

CITY CLERK DEPT
2024 AUG 13 AM 11:19

Cristina Jimenez
President, Neighborhood Association of Coronado del Sol
El Paso, TX 79912
aztecaelpaso@yahoo.com
915 731 4254

Tuesday August 13, 2024.

City of El Paso
300 N. Campbell St.
El Paso, TX 79901

Dear City of El Paso,

Subject: MOTION TO DENY REZONING OF HOME PROJECT PZRZ24-00002 BASED ON LACK OF DOCUMENTATION.

I am writing on behalf of the Neighborhood Association of Coronado del Sol to formally request to cancel rezoning of the HOME Project Case Number PZRZ24-00002 MESA HILLS AND NORTHWEST SUNLAND PARK.

We received confirmation by several city officials that there is NO record of a full HOME project Case No. PZRZ24-00002 MESA HILLS AND NORTHWEST SUNLAND PARK to rezone Lot 3, in city records, in any department, we are troubled on how the City Planning Commission has no project on record or any city department but yet on May 18, 2024 the City Planning Commission approved this project for rezoning form Residential R-3 and R-5/sc to apartment A-3 and A3-sc.

There is also no public record on minutes of City Planning Commission meeting on May 18, 2024 where this item was approved for rezoning. See Exhibit A item 6 on page 4.
https://docs.google.com/qview?url=https%3A%2F%2Felpasotexas.granicus.com%2FDocumentViewer.php%3Ffile%3Delpasotexas_7de97388d565366f1de0ea961c107a16.pdf%26view%3D1&embedded=true

We are very confident that this approval of rezoning is it not a legal action, no government entity can approve a project without the necessary documentation on record.

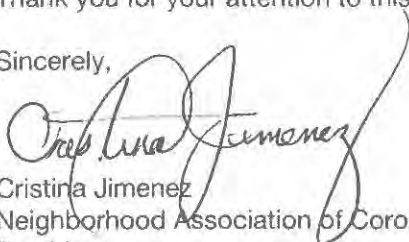
The understanding of its implications undermines the rule of law, transparency and accountability expected from our City's Government processes.

Given these significant findings we urge you to cancel the initiative to rezone the HOME Project mentioned above.

We express our serious concerns and hope you act in the best interest of our community by denying this project until the appropriate information is made accessible and thoroughly reviewed.

Thank you for your attention to this matter. We look forward to your response.

Sincerely,



Cristina Jimenez
Neighborhood Association of Coronado del Sol
President
Phone: 915-731-4254
Email: aztecaelpaso@yahoo.com



J.A. Spencer
Board Member

Please add this letter to this item on Sept. 10, 2024

OFFICIAL PROTEST TO

“Mesa Hills 2” HOME HOUSING PROJECT a.k.a Mesa Hills and Northwest of Sunland Park
CASE NUMBER: PZRZ24-00002

September 9, 2024

The Honorable Oscar Leeser
Mayor, El Paso City

City of El Paso Ass. Director of Planning
Kevin W. Smith

El Paso City Manager
Ms. Dionne Mack

El Paso City Representative District 8
Chris Canales

Dear El Paso City Council:

The El Paso Housing Authority, d.b.a. HOME is proposing to build the “Mesa Hills 2” HOME housing project, case no. PZRZ24-00002 on the Coronado del Sol plat, Block 1, Lots 3, 4 & 5. This is an Official Protest to this change.

Under Tx Local Govt § 211.006(d), if a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

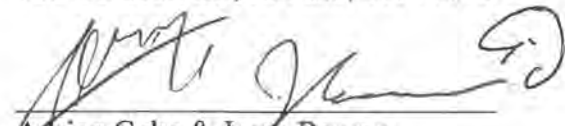
As the property owner listed below, I protest this proposed change. My property listed below is a property within 200 ft. from the area immediately adjoining the area covered by the proposed change and is part of the properties needed to make up the 20 percent requirement.



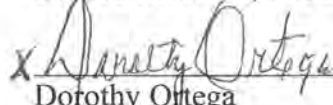
Kenneth Calderon
788 De Leon Dr., El Paso, TX 79912



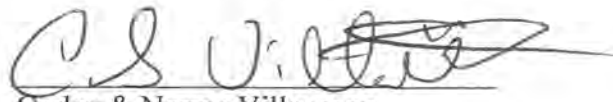
Maria Cabada
804 De Leon Dr., El Paso, TX 79912



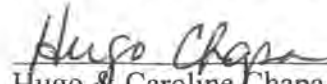
Adrian Coba & Jesus Roman
792 De Leon Dr., El Paso, TX 79912



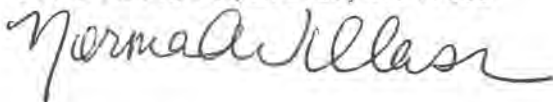
x Dorothy Ortega
808 De Leon Dr., El Paso, TX 79912



Carlos & Norma Villasenor
800 De Leon Dr., El Paso, TX 79912



Hugo & Caroline Chapa
812 De Leon Dr., El Paso, TX 79912



Jose Rafa Preciado
816 De Leon Dr., El Paso, TX 79912

OFFICIAL PROTEST TO

“Mesa Hills 2” HOME HOUSING PROJECT a.k.a Mesa Hills and Northwest of Sunland Park
CASE NUMBER: PZRZ24-00002

September 9, 2024

The Honorable Oscar Leeser
Mayor, El Paso City

City of El Paso Ass. Director of Planning
Kevin W. Smith

El Paso City Manager
Ms. Dionne Mack

El Paso City Representative District 8
Chris Canales

Dear El Paso City Council:


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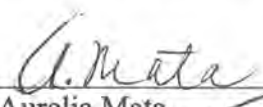
As a property owner listed below, I protest this proposed change. My property listed below is a property within 200 ft. from the area immediately adjoining the area covered by the proposed change and is part of the properties needed to make up the 20 percent requirement.

Rosa D. Millan
781 Bluff Canyon Cir., El Paso, TX 79912

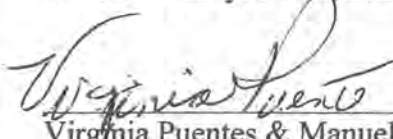
Anna Maria Lai
6224 Bluff Trial Ln., El Paso, TX 79912



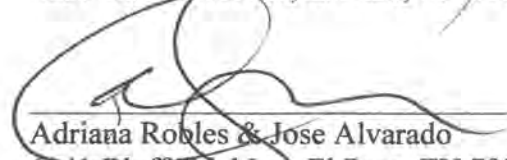
Raul & Patricia G. Ayala
785 Bluff Canyon Cir., El Paso, TX 79912



Aurelia Mata
6237 Bluff Trial Ln., El Paso, TX 79912



Virginia Puentes & Manuel J. Montes
6220 Bluff Trial Ln., El Paso, TX 79912



Adriana Robles & Jose Alvarado
6241 Bluff Trial Ln., El Paso, TX 79912



MOUNCE, GREEN, MYERS,
SAFI, PAXSON & GALATZAN
A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
100 N. STANTON, SUITE 1000
EL PASO, TEXAS 79901-1448
(915) 532-2000

JAMES A. MARTINEZ
BOARD CERTIFIED - CIVIL TRIAL LAW AND
PERSONAL INJURY TRIAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

MAILING ADDRESS:
P.O. BOX 1977
EL PASO, TEXAS 79999-1977
FACSIMILE (915) 541-1597
martinezja@jmcplaw.com

OFFICIAL PROTEST TO

“Mesa Hills 2” HOME HOUSING PROJECT; Mesa Hills and Northwest of Sunland Park
CASE NUMBER: PZRZ24-00002

September 17, 2024

Email & Hand-Delivery

The Honorable Oscar Leeser
Mayor, City of El Paso
300 N. Campbell
El Paso, Texas 79901

Email & Hand-Delivery

El Paso City Clerk
Laura Prine
300 N. Campbell
El Paso, Texas 79901

Email & Hand-Delivery

El Paso City Manager
Ms. Dionne Mack
300 N. Campbell
El Paso, Texas 79901

Email & Hand-Delivery

City of El Paso Ass. Director of Planning
Kevin W. Smith
300 N. Campbell
El Paso, Texas 79901

Email & Hand-Delivery

El Paso Deputy Manager
Mario D’Agostino
300 N. Campbell
El Paso, Texas 79901

Email & Hand-Delivery

El Paso City Representative District 8
Chris Canales
300 N. Campbell
El Paso, Texas 79901

Mayor Leeser, *et al.*:

I represent JRK Colinas Del Sol, LLC (“JRK”). It is the owner of the apartment complex known as the Retreat at Mesa Hills, which is municipally known as 945 S. Mesa Hills, El Paso, Texas 79912 and 1020 S. Mesa Hills, El Paso, Texas 79912.

This is an Official Protest made pursuant to the Procedures Governing Adoption of Zoning Regulations and District Boundaries. TX LOCAL GOVT CODE § 211.006.

The Housing Authority of the City of El Paso (“HACEP”) d/b/a HOME is proposing to build the “Mesa Hills 2” HOME housing project, case no. PZRZ24-00002 on the Coronado del Sol plat, Block 1, Lots 3, 4 & 5 (the “Property”).

Section 211.006(d) of the Texas Local Government Code provides that, if a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of . . . (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

HACEP proposes to change the zoning classification of the Property. JRK protests this proposed change to the Property. JRK owns property immediately adjoining the area covered by the proposed change and within 200 feet of it.


JRK submits this protest independently and not in conjunction with any other parties, residents or landowners. JRK reserves the right to withdraw this protest at any time.

Very truly yours,

/s/ James A. Martinez
James A. Martinez

JRK COLINAS DEL SOL, LLC

by: JRK – COLINAS PARTNERS, LLC
as 100% Member

by: 
Robert Lee, CEO/authorized representative

Zamora, Luis F.

From: Smith, Kevin W.
Sent: Monday, September 23, 2024 7:22 AM
To: Etiwe, Philip F.; Zamora, Luis F.; Garcia, Raul
Subject: FW: REZONING PROTEST NUMBERS NEED TO BE UPDATED Case No. PZRZ24-00002
Attachments: Screenshot 2024-09-21 181822.png

Good morning gents,
FYI. Have a wonderful day.

