

Appendix J

Stakeholder Meeting Minutes

Myrna Soto

From: Karen Clary [Karen.Clary@tpwd.state.tx.us]
Sent: Monday, March 14, 2011 12:31 PM
To: Eduardo Calvo; Mimi Horn; Tony Uribe; Ray Dovalina
Cc: John Moses; Chris Beckcom; Darrell Owens; Lois Balin; Kathy Boydston; David Riskind
Subject: Loop 375 March 3, 2011 Meeting Summary
Attachments: TPWD_TXDOT LP 375 MTG 3 Mar 2011.docx

Dear Eduardo, Mimi, Tony, and Ray,

It was a pleasure to meet with you on March 3rd to discuss the Loop 375 project. I hope you'll agree that it was a very productive meeting.

Attached please find a summary of our meeting.

I put this together with the help of the TPWD staff who attended the meeting, so hopefully it reflects our discussion as best as we took notes and can remember. Lois Balin followed up with a plant list, comments and recommendations that I added into the summary.

I'd appreciate it if you (TXDOT) would review and add anything else that might have been left out or let me know of any inaccuracies.

I'd also like to start discussing the timeline for the next steps in the TPWD/TXDOT coordination process after we finalize the summary. I'll be in touch with Eduardo on it.

Please let me know if you have any questions.

Sincerely,

Karen H. Clary, Ph.D.
Texas Parks and Wildlife Department
Wildlife Habitat Assessment Program
4200 Smith School Road
Austin, TX 78744
Tel. 512-389-8054

Loop 375 TPWD/TxDOT Meeting Summary, March 3 2011, El Paso

Attendees:

TPWD:

Lois Balin

Chris Beckcom

Karen Clary

John Moses

Darrell Owens

TxDOT:

Eduardo Calvo

Ray Dovalina

Mimi Horn

Tony Uribe

Issues, Commitments and Discussions:

Issue 1: Proposed Configuration of Entrance to Tom Mays Unit

TPWD Recommendation: Move the proposed park entrance farther east. This would provide an entrance with a larger turning radius for vehicles entering the park from the east. This entrance is located where TxDOT has put the temporary park entrance in the current plans. Thus, the “temporary” entrance would become the future permanent entrance. Chris Beckcom, TPWD, provided a schematic showing the proposed new alignment. This was compared to the TxDOT plans for the proposed temporary entrance and found to be very similar.

TxDOT Commitment: TxDOT agreed that the temporary entrance could be possibly made into the permanent entrance. TxDOT will study the design of the entrance to determine if it can be done. TPWD and TxDOT will coordinate on the design plans.

Discussion: The existing entrance would be abandoned. The existing parking lot would be abandoned. A new parking lot would be built to the east of the entrance. It would consist of a graded rock area with no asphalt overlay (more cost effective).

Issue 2: Proposed At-Grade Pedestrian Crossing at Tom Mays Unit Entrance

TPWD Recommendation: Provide a pedestrian underpass at Tom Mays Unit Entrance. This would allow pedestrians and bicyclists to cross Loop 375 without being exposed to oncoming, at-grade traffic.

TxDOT Commitment: TxDOT would ask FHWA if this can be added to the project without having to revise the EA. Otherwise it could be added as a separate project.

Discussion: Since this proposal is an outcome of the TPWD/TxDOT discussions on the safety of pedestrians and bicyclists on the Loop 375 project, TPWD recommends that it be included in the project rather than as a separate one. If it is added on as a separate project, TPWD would

want to see the project built simultaneously with the construction of the Loop 375 project, not afterwards.

Issue 3: Safe travel of Pedestrians and Bicyclists to Tom Mays Unit on Hike and Bike Trail

TPWD Recommendation: Redesign the hike and bike trail on the south side to make it safer for pedestrians and bicyclists traveling to Tom Mays Unit Entrance. The currently proposed hike and bike trail on the south side of Loop 375 ends approximately 0.50 mile west of the Tom Mays Unit Entrance and transitions back into the shoulder of eastbound Loop 375. As a result, pedestrians and bicyclists eastbound on Loop 375 would continue along the shoulder lane for the remaining distance. If the TPWD recommended underpass is built at the Tom Mays Unit Entrance, they could cross under using the underpass. However, if the underpass is not built as part of the project, then they would have to cross at grade, with the risk of collisions. Also, if pedestrians and cyclists try to cross Loop 375 on the ½ mile segment between where the hike and bike trail ends and the Tom Mays Unit Park Entrance, they would also be at risk for collision.

TxDOT Commitment: In the TxDOT January 19, 2011 response letter to TPWD, TxDOT stated that the hike and bike trail on the north side “would end approximately 0.5 mile east of the proposed Paseo Del Norte intersection. The trail would continue toward the state park in a design that complements the natural terrain and plant life as it winds inside the right-of-way (ROW) to the entrance of the Tom May Unit o the Franklin Mountains State Park.” At the March 3, 2011 meeting TxDOT affirmed that it would build a separate and distinct hike and bike trail along the north side of Loop 375 for the length of the project which would terminate at the entrance of the Tom Mays Unit.

Discussion: The dedicated hike and bike trail at the south side could be terminated at the Paseo del Norte intersection. Signage would be provided to inform bicyclists and pedestrians of the trails’ end on the south side with instructions to cross at the intersection to continue on to the Park. A post and cable barrier could be placed in the median from 0.5 mile east of the proposed Paseo Del Norte intersection to near the entrance of the Tom Mays Unit to discourage pedestrians and cyclists on the south side of the road from crossing this unprotected part of the roadway to reach the park entrance. A designated crossing area could be provided at the park entrance to guide pedestrians and bicyclists to cross at one location.

On the north side, the dedicated hike and bike trail would extend all the way to the park entrance. It would remain a separate trail from the roadway with a 13-foot wide buffer (minimally) separating the hike and bike trail from the road shoulder. This design would give park visitors a way to reach Tom Mays and never have to cross at grade.

Issue 4: Drainage Culvert on Tom Mays Unit

TPWD Recommendation: Repair existing three barrel culvert that crosses Loop 375 east of Tom Mays Unit Entrance to prevent further erosion at outfall on south side of Loop 375 and Franklin Mountains State Park.

TxDOT Commitment: The culvert will be repaired.

Issue 5: Wildlife Crossing East of Paseo Del Norte Interchange

TPWD Recommendation: TPWD recommended construction of a wildlife crossing on the proposed project.

TxDOT Commitment: In the TxDOT January 19, 2011 response letter to TPWD, TxDOT stated ~~that~~ its commitment to include a 10-foot tall by 20-foot wide metal plate arch pipe culvert crossing with an earthen bottom that could be utilized by large mammals.

Discussion: The wildlife crossing would be located in FEMA Arroyo 128, located immediately ~~east-west~~ of the proposed Paseo Del Norte interchange.

Issue 6: Use of Non-native Plants in Landscaping and Revegetation

TPWD Recommendation:

- Replace non-native plants in the landscaping and revegetation plans for the entire project with native species to the extent practicable. A list of substitutes developed by Lois Balin, TPWD El Paso Urban Biologist, is attached.
- Consider screening rock mulch from onsite and saving the topsoil for later use in seeding areas.
- Plant trees so that they may take advantage of natural water collecting designs, such as in swales.

TxDOT Commitment:

- TxDOT would use native plants if they are available and meet the necessary specifications.

Discussion:

- TPWD is especially concerned about TxDOT plans to use invasive species such as Chinese pistache (*Pistacia chinensis*) in landscaping and revegetation.
- TPWD offers to find suppliers of native plants that meet TxDOT specifications and need for multiple source suppliers.
- Stations 291-329 were not included in the submitted plans; the landscaping along FMSP was not included and could not be reviewed.

- Stations 291-329 were not included in the submitted plans; the landscaping along FMSP was not included and could not be reviewed.
- Only the trees were included in the submitted plans; the planting schemes were not included.
- Many of the non-native plants in the design are not cold tolerant and will suffer freeze loss; some may require more water and maintenance and become invasive.
- TPWD wants to be involved in planning of native landscaping for all revegetation in the ROW.
- TxDOT prefers to plant species that will not catch windblown trash since this is a problem. Plant species that tend to catch trash are ones with spines such as cacti, acacias and ocotillo.

**Comments on the Plant Specification Sheet and Plans
for the TXDOT Trans-mountain Road Extension Project**
Submitted by Lois Balin, Urban Wildlife Biologist, Texas Parks and Wildlife
March 7, 2011

- **Note: All of the following suggested replacement plants are commercially available within the El Paso area and throughout the region:**

Replace non-native Chinese Pistachio *Pistacia chinensis*

- with Texas native, Texas Red Oak *Quercus buckleyi* (fall color) or Chihuahuan Desert native, Desert Willow *Chilopsis linearis*

Replace non-native Senna Nemophila *Cassia nemophila*

- with Chihuahuan Desert natives Shrubby Senna *Cassia wislizenii* or Chamisa *Ericameria nauseosa* (evergreen)

Replace non-native Pendulous Yucca *Yucca recurvifolia*

- with Texas native evergreens Pale-leaf Yucca *Yucca pallida* or Twist-leaf Yucca *Yucca rupicola*

Replace non-native Rosemary

- with Chihuahuan Desert natives Havard Agave *Agave havardiana* or Palmer's Agave *Agave palmeri* or Desert Rosemary *Poliomintha incana*

Replace non-native Tam Juniper *Juniperus Sabina*

- with Chihuahuan Desert native evergreen Beargrass *Nolina microcarpa* or Sierra Gold *Dalea capitata* or Trailing Indigo Bush *Dalea greggii*

Replace non-native Lantana

- with Chihuahuan Desert native evergreens Cimarron *Leucophyllum zygophyllum*, Damianita *Chrysactinia mexicana*, Dwarf Chamisa *Chrysothamnus nauseosus dwarf var.*, Sierra Gold *Dalea capitata*, or White Cloud or Green Cloud *Leucophyllum frutescens*

Replace non-native Tam Juniper *Juniperus Sabina*

- with Chihuahuan Desert native evergreen Beargrass *Nolina microcarpa*, Sierra Gold *Dalea capitata*, or Trailing Indigo Bush *Dalea greggii*

Replace **commercially unavailable** Chihuahuan Desert native Feather Dalea

- with **Chihuahuan Desert native evergreens Silver Dalea** *Dalea bicolor* var. *argentea* or **Blackfoot Daisy** *Melampodium leucanthum*

Replace **non-native** Dwarf Oleander *Nerium*

- with **Chihuahuan Desert native evergreens White Cloud or Green Cloud** *Leucophyllum frutescens* or **Cimarron** *Leucophyllum zygophyllum* (small **Leucophyllums**)

Replace **non-native** Indian Hawthorne *Rhaphiolepis indica*

- with **Chihuahuan Desert native evergreens Little leaf Cordia** *Cordia parvifolia* or **Texas Ranger** *Leucophyllum candidum*

Replace **non-native** Golden Eunonymous *Euonymus J*

- with **Chihuahuan Desert native evergreens Turpentine Bush** *Ericameria laricifolia* or **Damianita** *Chrysactinia Mexicana*

General planting recommendation:

- **Areas with shade or filtered shade should be planted with Autumn Sage** *Salvia greggii*

Plants for Franklin Mountain State Park sections:

Trees:

1. Netleaf Hackberry
2. Western Soapberry
3. Catclaw Acacia (*Acacia gregg*)
4. Evergreen Sumac
5. Viscid White-thorn Acacia

Shrubs:

1. Apache-Plume
2. Winterfat
3. Beebrush
4. Turpentine bush
5. Soaptree Yucca
6. Banana Yucca
7. Torrey Yucca

Ground covers (possible seed mix):

1. Blackfoot Daisy
2. Desert Marigold
3. Gooding's Verbena
4. Paperflower
5. Wright's Verbena
6. Desert Zinnia
7. Firewheel

Grasses <2':

