS TAKEN TOGETHER:

**12A.**

**ORDINANCE 17226**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF EL PASO AND EL PASO HEALTHCARE SYSTEM LTD. D/B/A DEL SOL MEDICAL CENTER FOR THE USE OF APPROXIMATELY 96.38 SQUARE FEET IN THE TIGUA HEALTH CENTER AT 7862 SAN JOSE ROAD, EL PASO, TEXAS.**

**12B.**

**ORDINANCE 17227**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF EL PASO AND EL PASO HEALTHCARE SYSTEM LTD. D/B/A DEL SOL MEDICAL CENTER FOR THE USE OF APPROXIMATELY 93.30 SQUARE FEET IN THE WESTSIDE HEALTH CENTER, AT 5195 MACE ROAD, EL PASO, TEXAS.**

**12C.**

**ORDINANCE 17228**



The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF EL PASO AND EL PASO HEALTHCARE SYSTEM LTD. D/B/A DEL SOL MEDICAL CENTER FOR THE USE OF APPROXIMATELY 222.43 SQUARE FEET IN THE NORTHEAST HEALTH CENTER AT 5587 TRANSMOUNTAIN ROAD, EL PASO, TEXAS.**

12D.

**ORDINANCE 17229**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF EL PASO AND EL PASO HEALTHCARE SYSTEM LTD D/B/A DEL SOL MEDICAL CENTER FOR THE USE OF APPROXIMATELY 159.46 SQUARE FEET IN THE HENDERSON HEALTH CENTER AT 721 SOUTH MESA STREET, EL PASO, TEXAS.**

Representatives O'Rourke, Ortega, Robinson, Byrd, Acosta, and Lilly commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Liza Ramirez-Tobias, Capital Assets Manager
3. Ms. Angela Mora, Deputy Director of Clinical Services

Mr. Jacob Cintron, Chief Executive Officer of Del Sol Medical Center, commented.

Mr. Ray Gilbert, citizen, commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke  
NAYS: None

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

.....

13A.

**ORDINANCE 17230**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON09-00058 TO ALLOW AN ASSISTED LIVING FACILITY ON THE SITE OF THE PROPERTY DESCRIBED AS BEING ALL OF LOT 1, BLOCK 1, FALVEY ESTATES, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTIONS 20.08.030 OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke  
NAYS: None

Whereupon the Mayor Pro Tempore ordered that, the vote having been cast against the Ordinance, the same be and the same are hereby **ADOPTED**.

.....  
**13B.**

**ORDINANCE 17231**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 017176 WHICH IMPOSED A MORATORIUM FOR A PERIOD OF NINETY DAYS ON THE ACCEPTANCE OF APPLICATIONS FOR PERMITS AND ISSUANCE OF PERMITS FOR THE ERECTION, CONSTRUCTION, OR MODIFICATION OF OFF PREMISE SIGNS OR BILLBOARDS, TO EXTEND THE MORATORIUM PERIOD FOR SIXTY ADDITIONAL DAYS.**

Representatives Acosta, Lilly, Robinson, Holguin, and Quintana commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Mathew McElroy, Deputy Director of Planning
3. Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services

Mr. VJ Smith, Clear Channel Outdoor, commented.

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

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Smith an additional minute to address the Council.

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

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

AYES: Representatives Lilly, Byrd, Acosta, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Robinson

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

.....  
The City Council Meeting **RECESSED** at 12:06 p.m. and **RECONVENED** at 1:17 p.m.

.....  
TAKEN WITH ITEMS 13D AND 14

**13C.**

**ORDINANCE 17232**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 3 (REVENUE AND FINANCE), CHAPTER 3.04 (PROPERTY TAXES), SECTION 3.04.035 (EXEMPTION – HISTORICALLY SIGNIFICANT SITES), OF THE EL PASO CITY CODE; TO DESIGNATE DIFFERENT REVIEWING**

**AUTHORITIES FOR PROPERTIES DEPENDING ON THE EXISTENCE OF A HISTORIC DISTRICT ZONING OVERLAY; TO CLARIFY THE PROCESSES FOR OBTAINING A TAX EXEMPTION; AND TO PROVIDE FOR APPEALS PROCESSES-.**

Mr. Troy Ainsworth, Historic Preservation Officer, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives O'Rourke, Byrd, Quintana, and Acosta commented.

Ms. Veronica Rosales, Downtown Revitalization Development Manager, commented.

Motion duly made by Representative Byrd, seconded by Representative Quintana, that the Ordinance be **ADOPTED, AS REVISED**, with floor amendment designating the Historic Landmark Commission as the appellate authority and directing staff to come back to Council in six months with a report on the effectiveness of the incentives and to further direct staff to invite the County of El Paso to participate in incentives to make them more attractive to property owners. Whereupon the Mayor Pro Tempore ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Ortega

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

.....  
TAKEN WITH ITEMS 13C AND 14

**13D.**

**ORDINANCE 17233**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 3 (REVENUE AND FINANCE), CHAPTER 3.04 (PROPERTY TAXES), SECTION 3.04.035 (EXEMPTION – HISTORICALLY SIGNIFICANT SITES), OF THE EL PASO CITY CODE; TO DESIGNATE DIFFERENT REVIEWING AUTHORITIES FOR PROPERTIES DEPENDING ON THE EXISTENCE OF A HISTORIC DISTRICT ZONING OVERLAY; TO CLARIFY THE PROCESSES FOR OBTAINING A TAX EXEMPTION; AND TO PROVIDE FOR APPEALS PROCESSES.**

Mr. Troy Ainsworth, Historic Preservation Officer, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives O'Rourke, Byrd, Quintana, and Acosta commented.