Kevin

From: Avalon 1000 <darinlatch@gmail.com>
Sent: Saturday, September 21, 2024 7:39 PM
To: Scheduling@gregabbott.com; Info@gregabbott.com; info@kenpaxton.com; Mayor <mayor@elpasotexas.gov>; Naranjo, Juan C. <naranjoj@elpasotexas.gov>; Smith, Kevin W. <smithkw@elpasotexas.gov>; District #1 <district1@elpasotexas.gov>; District #2 <district2@elpasotexas.gov>; District #3 <district3@elpasotexas.gov>; District #4 <district4@elpasotexas.gov>; District #5 <district5@elpasotexas.gov>; District #6 <district6@elpasotexas.gov>; District #7 <district7@elpasotexas.gov>; District #8 <district8@elpasotexas.gov>; news@elpasoinc.com; news@elpasomatters.org; news@ktsm.com; news@kvia.com
Subject: REZONING PROTEST NUMBERS NEED TO BE UPDATED Case No. PZRZ24-00002

Some people who received this message don't often get email from darinlatch@gmail.com. [Learn why this is important](#)

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September 21, 2024

We are writing this letter to bring attention to a great injustice that is being bestowed upon two neighborhoods in El Paso, TX, by Housing Opportunity Management Enterprises (HOME). We are two neighborhoods with around 1,420 houses and 752 apartment units. We have been fighting against HOME to stop their development slated for S. Mesa Hills and Bluff Canyon Circle in El Paso, Texas, since April 2024. HOME has used every tactic in the book to push their project along without the consideration of what the current long-standing residents want.

We, the people of two neighborhoods and the surrounding citizens, will be turning over signatures to support our efforts. These signatures represent a SUPER MAJORITY OF TWO (2) NEIGHBORHOODS. When the Agenda for the City Council Meeting for September 24, 2024, came out, NONE of the current phone calls, emails, letters, or subsequent petitions that were received by the City Clerk were being shown in the recent tabulations in the current rezoning packet for Item #43. We noticed that the responses from the public have not

been updated since midsummer. We know that a large number of signatures will be added to the count in the coming days.

In addition, JRK Colinas Del Sol, the owners of the Retreat Apartments and who represent 752 units, sent in a letter of protest to the city. The apartments do NOT support the rezoning request. As you can see by the attached email that was sent to the press, we, the citizens, have Texas Law on our side and yet HOME pushes through. We need action, we need fairness, and we need the city to fight for its tax-paying citizens, NOT against them.

The Steering Committee

Case No. PZRZ24-00002



Avalon 1000 <darinlatch@gmail.com>

To Debra, ma, bcc: news, bcc: news, bcc: news, bcc: news

Fri, Sep 20, 10:27AM (1 day ago)

Press,

Hello, we are The Steering Committee from Coronado Del Sol and Coronado Hills. We are coming to City Hall with over 1,100 signatures we collected in OPPOSITION to the HOME development slated for S. Mesa Hills and Bluff Canyon Circle since April of 2024. Our signatures equate to a SUPER MAJORITY of BOTH NEIGHBORHOODS. Both our neighborhoods total 1,349 houses. As you know, we are on the Agenda at City Hall for September 24, 2024. Our number in line is "43" however, we received this message from the City Clerk:

"*** I was informed that the item will be discussed after the ceremonial items on Tuesday morning. While it's listed towards the end of the agenda, please know that it will be considered ahead of the other items on the regular portion of the agenda."

We don't know why they pushed us to the front, but we just wanted to inform you, so whatever the outcome, we will get coverage for this all important item. We also want to inform you that we have Texas Law on Our Side: LOCAL GOVERNMENT CODE

TITLE 7. REGULATION OF LAND USE, STRUCTURES, BUSINESSES, AND RELATED ACTIVITIES

SUBTITLE A. MUNICIPAL REGULATORY AUTHORITY

CHAPTER 211. MUNICIPAL ZONING AUTHORITY

SUBCHAPTER A. GENERAL ZONING REGULATIONS Under Sec. 211.006:(d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either:(1) the area of the lots or land covered by the proposed change; or(2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.(e) In computing the percentage of land area under Subsection (d), the area of streets and alleys shall be included.(f) The governing body by ordinance may provide that the affirmative vote of at least three-fourths of all its members is required to overrule a recommendation of the municipality's zoning commission that a proposed change to a regulation or boundary be denied.

WE HAVE THOSE NUMBERS (LISTED UNDER SEC. 211.006) PLUS SOME. Please come witness the vote to rezone the property.

On another note,

On September 10, 2024, for the agenda item the planning commission's written goals were to, "promoting the visual image of El Paso and to set one standard for infrastructure across the city". When we became delayed the city planning department changed the wording to be a chapter 20.24 of the city code and CALLED IT NOW A 211 CASE. Why the change??? It's offensive that they wanted to use our rezoning case to set a standard for use across the city, each rezoning case is unique.

If you have any questions, please email back. Thank You.

The Steering Committee for Coronado Del Sol and Coronado Hills,

Jose Nunez, Linda Peacock, Debra Welch, Adriana Robles, Don Smelser, Lloyd Miller, Carlos Saucedo, Lily Duenas, The Lopez Family, and Lionel Rubio

Zamora, Luis F.

From: Smith, Kevin W.
Sent: Monday, September 23, 2024 12:54 PM
To: Etiwe, Philip F.; Zamora, Luis F.; Garcia, Raul
Subject: FW: "Mesa Hills 2" Home Housing Project; Mesa Hills and Northwest of Sunland Park (Case No. PZRZ24-00002)
Attachments: 2024.09.23 Withdrawal of Office Protest.pdf

From: VIRGINIA MUNOZ <VMUNOZ@mgmsg.com>
Sent: Monday, September 23, 2024 12:51 PM
To: Mayor <mayor@elpasotexas.gov>; CityManager <citymanager@elpasotexas.gov>; District #8 <district8@elpasotexas.gov>; D'Agostino, Mario M. <dagostinomm@elpasotexas.gov>; prineeld@elpasotexas.gov; Smith, Kevin W. <smithkw@elpasotexas.gov>
Cc: James A. Martinez <martinezja@jmeplaw.com>; bblu@acaciapark.com
Subject: "Mesa Hills 2" Home Housing Project; Mesa Hills and Northwest of Sunland Park (Case No. PZRZ24-00002)

Some people who received this message don't often get email from vmunoz@mgmsg.com. [Learn why this is important](#)

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Good afternoon. Attached please find the withdrawal of official protest letter dated September 23, 2024. Thank you.

Regards,



Virginia G. Muñoz
Paralegal to James A. Martinez
MOUNCE, GREEN, MYERS,
SAFI, PAXSON & GALATZAN, P.C.
100 N. Stanton, Suite 1000
El Paso, TX 79901

P.O. Box 1977
El Paso, TX 79999-1977
(915) 532-2000 ext. 206
(915) 541-1597 fax
vmunoz@mgmsg.com
Visit us at www.mgmsg.com

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JAMES A. MARTINEZ
BOARD CERTIFIED - CIVIL TRIAL LAW AND
PERSONAL INJURY TRIAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

MOUNCE, GREEN, MYERS,
SAFI, PAXSON & GALATZAN
A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
100 N. STANTON, SUITE 1000
EL PASO, TEXAS 79901-1448
(915) 532-2000

MAILING ADDRESS:
P.O. BOX 1977
EL PASO, TEXAS 79999-1977
FACSIMILE (915) 541-1597
martinezja@jmeplaw.com

WITHDRAWAL OF OFFICIAL PROTEST

September 23, 2024

Email & Hand-Delivery

The Honorable Oscar Leaser
Mayor, City of El Paso
300 N. Campbell
El Paso, Texas 79901

Email & Hand-Delivery

El Paso City Manager
Ms. Dionne Mack
300 N. Campbell
El Paso, Texas 79901

Email & Hand-Delivery

El Paso Deputy Manager
Mario D'Agostino
300 N. Campbell
El Paso, Texas 79901

Mayor Leaser, *et al.*:

I represent JRK Colinas Del Sol, LLC ("JRK"). JRK is the owner of the apartment complex known as the Retreat at Mesa Hills, which is municipally known as 945 S. Mesa Hills, El Paso, Texas 79912 and 1020 S. Mesa Hills, El Paso, Texas 79912.

On September 17, 2024, JRK submitted an Official Protest made pursuant to the Procedures Governing Adoption of Zoning Regulations and District Boundaries. TEX. LOCAL GOVT CODE § 211.006 (the "Official Protest"). The Official Protest was made to oppose the rezoning request by the Housing Authority of the City of El Paso d/b/a Housing Opportunity Management Enterprises ("HOME"), case no. PZRZ24-0002 on the Coronado del Sol plat, Block 1, Lots, 3, 4 & 5 (the "Property").

Email & Hand-Delivery

El Paso City Clerk
Laura Prine
300 N. Campbell
El Paso, Texas 79901

Email & Hand-Delivery

City of El Paso Ass. Director of Planning
Kevin W. Smith
300 N. Campbell
El Paso, Texas 79901

Email & Hand-Delivery

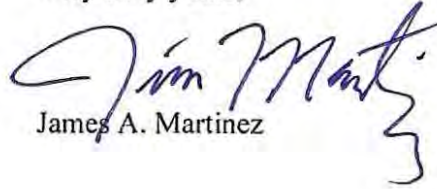
El Paso City Representative District 8
Chris Canales
300 N. Campbell
El Paso, Texas 79901

September 23, 2024

Page 2


JRK wishes to withdraw and terminate its Official Protest. JRK does not wish to assert or maintain a protest under Ch. 211 or otherwise protest or contest HOME's re-zoning request for the Property. JRK now supports HOME's re-zoning request for the Property and asks the City to grant HOME's re-zoning request for the Property.

Very truly yours,


James A. Martinez

JRK COLINAS DEL SOL, LLC

by: JRK – COLINAS PARTNERS, LLC
as 100% Member

by: 
Robert Lee, CEO/authorized representative

Zamora, Luis F.