1. Black grama *Bouteloua eriopoda*
2. Blue grama *Bouteloua gracilis*
3. Sideoats grama *Bouteloua curtipendula*
4. Bush muhly *Muhlenbergia porteri*
5. Purple Threeawn *Aristida purpurea*

Lois Balin

Lois Balin

Urban Wildlife Biologist

Texas Parks and Wildlife

200 N. Clark Drive

El Paso, TX 79905

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
March 1, 2011
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:31 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Emma Acosta, and Carl Robinson. Late arrival: Eddie Holguin, Jr. arrived at 8:32 a.m. during Executive Session deliberations, Steve Ortega arrived at 8:33 a.m. during Executive Session deliberations, Beto O'Rourke arrived at 8:33 a.m. during Executive Session deliberations and Rachel Quintana arrived at 8:39 a.m. during Executive Session deliberations. Early departure: Eddie Holguin, Jr. at approximately 3:18 p.m. The invocation was given by Police Chaplain Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. **WOMEN IN CONSTRUCTION WEEK**
2. **ROBERT NESTA MARLEY DAY**
3. **TEXAS STATE HISTORICAL WEEK**
4. **MONET TO MATISSE: FRENCH MASTERWORKS DAY**

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 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. Mr. Jim Tolbert
2. Mr. Bill Hart, Jr.
3. Mr. Bernie Sargent
4. Ms. Soledad Hernandez
5. Mr. Timothy West
6. Mr. David Welsh
7. Ms. Debra Young
8. Mr. Manny Hinjosa

- 9. Mr. Steven Strumer
- 10. Mr. Tom Brown
- 11. Ms. Sonia Brown
- 12. Mr. Lynn Fitzgerald
- 13. Mr. Salvador Gomez
- 14. Mr. Raul Amaya

1ST AND FINAL MOTION

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

The following City staff commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Charlie McNabb, City Attorney, gave legal advice
- 3. Mr. Victor Morrison - Vega, Deputy Director of Planning and Economic Development

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 Motion made by Representative Robinson, seconded by Representative Byrd, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:31 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: Representatives Quintana, Holguin, Ortega, and O'Rourke

Motion made by Representative Robinson, seconded by Representative O'Rourke, and unanimously carried to adjourn the Executive Session at 9:00 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Acosta, Quintana, and Holguin

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

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Ortega, and carried to begin termination proceedings for the Commercial Site Leases between the City of El Paso and Patriot Place, Ltd. for the following property: portions of Lot 1, Block 1, Hawkins Plaza, City of El Paso, El Paso County, Texas.

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

Representative Acosta commented.

The following members of the public commented:

1. Mr. Mark Benitez
2. Mr. Bart Kennery

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EX2. Application of El Paso Electric Company to Implement Fuel Refund before the Public Utility Commission of Texas, Docket No. 39159 (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried to grant the authority to the City Attorney to file a Motion in Intervention on behalf of the City for the Application of El Paso Electric Company to Implement a Fuel Refund before the Public Utility Commission of Texas, Docket No. 39159.

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

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EX3. Application of El Paso Electric Company for an Amendment to its Certificate of Convenience and Necessity for a Peaking Generation Unit at the Rio Grande Site in New Mexico before the Public Utility Commission of Texas, Docket No. 38717. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Robinson and carried to grant the authority to the City Attorney to enter into a settlement regarding the Application of El Paso Electric Company for an Amendment to its Certificate of Convenience and Necessity for a Peaking Generation Unit at the Rio Grande Site in New Mexico before the Public Utility Commission of Texas, Docket No. 38717.

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

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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, Ortega and O'Rourke
 NAYS: None

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of February 22, 2011.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3A.

*** R E S O L U T I O N**

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

WHEREAS, The Union Plaza Business Association (hereinafter referred to as "Grantees") are sponsoring a Mardi Gras Block Party (hereinafter referred to as "Event"), from Tuesday, March 8, 2011 to Wednesday, March 9, 2011; and

WHEREAS, the Grantees have received administrative approval for a Special Privilege License for the use and closure of City rights-of-way for less than twenty-four (24) hours on San Antonio Street, Western Street and the adjacent alley between Anthony Street and Durango Street, and portions of City rights-of-way along Durango Street and Anthony Street from 3:00 p.m. Tuesday, March 8, 2011, to 4:00 a.m. Wednesday, March 9, 2011, in conjunction with the proposed Event; and

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

WHEREAS, the Grantees desire to provide for the sale and serving of alcoholic beverages on portions of the City rights-of-way during the Event;

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

That the Grantees be authorized to provide for the sale and serving of alcoholic beverages at the outdoor block party in the closed portions of San Antonio Street, Western Street and the adjacent alley between Anthony Street and Durango Street, and portions of City rights-of-way along Durango Street and Anthony Street from 5:00 p.m. Tuesday, March 8, 2011 to 2:00 a.m. Wednesday, March 9, 2011.

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3B.

***RESOLUTION**

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

WHEREAS, Special Events Management (hereinafter referred to as "Grantees") are sponsoring the El Paso Downtown Mardi Gras (hereinafter referred to as "Event"), from Saturday, March 5, 2011 to Sunday, March 6, 2011; and

WHEREAS, SMG F&B of Texas, LLC (hereinafter referred to as "Licensee") has been approved by the Grantee to provide for the sale and service of alcoholic beverages during the Event; and

WHEREAS, the Grantees have received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for more than twenty-four (24) hours for portions of City rights-of-way on Main Street between Santa Fe Street and El Paso Street, Arts Festival Plaza, and Sheldon Court between Mills Avenue and Santa Fe Street, in conjunction with the proposed Event; and

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

WHEREAS, both the Grantee and Licensee desire to provide for the sale and serving of alcoholic beverages on a portion of the City right-of-way during the Event;

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

That the Grantee and Licensee be authorized to provide for the sale and service of alcoholic beverages at the El Paso Downtown Mardi Gras in the closed portions of City rights-of-way on Main Street between Santa

Fe Street and El Paso Street, Arts Festival Plaza, and Sheldon Court between Mills Avenue and Santa Fe Street from 5:00 pm Saturday, March 5, 2011 to 2:00 am Sunday, March 6, 2011.

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4A. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Thomas Fullerton, Jr. to the Committee on Border Relations by Representative Emma Acosta, District 3.

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4B. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Yolanda Giner to the Animal Welfare Advisory Committee by Representative Emma Acosta, District 3.

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4C. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Lorraine Huit to the Building and Standards Commission by Representative Emma Acosta, District 3.

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4D. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Carlos Torres Sr. to the Building and Standards Commission as an Alternate by Representative Emma Acosta, District 3.

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4E. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Linda T. Vick to the Building and Standards Commission by Representative Steve Ortega, District 7.

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4F. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Angelica Quintanilla to the Committee on Border Relations by Representative Beto O'Rourke, District 8.

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5A. BOARD APPOINTMENT

*Motion made, seconded, and carried to **APPOINT** Moises Rodriguez, Jr. to the Capital Improvements Advisory Committee by Representative Susie Byrd, District 2.

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5B. BOARD APPOINTMENT

*Motion made, seconded, and carried to **APPOINT** Ernesto Martinez, Jr. to the Building and Standards Commission by Representative Susie Byrd, District 2.

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5C. BOARD APPOINTMENT

*Motion made, seconded, and carried to **APPOINT** Geoffrey Wright to the City Plan Commission by Representative Rachel Quintana, District 5.

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6. APPLICATION FOR TAX REFUNDS

*Motion made, seconded, and carried that the following tax refunds be **APPROVED**, subject to auditor approval:

- A. Michael Mowles in the amount of \$6,319.56 overpayment of 2010 taxes.
(PID #A462-999-1690-4100).
- B. Bobby J. Boyles Properties, LLC in the amount of \$9,240.89 overpayment of 2010 taxes.
(PID #A462-999-1520-4100).
- C. Leticia Jensen in the amount of \$2,887.30 overpayment of 2010 taxes.
(PID #C231-999-0070-2300).
- D. Esmeraldo Saenz in the amount of \$5,124.97 overpayment of 2010 taxes.
(PID #C340-999-1250-3300).
- E. Chase Home Finance in the amount of \$2,979.31 overpayment of 2010 taxes.
(PID #E054-999-0270-2300).
- F. Bank of America in the amount of \$5,518.08 overpayment of 2010 taxes.
(PID #F609-999-0060-4200).
- G. Hector Serrano in the amount of \$3,364.84 overpayment of 2010 taxes.
(PID #H453-999-0250-0120).
- H. First National Bank in the amount of \$3,674.88 overpayment of 2010 taxes.
(PID #L225-999-0180-0100).
- I. Bobby J. Boyles Properties, LLC in the amount of \$2,512.17 overpayment of 2010 taxes.
(PID #L447-999-0410-8900).
- J. BBVA Compass Bank in the amount of \$5,778.31 overpayment of 2010 taxes.
(PID #L626-999-0090-0500).
- K. Lawyers Title of El Paso in the amount of \$5,601.88 overpayment of 2009 taxes.
(PID #M348-999-0010-1151).
- L. Doris Benitez & Mattison L. Brown in the amount of \$4,998.88 overpayment of 2010 taxes. (PID #N425-999-0490-1600).
- M. Rocco Montorell in the amount of \$3,858.04 overpayment of 2010 taxes.
(PID #P863-999-0100-5500).
- N. Ernie L. Waymon in the amount of \$4,101.90 overpayment of 2010 taxes.
(PID #R200-999-0110-0100).
- O. GMAC Mortgage in the amount of \$4,449.02 overpayment of 2009 taxes.
(PID #S138-999-0010-0750).
- P. Rosa A. Guerra in the amount of \$3,587.01 overpayment of 2010 taxes.
(PID #S237-999-0250-7800).

- Q. Econo Storage #3 in the amount of \$2,600.00 overpayment of 2010 taxes. (PID #V893-999-0750-4300).
- R. Cynthia Correa in the amount of \$4,837.52 overpayment of 2010 taxes. (PID #S557-000-0010-0600).
- S. Rocky Mountain Mortgage Company in the amount of \$5,873.35 overpayment of 2010 taxes. (PID #S812-999-0240-2500).
- T. Stewart Title of El Paso in the amount of \$2,970.12 overpayment of 2010 taxes. (PID #T957-999-0410-1700).
- U. Jose A. Castillo & Rebecca Trujillo in the amount of \$3,058.45 overpayment of 2010 taxes. (PID #V893-999-3950-1700).
- V. Corelogic in the amount of \$3,292.39 overpayment of 2010 taxes. (PID #W145-999-0640-0900).
- W. Randolph Brooks FCU in the amount of \$10,773.02 overpayment of 2010 taxes. (PID #W418-999-0090-2100).

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7A. REQUEST TO ISSUE PURCHASE ORDERS, ETC.

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue Purchase Order to ExerPlay, Inc., a contractor under Texas Association of School Boards (TASB) BuyBoard Contract No. 346-10 (Parks, Recreation & Field Lighting Products & Installation), for BigBelly Solar Trash Compactors. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Texas Association of School Boards (TASB) BuyBoard was approved by Mayor and City Council on August 21, 2007.

Department:	Environmental Services and Code Enforcement
Award to:	ExerPlay, Inc. Cedar Crest, NM
Total Estimated Award:	\$346,224.08 (for 91 units)
Funding Source:	Energy Efficiency and Conservation Block Grant
Reference No.:	2011-178

This is a cooperative, unit price contract

Mr. Marty Howell, Sustainability Manager, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Acosta, Ortega, and Robinson commented.

Mr. Tim Carlisle, Big Belly Solar Trash Compactors, commented.

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7B. REQUEST TO ISSUE PURCHASE ORDERS, ETC.

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City's option to extend current Contract 2008-076 (Fertilizer) with Justin Seed for one additional year pursuant to the provisions of an award approved by the City Council on March 4, 2008. The extended contract period will be from March 5, 2011 to March 4, 2012.