Ms. Veronica Rosales, Downtown Revitalization Development Manager, commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Ortega

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

.....  
TAKEN WITH ITEMS 13C AND 13D

14.

## **RESOLUTION**

**WHEREAS**, on June 3, 2008, the City Council adopted a resolution designating three areas of potential effect for tax relief purposes in conjunction with the provisions contained in City Code section 3.04.035, and

**WHEREAS**, the properties affected by this resolution are properties of a historic character or nature, but they do not carry a historical or “H-overlay” zoning; and

**WHEREAS**, City Code Section 20.20.080 C provides that the City Council, by resolution, will adopt design guidelines for use by the Historic Preservation Officer (HPO) in implementing the provisions under Chapter 20.20 and Section 3.04.035 for the issuance of administrative certificates of appropriateness, as applicable to properties without “H-overlay” zoning located in the areas of potential effect; and

**WHEREAS**, Section 20.20.080 C of the City Code also provides that for historic districts for which no guidelines have been adopted, the guidelines from the district most similar in character, design, materials, workmanship, time of construction shall apply, or as otherwise provided therein; and

**WHEREAS**, the design guidelines for the Union Plaza area have already been adopted, as set forth in Section 20.10.360 B of the City Code; and

**WHEREAS**, the City Council needs to provide for the relevant design guidelines for the areas of potential effect known as the “Northeast Portion of the Historic Incentive District area” and the “South Portion of the Downtown Historic Incentive District area”; and

**WHEREAS**, these two areas of potential effect are in close proximity to several historic districts for which the City Council has adopted design guidelines, and these areas of potential effect contain buildings that are similar in character and nature to buildings located within these historic districts, such that the HPO can readily determine the similarities and apply the grant of authority set forth in this resolution.

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

1. That the findings set out in the preamble to this Resolution are found to be true and correct, and that they are hereby adopted and made a part hereof for all purposes.

2. That the design guidelines adopted for use within the areas of potential effect identified as the “Northeast Portion of the Historic Incentive District area” and the “South Portion of the Downtown Historic Incentive District area” shall be applied as follows, and in conformity with the applicable guidance and principles established in the Downtown 2015 Plan, as amended:

- A. Within the area of potential effect identified as the “Northeast Portion of the Historic Incentive District area”, the design guidelines used shall be either the Downtown Historic District or the Magoffin Historic District guidelines, whichever most closely applies to a building that is of the

same architectural style, character, design, materials, workmanship, and time of construction as the building under consideration within the area of potential effect.

- B. Within the area of potential effect identified as the "South Portion of the Historic Incentive District area", the design guidelines used shall be either the Downtown Historic District or the Chihuahuita Historic District guidelines, whichever most closely applies to a building that is of the same architectural style, character, design, materials, workmanship, and time of construction as the building under consideration within the area of potential effect.

3. When the preceding does not provide guidelines applicable to the project, then the design guidelines adopted by the National Park Service in the document titled The Secretary of the Interior's Standards for the Treatment of Historic Properties, (36 CFR Part 68) shall apply.

Mr. Troy Ainsworth, Historic Preservation Officer, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives O'Rourke, Byrd, Quintana, and Acosta commented.

Ms. Veronica Rosales, Downtown Revitalization Development Manager, commented.

Motion made by Representative Byrd, seconded by Representative Quintana, and unanimously carried to **APPROVE** the Resolution.

NOT PRESENT FOR THE VOTE: Representative Ortega

.....  
**15. MAYOR AND COUNCIL**

Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **DIRECT** the City Manager to remove the speed humps on Sunset Road, paint the street per Traffic Engineering, and ask the City Manager to coordinate with the El Paso Police Department Chief to setup special monitor and traffic enforcement and to have Traffic Engineering report back to Council in six months on the effectiveness of traffic calming efforts..

NOT PRESENT FOR THE VOTE: Representative Ortega

Representative O'Rourke presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Quintana, Lilly, Byrd, and Acosta commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Kimberly Forsyth, Engineering Senior Planner
- 3. Mr. Alan Shubert, City Engineer

Mr. Bernie Sargent, citizen, commented.

.....  
**16. CITY MANAGER'S OFFICE**

Motion made by Representative Robinson, seconded by Representative Quintana, and unanimously carried to **DELETE** the item on discussion and action on City Council to appoint up to 15 members to the Blue Ribbon Committee on Regional Parks from a list of candidates nominated by local stakeholders.

NOT PRESENT FOR THE VOTE: Representative Ortega

Representatives Acosta, Quintana, Byrd, Robinson, Holguin, and O'Rourke commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Leila Melendez, Executive Assistant to the City Manager
3. Mr. Charlie McNabb, City Attorney, gave legal advice.

.....  
Motion made by Representative Acosta, seconded by Representative Robinson, and unanimously carried to  
**ADJOURN** this meeting at 2:16 p.m.

NOT PRESENT FOR THE VOTE: Representative Ortega

APPROVED AS TO CONTENT:

---

Richarda Duffy Momsen, City Clerk