From: Smith, Kevin W.
Sent: Monday, September 23, 2024 4:05 PM
To: Zamora, Luis F.; Garcia, Raul
Subject: FW: Email to Mayor & City Council Members - Anti Clustering Ordinance for Affordable Housing
Attachments: Email to Mayor & CC Members - August 27, 2024.pdf; Suncrest Townhomes.pdf; Location Map - Concentration Issue.pdf; City Resolution - June 17, 2003.pdf; Letters of Opposition - Congressional & State Delegation.pdf; Community Meeting - August 9, 2003.pdf; Agenda - City Council Meeting, September 09, 2003.pdf

-----Original Message-----

From: Jose Nunez <janunez1963@gmail.com>
Sent: Monday, September 23, 2024 3:56 PM
To: Smith, Kevin W. <SmithKW@elpasotexas.gov>
Subject: Email to Mayor & City Council Members - Anti Clustering Ordinance for Affordable Housing

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Kevin:

As per brief telephone conversation earlier this afternoon, please find attached my email sent to the Mayor and Members of City Council on August 27th. Also, attached are the documents referenced. Regards,

Jose
>

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

**PROPOSED AGENDA FOR
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS
TUESDAY, SEPTEMBER 9, 2003
9:00 A.M.**

**SPECIAL COUNCIL MEETING
COUNCIL CHAMBERS
MONDAY, SEPTEMBER 8, 2003
8:45 A.M.; AND**

**LEGISLATIVE REVIEW COMMITTEE MEETING OF THE WHOLE
COUNCIL CHAMBERS
MONDAY, SEPTEMBER 8, 2003
9:00 A.M.**

Invocation – Chaplain Sam L. Faraone
Pledge of Allegiance

REGULAR AGENDA

1. Presentation of a petition to the Mayor and City Council for a Ninety Day Moratorium on Zoning Approvals in the Upper Valley of El Paso pending a review and public comment of the 1995 and 2025 Plans as they relate to the development of the Upper Valley. The review to be based upon discussions, investigations and recommendations conducted under the coordination of the City Planning Commission with public comment and City Departmental input. [James Maxfield]

R-3 - R-3A - R-2A R-1

MAYOR'S PROCLAMATION

1. ***Bowie Alumni Homecoming Week In El Paso***

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may however, reconsider any item at any time during the meeting.

CONSENT AGENDA

2. Approval of Minutes for Regular City Council Meetings of September 24, 2002, and September 2, 2003; Special City Council Meetings of July 9, July 23, July 25 and August 25, 2003; and Legislative Review Committee Meeting of the Whole of August 25, 2003.

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

4. **RESOLUTIONS:**

4A. That the 17th Revision to the City of El Paso Arts and Culture Department's Direct Funding Guidelines, adopted the 18th day of June, 2002 and amended August 5, 2003, be further amended as recommended by the Arts and Culture Advisory Board and Staff. [Arts and Culture, Alejandrina Drew, (915) 541-4488]

4B. That the City of El Paso Arts & Culture Department's Downtown Festival/Cultural Programs Funding Guidelines, adopted the 18th day of November, 2002, be amended as recommended by the Arts and Culture Advisory Board and Staff. [Arts and Culture, Alejandrina Drew, (915) 541-4488]

4C. That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department to present the following groups at the FY04 Young At Arts Series, to be held at the Chamizal National Memorial, as recommended by the Arts & Culture Department's Advisory Board and staff. **(All Districts)**
[Arts and Culture, Alejandrina Drew, (915) 541-4488]

1. Missoula Children's Theater, Inc.; two performances on Saturday, January 17, 2004; cost of \$3,100.
2. Fred Garbo; two performances on Saturday, January 24, 2004; cost of \$9,500.
3. Harmony Artists, Inc. for Let's Go Science Show; two performances on Saturday, January 31, 2004; cost of \$4,100.

4D. That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department to present the following groups at the FY04 World On A String International Guitar Festival, to be held at the Chamizal National Memorial, as recommended by the Arts & Culture Department's Advisory Board and staff. **(All Districts)** [Arts and Culture, Alejandrina Drew, (915) 541-4488]

1. Gami Simonds for Benjamin Verdery; one performance on Friday, April 16, 2004; cost of \$4,500.
2. Richard Patterson for Festival of Four; one performance on Saturday, April 17, 2004; cost of \$6,400.
3. *Miguel Marin & Danza, Producción Y Management De Espectáculos, SL for Gerardo Nufiez Trio; one performance on Friday, April 23, 2004; cost of \$8,500.
4. Herschell Freeman Agency for International Guitar Night; one performance on Saturday, April 24, 2004; cost of \$7,500.

4E. That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department to present the following groups at the FY04 Discovery Series, to be held at the Chamizal National Memorial, as recommended by the Arts & Culture Department's Advisory Board and staff. (All Districts)

[Arts and Culture, Alejandrina Drew, (915) 541-4488]

Funding source: Fund: 01101, Dept. ID 66610203, Account 602102, Class 66000

Funding source: Fund: 02305, Dept. ID 66150003, Account 602102, Class 66000

1. Gary Lindsey Artist Services for Martha Graham Dance Ensemble; one performance Saturday, February 7, 2004; cost of \$12,000.
2. *Ballet Hispanico; one performance Saturday, February 14, 2004; cost of \$15,000.
3. Pentacle for Pascal Riouit Dance Theater; one performance on Saturday, March 20, 2004; cost of \$14,500.
4. David Balakrishnan for Turtle Island String Quartet; one performance on Saturday, March 27, 2004; cost of \$9,000.

4F. That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department to present the following groups at the FY04 Music Under the Stars World Festival, to be held at the Chamizal National Memorial, as recommended by the Arts & Culture Department's Advisory Board and staff.

(All Districts) [Arts and Culture, Alejandrina Drew, (915) 541-4488]

Funding source: Fund: 01101, Dept. ID 66610203, Account 602102, Class 66000, Fund: 10600, Dept. ID 66100003, Account 602102, Class 66000

1. Roberto Borrell for Orquesta La Moderna Tradición; one performance Sunday, June 6, 2004; cost of \$11,500.
2. Ralph Pavone Productions for Independence Jazz Reunion; one performance Sunday, June 27, 2004; cost of \$10,000.
3. Concerted Efforts, Inc. for Buckwheat Zydeco & Co.; one performance on Sunday, July 18, 2004; cost of \$12,000.
4. Merengue Productions for Joaquin Diaz; one performance on Sunday, August 1, 2004; cost of \$7,000.
5. Aviv Productions for Tania Libertad; one performance on Sunday, August 29, 2004; cost of \$15,000.

4G. Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.52.040 and 18.52.080 (Unsafe Structures and Conditions) of the El Paso Municipal Code: POSTPONED FROM PAGE 2

8232 McElroy Avenue
(District 7)

\$6,869.94

Maria Baxley, Executrix of the Estate
of Angelica Reyes

[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

Bill Stern - 581-4305 call in a/c
Tom Maguire - 60 days 7 couple wks.

*504 Ridgemont Dr.
404 Chestmont Dr.*

- 4H. That, City Council adopt the policies and priorities for the 30th Year (2004-2005) Community Development Block Grant (CDBG) Program and for the Fiscal Year 2004 Emergency Shelter Grant (ESG) Program; that City Council establish November 21, 2003 as the deadline for the submission of all CDBG Social Service application packets, ESG application packets, City Representative requests and all citizen request forms; and that City Council establish January 9, 2004 as the final deadline for the submission of 30th Year CDBG Housing, Economic Development, Public Facilities and City Department application packets. **(All Districts)** [Community and Human Development, Anthony Shaar, (915) 541-4897]

- 4I. That the Mayor be authorized to sign the Loan Agreement between the Fort Bliss Curatorial Facility and the City of El Paso, on behalf of the El Paso Museum of Archaeology at Wilderness Park. The Loan Agreement covers the display at the Museum of Archaeology of an artifact known as the El Paso Polychrome Olla. The loan of the artifact shall be for a term of five years, subject to possible five-year extensions, and shall be at no cost to the City.
[El Paso Museum of Archaeology, Marc Thompson, (915) 755-4332]

- 4J. That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **CASEY L. PARR**, to assist the Information Technology as a PC LAN Specialist I, at an biweekly rate of \$1,274.41, for 40 hours per week. The term of the contract shall be for the period of September 10, 2003 through September 9, 2005. [Information Technology Department, Tony Montoya, (915) 541-4288]

- 4K. That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **JENNIFER L. LANEY**, to assist the Information Technology as a Database Administrator, at a biweekly rate of \$1,781.85, for 40 hours per week. The term of the contract shall be for the period of September 10, 2003 through September 9, 2005. [Information Technology Department, Tony Montoya, (915) 541-4288]

- 4L. That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **MONICA I. CASTILLO**, to assist the Information Technology as a Database Administrator, at a biweekly rate of \$1,961.53, for 40 hours per week. The term of the contract shall be for the period of September 10, 2003 through September 9, 2005. [Information Technology Department, Tony Montoya, (915) 541-4288]

- 4M. That the Mayor be authorized to sign an Amendment to the Personal Services Contract between the **CITY OF EL PASO** and **JANET J. BENGE** to correct the hourly rate of pay. The correction will change the rate of pay from \$8.25 to \$8.50.
[Parks and Recreation, Ray Cox, (915) 541-4331]

- 4N. That the Mayor be authorized to sign the "Park Partner" Agreement with the following organization for maintenance and other services on City property as described in the Agreement. **(District 6)**

Texas Master Naturalist
[Parks and Recreation, Ray Cox, (915) 541-4331]

Rio Bosque Wetlands Park

- 4O.** That the Mayor be authorized to sign the "Park Partner" Agreement with the following organization for maintenance and other services on City property as described in the Agreement. **(District 6)**

Friends of the Rio Bosque Rio Bosque Wetlands Park
[Parks and Recreation, Ray Cox, (915) 541-4331]

- 4P.** That the Mayor be authorized to sign an Interlocal Cooperation Contract between the City of El Paso and the Texas Department of Public Safety (DPS) which will allow the City to purchase supplies from DPS at a later time as needed, from September 1, 2003 through August 31, 2005, for the Police Department's use in conducting DWI breath tests and related programs.