Department:	General Services
Award to:	Justin Seed
	Justin, TX
Option:	One [of One]
Annual Estimated Amount:	\$100,000
Total Estimated Amount:	\$100,000 (1 year)
Funding Source:	General Fund – Land Maintenance Supplies

This is a low bid, requirements contract.

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8A - 8F AND 8H. – 8J. AND 8L TAKEN TOGETHER

8A. INTRODUCTIONS

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

- 8A. An Ordinance to amend Title 6 (Vehicles for Hire), Chapter 6.16 (Taxicabs) by adding Chapter 6.16.290 (Schedules - Convenience Fee). The penalty being as provided in Chapter 1.08.010 of the El Paso City Code.
- 8B. An Ordinance authorizing the City Manager to sign a Contract of Sale and any other necessary documents between the City of El Paso and Carolina Peralta which will allow the City to convey Lot 11, Block 157, Tierra Del Este Unit Forty Four Subdivision Addition, City of El Paso, El Paso County, Texas to Carolina Peralta.
- 8C. An Ordinance authorizing the City Manager to execute a quitclaim (Tax Resale) deed conveying all right, title and interest in real property described as Lot 46, Block 102, Morningside Heights, amended, to City of El Paso, in accordance with Section 34.05 (H) of the tax code.
- 8D. An Ordinance authorizing the City Manager to execute a quitclaim (Tax Resale) deed conveying all right, title and interest in real property described as Lots 31 & 32, and Lots 37 to 41, Block 102, Morningside Heights, to City of El Paso, in accordance with Section 34.05 (H) of the tax code.
- 8E. An Ordinance authorizing the City Manager to execute a quitclaim (Tax Resale) deed conveying all right, title and interest in real property located at 240 Colfax St., to City of El Paso, in accordance with Section 34.05 (H) of the tax code.
- 8F. An Ordinance authorizing the City Manager to execute a quitclaim (Tax Resale) deed conveying all right, title and interest in real property described as Lot 25, Block 8, Alamo Alto Townsite Addition, an addition in El Paso County, Texas, to Richard B. Martinez, Jr., in accordance with Section 34.05 (H) of the tax code.

- 8H. An Ordinance amending Title 7 (Animals), Chapter 7.28 (Animal Shelter Advisory Committee), Section 7.28.030 (Terms of Office) of the El Paso City Code to establish term limits.
- 8I. An Ordinance amending Title 7 (Animals), Chapter 7.30 (Animal Welfare Advisory Committee), Section 7.30.030 (Terms of Office) of the El Paso City Code to establish term limits.
- 8J. An Ordinance vacating a portion of Cebada Street (70' public right-of-way), between Block 60 and Block 61, East El Paso Addition, City of El Paso, El Paso County, Texas.

PUBLIC HEARING WILL BE HELD ON MARCH 8, 2011, FOR ITEMS 8A – 8F & 8H – 8J

- 8L. An Ordinance releasing a condition placed on property by Ordinance No. 16332 which changed the zoning of Lot 1, Block 1, Placitas De Zaragoza, City of El Paso, El Paso County, Texas, and which imposed a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MARCH 22, 2011, FOR ITEM 8L

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8G AND 8K TAKEN TOGETHER

8G. INTRODUCTION

Motion made by Representative Lilly, seconded by Representative Robinson, and unanimously carried to **POSTPONE** three weeks the Introduction of an Ordinance authorizing the City Manager of the City of El Paso to sign a special warranty deed and any other documents required, such as, but not limited to, a disclaimer of interest in property or donation agreement, to convey to the State of Texas, approximately 12.080 acres of land known as Parts 1 and 2 of Parcel 14 along and adjacent to the existing Loop 375 being portions of Nellie D. Mundy Survey 246, City of El Paso, El Paso County, Texas, for The State of Texas Loop 375 Highway Project.

NOT PRESENT FOR THE VOTE: Representative Holguin

8K. INTRODUCTION

Motion made by Representative Lilly, seconded by Representative Robinson, and unanimously carried to **POSTPONE** three weeks the Introduction of an Ordinance amending Title 19 (Subdivisions), Appendix 111 (Mountain Area Defined), of the El Paso City Code to add land to the area identified as the Mountain Development Area (MDA).

NOT PRESENT FOR THE VOTE: Representative Holguin

Mayor Cook and Representative Byrd commented.

Ms. Joyce Wilson, City Manager, commented.

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*** RESOLUTION**

*Motion made, seconded, and unanimously carried to **DELETE** a Resolution authorizing the City Manager to sign, on behalf of the City of El Paso, the First Amendment to Addendum to City of El Paso, Invitation for Bids, Single Stream Curbside Recycling Collection and Processing Services for Environmental Services Department Bid No. 2006-015, between the City of El Paso and Friedman Recycling of El Paso, LP ("Contractor"). Said amendment modifies the revenue sharing language, accepts new consideration and expands the residential curbside recycling program by including additional recyclables.

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10. FIRE DEPARTMENT

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried to **AWARD AS REVISED** Solicitation No. 2011-054R (Customer Service Call Center – Staffing & Management Service Operations) to Faneuil, Inc. for an initial term estimated award of \$5,096,855.12, with the elimination of the twenty Full Time Equivalents (FTE's) which are currently vacant.

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

Department: Fire
Award to: Faneuil, Inc.
Hampton, VA
Items: All
Initial Term: 2 years
Option: 2 years if exercised within 2 years of date of award
Annual Estimated Amount: \$2,548,427.56
Initial Term Estimated Award: \$5,096,855.12 (2 years)
Total Estimated Award: \$10,193,710.24 (4 years)
Funding Source: General Fund – Temporary Services Contracts

This is a Request for Proposal, services contract.

The cost under this service 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.

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

The Financial Services - Purchasing Division and Fire Department recommend that Adecco North America and Kelly Services, Inc. be disqualified as non-responsive, and the contract be awarded as indicated to Faneuil, Inc., the highest ranked proposer based on evaluation factors established for this procurement.

Ms. Leila Melendez, Executive Assistant to the City Manager, presented a PowerPoint presentation (copy on file with City Clerk's office).

Mayor Cook and Representatives Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke commented.

The following City Staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Bruce D. Collins, Purchasing Manager

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11. GENERAL SERVICES

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City's option to extend current Contract 2010-003 (Vehicles – Police Department) with Casa Ford Inc. through the

manufacturer's build-out date for Model 2012 vehicles pursuant to the provisions of an award approved by the City Council on March 9, 2010. The extended contract period will be from March 9, 2011 to March 8, 2012.

AYES: Representatives Lilly, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Byrd

Department: General Services
Award to: Casa Ford Inc.
El Paso, TX
Option: One [of Two]
Annual Estimated Amount: \$1,500,000
Total Estimated Amount: \$4,751,867.40 (Vehicle Model Years 2010-2012)
Funding Source: Fleet Replacement – General Services Department
Confiscated Funds – Police Department

This is a Best Value, requirements contract

Representative Byrd commented.

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12A.

ORDINANCE 17502

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 1A, BLOCK 26, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH-FARM) TO C-3 (COMMERCIAL) AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Deputy Director of Planning and Economic Development, presented a PowerPoint presentation, (copy on file in City Clerks office).

Representatives Acosta and Robinson commented.

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

AYES: Representatives Lilly, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Byrd

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

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12B.

ORDINANCE 17503

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY KNOWN AS:**

PARCEL 1: A PORTION OF SECTION 17, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH & FARM) TO C-3 (COMMERCIAL) AND IMPOSING A CERTAIN CONDITION;
 PARCEL 2: A PORTION OF SECTION 17, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH & FARM) TO C-3 (COMMERCIAL) AND IMPOSING A CERTAIN CONDITION;
 PARCEL 3: A PORTION OF SECTION 17, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, AND A PORTION OF MESQUITE HILLS DRIVE OUT OF MESQUITE HILLS UNIT TWO, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH & FARM) TO C-3 (COMMERCIAL) AND IMPOSING A CERTAIN CONDITION;
 PARCEL 4: A PORTION OF SECTIONS 16 AND 17, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, AND A PORTION OF MESQUITE HILLS DRIVE OUT OF MESQUITE HILLS UNIT TWO, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH & FARM) TO C-1 (COMMERCIAL);
 PARCEL 5: A PORTION OF SECTIONS 16 AND 17, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, AND A PORTION OF MESQUITE HILLS DRIVE OUT OF MESQUITE HILLS UNIT TWO, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH & FARM) TO A-2 (APARTMENT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

Mr. Mathew McElroy, Deputy Director of Planning and Economic Development presented a PowerPoint presentation, (copy on file in City Clerks office).

Representative Robinson commented.

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

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

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

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12C, 13 AND 14 TAKEN TOGETHER

ORDINANCE 17504

12C.

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 2, BLOCK 6, CASTNER RANGE UNIT ONE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-O (APARTMENT-OFFICE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

13.

ORDINANCE 17505

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE LICENSE TO NORTHEAST 58 TBH/IT LLC FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND REPAIR OF A BRIDGE CROSSING AND ACCESS DRIVEWAY OVER PORTIONS OF CITY RIGHT-OF-WAY AT KENWORTHY DRIVE AND ACROSS A PORTION OF THE NORTHGATE OUTLET CHANNEL FOR A TERM OF FIFTY YEARS.**

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

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

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

14. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Robinson, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **APPROVE** a Resolution authorizing the City Manager to sign a Developer's Participation Agreement between the City of El Paso and Northeast 58 THB/IT, LLC for the construction of a roadway bridge over the Northgate Outlet Channel and right-of-way improvements on Stahala Drive, in accordance with Local Government Code Section 212.071. There is no cost to the City.

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

Mr. Mathew McElroy, Deputy Director of Planning and Economic Development presented a PowerPoint presentation, (copy on file in City Clerks office).

Representative Robinson commented

Ms. Bertha Ontiveros, Assistant City Attorney, gave legal advice.

15A MAYOR AND COUNCIL

Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **APPROVE** the design for Oregon Street travel and parking and direct City staff to come back to Council with historic lamp posts that compliment the area and follow the historical motif for Bus Rapid Transit (BRT) shops and approve street design as presented and amended and direct staff to prepare an Ordinance on parking.

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

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

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Jay Banasiak, Sun Metro Director
- 3. Mr. Daryl Cole, Director of Transportation
- 4. Mr. Sam Rodriguez, Engineering Division Manager

The following citizens commented:

- 1. Mr. Malcolm McGregor
- 2. Ms. Alice Najjar

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15B AND ADD2 TAKEN TOGETHER

15B. MAYOR AND COUNCIL

Motion made by Representative Holguin, seconded by Representative Byrd, and unanimously carried to **POSTPONE** one week the item regarding the progress on Southloop Park.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin, Ortega, and O'Rourke
 NAYS: None
 NOT PRESENT FOR THE VOTE: Representative Quintana

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15C. MAYOR AND COUNCIL

For Notation Only:

Informal Report on attendance at the National Institute on Redistricting Conference, attended on February 7, 2011- February 10, 2011 in Washington, D.C.
 [Hosted and paid by the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund].

Representative Acosta presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Acosta, Ortega and O'Rourke commented.

Mr. Charlie McNabb, City Attorney, gave legal advice.

NO ACTION was taken on this item.

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ITEMS 16A AND 16B TAKEN TOGETHER

16A. DEPARTMENT OF TRANSPORTATION

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **APPROVE AS REVISED**, the transportation priority projects for:

- 1. Submittal to MPO in response to call for projects from Congestion Mitigation/Air Quality (CMAQ) funds,

2. Submittal to MPO in response to call for projects for State funding that may become available,
3. Submittal to federal or state funding agencies in response to calls for projects,

with an amendment that on the State funding for the Montana Bus Rapid Transit (BRT) and the Dyer BRT, that they would be full blown BRT's, with pedestrian elements.