[Police Department, Commander Cliff Walsh, (915) 564-7039]

- 4Q.** That the Mayor be authorized to sign an Amendment to the Agreements with the LUBY'S RESTAURANTS, LTD, passed and approved on October 24, 2002, to lease One (1) 4 Cubic Yard Dumpster, at the location municipally known and numbered as 3601 North Mesa, El Paso, Texas 79901; and the Agreement passed and approved on April 29, 2003, to lease One (1) 4 Cubic Yard Dumpster, at the location municipally known and numbered as 1516 North Lee Trevino, El Paso, Texas 79936, to combine both Recycling Equipment Lease Agreements adding future restaurant sites as requested by leasor, for a service fee of \$15.00 for each Dumpster for each month for each location, in exchange for their recyclable materials in conjunction with the Department of Solid Waste Management's recycling program. **(All Districts)**

[Solid Waste Management, Emma Acosta, (915) 821-6719]

- 4R.** That the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05, Subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as:

Lot 23, SAVE AND EXCEPT the West 10 feet, Block 20, Mission Hills Addition, an Addition to the City of El Paso, being more particularly described in Volume 1323, Page 223, Deed Records of El Paso County, Texas. **(District 1)**

(PID #M576-999-0200-6700)

[Tax Office, Juan Sandoval, (915) 541-4369]

- 5.** Notice to set a public hearing to be held on October 7th, 2003 to determine if the property located at 1001 Hills Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of record as of July 7th, 2003, Estates of Arcadio Orozco and Maria A. Orozco, C/O Maria Chavez, 1701 Bolser Street, Trenton, MO 64683-1210, have been notified of the violations at this property. Delinquent taxes in the amount of \$11,656.66. **(District 8)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]

- 6.** Notice to set a public hearing to be held on September 30th, 2003 to determine if the property located at 3430 Wyoming Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of record as of June 2nd, 2003, Jose Angel and Maria Guadalupe Torres, 3430 Wyoming Avenue, El Paso, Texas 79903, have been notified of the violations at this property. Delinquent taxes in the amount of \$0.

(District 8) [Building Permits & Inspections, Tom Maguire, (915) 541-4588]

7. Notice to set a public hearing to be held on September 30th, 2003 to determine if the property located at 4109 Edgar Park Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of record as of June 16th, 2003, Genaro Vazquez as trustee of the Vazquez Family Trust, 300 E. Main Suite 908, El Paso, Texas 79901, and Genaro Vazquez, 1409 Lost Padre Mine Drive, El Paso, Texas 79902, Margarita V. de Perez, 336 Cortez Drive, El Paso, Texas 79905, and Maria Guadalupe Vazquez Valenciana, 2316 Tremont Avenue, El Paso, Texas 79930, have been notified of the violations at this property. Delinquent taxes in the amount of \$1,967.18.
(District 4) [Building Permits & Inspections, Tom Maguire, (915) 541-4588]

8. Notice to set a public hearing to be held on October 7th, 2003 to determine if the property located at 4421 Madera Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of record as of August 13th, 2003, Pedro Bustillos and Martha O. Bustillos, 4421 Madera Avenue, El Paso, Texas 79903, have been notified of the violations at this property. Delinquent taxes in the amount of \$10,765.37.
(District 8) [Building Permits & Inspections, Tom Maguire, (915) 541-4588]

9. **BOARD APPOINTMENTS:**
 - 9A. Shari S. Schwartz to the Parks and Recreation Advisory Board by Representative Austin.
 - 9B. Angela Mora to the Community Center Steering Committee by Mayor Joe Wardy.
 - 9C. Gilbert Pineda to the Cable Communications Commission by Mayor Joe Wardy.
 - 9D. Kathryn Zerbach, M.D., to the physician position of the El Paso City-County Board of Health by Mayor Joe Wardy, nominated by County Medical Society.

10. **BOARD RE-APPOINTMENTS:**
 - 10A. Roger Ortiz, D.D.S., to the dentist position of the El Paso City-County Board of Health by Mayor Joe Wardy, nominated by the El Paso District Dental Society.
 - 10B. Olga Rodriguez, R.N., to the nurse position of the El Paso City-County Board of Health by Mayor Joe Wardy.

11. **APPLICATION FOR TAX REFUND:** [Tax Office, Juan Sandoval, (915) 541-4369]
Curie Building, LTD, in the amount of \$7,403.44, overpayment of 2002 taxes.
(PID #M300-999-0020-5100)

12. Request approval for the Director of Purchasing to exercise the City's option to extend Contract No. 2002-037C between the City of El Paso and Permian Elevator Corporation, El Paso, Texas, to provide Airport Elevator and Escalator Maintenance for the El Paso International Airport (for twenty-four additional months) starting February, 5, 2004, and ending, February 4, 2006.

Proposed

Department: Department of Aviation
 Funds available: 62620003-503121
 Funding source: Airport Operating Fund
 Total amount: \$60,000.00 (estimated annually)
District (s): 3
 [Purchasing Department, Enrique Acosta, (915) 541-4267]

13. Request approval for the Director of Purchasing to exercise the City's option to extend Contract No. 2002-087C between the City of El Paso and Akal Security, Española, NM, to provide Security Guard Services for the El Paso International Airport (for twelve additional months) starting May 1, 2005, and ending April 30, 2006.

Department: Department of Aviation
 Funds available: 6260009-502212
 Funding source: Airport Operating Fund
 Total amount: \$548,000.00 (estimated annually)
District (s): 3
 [Purchasing Department, Enrique Acosta, (915) 541-4267]

14. **BEST VALUE PROCUREMENT:**

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Bid No.: 2003-157 Eastwood Park Recreation Center
 Contractor: SamCorp General Contractors
 El Paso, Texas

Department: Parks and Recreation
 Funds Available: 31130600-PPW0046027YR2-60058-508027
 Funding Source: 2nd Year Park Bonds

Items:	Base Bid	\$2,942,000.00
	Base Bid IA	\$ 1,998.50
	Alternate #1	\$ 107,000.00
	Alternate #2	\$ 59,000.00
	Alternate #3	\$ 58,000.00
	Alternate #4	\$ 25,000.00
	Alternate #5	\$ 85,000.00
Total Award:		\$3,277,998.50

District (s): 5

RECOMMENDATION:

The Departments of Purchasing, Engineering, and Parks and Recreation recommend the award of this contract to SamCorp General Contractors, as this offeror has provided the Best Value Offer. It is requested that the Mayor be authorized to sign the contract approved by the City Engineer, Contract Compliance and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by the measured quantity. The actual cost of the unit price component will be the sum total of the unit price at the end of the contract term. [Purchasing Department, Anthony R. Talamo, (915) 541-4113]

15. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

15A.	Bid No.:	2003-186	Police Duty Gear
	Award to:	Vendor 1:	GT Distributors Austin, Texas
	Item (s):		Group I (Alternate B)
	Amount:		\$52,254.68 (total amount)
		Vendor 2:	C & G Wholesale Dallas, Texas
	Item (s):		Group II (Bid I) and Group III (Alternate Bid)
	Amount:		\$23,357.00 (total amount)
	Department:		Police
	Funds available:		21010060-503120
	Funding source:		General Funds
	Total award:		\$75,611.68
	District (s):		All

The Police and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties. Low bidder was considered non responsive, he submitted incorrect pricing on two (2) items and will not be able to honor the submitted prices. Vendor # 1 offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award. This is a Requirements Type Contract with an initial term of Twenty-Four (24) months. [Purchasing Department, Jesus M. Juarez, (915) 541-4317]

15B.	Bid No.:	2003-205	Automotive Fuel-Diesel & Unleaded
	Award to:		Transmountain Oil Company, L.C. El Paso, Texas
	Item (s):		#1 and #2 (All)
	Amount:		\$3,000,000.00 (estimated annually)

Department: Fleet Services
 Funds available: 37370510-503124
 Funding source: Fleet Services Internal Fund
 Total award: \$6,000,000.00
 District (s): All

The Fleet Services and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties. Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award. This is a Requirements Type Contract with an initial term of Twenty-Four (24) months. [Purchasing Department, Jesus M. Juarez, (915) 541-4317]

16. BUDGET TRANSFER: [Office of Management and Budget, David Almonte, (915) 541-4011]

BT2004-002 OFFICE OF MANAGEMENT AND BUDGET

To set up appropriations necessary for purchase of hardware needed for migration of Peoplesoft hosting.

Decrease	\$1,642,944.01	from	31135001/PPW005800127130/508027	Construction
Increase	\$1,642,944.01	to	31135001/PPW005800127130/507001	Intrfd Transfer
Increase	\$1,642,944.01	to	31135001/P50152827129/407001	Intrfd Transfer
Increase	\$1,642,944.01	to	31135001/P50152827129/508010	Data Proc Eq

17. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

17A. Bel Air High School to hold a parade on September 17, 2003 from 6:30 p.m. to 7:30 p.m. Route: Start at Lowe's on Carolina, turn left on Yarbrough, left on Parral, left on Venado into Bel Air High School parking lot. Approximately 1,000 persons and 70 vehicles are anticipated. PERMIT NO. 03-136 (District 7)
 [Enrique Perez]

NO OBJECTIONS FROM FIRE, SANITARY, AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 10 OFFICERS AND 10 VEHICLES. ESTIMATED COST TO CITY \$213.00. ESTIMATED COST TO APPLICANT: \$167.00. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

17B. Spirit Life Christian Center to use amplification (2 amplifiers, 2 speakers, and 5 microphones) at Album Park on September 13, 2003 from 5:30 p.m. to 8:00 p.m. Approximately 10 persons will take part and 50 spectators are anticipated. PERMIT NO. 03-139 (District 5) [Pastor Rafael Juarez III]

NO OBJECTIONS FROM FIRE. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 17C.** Riverside High School to hold a Homecoming Parade on September 18, 2003 from 5:30 p.m. to 6:30 p.m. Route: Start at the school parking to Knights, proceed on Knights to Jersey, turn left on Jersey to Bernadine, turn left on Bernadine to Knights, turn right on Knights and finish at the school parking lot. Approximately 200 persons and 20 vehicles will take part. PERMIT NO. 03-135 (District 7) [Jan L. Herron]

NO OBJECTIONS FROM FIRE, SUN METRO, AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 9 OFFICERS AND 9 VEHICLES. ESTIMATED COST TO CITY: \$213.00. ESTIMATED COST TO APPLICANT: \$237.00. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 17D.** O'Shea Elementary School to hold a Patriotic Student Parade on September 11, 2003 from 9:00 a.m. to 10:30 a.m. Route: Start on the school's parking lot, turn right on Teachers, proceed to Gwen Evans, turn left on Saul Kleinfeld to the entrance of Slder Middle School, proceed inside the school to the Gus Moran and finish at O'Shea Keleher Elementary parking lot. Approximately 1000 persons will take part. This request includes permission to use amplification (1 megaphone). PERMIT NO. 03-126 (Districts 5 and 6) [Richard Ryan]

NO OBJECTIONS FROM FIRE, SUN METRO, AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 17E.** Greater El Paso District Physical Therapy to hold a 5K Run/ Walk/ Wheel on September 27, 2003 from 8:00 a.m. to 10:00 a.m. Route: Start at Ponder Park (W.H. Burgess and Juniper), turn right on Edgemere, left on Hawkins, left on Edgemere, left on Airway, right on Juniper, finish at Ponder Park. Approximately 300 persons, 2 vehicles, 20 wheelchairs will take part and 100 spectators are anticipated. This request includes permission to use amplification (1 Bullhorn) for awards and instructions. PERMIT NO. 03-128 (District 3) [Mike Coulter]

NO OBJECTIONS FROM FIRE, SUN METRO, PARKS, AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 8 OFFICERS AND 5 VEHICLES. ESTIMATED COST TO CITY: \$426.00. ESTIMATED COST TO APPLICANT: \$374.00. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 17F.** Bowie High School to hold a Homecoming Parade on September 13, 2003 from 8:00 a.m. to 11:30 a.m. Route: start at Fourth and Cotton to Seventh, turn right on Seventh, right on Oregon, right on Third, right on Virginia, left on Father Rahm, left on Cotton and finish on Fourth St and Cotton. Approximately 400 persons, 20 vehicles will take part, and 3,000 spectators are anticipated. This request includes amplification (small individual amps for guitars). PERMIT NO. 03-127 (District 8) [Sam Atte]

NO OBJECTIONS FROM FIRE, SUN METRO, AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 14 OFFICERS AND 14 VEHICLES. ESTIMATED COST TO CITY: \$932.50. ESTIMATED COST TO APPLICANT: \$1,217.50. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 17G.** Operation Santa Claus to hold a toy delivery parade/ceremony on December 12, 2003 from 1:00 p.m. to 3:00 p.m., and for the organization to enter into a co-operative agreement with the city. The city shall provide funds to cover the cost of traffic-control assistance in the amount of \$1,000.00 under the said agreement. Route: Start at Pleasonton/Chelsea gate, proceed on Chelsea to Paisano; proceed on Paisano, left on St. Vrain, right on Sixth to Florence. Streets blocked will be Sixth St, between Ochoa and Campbell, Florence between Seventh and Father Rahm, and Ochoa between Seventh and Father Rahm. Approximately 200 persons and 27 vehicles will take part and 150 spectators are anticipated. This request includes permission to use amplification (400 watt amp, 2 speakers and 30-piece band) PERMIT NO. 03-120 (Districts 3 and 8) [Sergeant First Class James Prim]

NO OBJECTIONS FROM FIRE, SUN METRO, AND TRAFFIC ENGINEERING. TX-DOT FORM LETTER. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 10 OFFICERS AND 10 VEHICLES. ESTIMATED COST TO CITY: \$632.50. ESTIMATED COST TO APPLICANT: \$467.50. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

REGULAR AGENDA

18. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

- 18A.** An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to create the Class of **INTERNATIONAL COACH OPERATOR**.

[Human Resources, Terry A. Bond, (915) 541-4509]

~~Policy Number 521,078 To - 433,000 (10/03) - NEW~~

- 18B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code to temporarily reduce the existing speed limit of 70 m.p.h. to 55 m.p.h. on Interstate 10 in both directions from 240 feet north of milepost 5 to 1550 feet north of milepost 8 for the duration of construction of the Interstate 10 and Trans-mountain Road Loop 375 Interchange Project. The penalty being as provided in Section 12.84.010 of the E El Paso Municipal Code. (District 1)
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 18C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) to add and new locations on Esther Lama Drive from Zaragoza Road east to Pullman Drive, south side only and from Zaragosa Road to a point 225 feet east thereof, north side only. The penalty as provided in Section 12.84.010 of the El Paso Municipal Code. (District 6)
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

Revised

- 18D.** An Ordinance authorizing the City of El Paso to enter into a Joint Use Agreement with Government Employees Credit Union of El Paso for the purpose of developing a plan for constructing and utilizing a parking at Ponder Park at 7500 W.H. BURGESS Drive, El Paso, El Paso County, Texas. (District 3)
[Parks and Recreation, Ray Cox, (915) 541-4331]

Lot

- 18E.** An Ordinance granting a Special Privilege to Houshany Shirazi and Bahram Razy permitting the encroachment onto public rights-of-way with three (3) accessibility ramps for persons with disabilities, eleven (11) awnings and a portion of the building at 520-524 San Francisco Avenue. (SP-03010, Fee: \$800.00) **(District 8)**
 [Planning, Research and Development, Esther Guerrero, (915) 541-4720]

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 23, 2003 FOR ITEMS 18A – 18E

- 18F.** An Ordinance changing the zoning of Lot 33, less the East 3 Feet thereof and less the North 10 Feet thereof, Rosedale Farms No. 4, El Paso, El Paso County, Texas (312 North Carolina) from R-3 (Residential) to C-3 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON03-00008. Applicant/Representative: Genaro & Yolanda Banuelos, 312 N. Carolina, El Paso, TX 79915 **(District 3) THIS IS AN APPEAL CASE**
 [Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]
- 18G.** An Ordinance changing the zoning of a Portion of Lot 53, Cineque Park, El Paso, El Paso County, Texas (8210 Troy) from R-F (Ranch-Farm) to R-3 (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON03-00015. Applicant/ Representative: David & Rosa Estrada, 8210 Troy, El Paso, TX 79907 **(District 7)**
 [Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]
- 18H.** An Ordinance changing the zoning of Lot 2, Block 2, Los Cerritos Unit One, El Paso, El Paso County, Texas (Bandolero Drive North of Pinehurst Drive) from C-1/sc (Commercial/special contract) to A-2/sc (Apartment/special contract). The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Coronado Country Club 1220 / Representative: McCormick Architecture L.L.C; 4110 Rio Bravo, Suite 206, El Paso, TX 79912. ZC-03023 **(District 1)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 18I.** An Ordinance changing the zoning of Lots 11 - 16, Block 65, Franklin Heights Addition, El Paso, El Paso County, Texas (1020 Montana Avenue) from A-2 (Apartment) to A-O (Apartment/Office). The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant / Representative: Terry W. Hammond and Associates; 1420 Montana Avenue, El Paso, TX 79902. ZON03-00012 **(District 8)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 30, 2003 FOR ITEMS 18F – 18I

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

19. DISCUSSION AND ACTION:

- 19A.** Discussion and action on approval of Conditional "B" building permits for Montoya Gardens Subdivision. **(District 1)**
[Engineering Department, Bashar Abugalyon, (915) 541-4157]
- 19B.** Discussion and action authorizing the Planning, Research & Development Department to initiate and process an application to rezone the property located at 1125 N. Zaragoza Road from C-1 (Commercial) to S-D (Special Development). **(District 7)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 19C.** Discussion and action authorizing the Planning, Research & Development Department to accept and process a special permit application for City-owned property legally described as a portion of Tract 53 and 54, Valley Gate Subdivision, El Paso, El Paso County, Texas. **(District 3)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 19D.** Discussion and action authorizing the Planning, Research & Development Department to accept and process a rezoning application for City-owned property legally described as a portion of Tract 3, Block 1, Ascarate Grant, El Paso, El Paso County, Texas. **(District 7)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 19E.** Discussion and action to direct the City of El Paso, City Attorney's Office, to draft a low income housing anti-clustering ordinance. *Matt Watson*
[Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123]

20. PUBLIC HEARINGS:

- 20A.** An Ordinance providing for the issuance, sale and delivery of \$25,000,000 City of El Paso, Texas, Airport Revenue Refunding Bonds, Series 2003 (El Paso International Airport); prescribing the terms and conditions thereof; providing for the payment thereof; and enacting other provisions relating thereto. **(District 3)**
[Airport, Patrick T. Abeln, (915) 780-4724] [REDACTED]
- 20B.** An Ordinance amending Ordinance No. 15186 that established the duties of the Municipal Services Department to add supervision over the City's Mass Transit Department to the Department's responsibilities.
[City Attorney's Office, Elaine S. Hengen, (915) 564-4550]
- 20C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) to add new locations on the south side of Sunset Drive from Osborne Drive to a point 310 feet west, and north side of Sunset Drive from Osborne Drive to a point 325 feet west thereof. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code. **(District 8)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 20D.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) to add a new location on the east side of Northwestern Drive from Rancho Norte Drive to a point 600 feet north thereof. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code. **(District 1)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 20E.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) to add a new location on the north side of Rancho Norte Drive from Northwestern Drive to a point 550 feet east thereof. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code. **(District 1)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 20F.** An Ordinance levying 2004 Taxes.
[Financial and Administrative Services, William Chapman, (915) 541-4011]
- 20G.** An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the Class of **AVIATION ADMINISTRATION ASSISTANT DIRECTOR**. **Salary Range: \$63,670.56 - \$99,956.00 (EX-H to EX-F)**
[Human Resources, Terry A. Bond, (915) 541-4509]
- 20H.** An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the Class of **AVIATION OPERATIONS & SECURITY ASSISTANT DIRECTOR**. **Salary Range: \$63,670.56 - \$99,956.00 (EX-F - No Change)**
[Human Resources, Terry A. Bond, (915) 541-4509]
- 20I.** An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to create the Class of **AVIATION DEVELOPMENT ASSISTANT DIRECTOR**. **Salary Range: \$56,524.73 - \$88,828.09 (EX-H - NEW)**
[Human Resources, Terry A. Bond, (915) 541-4509]
- 20J.** An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 15, Suspension, Reduction and Discharge, to add another section requiring a mediation process and imposing a limitation on when disciplinary action can be taken. [Human Resources, Terry A. Bond, (915) 541-4509]
- 20K.** An Ordinance granting Special Permit No. SU-03017, to allow for a planned residential development on a portion of Tract 4, Block 1, Ysleta Grant, a portion of Tract, 1, Block 5, Ysleta Grant, and a portion of Lot 2, Block 3, Le Barron Park, El Paso, El Paso County, Texas (Burgundy Drive North of Betel Drive) pursuant to Section 20.22.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Tropicana Homes, Inc. / Representative: CEA Engineering Group; 2718 Wyoming Avenue, El Paso, TX 79903 **(District 6)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]

Proposed

20L. An Ordinance granting Special Permit No. SU-03018, to allow for a planned residential development on a portion of Tract 1B and Tract 2B, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas (Upper Valley Road North of Aircraft Road) pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: RPW Development Ltd. / Representative: CEA Engineering Group; 2718 Wyoming, El Paso, TX 79903 (District 1)
[Planning, Research and Development, Fred Lopez, (915) 541-4925]

20M. An Ordinance granting a Special Privilege to Joe Hernandez, to permit temporary sidewalk vending along a portion of public right-of-way at 814 B. South El Paso Street in Downtown El Paso from September 10, 2003 through July 3, 2004. (SP-03013, Fee: \$164.74) (District 8)
[Planning, Research & Development, Esther Guerrero, (915) 541-4720]