AYES: Representatives Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke
 NAYS: None
 NOT PRESENT FOR THE VOTE: Representative Lilly

16B. DEPARTMENT OF TRANSPORTATION

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **APPROVE AS REVISED**, and of Certificates of Obligation, allow for downtown improvements to the extent allowable by law, on T. I. P. Reprogramming per Council direction at its January 27, 2011 Strategic Planning Session.

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

Ms. Terry Quezada, Assistant Director of Transportation, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Byrd, Acosta, O'Rourke and Ortega commented.

The following City Staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Daryl Cole, Director of Transportation
3. Ms. Jane Shang, Deputy City Manager of Mobility Services
- 4.

Mr. Chuck Berry, TxDot, commented.

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17. CITY MANAGER

City Manager's report of current events and issues:

Discussion and action on the Texas Department. of Transportation Loop 375 Transmountain Road (Westside Transmountain Road) project:

- 1) Presentation by TXDOT staff of the Draft Environmental Assessment for the project.
- 2) Presentation by City staff and WP Moore staff of the Traffic Impact Analysis performed on the project.

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

The following City Staff members commented:

- 1) Ms. Joyce Wilson, City Manager
- 2) Mr. Daryl Cole, Director of Transportation

- 3) Mr. Mathew McElroy, Deputy Director of Planning and Economic Development
- 4) Mr. R. Alan Shubert, City Engineer

The following members of the public commented:

- 1) Dr. Rick Bonart
- 2) Mr. Bill Addington, Sierra Club
- 3) Mr. Brian Wierson, Greater El Paso Chamber of Commerce
- 4) Mr. Randolph V. Schultz, Walter P. Moore Co.
- 5) Mr. Geraldo Cabo, TxDot
- 6) Mr. Chuck Berry, TxDot
- 7) Mr. Charlie Wakeem

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ADD-1. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Robert Filarski to the Building and Standards Commission by Representative Beto O'Rourke, District 8.

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ADD-2. DISCRETIONARY FUNDS

Motion made by Representative Holguin, seconded by Representative Byrd, and unanimously carried to **APPROVE** to transfer \$20,000 from the District 6 Discretionary Fund to the Southloop Park project.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Quintana

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 Motion made by Representative Robinson, seconded by Representative Byrd, and unanimously carried to **ADJOURN** this meeting at 3:24 p.m.

NOT PRESENT FOR THE VOTE: Representative Holguin

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk

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
March 15, 2011
9:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 9:06 a.m. Mayor Pro Tempore Emma Acosta present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Carl Robinson, Eddie Holguin, Jr., and Beto O'Rourke. Absent: Mayor John F. Cook and Representatives Ann Morgan Lilly, Rachel Quintana, and Steve Ortega 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.

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MAYOR'S PROCLAMATIONS

1. MISS SHANAYA FASTJE DAY
2. FRANKLIN MOUNTAINS POPPIES PRESERVATION DAY
3. NATIONAL BRAIN INJURY AWARENESS MONTH

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 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. Mr. William Hart Jr.
2. Ms. Lisa Turner
3. Mr. Jorge Artalejo
4. Mr. Lynn Fitzgerald
5. Mr. Manny Hinojosa

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EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda,

consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

- 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 following:

EX1. Claim of Isidro Gama; Our File No. 10-C-185 (551.071)

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the Claim of Isidro Gama; Our File No. 10-C-185 (551.071).

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CONSENT AGENDA

Motion made by Representative Holguin, 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 Byrd, Acosta, Robinson, Holguin, and O'Rourke
- NAYS: None
- ABSENT: Representatives Lilly, Quintana, and Ortega

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of March 8, 2011.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

Mayor John F. Cook and Representatives Ann Morgan Lilly, Steve Ortega, and Rachel Quintana.

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3A.

***RESOLUTION**

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

That the Mayor be authorized to sign the following Interlocal Governmental Agreements between the City of El Paso and the below listed Independent School Districts to allow for joint elections between the City and each Independent School District on May 14, 2011 for the purpose of sharing the costs.

- A. El Paso Independent School District
- B. Socorro Independent School District
- C. Ysleta Independent School District

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3B.

***RESOLUTION**

For the purpose of conducting and holding a General Election on May 14, 2011, the following election officials are hereby appointed.

1. The persons named in Exhibit "A" attached hereto and made a part hereof for all purposes are appointed Presiding Judges and Alternate Presiding Judges, respectively, for the main early voting station and the branch offices for early voting in the City. Each Presiding Judge shall appoint not less than two but not more than six qualified election clerks to serve at the election, but one of the clerks shall be the Alternate Presiding Judge. If any such Presiding Judge is unable to serve at the election, his or her Alternate Presiding Judge shall serve as Presiding Judge.

2. The persons named in Exhibit "B" attached hereto and made a part hereof for all purposes are appointed Presiding Judges and Alternate Presiding Judges, respectively, for each of the regular election precincts of the City. Each Presiding Judge shall appoint not less than two but not more than six qualified election clerks to serve at the election, but one of the clerks shall be the Alternate Presiding Judge. If any such Presiding Judge is unable to serve at the election his or her alternate Presiding Judge shall serve as Presiding Judge. All election notifications made to Presiding Judges and Alternate Presiding Judges by the El Paso County Elections Administrator are approved.

3. The persons named in Exhibit "C" attached hereto and made a part hereof for all purposes are appointed as a special Canvassing Board/signature verification committee, respectively, to count, canvass and record all early votes and early ballots cast at said election.

4. The persons named in Exhibit "D" attached hereto and made a part hereof for all purposes are hereby appointed as the Central Counting Station Manager, Central Counting Station Judge, Early Voting Ballot Board Chairman, and Tabulating Supervisor respectively, to operate a central counting station to receive and tabulate the voted ballots at said election.

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3C.

***RESOLUTION**

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

That the City Council approves the expenditure of additional available funding in the amount of \$93,500 to J.A.R. Concrete, Inc. dba J.A.R. Construction, Inc. for additional construction costs for EPIA Runway 8R-26L & Taxiway L Extension & Reconstruction of Taxiway W. The change order provides for counterpoise wire or ground wire installations for FAA power and communications systems to be No. 1/0 stranded ground wire. At the time of bid the specification called for No. 6 stranded ground wire. The change order adds no days of contract time for Contract Number 2010-268. The new contract sum, including this change order, is \$6,846,236.10.

Representative Robinson commented.

Mr. Sam Rodriguez, Engineering Division Manager, commented.

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3D.

***RESOLUTION**

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

That the City Manager be authorized to sign a Second Amendment to the Agreement for Professional Services by and between the City of El Paso and Kimley-Horn and Associates, Inc. for a project known as "Runway 8R-26L Extension" to add additional design services for the design of the MALSR approach lighting system as directed by the FAA, at an additional cost of \$20,373.02, thereby extending the contract amount from \$1,039,252.53 to \$1,059,625.55.

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3E.

***RESOLUTION**

WHEREAS, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 25th day of August, 2010, after due notice and hearing, issued an order to EL PASO COUNTY, TEXAS, JOSE ROSALES, ANA MARIA ROSALES AND JOSEFINA ROSALES, record Owners of the hereinafter described property that the structure be demolished within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to demolish and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Development Services Department has reported the cost of doing such work in the amount hereinafter set forth;

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

1. That the City Council determines the actual cost of the demolishing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 8, Block 36, Magoffin's Addition, an addition in the city of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 14, Page 19, Plat Records in the Office of the County Clerk of El Paso County, Texas, more particularly described as 905 Hills Street, El Paso, Texas,

to be \$29,933.19, performed by the Street Department of the City of El Paso, and \$1,055.34, performed by the City Clerk's Office and Development Services Department, making a total of \$30,988.53. The City Council finds that the work was completed on the 30th day of October, 2010, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of \$30,988.53 to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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3F.

***RESOLUTION**

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR A PORTION OF LOT 1, BLOCK 2, YARBROUGH PLACE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO

SECTION 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, on March 4, 1986, City Council rezoned the property described as *a portion of Lot 1, Block 2, Yarbrough Place, City of El Paso, El Paso County, Texas*, from R-F (Ranch and Farm) and R-4 (Residential) to C-1/sc (Commercial/special contract) and as part of the rezoning imposed a condition that prior to the issuance of any building permits, a detailed site development plan must be approved by the Commission and the Mayor and City Council; and,

WHEREAS, the property owner **Zaradieter Partners, L.P.** (the "Owner") is ready to proceed with development and has submitted a detailed site development plan for review; and,

WHEREAS, the detailed site development plan is subject to the development standards in the **C-1/sc (Commercial/special contract) District** regulations and subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission; and,

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

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

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

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

1. Pursuant to requirements imposed on the subject property described as a portion of Lot 1, Block 2, Yarbrough Place, City of El Paso, El Paso County, Texas by Ordinance No. 8608 passed and approved March 4, 1986, the City Council hereby approves the detailed site development plan submitted by the Applicant. The detailed site development plan is subject to the development standards in the C-1/sc (Commercial/special contract) District.

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

3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-1/sc (Commercial/special contract) District regulations.

4. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-1/sc (Commercial/special contract) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

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

..... **4A.**
BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Alisa Jorgensen to the Zoning Board of Adjustment by Representative Beto O'Rourke, District 8.

.....
4B. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Michael H. Bray as an alternate to the Zoning Board of Adjustment by Representative Beto O'Rourke, District 8.

.....
4C. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Kenneth J. Gezelius to the Civil Service Commission by Representative Carl L. Robinson, District 4.

.....
4D. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Gracie Cain as an alternate to the Building and Standards Commission by Representative Carl L. Robinson, District 4.

..... **4E.**
BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Rafael Hernando III to the Fair Housing Task Force by Representative Rachel Quintana, District 5.

..... **5A.**
BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Paul Gilcrease to the Building and Standards Commission by Representative Beto O'Rourke, District 8.

.....
5B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Joann Wardy to the Revolving Loan Fund Board by Mayor John F. Cook.

.....
5C. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Judy A. Balmer to the Revolving Loan Fund Board by Mayor John F. Cook.

.....
6. APPLICATION FOR TAX REFUNDS

*Motion made, seconded, and carried that the following tax refunds be **APPROVED**, subject to auditor approval:

- A. Southwest Nut Co. in the amount of \$4,162.92 overpayment of 2010 taxes. (PID #2001-000-0414-0078).
- B. Southwest Volvo/Mack Trucks in the amount of \$5,236.22 overpayment of 2010 taxes. (PID #2001-000-0804-0023).

- C. Chase in the amount of \$9,170.87 overpayment of 2010 taxes.
(PID #A462-999-0940-2100).
- D. Sears Holdings Management Corporation in the amount of \$59,726.56 overpayment of 2010 taxes.
(PID #A765-999-002E-0556).
- E. Corelogic c/o PHH Mortgage in the amount of \$2,802.01 overpayment of 2010 taxes.
(PID #B365-999-0020-0300).
- F. Jesus Prieto in the amount of \$5,498.45 overpayment of 2010 taxes.
(PID #C340-999-1430-2300).
- G. Victor & Elizabeth Aguilar in the amount of \$2,962.35 overpayment of 2010 taxes.
(PID #C809-999-0080-1700).
- H. Earl H. Starnes in the amount of \$2,500.00 overpayment of 2010 taxes.
(PID #C818-999-0750-2700).
- I. BAC Tax Services Corporation in the amount of \$2,986.53 overpayment of 2010 taxes.
(PID #C732-999-0150-0100).
- J. William H. Gardner, III in the amount of \$5,684.72 overpayment of 2010 taxes.
(PID #C801-999-0250-1350).
- K. Leon Development, LLC in the amount of \$5,337.27 overpayment of 2010 taxes.
(C849-999-0020-2100).
- L. Blanca Estela Rodriguez in the amount of \$3,170.29 overpayment of 2010 taxes.
(PID #D322-000-0020-0701).
- M. Alejandro & Ana Contreras in the amount of \$3,719.34 overpayment of 2010 taxes.
(PID #D457-000-0080-0300).
- N. North American Title Company in the amount of \$3,540.32 overpayment of 2010 taxes.
(PID #E076-000-0060-4900).
- O. Industry Consulting Group, Inc., in the amount of \$34,743.08 overpayment of 2010 taxes. (PID
#E361-999-0010-0120).
- P. Tri-Properties Partnership in the amount of \$3,082.99 overpayment of 2010 taxes.
(PID #G569-999-0440-0800).
- Q. Larry L. Springsteen in the amount of \$7,968.03 overpayment of 2010 taxes.
(PID #G657-999-0010-3900).
- R. Rita Rubio in the amount of \$3,288.52 overpayment of 2010 taxes.
(PID #H782-000-0010-1100).
- S. Michael Tapia in the amount of \$4,082.63 overpayment of 2010 taxes.
(PID #H788-006-0350-0420).

- T. Hector & Yolanda Hinojos in the amount of \$9,325.09 overpayment of 2010 taxes. (PID #L217-999-005C-0700).
- U. BAC Tax Services Corporation in the amount of \$5,778.31 overpayment of 2010 taxes. (PID #L626-999-0090-0500).
- V. Stephen T. Crye in the amount of \$4,278.52 overpayment of 2010 taxes. (PID #M803-999-0030-0500).
- W. Contemporary Solutions USA, Inc./DBA/Texas Pioneer Title in the amount of \$4,784.40 overpayment of 2010 taxes. (PID #N425-999-0320-3000).
- X. Prologic in the amount of \$35,314.02 overpayment of 2010 taxes. (PID #N495-999-0030-0200).
- Y. Prologic in the amount of \$19,976.52 overpayment of 2010 taxes. (PID #M495-999-0050-0200).
- Z. Prologic in the amount of \$65,620.56 overpayment of 2010 taxes. (PID #N495-999-0060-0100).
- AA. Bank of Texas in the amount of \$2,920.80 overpayment of 2010 taxes. (PID #P585-000-0160-3400).
- BB. BAC Tax Services Corporation in the amount of \$2,600.00 overpayment of 2010 taxes. (PID #P585-000-0050-4100).
- CC. BAC Tax Services Corporation in the amount of \$5,707.32 overpayment of 2010 taxes. (PID #R246-999-0210-0800).
- DD. Texas Title Company in the amount of \$5,660.88 overpayment of 2010 taxes. (PID #S700-999-0020-0300).
- EE. Corelogic c/o CitiMortgage in the amount of \$3,497.18 overpayment of 2010 taxes. (PID #S700-999-0070-1100).
- FF. BAC Tax Services Corporation in the amount of \$3,239.75 overpayment of 2010 taxes. (PID #S912-999-001D-4400).
- GG. Lisa K. Smith in the amount of \$4,616.96 overpayment of 2010 taxes. (PID #T213-999-0140-0100).
- HH. Viva Chaparral Properties, LP., LLP in the amount of \$2,771.28 overpayment of 2010 taxes. (PID #T249-000-0010-0600).
- II. Viva Chaparral Properties, LP., LLP in the amount of \$2,699.16 overpayment of 2010 taxes. (PID #T249-000-0010-0700).
- JJ. Lee Allison in the amount of \$2,722.38 overpayment of 2010 taxes. (PID #T251-999-0050-0500).

- KK. BAC Tax Services Corporation in the amount of \$3,094.38 overpayment of 2010 taxes. (PID #T820-999-0010-0690).
- LL. JOVI in the amount of \$3,000.00 overpayment of 2010 taxes. (PID #U819-999-0010-0701).
- MM. Corelogic c/o CitiMortgage in the amount of \$5,968.19 overpayment of 2010 taxes. (PID #U823-999-0010-0740).
- NN. Prologis North American Properties Fund I LLC in the amount of \$201,296.80 overpayment of 2010 taxes. (PID #V892-999-0010-0150).
- OO. Onna Feuchter in the amount of \$3,417.84 overpayment of 2010 taxes. (PID #V893-999-2240-2500).
- PP. BAC Tax Services Corporation in the amount of \$3,130.56 overpayment of 2010 taxes. (PID #V893-999-5460-8100).
- QQ. McDonald's Corporation in the amount of \$23,282.71 overpayment of 2010 taxes. (PID #X011-999-000C-5900).
- RR. KFOX-TV in the amount of \$23,219.28 overpayment of 2010 taxes. (PID #X214-999-000A-7300).
- SS. Ranchos Real Holdings LLC in the amount of \$3,599.41 overpayment of 2010 taxes. (PID #X578-000-2070-0005).
- TT. Jose Xicali in the amount of \$3,100.91 overpayment of 2010 taxes. (PID #S658-999-0060-2200).

Representative Robinson commented.

.....
7. INTRODUCTION

Motion made by Representative Byrd, seconded by Representative O'Rourke, and carried **AS REVISED** that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

- AYES: Representatives Byrd, Acosta, Holguin, and O'Rourke
- NAYS: Representative Robinson
- ABSENT: Representatives Lilly, Quintana, and Ortega

An Ordinance changing the Zoning of all of Tract 8, Section 15, Block 81, TSP 2, T& P R.R. Surveys, City of El Paso, El Paso County, Texas From R-4 (Residential) to C-4 (Commercial). The Penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 6331 Alabama Street, Property Owner: El Maida Shrine Temple ZON10-00109. This is an Appeal Case.

PUBLIC HEARING WILL BE HELD ON APRIL 5, 2011, FOR ITEM 7

.....
8A. ENGINEERING AND CONSTRUCTION MANAGEMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the award of Solicitation No. 2011-128 for the Clint Cell Lining Cells 7-10, to L.D. Kemp Excavating, Inc., for a total estimated amount of \$3,993,139.20.

ABSENT: Representatives Lilly, Quintana and Ortega

Department: Engineering and Construction Management
Award to: L.D. Kemp Excavating, Inc.
Base Bid: \$3,993,139.20
Total Estimated Completion: \$3,993,139.20
Funding Source: Disposal – garbage collection fees

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

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

This is a low bid, unit-price contract. The Engineering and Construction Management Department and Environmental Services recommend award as indicated to the lowest responsible and responsive bidder.

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8B. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **AWARD** Solicitation No. 2011-144 for Fire Station #31 to Banes General Contractors, Inc. for an estimated total amount of \$1,823,000. Banes General Contractors, Inc. has provided the highest ranked proposal (89.65).

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

Department: Engineering and Construction Management
Award to: Banes General Contractors, Inc.
Base Bid: \$1,823,000
Total Estimated Completion: \$1,823,000
Funding Source: American Recovery and Reinvestment Act
2010 Certificates of Obligation

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the design, but which do not increase the scope of the contract as

awarded, in an amount not to exceed \$25,000.00 per numbered change order without further authorization by City Council.

This is a lump-sum contract. The Engineering & Construction Management Department recommends award to the offeror who submitted the highest ranked proposal.

Mayor Pro Tempore Acosta commented.

Mr. Sam Rodriguez, Engineering Division Manager, commented.

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9. FIRE

Motion made by Representative Byrd, seconded by Representative Robinson, and unanimously carried to **AWARD** Solicitation No. 2011-152 (Scott Health and Safety Proprietary Products) to Fire Service Equipment, Inc. and Daco Fire Equipment for a total estimated award of \$2,234,421.30.

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

Department: Fire
Award to: Vendor 1 Fire Service Equipment, Inc.
El Paso, TX
Items: 1, 2 and 3
Initial Term: 3 years
Option: None
Annual Estimated Award: \$649,849.50
Total Estimated Award: \$1,949,548.50 (3 years)

Award to: Vendor 2 Daco Fire Equipment
Lubbock, TX
Items: 4, 5 and 6
Initial Term: 3 years
Option: None
Annual Estimated Award: \$94,957.60
Total Estimated Award: \$284,872.80 (3 years)
Funding Source: UASI Regional SCBA Project FY08, FY09, and FY10

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

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 Financial Services - Purchasing Division and Fire Department recommends award as indicated to Fire Service Equipment, Inc. and Daco Fire Equipment, the lowest responsive, responsible bidders.

.....
10.

ORDINANCE 17514

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM (TAX RESALE) DEED CONVEYING ALL RIGHT, TITLE AND INTEREST IN REAL PROPERTY LOCATED AT 6107 LAGUNA VISTA DR., TO CITY OF EL PASO, IN ACCORDANCE WITH SECTION 34.05 (H) OF THE TAX CODE.**

Representative O'Rourke commented.

Ms. Carmen Perez, Delgado, Acosta, Spencer, Linebarger & Perez, LLP, commented.

Motion duly made by Representative Byrd, 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 Byrd, Acosta, Robinson, Holguin, and O'Rourke
NAYS: None
ABSENT: Representative Lilly, Quintana, and 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**.

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ITEMS 11A. AND 11B. TAKEN TOGETHER

11A. PLANNING AND ECONOMIC DEVELOPMENT

Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **DIRECT** staff to draft a policy to leave ponding areas open for wildlife as a wildlife corridor in instances where ponding areas are located along a riparian corridor, and to bring it back to Council within 90 days.

11B. PLANNING AND ECONOMIC DEVELOPMENT

Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **DIRECT** staff to coordinate with the necessary State agencies, Home Owner Associations, and if necessary, amend Title 19, to provide pedestrian access to designated state trailheads, to not restrict it just to trailheads, to look at the funding issues, and to bring it back to Council within 90 days.

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

Mr. Philip Etiwe, Development Review Manager, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Pro Tempore Acosta and Representatives Holguin, Byrd, Robinson, and O'Rourke commented.

Ms. Joyce Wilson, City Manager, commented.

The following members of the public commented:

1. Mr. Charlie Wakeen, Open Space Advisory Board member
2. Mr. Ken Lovell
3. Ms. Lisa Turner

4. Mr. Manny Hinojosa

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11C. PLANNING AND ECONOMIC DEVELOPMENT

*Motion made, seconded, and unanimously carried to **DELETE** the item regarding a rezoning of Keystone Heritage Park and Rio Bosque to Natural Open Space (NOS) District with Rio Bosque being designated under the Natural Open Space (NOS) District as a wildlife sanctuary.

Representatives Byrd, O'Rourke, and Holguin commented.

Mr. Philip Etiwe, Development Review Manager, and Ms. Lupe Cuellar, Assistant City Attorney, gave legal advice.

.....
The City Council Meeting **RECESSED** at 10:40 a.m. and **RECONVENED** at 10:49 a.m.
.....

12A. CITY MANAGER

Status report, discussion and action regarding the 2008 Comprehensive Mobility Plan: Presentation by TxDOT, City and RMA staff.

Mr. Chuck Berry, District Engineer with TXDOT, presented a PowerPoint presentation (copy on file in City Clerk's office).

Ms. Jane Shang, Deputy City Manager of Mobility Services, presented a PowerPoint presentation (copy on file in City Clerk's office).

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

Ms. Joyce Wilson, City Manager, commented.

Mr. Roy Gilyard, El Paso MPO, commented.

NO ACTION was taken on this item.
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12B. CITY MANAGER

Presentation by City Staff of the Fiscal Year 2010 Spend Analysis report.

Mr. Bruce Collins, Purchasing Manager, presented a PowerPoint presentation (copy on file in the City Clerks office).

Representative Robinson commented.

Ms. Lisa Turner, citizen, commented.

NO ACTION was taken on this item.
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Motion made by Representative Robinson, seconded by Representative Holguin, and carried to **ADJOURN** this meeting at 12:21 p.m.

ABSENT: Representatives Lilly, Quintana, and Ortega.

.....