20N. An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.25 (El Paso Zoo), Section 13.25.010 (Admission Fees to the El Paso Zoo) to increase certain fees for admission to the Zoo.
[Zoo, William R. Torgerson, (915) 521-1850]

20O. Public hearing to determine if the property located at 410 S. Ochoa Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of record as of April 23rd, 2003, Narcisco and Josefina Trillo, 3220 Montana Ave., El Paso, Texas 79903, have been notified of the violations at this property. Delinquent taxes in the amount of \$0. (District 8)
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

4 weeks Postponed

20P. Public hearing to determine if the Council Resolution of July 8th, 2003, for the property located at 3726 Tularosa Avenue, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Resolution has not been complied with. The owners of this property, Sergio Diaz & Angelica Diaz, 3726 Tularosa Avenue, El Paso, Texas 79903, have been notified of the violations at this property. (District 8)
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

21. The City Council will retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Council may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)

- 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

Discussion and action on the following:

- 21A.** RS Medical v. City of El Paso, File No. 03-WCP-002, SOAH Administrative Hearing regarding Maria G. Guerrero (551.071)
- 21B.** City of El Paso Adult Business Ordinance (551.071)

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:

<http://www.ci.el-paso.tx.us>

ADDITION TO THE AGENDA FOR THE CITY COUNCIL MEETING OF SEPTEMBER 9, 2003

The following is added to the City Council Agenda of Tuesday, September 9, 2003 at 9:00 a.m.:

REGULAR AGENDA

1. Moratorium on any action regarding Album Park/Eastwood Park Recreation Center until after review of Initiative Petition. [Mrs. J. Dorsey]

CONSENT AGENDA

2. BOARD APPOINTMENTS:

- A. Rose Dominguez-Morales to the Enterprise Community Coordinating Committee by Representative Jose Alexandro Lozano.
- B. Joseph Bender to the El Paso Museum of Art Advisory Board by Representative Jose Alexandro Lozano.
- deleted*
C. Nomination of Walter L. Tippin, D.D.S., to the El Paso City-County Board of Health by Representative Jose Alexandro Lozano.
- v*
D. Nomination of Mary M. Hoke to the El Paso City-County Board of Health by Representative Vivian Rojas.

REGULAR AGENDA

3. INTRODUCTION OF ORDINANCE PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

An Ordinance amending Title 13 (Streets Sidewalks and Public Places), Chapter 13.20 (Miscellaneous Street and Sidewalk Use Regulations), Section 13.20.110 (Bus Bench Franchises) to revise provisions related to franchise terms and delete certain civil penalties for illegal bus benches. [Representative Robert A. Cushing, Jr., (915) 541-4996]

PUBLIC HEARING WILL BE HELD SEPTEMBER 23, 2003 FOR ITEM 3

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

4. EXECUTIVE SESSION:

Discussion and action regarding litigation involving Municipal Court Judges. (551.071)
[City Attorney's Office, Lisa A. Elizondo, (915) 541-4550]

Richarda Duffy Momsen, City Clerk

RESOLUTION:

That the City of El Paso expresses to The Texas Department of Housing and Community Affairs its opposition to the public housing project known as Suncrest Townhomes, project #03223.

WHEREAS, Suncrest Townhomes, is a partnership between the El Paso Housing Authority and Investment Builders, and

WHEREAS, Suncrest Townhomes, project #03223, is proposed to be located in District 8, which is represented by Anthony Cobos, Mayor Pro Tempore, and

WHEREAS, this project is proposed to be located near five other public housing projects, which has created an overabundance of public housing in the general vicinity, with over 591 units existing and another 200 planned by the El Paso Housing Authority this year, 911 within a quarter mile of the proposed site, and

NOTE:
THIS
INFORMATION
IS NOT
CORRECT.

WHEREAS, Suncrest Townhomes, will add another 160 public housing units to the area, which is reaching the point of discrimination, by forcing poor families to live in one isolated area, with little or no flexibility to live elsewhere, and

WHEREAS, The model of creating clusters of hundreds of families into mass public housing projects in order to accommodate local housing authorities, has been an abject failure nationwide, and

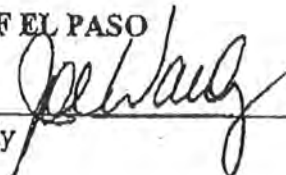
WHEREAS, it is preferable to assimilate disadvantaged, poor families into working class society.

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

EL PASO OPPOSES THE PROJECT KNOWN TO THE TEXAS
DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS,
AS SUNCREST TOWNHOMES, PROJECT #03223.

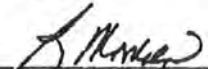
APPROVED this 17th day of June, 2003.

CITY OF EL PASO



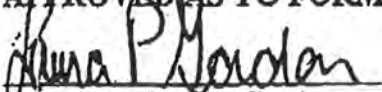
Joe Wardy
Mayor

ATTEST:



Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Laura Prendergast Gordon
First Assistant City Attorney



El Paso, Texas
The International City

El Paso

ANTHONY W. COBOS
CITY REPRESENTATIVE
DISTRICT NO. 8

Urgent Community Meeting
Morehead Middle School - 5625 Confetti
Saturday August 9th, 2003 9:00-11:00 a.m.

Dear Constituent,

It is extremely urgent that I communicate with you regarding a mammoth low-income housing project known as Suncrest Townhomes. This project is owned by The El Paso Housing Authority d/b/a "Paisano Housing Redevelopment Corp." and Investment Builders, Inc. represented by Ike J. Monty. This housing project will consist of 144 low-income housing units. It is proposed to be located North of the intersection of Suncrest and Mesa Hills, adjacent to the "Royal Estates of El Paso" retirement community, located at 435 S Mesa Hills. The proposed Suncrest Townhomes apartment housing project is clustered in the immediate vicinity of five other low-income housing projects, all of which are within a half-mile radius of each other. See list below.

- 1) Mesa Townhomes at 5450 Suncrest with 128 Low-Income Housing Tax Credit units for very low-income families. Owned by Western Hills Limited.
- 2) Jackie Robinson Apartments at 421 Mangrum with 184 Public Authority Units for very low-income families. Owned by the El Paso Housing Authority.
- 3) Las Lomas Apartments at 500 Rubin Drive with 236 Low-income housing units for very low-income families. Operated by a non-profit organized out of Fairfax Virginia called the American Housing Foundation.
- 4) Suncrest Apartments at 611 Rubin Drive with 82 Low-income housing units. Owned by AIMCO Residential Group L.P.
- 5) Migrant Farmworker Housing at 511 Rubin Drive with 50 units. Owned and managed by the Public Housing Authority.
- 6) An Additional 144 subsidized Low-Income Housing Tax Credit apartments with Suncrest Townhomes.

It is a fact, there is clustering of low-income housing in this area. While I am totally supportive of economically disadvantaged families and affordable housing in El Paso, I believe this project is counter productive to the goal, of helping this demographic prosper. Many other cities have recognized the negatives of clustered housing units and are correcting the failed policy of condensed low-income housing.

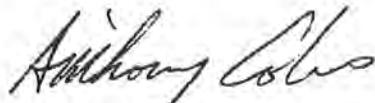
Suncrest Townhomes is a 21-acre site, which appears to be in a water retention dam area. The site can be clearly viewed from atop the Southeastern ridge of the Crestmont Hills area. It will be *accessed from Ridgemont Drive* and the site location is officially listed as 504 Ridgemont Drive. According to our City Traffic Engineering department we can expect 1.3 new cars per household, per day, which equates to approximately 208 vehicles daily.

Children residing at Suncrest Townhomes will attend Johnson Elementary and Morehead Middle School, which are already severely overcrowded. Every school day, students will be forced to cross quick moving traffic on Mesa Hills Drive, which is very dangerous.

It is my opinion that if this project is allowed, it will have a serious negative impact on our neighborhoods (Crestmont Hills & Fiesta Hills), schools and quality of life. For this reason, I have outlined the facts and solicit your opinion, on whether or not, you want me to keep fighting for your interests. Alone, I can no longer battle this wealthy land developer. I need your energy and support.

Please attend the special community meeting August 9th, this Saturday at Morehead Middle School – 5625 Confetti. I have invited representatives from the El Paso Housing Authority and Investment Builders, as well as City officials. Together our voice will be heard.

I look forward to your questions and opinions, Gratefully,



Anthony Cobos
Mayor Pro-Tempore
City of El Paso

Meeting August 9th, Morehead Middle School.

AGENDA:

- 1) Letter from developer, (NO SHOW)**
- 2) Clustering Issue;**
 - A) Clustering low-income housing projects,
 - 1) Mesa Townhomes – 5450 Suncrest
 - 2) Jackie Robinson- 421 Mangrum
 - 3) Migrant Farmworkers Housing-511 Rubin Dr.
 - 4) Las Lomas Apartments – 500 Rubin Dr.
 - 5) Suncrest Apartments – 611 Rubin
 - B) Sun Metro.
 - C) Police Report
 - D) Schools (LBJ Elementary and Morehead Middle)
 - E) Senate Bill 264 – Anti-Clustering Bill
- 3) Traffic/Safety**
 - A) Application to TDHCA, Access from Ridgemont St
 - B) Police Report - Increased Traffic
 - C) Student Pedestrian Crossing
 - D) Police Report (Gangs, Vandalism)
- 4) Letters of Support From Elected Officials**



Jose Nunez <janunez1963@gmail.com>

Affordable Housing Anti-Clustering Ordinance - El Paso, Texas

1 message

Jose Nunez <janunez1963@gmail.com>

Tue, Aug 27, 2024 at 10:30 AM

To: mayor@elpasotexas.gov, district1@elpasotexas.gov, District2@elpasotexas.gov, District3@elpasotexas.gov, Joe Molinar <District4@elpasotexas.gov>, district5@elpasotexas.gov, District6@elpasotexas.gov, District7@elpasotexas.gov, District #8 <District8@elpasotexas.gov>

Cc: citymanager@elpasotexas.gov

The Honorable Oscar Lesser and Respected Members of City Council:

It appears that you are repeating the same mistakes made by the City Council under the administration of Mayor Joe Wardy over twenty (20) years ago by entertaining the affordable housing project planned by our local Housing Authority (HOME) for S Mesa Hills and Bluff Canyon Cir. Please allow me to elaborate on this statement. In 2002, Industrial Builders formed a nonprofit partnership with HOME for the purpose of building Suncrest Townhomes, a 160 unit community at 415 S Mesa Hills; refer to the first attachment for more information.