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk

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
March 29, 2011
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:37 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Emma Acosta, Carl Robinson, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Late arrivals: Susannah Byrd and Rachel Quintana at 8:39 a.m. during Executive Session deliberations, and Ann Morgan Lilly at 8:54 a.m. during Executive Session deliberations. The invocation was given by Police Chaplain Cliff Barnes, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. DROWNING PREVENTION COALITION - APRIL POOLS DAY
2. A DOLLAR TO DEFEAT LEUKEMIA WEEK
3. AMERICAS HIGH SCHOOL MOCK TRIAL TEAM DAY
4. PURCHASING MONTH

RECOGNITION

MARK M. ALVARADO

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 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. Mr. David A. Montgomery
2. Mr. Jack Maxon
3. Mr. Jerry Thiedt
4. Ms. Lisa Turner
5. Mr. David Welsh
6. Mr. Salvador Gomez

Mayor Cook and Ms. Joyce Wilson, City Manager, commented.

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Motion made by Representative Robinson, seconded by Representative Holguin, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:37a.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: Representatives Lilly, Byrd, and Quintana

Motion made by Representative Lilly, seconded by Representative Robinson, and unanimously carried to adjourn the Executive Session at 9:06 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Quintana, Ortega, and O'Rourke

.....
EX1. City lease of a 24,660 square foot portion of Lot 15, Block 8, El Paso International Airport Tracts, Unit 1, El Paso County, Texas, sometimes municipally referred to as 7619 Lockheed, El Paso County, Texas. (551.071 and 551.072)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried that the City Attorney's Office be authorized to take any and all action necessary to gain possession for the City of El Paso and to establish clear title in the name of the City of El Paso in the real property and all improvements located at and within a portion of Lot 15, Block 8, El Paso International Airport Tracts, Unit 1, El Paso County, Texas, sometimes municipally referred to as 7619 Lockheed, El Paso County, Texas.

- AYES: Representatives Byrd, Acosta, Robinson, Holguin, Ortega, and O'Rourke
- NAYS: None
- ABSTAIN: Representative Lilly
- NOT PRESENT FOR THE VOTE: Representative Quintana

.....
EX2. Michael Graniczny, et al v. City of El Paso, et al; Cause No. EP-10-CV-0156-PM (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and unanimously carried that outside counsel for the City of El Paso be authorized to accept Plaintiffs' settlement offer in the lawsuit styled Michael Graniczny, et. al. vs. City of El Paso, et. al.; Cause No.10-CV-0156-PM.

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

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Quintana, 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, Ortega, and O'Rourke
NAYS: None

.....
1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of March 22, 2011.

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

NO ACTION was taken on this item.

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3A.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, WDE INC., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

Lot(s) 14 (2015.17 Sq Ft), Block 12, Mesa Del Castillo #4 Subdivision, City of El Paso, El Paso County, Texas, Parcel #M327-999-0120-1400

to be \$121.85, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24., total to wit, making a total of \$145.85. The City Council finds that the work was completed on the 31st day of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$145.85 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, SANTIAGO E. AVILA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

Lot(s) 14, Block 48, Kern Place Subdivision, City of El Paso, El Paso County,
Texas, Parcel #K216-999-0480-3700

to be \$215.01, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$239.01). The City Council finds that the work was completed on the 11th day of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$239.01 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, RAMONA M. CHAVEZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

208 Placida Road, more particularly described as Lot(s) 13 (5458 Sq Ft), Block 6, Borderland Heights Subdivision, El Paso, El Paso County, Texas, Parcel #B690-999-0006-0013

to be \$208.11, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of \$232.11. The City Council finds that the work was completed on the 31st & 1st day(s) of August & September, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$232.11 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, CHERIE L. HICKMAN, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

623 Tepic Drive, more particularly described as Lot(s) 17 & WLY 247.5 Sq Ft of Lot 18 (8498 Sq Ft), Block 105, Chaparral Park #21 Subdivision, El Paso, El Paso County, Texas, Parcel #C340-999-1050-3300

to be \$146.95, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$170.95. The City Council finds that the work was completed on the 25th day(s) of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$170.95 to be a lien on the above described property, said amount being due and

payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, CARLOS RIVERA JR, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

5548 Joyce Circle, more particularly described as Lot(s) 32 (6300 Sq Ft), Block 9, Beaumont Subdivision, El Paso, El Paso County, Texas, Parcel #B300-999-0090-6300

to be \$120.24, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$144.24). The City Council finds that the work was completed on the 25th day of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$144.24 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, DOLORES M. & YSIDRA ARMENDARIZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and

the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

3341 Monroe Avenue, more particularly described as Lot(s) 1 & 2 & ELY PT of Lot 3 (3.02 Ft on St 120.01 Ft on W 4.42 Ft on N 120 Ft on E) (7046 Sq Ft), Block 29, Morningside Heights Subdivision, El Paso, El Paso County, Texas, Parcel #M794-999-0290-0100

to be \$139.38, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24. total to wit, making a total of \$163.38. The City Council finds that the work was completed on the 31 day(s) of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$163.38 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, SEGURA-MCDONALD VFW, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

4810 Pershing Drive, more particularly described as Lot(s) 7 to 11 (19334 Sq Ft), Block 2-A, Mesa Heights Subdivision, El Paso, El Paso County, Texas, Parcel #M329-999-002A-1300

to be \$182.13, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$206.13. The City Council finds that the work was completed on the 26th day of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$206.13 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, SANDRA LICON, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

3016 Richmond Avenue, more particularly described as Lot(s) 23 & 24 (6000 Sq Ft), Block 16, Altura Park Subdivision, El Paso, El Paso County, Texas, Parcel #A520-999-0160-7100

to be \$186.14, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$210.14. The City Council finds that the work was completed on the 24th day of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$210.14 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, T-SUNRISE, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

Lot(s) 313 (22450 Sq Ft), Block 15, Mountain View Replat Subdivision, El Paso, El Paso County, Texas, Parcel #M851-999-0150-0600

to be \$292, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24. total to wit, making a total of \$316. The City Council finds that the work was completed on the 6th & 9th days of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$316 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, PRIMITIVO N. & MARIA V. PENA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

5909 Delta Drive, more particularly described as Lot(s) 23 (6000 Sq Ft), Block 10, Parkdale Subdivision, El Paso, El Paso County, Texas, Parcel #P405-999-0100-8900

to be \$156.02, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$180.02. The City Council finds that the work was completed on the 3rd day of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$180.02 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, JYA GROUP LLC, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

200 Seville, more particularly described as Lot(s) 24 & S Pt of Lot 23 & Adj W 1/2 of Closed Alley, Block 15, Sambrano Subdivision, El Paso, El Paso County, Texas, Parcel #S052-999-0150-7800

to be \$97.70, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$121.70.

The City Council finds that the work was completed on the 24th day(s) of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$121.70 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, SOCORRO SOLL, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

5364 Isaias Avalos Lane, more particularly described as Lot(s) 9 (5633.42 Sq Ft), Block 31, Sandstone Ranch Estates #3 Subdivision, El Paso, El Paso County, Texas, Parcel #S138-999-0310-0900

to be \$118.80, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24. total to wit, making a total of \$142.80. The City Council finds that the work was completed on the 9th day(s) of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$142.80 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, SOCORRO SOLL, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

5368 Isaias Avalos Lane, more particularly described as Lot(s) 10 (5601.68 Sq Ft), Block 31, Sandstone Ranch Estates #3 Subdivision, El Paso, El Paso County, Texas, Parcel #S138-999-0310-1000

to be \$118.80, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$142.80. The City Council finds that the work was completed on the 9th day(s) of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$142.80 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, SOCORRO SOLL, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

5372 Isaias Avalos Lane, more particularly described as Lot(s) 11 (5578.93 Sq Ft), Block 31, Sandstone Ranch Estates #3 Subdivision, El Paso, El Paso County, Texas, Parcel #S138-999-0310-1100

to be \$118.80, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$142.80. The City Council finds that the work was completed on the 9th day(s) of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$142.80 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, GEO-BEAZER LP, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

Lot(s) 10 (31367.00 Sq Ft), Block 1, Sun Valley Ranch Subdivision, El Paso, El Paso County, Texas, Parcel #S820-999-0010-1000

to be \$395.92, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$419.92. The City Council finds that the work was completed on the 28th day of June, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$419.92 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, MAHMOUD TAVAKOLINEJAO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

Lot(s) 4 (87134.22 Sq Ft), Block 1, Montana & Lee Commercial Dist
Subdivision, City of El Paso, El Paso County, Texas, Parcel #M641-999-0010-
0400

to be \$793.47, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$817.47. The City Council finds that the work was completed on the 11th & 12th days of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$817.47 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, ARTURO RAMIREZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

3136 Tierra Rio Road, more particularly described as Lot(s) 2 (5943.00 Sq Ft),
Block 45, Tierra Del Este #6 Subdivision, El Paso, El Paso County, Texas,
Parcel #T287-999-0450-0200

to be \$127.46, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$151.46. The City Council finds that the work was completed on the 10th day of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$151.46 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, RAUL CASTILLO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

12102 Desert Quail Avenue, more particularly described as E 43.50 Ft of Lot 2 & W 16.50 Ft of Lot 3 (6600.00 Sq Ft), Block 3, Quail Run Subdivision, El Paso, El Paso County, Texas, Parcel #Q550-999-0030-0200

to be \$69.01, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$93.01. The City Council finds that the work was completed on the 17th day of May, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$93.01 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, PAJ LAND HOLDINGS LLC, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

Pt of Lot(s) 1 Beg 467.04' N of SW Cor (383.71' on E - 381.87' on N - 385.06 Ft on W - 397.09' on S), Block 12, Newport Estates #2 Subdivision, City of El Paso, El Paso County, Texas, Parcel #N241-999-0120-0100

to be \$627.85, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$651.85. The City Council finds that the work was completed on the 11th day of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$651.85 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, FRANCISCO PLAZA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

141 Keeney Court, more particularly described as Lot(s) 12 (5943.77 Sq Ft),
Block A, Patterson Subdivision, El Paso, El Paso County, Texas, Parcel
#P609-999-000A-1200

to be \$103.38, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$127.38. The City Council finds that the work was completed on the 10th day of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$127.38 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, JUANA O. ANCHONDO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

8107 North Loop Drive, more particularly described as Tract 13 (1.423 Acres),
Block 15, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel #Y805-
999-015D-1301

to be \$1,923.56, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$1,947.56. The City Council finds that the work was completed on the 22nd & 23rd days of June, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$1,947.56 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, JOSE M. URESTI, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

ELY Pt of Lot(s) 3 (0.700 Acre) Lot 1 of Unrecorded Map, Block 6, Christy
Subdivision, City of El Paso, El Paso County, Texas, Parcel #C454-999-0060-
2100

to be \$333.90, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$357.90.