Mr. Anthony Cobos, former District 8 Representative and Mayor Pro Tempore, immediately raised concerns that allowing such a project to materialize would only make the clustering of affordable housing in his district worse. At that time, there were already five (5) affordable apartment complexes within a half a mile (1/2) radius as depicted on the attached location map. Since then, there have been three (3) more added that I know of to the circle of interest. They are as follows, existing and new:

1. Mesa Townhomes (128 units) located at 5450 Suncrest Dr.
2. Robinson Apartments (184 units) located at 421 Mangrum Cir.
3. Migrant Farmworker Housing (50 units) located at 511 Rubin Dr.
4. Las Lomas Apartments (236 units) located at 500 Rubin Dr.
5. Suncrest Apartments (82 units) located at 611 Rubin Dr.
6. Tuscan Apartments (369 units) located 415 S. Mesa Hills Dr.
7. Royal Estates (70 units) located at 435 S. Mesa Hills Dr.
8. El Cerrito Apartments (123 units) located at 1039 JC Machuca St.

In June of 2003, former Mayor Joe Wardy signed a City Resolution (Attachment 3) to oppose the construction of Suncrest Townhomes since there was already an overabundance of public housing in the general vicinity. Subsequently, Congressman Silverstre Reyes, State Representative Pat Haggerty, State Representative Chente Quintanilla, and State Representative Joe C. Pickett also shared the same concern and followed with letters ((Attachment 4) of opposition against the proposed project. Most of their letters were addressed to the Texas Department of Housing and Community Affairs since they would be the ones providing the necessary funding for affordable housing.

District Representative Cobos also mailed out invitation letters (Attachment 5) to all of his affected constituents and introduced them to the proposed project and outlined the concerns with allowing this type of project in their community. He stated under his letter, "It is a fact, there is clustering of low-income housing in this area. While I am totally supportive of economically disadvantaged families and affordable housing in El Paso, I believe this project is counter productive to the goal of helping this demographic prosper. Many other cities have recognized the negatives of clustered housing units and are correcting the failed policy of condensed low-income housing." Data collected by the El Paso Police Department during this time revealed that clustering had the strong potential of increasing crime and unacceptable increase in traffic volumes, thereby potentially increasing vehicle-pedestrian accidents involving children attending the surrounding schools. These concerns are very similar to those raised by my neighbors and I for the Mesa Hills II Project.







During the City Council Meeting of September 09, 2003, this clustering concern was discussed and it was agreed to direct the City Attorney's Office to draft an affordable housing anti-clustering ordinance; your attention is directed to Attachment 6. It is unknown at this time if such an ordinance was ever crafted and signed accordingly by all approving authorities. I, therefore, have since submitted an Open Records Request to inquire. Hopefully, it was not decided to kill-it for any unknown reason(s). That would have been a huge mistake.

There is so much undeveloped land in the Northwest and Upper Valley areas of El Paso that would be more appropriate for the 104 units being proposed for Mesa Hills II Project. These areas are very close to shopping centers and offer other amenities. Several job opportunities are available at these westside locations for the future residents of the new affordable housing.

The City's Planning Department should do a better job in screening applications to rezone parcels of land to ensure clustering doesn't exist for one particular area(s) of our community. Especially, if we want to diversify our residents. If you have any questions, please contact me at either (915) 637-4338 or via email janunez1963@gmail.com. Thanks and have a nice day.

Jose A. Nuñez, P.E.

6 attachments

-  **Suncrest Townhomes.pdf**
378K
-  **Location Map - Concentration Issue.pdf**
103K
-  **City Resolution - June 17, 2003.pdf**
128K
-  **Letters of Opposition - Congressional & State Delegation.pdf**
304K
-  **Community Meeting - August 9, 2003.pdf**
184K
-  **Agenda - City Council Meeting, September 09, 2003.pdf**
1440K

SILVESTRE REYES
18TH DISTRICT, TEXAS

COMMITTEE ON ARMED SERVICES

RANKING MEMBER
SUBCOMMITTEE ON STRATEGIC FORCE
SUBCOMMITTEE ON READINESS

COMMITTEE ON VETERANS' AFFAIRS

SUBCOMMITTEE ON BENEFITS

PERMANENT SELECT COMMITTEE
ON INTELLIGENCE

SUBCOMMITTEE ON
TERRORISM AND HOMELAND SECURITY

SUBCOMMITTEE ON
HUMAN INTELLIGENCE, ANALYSIS
AND COUNTERINTELLIGENCE



Congress of the United States
House of Representatives
Washington, DC 20515

WASHINGTON OFFICE:
1527 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4831
FAX: (202) 225-2016

DISTRICT OFFICE:
310 NORTH MEZA, SUITE 400
EL PASO, TX 79901
(915) 534-4400
FAX: (915) 534-7426

<http://www.house.gov/reycr/>

July 9, 2003

Edwina Carrington, Executive Director
Texas Department of Housing
and Community Affairs
P.O. Box 13941
Austin, Texas 78711

Dear Ms. Carrington:

I am writing in regards to correspondence I recently received from El Paso City Representative Anthony Cobos (copy enclosed) that outlines his strong opposition to the Suncrest Townhomes project that is currently under consideration by the Texas Department of Housing and Community Affairs.

As you may know, earlier this year I affirmatively responded to a request from the co-sponsor of the proposal, Investment Builders, with a letter of support for this project. Clearly El Paso is a community in need of additional affordable housing, and I have always been willing to get behind initiatives that will meet this need. However, I believe the issues raised by Representative Cobos merit detailed review of this project by the TDHCA board with particular attention being paid to issues of public housing concentration, the public input process, and whether or not all required procedures have been followed. In this regard, I respectfully request that you bring this to the attention of the TDHCA board before any final decisions are made.

Please know that the El Paso community very much appreciates the partnership we have with TDHCA and the assistance that it provides to our community. As always, thank you for your careful attention to this matter. I look forward to hearing from you in the near future.

Sincerely,

Silvestre Reyes
Member of Congress

SR/km



Charles L. Tafoya
Superintendent

July 29, 2003

Mayor Joe Wardy
City of El Paso
El Paso, Texas

Dear Mr. Mayor:

I want to thank you for taking the time to meet with my staff and I so that we could discuss issue of mutual concern and interest. I look forward to working with you on issue that will promote opportunities, programs, and initiatives for the betterment of our citizens, students, and families.

As Superintendent, it is with the concern of families in mind that I must speak out against the proposed new housing project, Suncrest Development. I strongly support the concept of affordable housing for every family in our community. I will always advocate for equity of opportunity and affordability of housing for our families. I do however, have a concern that the plan to build another housing unit in an already impacted area is not well thought out, and is in fact detrimental to the families that would move into the area.

We have an overcrowding issue that is already negatively affecting our middle school in the area. Morehead Middle School has lost the ability to provide adequate playground space for our students. We have had to move portable buildings to that campus to accommodate excessive growth. The formula for educational success is greatly affected by the high stress levels resulting from this compaction of people (students and staff) in such a small area.

I would strongly urge your intervention in working with TDHCA to make sure this development does not become a reality in this area. We welcome students from this housing project at any number of schools throughout the city. I cannot in good faith encourage or support the creation of a housing plan that restricts the recipients to only those areas that are created for expediency or convenience for TDHCA. I believe that TDHCA has had ample time to learn from those harsh experiences of the 90's where concentrated housing in some cities has led to increases in negative productivity for that community. I believe El Paso could learn from those experiences to promote positive housing solutions that will guarantee students in the housing complexes opportunities for educational, personal, and social success.

I extend my support to the resolution of a positive outcome on this issue. I would like to be a part of a positive solution and look forward to meeting with you to discuss this concern further.

Sincerley,
Charles L. Tafoya

Texas House of Representatives



Patrick B. Haggerty

District 78

Committees:
Corrections
Land & Resource Management

Mr. Michael Jones
Attorney at Law
Potter, Minton, Roberts, Davis & Jones, PC
500 Plaza Tower
Tyler, Texas 75702

Re: Suncrest Townhomes Tax Credit Application

Dear Chairman Jones:

It has been brought to my attention that the City of El Paso was recently misrepresented regarding the proposed Suncrest Townhomes Project #03223. The primary objection to the proposed construction by the City of El Paso is the ensuing clustering of low-income residents in the area.

Within a one square mile area there are four low-income housing complexes that provide over 500 apartment units to over 2300 residents. The addition of 160 more units clearly represents clustering of low-income residents. Further, the City of El Paso believes, with data collected from the El Paso Police Department and the Bureau of Justice Statistics, the clustering will result in an increase in crime and in unacceptable increases in traffic volumes potentially increasing vehicle-pedestrian accidents involving children attending the surrounding grade and middle schools. It is quite clear that the El Paso Housing Authority has chosen to continue in this failed practice of clustering in spite of strong objections from the City of El Paso.

As a member of the Texas House of Representatives I respectfully request that you reject this application for tax credits. In addition, the City of El Paso will be represented at the Texas Department of Housing and Community Affairs board meeting scheduled for July 30, 2003.

Thank you for your consideration in this important matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Pat Haggerty".

Pat Haggerty
State Representative

REPRESENTATIVE
CHENTE QUINTANILLA

CAPITOL OFFICE
P.O. Box 2910
AUSTIN, TEXAS 78768-2910
(512) 463-0613
FAX: (512) 463-1237



DISTRICT 75 OFFICE
120 N. HORIZON BLVD.
SUITE A-112
EL PASO, TEXAS 79927
(915) 859-3111
FAX: (915) 859-3120

TEXAS HOUSE OF REPRESENTATIVES

July 25, 2003

Mr. Michael Jones
Attorney at Law
Potter, Minton, Roberts, Davis & Jones, PC
500 Plaza Tower
Tyler, Texas 75702

Re: Suncrest Townhomes Tax Credit Application

Dear Chairman Jones:

It has been brought to my attention that the City of El Paso was recently misrepresented regarding the proposed Suncrest Townhomes Project #03223. The primary objection to the proposed construction by the City of El Paso is the ensuing clustering of low-income residents in the area.

Within a one square mile area there are four low-income housing complexes that provide over 500 apartment units to over 2300 residents. The addition of 160 more units clearly represents clustering of low-income residents. Further, the City of El Paso believes, with data collected from the El Paso Police Department and the Bureau of Justice Statistics, the clustering will result in an increase in crime and in unacceptable increase in traffic volumes potentially increasing vehicle-pedestrian accidents involving children attending the surrounding grade and middle schools. It is quite clear that the El Paso Housing Authority has chosen to continue in this failed practice of clustering in spite of strong objections from the City of El Paso.