The City Council finds that the work was completed on the 16th day of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$357.90 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, JOSE F. A. LOPEZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

1031 E. California Avenue, more particularly described as Lot(s) 31 & 32 (6960 Sq Ft), Block 292, Pierce Finley Subdivision, El Paso, El Paso County, Texas, Parcel #P795-999-2920-9100

to be \$192.57, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$216.57. The City Council finds that the work was completed on the 12th day(s) of July, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$216.57 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, LAND AMERICA CONTRACTORS INC., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

637 Hacienda Rey Drive, more particularly described as Lot(s) 7 (10703.21 Sq Ft), Block 1, Haciendas San Miguel #1 Subdivision, El Paso, El Paso County, Texas, Parcel #H013-999-0010-0700

to be \$414.59, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$438.59). The City Council finds that the work was completed on the 29 day of July, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$438.59 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, LOS EXES DE LA BOWIE & FRIENDS, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

4700 Sagrado Lane, more particularly described as Lot(s) 1 (6005.00 Sq Ft),
Block 1, El Manto Addition Subdivision, El Paso, El Paso County, Texas, Parcel
#E345-999-0010-0100

to be \$140.68, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of \$164.68. The City Council finds that the work was completed on the 22nd day of June, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$164.68 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, LOS EXES DE LA BOWIE & FRIENDS, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

4704 Sagrado Lane, more particularly described as Lot(s) 2 (8064.00 Sq Ft),
Block 1, El Manto Addition Subdivision, El Paso, El Paso County, Texas, Parcel
#E345-999-0010-0200

to be \$177.31, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$201.31. The City Council finds that the work was completed on the 22nd day of June, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$201.31 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, LOS EXES DE LA BOWIE & FRIENDS, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

4724 Sagrado Lane, more particularly described as Lot(s) 7 (4677.00 Sq Ft),
Block 1, El Manto Addition Subdivision, El Paso, El Paso County, Texas, Parcel
#E345-999-0010-0700

to be \$135.42, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$159.42. The City Council finds that the work was completed on the 22nd day of June, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$159.42 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, LOS EXES DE LA BOWIE & FRIENDS, referred to as owner, regardless of number, of the hereinafter described property, was given notice

that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

4728 Sagrado Lane, more particularly described as Lot(s) 8 (4992.00 Sq Ft),
Block 1, El Manto Addition Subdivision, El Paso, El Paso County, Texas, Parcel
#E345-999-0010-0800

to be \$140.68, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24, total to wit, making a total of \$164.68. The City Council finds that the work was completed on the 22nd day of June, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount \$164.68 to be a lien on the above described property, said amount being due and payable within ten days from the date of City Council approval, and thereafter bearing ten percent interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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3B.

***RESOLUTION**

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

That the City Manager be authorized to sign a Services Agreement between the City of El Paso and Staff Care, Inc. for temporary dental staffing services in an amount not to exceed TWENTY-FIVE THOUSAND SIX HUNDRED NINETY DOLLARS AND 02/100 (\$25,690.02).

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ITEMS 3C, 8C, 11B AND 12 TAKEN TOGETHER

3C. PARKS AND RECREATION

1ST MOTION

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

2nd AND FINAL MOTION

*Motion made, seconded, and carried to **POSTPONE** two weeks a Resolution of City Council amending the Park Facilities Standards in order to be consistent with revisions to the park provisions of Title 19.

AYES: Representatives
NAYS:

.....
3D.

***RESOLUTION**

AMENDMENT TO THE RESOLUTION APPOINTING THE ELECTION OFFICIALS AND ELECTION JUDGES FOR THE 2011 GENERAL ELECTION IN THE CITY OF EL PASO.

WHEREAS, the City Council adopted a Resolution on March 15, 2011 to appoint the election officials for the City's 2011 General Election; and

WHEREAS, it is now necessary to amend Exhibit "B", the list of Presiding Judges and Alternate Presiding Judges, respectively, for each of the regular elections precincts of the City, as the County Elections Administrator recommends one change be made.

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

1. That the Resolution dated March 15, 2011 for the appointment of election officials be amended by revising Exhibit B, the list of Presiding Judges and Alternate Presiding Judges, respectively, for each of the regular elections precincts of the City, as is attached hereto, and such judges and alternates as set forth therein shall be appointed.

1ST MOTION

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 10:09 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

2ND MOTION

Motion made by Representative Robinson, seconded by Representative Lilly, and unanimously carried to **ADJOURN** the Executive Session at 10:14 a. m. and **RECONVENE** the meeting of the City Council.

NOT PRESENT FOR THE VOTE: Representatives Quintana and O'Rourke

3RD AND FINAL MOTION

*Motion made, seconded, and unanimously carried to **APPROVE AS REVISED** the Resolution

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

Mayor Cook and Representatives Robinson, Ortega, and Holguin commented.

Ms. Richarda Duffy Momsen, City Clerk, commented and Ms. Elaine Hengen, Senior City Attorney gave legal advice.

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3E.

***RESOLUTION**

WHEREAS, the City of El Paso (hereafter "City") wishes to have an interactive water play feature known as a splash pad at the El Paso Zoo designed and constructed to be available for the public in the summer of 2011 (hereafter the "project"); and

WHEREAS, the El Paso Zoological Society (hereafter "Society") desires to fund and support the construction of the project by donating a total of two hundred fifty thousand dollars (\$250,000.00) in multiple payments over the period of four years; and

WHEREAS, the City Council wishes to accept this donation for the purpose stated; and

WHEREAS, the City Council authorizes the City Manager to accept this donation, which will be made in multiple payments, and to execute necessary documents to accept the donation and allocate such funds.

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

That the City Council authorizes the City Manager to accept the donation of \$250,000 from the Society for the purpose of funding and supporting the construction of an interactive water play feature known as a splash pad at the El Paso Zoo designed and constructed to be available for the public in the summer of 2011 (hereinafter the "project"). Payment of this donation will be made in multiple payments as follows: \$100,000 within two weeks of the adoption of this resolution; \$50,000 by April 1, 2012; \$50,000 by April 1, 2013; and \$50,000 by April 1, 2014. The City Manager is also hereby authorized to enter into the attached Agreement with Society and to execute any and all necessary documents for the acceptance of the donation for this purpose and any necessary documents for the allocation of such funds.

Representative Acosta commented.

Mr. Steve Marshall, Zoo Director, commented.

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4A. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Michael PleTERS to the Civil Service Commission by Representative Steve Ortega, District 7.

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4B. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Alma Miller to the Fair Housing Task Force by Representative Steve Ortega, District 7.

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5A. - 5H. INTRODUCTIONS

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, 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:

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

5A. An Ordinance amending Ordinance No. 017109 which vacated a portion of Boston Avenue to allow a one year extension to complete improvements on the pedestrian walkway and to revise the quitclaim deed to reflect the extended time for completion.

PUBLIC HEARING WILL BE HELD ON APRIL 5, 2011, FOR ITEM 5A

- 5B. An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), Chapter 20.10 (Supplemental Use Regulations) and Appendix A (Table of Permissible Uses) of the El Paso City Code to add a definition of Accessory Dwelling Units and to add standards for Accessory Dwelling Units. The Penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 5C. An Ordinance changing the zoning of a portion of Lot 6, Block 5, Stiles Gardens, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7122 North Loop Drive. Applicant: Fidel and Isabel Guerrero. ZON10-00114
- 5D. An Ordinance changing the zoning of a portion of Lot 4, Block C, Collingsworth Subdivision Supplemental Map, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 6111 Alameda Avenue. Applicant: Maria L. Munoz. ZON10-00115
- 5E. An Ordinance changing the zoning of Lots 1-13, Block 1, San Angelino Estates; formerly Lots 1-11, Block 1, Amado Urbina; formerly Lots 5 & 6 and a portion of Lot 7, Block 8, Alameda Acres, City of El Paso, El Paso County, Texas from R-3A (Residential) to R-4 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Glenwood Street at Flower Drive. Property Owner: The House Developer Group, LLC. ZON10-00108
- 5F. An Ordinance changing the zoning of a portion of Yucca Village Replat A, and a portion of Tract 10A Parkland Addition, City of El Paso, El Paso County, Texas from A-M/sc (Apartment/Mobile Home Park/special contract) to A-O/sc (Apartment/Office/special contract). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 10333 Grouse Road. Property Owner: Blue Flamingo IV, LP. ZON10-00094
- 5G. An Ordinance granting Special Permit No. ZON10-00095, to permit an Adult Day Care on the property described as being a portion of Yucca Village Replat A, and a portion of Tract 10A Parkland Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 10333 Grouse Road. Property Owner: Blue Flamingo IV, LP. ZON10-00095
- 5H. An Ordinance changing the effective date of Ordinance No. 017504, which will change the zoning of Lot 2, Block 6, Castner Range Unit One, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-O (Apartment-Office) from April 26, 2011 to May 25, 2011. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Stahala Drive, East of Kenworthy Street.

PUBLIC HEARING WILL BE HELD ON APRIL 19, 2011, FOR ITEMS 5B – 5H

ITEMS 6A, 6B AND 6C TAKEN TOGETHER

6A.

ORDINANCE 17516

The City Clerk read an Ordinance entitled: **AN ORDINANCE CREATING UNIFORM GRADING REQUIREMENTS BY AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.44**

(GRADING) IN ITS ENTIRETY TO PROVIDE FOR GRADING PERMITS, FEES, INSURANCE, BONDS, INDEMNIFICATION AND ENFORCEMENT REQUIREMENTS; AND TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.04 (SOLID WASTE MANAGEMENT), SECTION 9.04.860, BY PROHIBITING EROSION AND SECTION 9.04.870, EXEMPTING LAND THAT HAS NEVER BEEN GRADED; THE PENALTY BEING AS PROVIDED IN SECTIONS 9.04.630, 18.02.107 AND 18.44.210 OF THE EL PASO CITY CODE.

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

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

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

6B.

ORDINANCE 17517

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.08 (SUBDIVISION IMPROVEMENT PLANS), SECTION 19.08.020D (GRADING PERMITS) AND CHAPTER 19.50 (DEFINITIONS), SECTION 19.50.030 (DEFINITIONS) OF THE EL PASO CITY CODE TO AMEND THE PROVISIONS FOR GRADING PERMITS AND BORROW OR WASTE PERMITS AND TO CHANGE THE DEFINITION OF GRADING. THE PENALTY AS PROVIDE FOR IN CHAPTER 19.42 OF THE EL PASO CITY CODE.**

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

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

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

6C.

ORDINANCE 17518

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.16 (SCREENING AND FENCING) AND SECTION 20.16.020 (MANDATORY WALLS), OF THE EL PASO CITY CODE TO AMEND THE CERTAIN MANDATORY WALL REQUIREMENTS ALONG DRAINAGE STRUCTURES AND CANALS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

Ms. Julie Baldwin, Public Information Officer for Engineering and Construction Management, and Mr. Sam Rodriguez, Engineering Division Manager, presented a PowerPoint presentation (copy on file in City Clerk's office).

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

Mr. Charlie Wakeen, Open Space Advisory Board, commented.

Ms. Joyce Wilson, City Manager, commented.

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7.

ORDINANCE 17519

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 017471, TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.04 (SOLID WASTE MANAGEMENT) TO AMEND THE EFFECTIVE DATE OF THE FRANCHISE AGREEMENT REQUIREMENTS; THE PENALTY BEING AS PROVIDED IN SECTION 9.04.630 OF THE EL PASO CITY CODE.**

Ms. Ellen Smyth, Environmental Services, commented.

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

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

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

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ITEMS 8A. AND 11A. TAKEN TOGETHER

8A. PLANNING AND ECONOMIC DEVELOPMENT

Motion made by Representative O'Rourke, seconded by Representative Byrd, to **POSTPONE** one week the Public hearing on an Ordinance granting Special Permit No. ZON10-00101, to allow for infill development and a 35% parking reduction on the property described as Lots 52, 53, 54, 55, and 56, Block B, Bassett Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 parking reduction and 20.10.280 infill development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code.

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

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

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

Ms. Joyce Wilson, City Manager, commented.

The following members of the public commented:

1. Mr. Fernando Estrada, Representing the Applicant
2. Mr. Pedro de Jesus Licon Gonzalez, Applicant
3. Mr. Sergio Plaza, Property Owner

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8B.

ORDINANCE 17520

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF FRANKFORT STREET RIGHT-OF-WAY, WITHIN BLOCKS 91 & 92, GRANDVIEW ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

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

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

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

.....
ITEMS 3C, 8C, 11B AND 12 TAKEN TOGETHER

8C. PLANNING AND ECONOMIC DEVELOPMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the Public Hearing on an Ordinance amending Title 19 (Subdivisions), Chapter 19.20 (Parks and Open Space), Section 19.20.030 (Parkland Calculation) and Section 19.20.050 (Standards for Deeded Parkland), Chapter 19.23 (Lots-Determination and Regulation of Size) and Chapter 19.50 (Definitions) of the El Paso City Code to amend the park size requirements for residential development and parkland characteristics and improvements, to require front build-to lines on plats and to add definitions for build-to line, green, plaza, pocket park, and square. The penalty is as provided in Chapter 19.42 of the city of El Paso City Code.