As a member of the Texas House of Representatives I respectfully request that you reject this application for tax credits. In addition, the City of El Paso will be represented at the Texas Department of Housing and Community Affairs board meeting scheduled for July 30, 2003.

Thank you for your consideration in this important matter.

Respectfully,

A handwritten signature in black ink that reads "Chente Quintanilla".

Chente Quintanilla
State Representative



"CHENTE FOR LA GENTE"
chente.quintanilla@house.state.tx.us
NOT PAID AT TAXPAYERS' EXPENSE

The State of Texas
House of Representatives



Joseph C. Pickett
El Paso • District 79

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Fax: 915-590-4726

July 23, 2003

Mr. Michael E. Jones
Potter, Minton, Roberts, Davis & Jones, PC
500 Plaza Tower
Tyler, Texas 75702

Dear Chairman Jones:

I am writing this letter in opposition of the board approving the proposed Suncrest Townhomes project in El Paso under the tax credit program. I respectfully request that you do not recommend this project for approval. Your staff has been responsive in the past to acknowledging when a proposed low income rental housing project is deemed too controversial for approval. The Suncrest Townhomes project is no different.

As you know, the City of El Paso has voiced its opposition to it. I share its concerns regarding the high concentration of affordable housing already in the proposed area. Another issue compounding the problem is the partnership behind this proposed project, the Housing Authority of the City of El Paso (HACEP) and a private developer. There are concerns that the HACEP, a city chartered department, circumvented the system without having to go out to bid for this project.

Although affordable housing is sorely needed in our community, this particular project would neither benefit the city nor the families who would be living in this highly concentrated low incoming housing area. They should not be relegated to living in areas, whether or not it is intentional, that are not more representative of the entire community.

Thank you for your time and consideration regarding this crucial issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe C. Pickett".

Joe C. Pickett

JCP/cno

cc: Edwina Carrington

www.joepickett.com

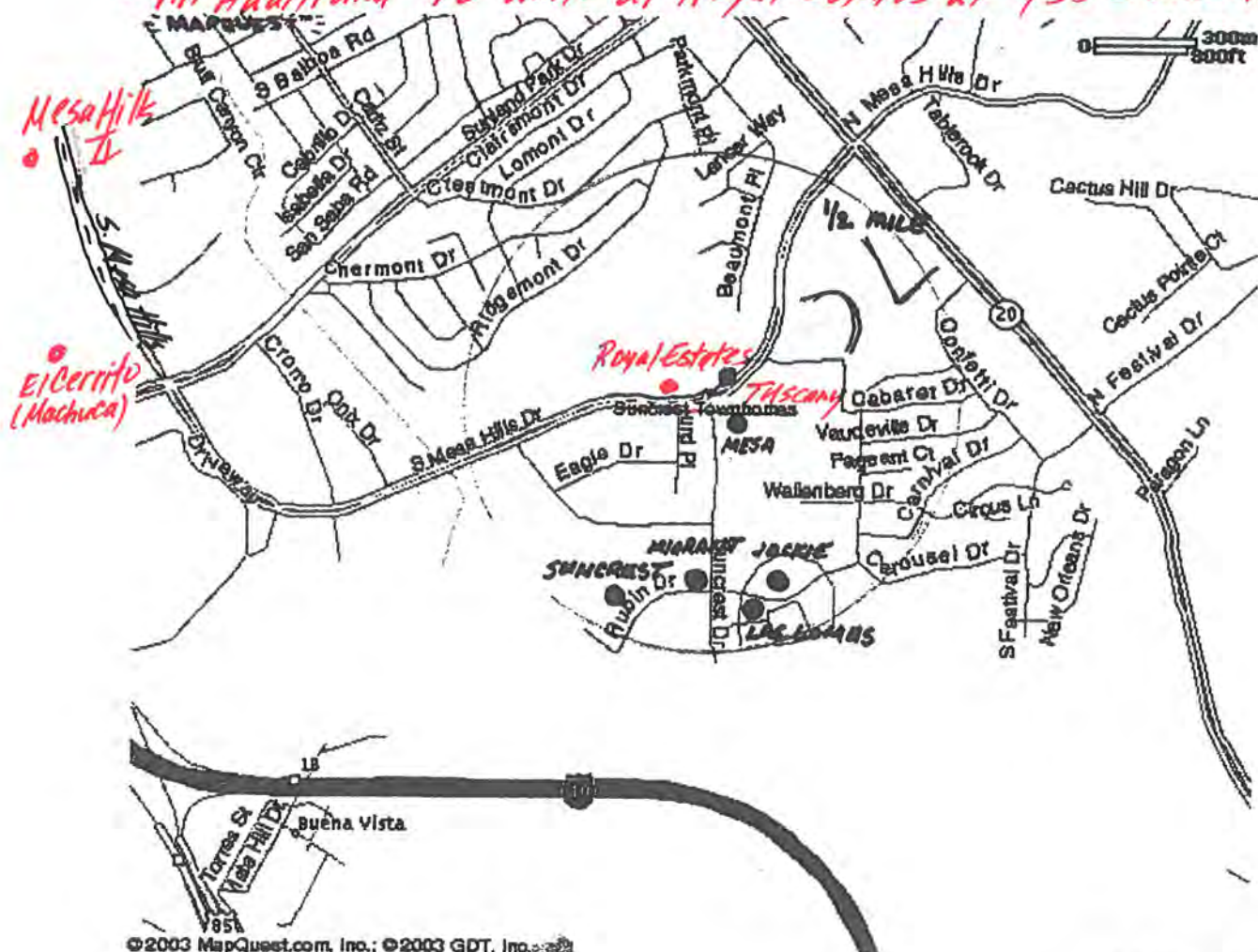
Committees: Appropriations • Transportation

CONCENTRATION ISSUE

Existing Subsidized Apartments in area:

- **Mesa Townhomes** at 5450 Suncrest with 128 Low-Income Housing Tax Credit units for very low-income families owned and managed by Western Hills Limited.
- **Jackie Robinson Apartments** at 421 Mangrum with 184 Public Housing Authority Units for very low-income families owned and managed by El Paso Public Housing Authority
- **Migrant Farmworker Housing** at 511 Ruben Drive with 50 units owned and managed by the Public Housing Authority.
- **Las Lomas Apartments** at 500 Ruben Drive with 236 low-income housing units for very low-income families run by a non-profit organization out of Fairfax Virginia called the American Housing Foundation.
- **Suncrest Apartments** at 611 Ruben Drive with 82 low-income housing units under a 236 Section 8 program which is generally a low interest mortgage loan program for owners who in turn provide subsidized rent to low income tenants owned by AIMCO Residential Group L.P.

- An Additional ³⁴⁹ 144 subsidized Low Income Housing Tax Credit apartments with Suncrest Townhomes. *Tuscany Apartments at 415 S Mesa Hills Dr.*
- *An Additional 70 units at Royal Estates at 435 S Mesa Hills Dr.*



*Introducing a residential development
that fits right in the neighborhood.*

SUNCREST

Townhomes

Corinne Vonberg
Sr. Vice President
Operations

**Investment
Builders, Inc.**



8800 Yermoland, Suite A
El Paso, Texas 79907-1804

Tel. 915.599.1245, ext. 103
Fax 915.594.0434
E-mail: ikejmonty@aol.com

Paul Peschka

**Investment
Builders, Inc.**



8800 Yermoland Dr., Suite A
El Paso, Texas 79907-1804

Tel. 915.599.1245, Ext. 118 *125*
Fax 915.594-0434

*Facts about Suncrest Townhomes,
a 160-unit, mixed-income residential environment
for working families of El Paso*

**Investment
Builders, Inc.**





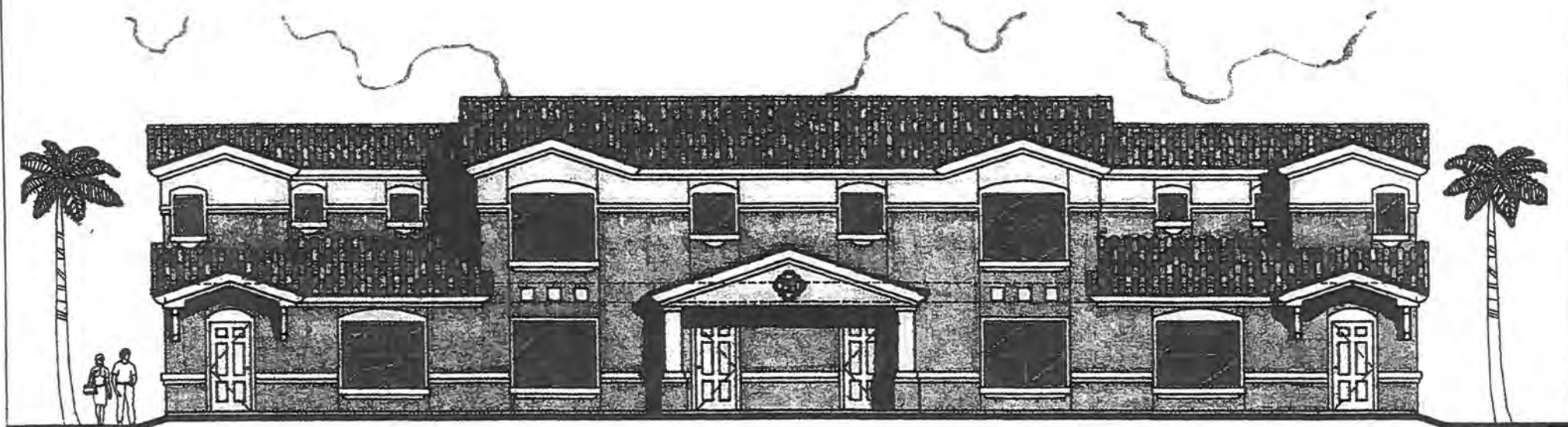
SITE PLAN 10-16-03

PARKING TABULATION

1. PARKING SPOTS: 160 (160 UNITS)
 2. VISITORS PARKING SPOTS: 100
 3. TOTAL PARKING SPOTS: 260

Suncrest Townhomes
A gated community featuring 160 residences
for working El Pasoans.

Access from 415 Mesa Hills Drive. Scheduled for completion in 2004.



BUILDING TYPE 5 - FRONT ELEVATION

SCALE 1/8"=1'-0"