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

Representative Ortega commented.

Ms. Joyce Wilson, City Manager, commented.

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ITEMS 9A AND 9B TAKEN TOGETHER

9A.

ORDINANCE 17521

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT OF SALE AND ANY OTHER NECESSARY DOCUMENTS BETWEEN THE CITY OF EL PASO AND THE EL PASO COLLABORATIVE FOR COMMUNITY AND ECONOMIC DEVELOPMENT WHICH WILL ALLOW THE CITY TO CONVEY:**

LOT 5, BLOCK 98, SUN VALLEY ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN VOLUME 1178, PAGE 362, DEED RECORDS OF EL PASO COUNTY, TEXAS; ALSO KNOWN AND NUMBERED AS 5629 HEMMINGWAY DRIVE, EL PASO, TEXAS.

9B.

ORDINANCE 17522

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT OF SALE AND ANY OTHER NECESSARY DOCUMENTS BETWEEN THE CITY OF EL PASO AND THE EL PASO COLLABORATIVE FOR COMMUNITY AND ECONOMIC DEVELOPMENT WHICH WILL ALLOW THE CITY TO CONVEY:**

LOT 2071, BLOCK 85, MOUNTAIN VIEW ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN VOLUME 2, PAGE 23, PLAT RECORDS OF EL PASO COUNTY, TEXAS; ALSO KNOWN AND NUMBERED AS 4903 WICHITA CIRCLE, EL PASO, TEXAS TO THE EL PASO COLLABORATIVE FOR COMMUNITY AND ECONOMIC DEVELOPMENT.

Representatives Byrd and Robinson commented.

Mr. Adrian Duran, Executive Director, Housing Finance Corp., commented.

Motion duly made by Representative Byrd, seconded by Representative Lilly, that the Ordinances be **ADOPTED**. Whereupon the Mayor 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 ordered that, the vote having been cast in favor of the Ordinances, the same be and the same are hereby **ADOPTED**.

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10. MAYOR AND COUNCIL

1st MOTION:

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Acosta, and unanimously carried that the City of El Paso State Legislative Agenda be amended to add **support** for the following bills:

1. H.B. 1866 Gonzalez - Designation of the Highway 20 (Alameda) as a state historic highway.
2. H.B. 2566 Gonzalez - Penalties for displaying vehicles for sale on public rights of way
3. H.B. 2567 Gonzalez - Public notice procedures for submitting complaints about motor vehicle dealers.

4. H.B. 616 Quintanilla – Amendment of the Alcoholic Beverage Code to permit the commissioners court of a county or the governing board of an incorporated city or town to enact regulations prohibiting the possession or consumption of an alcoholic beverage at a previously licensed or permitted establishment for on-premises consumption for not more than three years from the date of the canceled or expired permit or license.
5. H.B 1287 Villarreal - Interest rate on refunds would be based upon the t-bill rate at the time of the refund with an 8% cap.
6. H.B. 2903 Zerwas – Care for elderly PACE.

2ND MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried that the City of El Paso State Legislative Agenda be amended to add **support** for the following bills:

1. H.B. 407 Quintanilla - Amendment of the Alcoholic Beverage Code to refer certain hearings to the State Office of Administrative Hearings following the receipt of either a petition signed by surrounding property owners.
2. H.B. 1112 Nichols - Greater flexibility for RMA's to enter into agreements with other entities, including TxDOT, to finance projects.

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

NAYS: Representatives Quintana and Holguin

ABSTAIN: Representative Robinson

3RD MOTION

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried that the City of El Paso State Legislative Agenda be amended to **oppose** the following bills:

1. **S.B. 435 Nelson and H.B. 1015 Harper-Brown** - Consolidation the current six regional poison control centers into the Texas Poison Control Center.
2. **S.B. 971 Hinojosa & H.B. 1765 Miller**: Establishment of an emergency information network of digital display.
3. **H.B. 1903 Keffer & S.B. 1122 Estes**: Allows taxing entities to sell the right to receive delinquent receivables at a reduced rate through a competitive bidding process or a negotiated sale.
4. **H.B. 2435 Deshotel**: Legalizes Cost of service Adjustment Clauses the City rejected in the last Texas Gas Rate Case.

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

4TH MOTION

Motion made by Representative Lilly, seconded by Representative Byrd, and unanimously carried that the City of El Paso State Legislative Agenda be amended to adopt the Texas Municipal League policy position on cable franchise reform and video assessment proposals to: Support legislation that would allow cable and video providers to opt out of all "grandfathered" local cable or video franchise agreements under Chapter 66 of the Texas Utilities Code (S.B. 5, 2005 Second Special Session) only if such legislation:

- (a) provides for standard and consistent termination of all grandfathered agreements and requires that a cable or video service provider immediately seek a state-issued certificate of franchise authority;

- (b) allows for expansion of the permissible uses of the one-percent fee paid by cable and video providers to support municipal public, educational, and governmental programming (PEG);
- (c) allows all cities to obtain two or three PEG channels based on population;
- (d) expressly reaffirms cities rights to collect rental fees for use of public rights-of ways; and
- (e) is made contingent upon the passage of additional legislation imposing on each video provider (e.g., cable television and similar services, as well as satellite service) a state "assessment" of 6-1/4 percent of gross revenues derived from the provision of subscription video services in this state, with cities being entitled to one-quarter of the revenue generated by the assessment.

Support legislation that would impose on each video provider (e.g., cable television and similar services, as well as satellite service) a state "assessment" of 6-1/4 percent of gross revenues derived from the provision of subscription video services in this state only if such legislation:

- (a) entitles cities to one-quarter of the revenue generated by the assessment;
- (b) expressly reaffirms cities rights to collect rental fees for use of public rights-of-way; and
- (c) does not interfere with the collection or payment of rental fees paid to cities for use of public rights-of-way.

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

5TH MOTION

Motion made Mayor Pro Tempore Acosta, and seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers after the sign-up period.

NOT PRESENT FOR THE VOTE: Representative Quintana

6TH MOTION

Motion made Representative Byrd, seconded by Representative Lilly, and carried that the City of El Paso State Legislative Agenda be amended to add a provision directing staff to work with El Paso Electric Company to draft and seek passage of legislation to allow net metering in the El Paso Electric Company service area within the State of Texas and to implement policies and procedures to create a community program for financially viable installation of renewable energy systems.

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

NAYS: Representative Holguin

Mr. Marty Howell, Sustainability Manager, presented a PowerPoint presentation (copy on file in City Clerk's office)

Mayor Cook and Representatives Acosta, Lilly, Holguin, O'Rourke, Byrd, Robinson, and Ortega commented

The following City Staff Members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Sylvia Firth, Senior Assistant City Attorney/Intergovernmental Affairs, gave legal advice.
3. Mr. Charlie McNabb, City Attorney gave legal advice

4. Mr. Juan Sandoval, Tax Assessor Collector

The following members of the public spoke:

- 1. Mr. Richard Dayoub
- 2. Mr. Richard Schecter
- 3. Mr. Robert Ardovino
- 4. Mr. Tony Reyes
- 5. Mr. Gunnar Borge
- 6. Ms. Marian Cordeo

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ITEMS 8 A AND 11 A TAKEN TOGETHER

11A. PLANNING AND ECONOMIC DEVELOPMENT

*Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **POSTPONE** one week a Resolution approving a detailed site development plan for Lots 52, 53, 54, 55, and 56, Block B, Basset Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

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

Mr. Joyce Wilson, City Manager, and Mr. Mathew McElroy, Deputy Director of Planning, commented.

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ITEMS 3C, 8C, 11B AND 12 TAKEN TOGETHER

11B. PLANNING AND ECONOMIC DEVELOPMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks a Resolution adopting "Designing Walkable Urban Thoroughfares: A Context Sensitive Approach" as a recommended design guideline for the use in the design and construction of new thoroughfares and redesign and reconstruction of existing thoroughfares on all city projects within the City of El Paso.

Representatives Byrd and Ortega commented.

Ms. Joyce Wilson, City Manager, commented.

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ITEMS 3C, 8C, 11 AND 12 TAKEN TOGETHER

12. DEPARTMENT OF TRANSPORTATION

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the item regarding directing the City Manager to have city staff revise the City Code and the City of El Paso's Design Standards for Construction Manual to adopt the "Designing Walkable Urban Thoroughfares: A Context Sensitive Approach" as a standard for constructing thoroughfare projects.

Representatives Byrd and Ortega commented.

Ms. Joyce Wilson, City Manager, commented.

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ITEMS 13, 14A, 14B and 15 TAKEN TOGETHER FOR DISCUSSION

13. PLANNING AND ECONOMIC DEVELOPMENT

Motion made by Representative Robinson, seconded by Representative Quintana, and unanimously carried to **DELETE** the Public hearing on an Ordinance amending Title 19 (Subdivisions), Appendix 111 (Mountain Area Defined), of the El Paso City Code to add land to the area identified as the Mountain Development Area (MDA). The penalty being as provided in Section 19.42 of the El Paso City Code.

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

14A.

ORDINANCE 17523

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF EL PASO TO SIGN A SPECIAL WARRANTY DEED AND ANY OTHER DOCUMENTS REQUIRED, SUCH AS, BUT NOT LIMITED TO, A DISCLAIMER OF INTEREST IN PROPERTY OR DONATION AGREEMENT, TO CONVEY TO THE STATE OF TEXAS, APPROXIMATELY 12.080 ACRES OF LAND KNOWN AS PARTS 1 AND 2 OF PARCEL 14 ALONG AND ADJACENT TO THE EXISTING LOOP 375 BEING PORTIONS OF NELLIE D. MUNDY SURVEY 246, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FOR THE STATE OF TEXAS LOOP 375 HIGHWAY PROJECT.**

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

AYES: Representatives Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
NAYS: Representative Byrd
NOT PRESENT FOR THE VOTE: Representative Lilly

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

14B.

RESOLUTION

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

That the Mayor be authorized to sign an Agreement to Contribute Funds with the Texas Department of Transportation (TxDOT) for the acquisition of right of way and adjustment of utilities for a highway project on Highway No. Loop 377 from 0.038 miles West of Interstate Highway 10 to 0.479 miles east of Franklin Mountains State Park. The City's contribution is estimated to be \$91,200.00, which is 4.8 percent of the estimated total of the cost of the right of way. The City's contribution may be satisfied by the donation of 12.080 acres of land to TxDOT. TxDOT has appraised the 12.080 acres at a value of \$184,177.00.

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

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

NAYS: Representative Byrd

NOT PRESENT FOR THE VOTE: Representative Lilly

15. CITY MANAGER

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Acosta, and carried to **APPROVE** and to **DIRECT** the City Manager to add Plexxar to the Major Thoroughfare Plan and adopt Texas Department of Transportation (TxDOT) plan for the West Transmountain Loop 375 Project.

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

NAYS: Representative Byrd

The following members of the public commented:

1. Mr. Chuck Berry, Chief Engineer, TxDot
2. Mr. Roy Gilyard, Metropolitan Planning Organization Director
3. Ms. Lourdes Cardenas, Walter B. Moore, Engineer
4. Mr. Tom Thomas
5. Mr. Richard Dayoub
6. Mr. Richard Schecter
7. Mr. John Broaddus
8. Mr. Jimmy Rogers, Jr.
9. Mr. David Osborn
10. Mr. Charlie Wakeem
11. Mr. John Cordova
12. Mr. Bill Addington
13. Ms. Judy Ackerman
14. Dr. Richard Bonart
15. Mr. Lynn Fitzgerald
16. Mr. Richard Teschner

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 Motion made by Representative Robinson, seconded by Mayor Pro Tempore Acosta , and unanimously carried to **ADJOURN** this meeting at 3:44 p.m.

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk