JOE WARDY
MAYOR

CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
WEDNESDAY, JUNE 2, 2004
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Pro Tem Anthony W. Cobos present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., Jose Alexandro Lozano, John F. Cook, Paul J. Escobar and Vivian Rojas. Absent: Mayor Joe Wardy. Late Arrival: Daniel S. Power arrived at 10:10 a.m. Meeting was called to order at 9:11 a.m. and the invocation was given by Police Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. ***Childhood Cancer Gold Ribbon Day***
2. ***Price's Creameries Give 'Em Five Month***
3. ***Amateur Softball Association Pixie Tournament Week***

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Rules of Order for electronic voting were suspended for the entire meeting due to revised seating.

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Motion made by Representative Austin, seconded by Representative Cushing and unanimously carried to postpone until the June 8, 2004 Regular City Council Meeting the following item:

Proposed construction of arena and parking garage at Bassett Center. [Anita Blair]

Representative Power was not present for the vote.

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Motion made by Representative Escobar, seconded by Representative Cook 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 {*}).

Representative Power was not present for the vote.

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*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meetings of March 18, 2003 and May 25, 2004 and Special City Council Meeting of May 24, 2004.

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*Motion made, seconded and unanimously carried to excuse Mayor Joe Wardy from the Wednesday, June 2, 2004 Regular City Council Meeting.

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***RESOLUTION**

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

That the Mayor be authorized to sign a Lessor's Approval of Assignment of the General Aviation Ground Lease Agreement from WJN Corporation to Sahara Air, LLC for the land described as Lots 12 and 13, Block 4, El Paso International Airport Tracts, Units 2, containing 52,128 square feet and municipally known as 7605 Boeing Dr.

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***RESOLUTION**

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

That the Mayor be authorized to sign a Commercial Site Lease by and between the City of El Paso ("Lessor") and KAMS Partners, LP ("Lessee") for the real property described as Lot 13 and a portion of Lot 14, Block 15, El Paso International Airport Tracts, Unit Three, City of El Paso, El Paso County, Texas, municipally known and numbered as 6625 Montana Avenue, El Paso, Texas.

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***RESOLUTION**

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

That the Mayor be authorized to sign a FlightView Monitor License Agreement by and between RLM Software ("RLM") and the City of El Paso, acting by and through its Department of Aviation ("EPIA"), to have RLM's proprietary FlightView® Data accessible to Airport Operations and on EPIA's web site. The term of the Agreement shall be for one year commencing on July 1, 2004 at a total cost of $5,050.00.

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***RESOLUTION**

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

That the Director of the El Paso Museum of Art be authorized to sign an outgoing Loan Agreement on behalf of the City of El Paso, for the loan of one (1) Acrylic, enamel and flashe on canvas on board by Paul Henry Ramirez, ***Elevatious Transcendualistic #5***, 2001, to The Stanlee and Gerald Rubin Gallery at the University of Texas at El Paso, for an exhibition "Seriously Playful: Paul Henry Ramirez, 1995-2004," to be held from September 23 - December 4, 2004. There are no costs to El Paso Museum of Art associated with this loan.

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***RESOLUTION**

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

That the Mayor be authorized to sign an Agreement for Architectural Services by and between the **CITY OF EL PASO** and **CF ASSOCIATES, INC.**, for a project known as **"Fire Stations No. 31 and No. 33"**, in an amount not to exceed TWO HUNDRED EIGHT THOUSAND and 00/100 DOLLARS ($208,000.00).

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*R E S O L U T I O N

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

That the Mayor be authorized to sign Amendment Number One to the September 1, 2003, Grant Contract between Texas State Library and Archives Commission and the City of El Paso on behalf of the El Paso Public Library and the Texas Trans-Pecos Library System. The Amendment provides for an increase in the grant of $38,587 to a total amount under the Grant Contract of not more than $385,867. The grant funds will be used for library system operations, including books and library resources to be acquired using the additional funds. (No matching funds are required.)

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*RESOLUTION

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

That the Mayor be authorized to sign and submit a Grant Application to El Paso Electric Company on behalf of the City of El Paso in the amount of $5,000.00 for the Mission Trail Harvest Market; and

That the Mayor's Office be authorized to furnish additional information that may be required by El Paso Electric Company in connection with the Grant Application for this Project; and

That the Mayor be authorized to execute, on behalf of the City of El Paso, any Grant Agreement and related documents, and any amendments to the initial Grant Agreement which increases or decreases funds, provided that no additional City funds are required, upon approval by El Paso Electric Company. [In-kind matching funds only.]

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Motion made, seconded and unanimously carried to move to the regular the following:

RESOLUTION

WHEREAS, under the law, Municipal Court judges have the discretion pursuant to Article 45.049 of the Texas Code of Criminal Procedure to refer and place individuals appearing in their court to community service and the El Paso Municipal Court Judges want to refer to the City of El Paso individuals to perform community service for the City; and,

WHEREAS, the City of El Paso would like to formalize and expand on a program which will allow the City to accept individuals who have been placed in community service by the Municipal Court; and,

WHEREAS, individuals who are placed on community service by the Court will be volunteers for the City and will sign volunteer service agreements prior to performing services under the program; and,

WHEREAS, such a program will benefit the City in that it will allow the City use of such services without having to pay compensation;

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

That the City of El Paso establishes a program in which the City will accept individuals referred to the City by the Municipal Court judges pursuant to Article 45.049 of the Texas Code of Criminal Procedure to perform community service based on a determination made by the judges that the individual is indigent. Participation and agreement to accept individuals from the Municipal Court is at the sole discretion of the City. Placement of individuals into city departments is at the sole discretion of the City. The City reserves the right to reject any individual referred to the City by the Municipal Court judges.

Mayor Pro Tem Cobos thanked individuals associated with the implementation of the Community Service Program asked questions of City staff members Mr. Jim Martinez, Chief Administrative Officer, and Ms. Richarda Duffy Momsen, City Clerk.

Mr. Martinez explained that the Department of Aviation would be utilized for the "pilot program" and stated that City properties surrounding the Airport, to include 20 miles of City rights-of-way, medians and surrounding Industrial Park properties would be cleaned and maintained by the probationers. He further explained that probationers would not be entering into secured areas of the Airport and commented on the inclusion of the Community Service program into the FY05 Budget.

Representative Escobar stated that the Community Service program as it expands to other departments would fill the void regarding cleaning City parks and other City properties.

Motion made by Representative Cook, seconded by Representative Lozano and unanimously carried to approve the above Resolution as revised.

Representative Austin was not present for the vote.

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***RESOLUTION**

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

THAT the Mayor be authorized to sign a Multi-Year Interlocal Agreement between the City of El Paso and the Ysleta Independent School District to provide District school buses for transportation purposes regarding the activities of the "Club Rec Program," Youth Outreach, and other programs of the City's Parks and Recreation Department.

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***RESOLUTION**

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

THAT the Mayor be authorized to sign a Multi-Year Interlocal Agreement between the City of El Paso and the Ysleta Independent School District to provide District school buses for transportation purposes regarding the activities of the "Club Rec Program," Youth Outreach, and other programs of the City's Parks and Recreation Department.

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

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

That the Mayor be authorized to sign the Performance License for Municipalities with SESAC, Inc. (SESAC) providing a license for the performance of live or recorded music by City departments on City premises or at City-sponsored events at other locations. Under the terms of the Agreement, the City will pay an annual license fee in accordance with Schedule A of the Agreement. The initial annual license fee will be $2,258.00. The Agreement shall have an initial term of one year, commencing January 1, 2004, and shall continue in effect for additional terms of one year each until terminated.

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*R E S O L U T I O N

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

THAT the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2003/2004** appropriations to be approved by the City Council.

PAVO REAL RECREATION CENTER
DEPARTMENT ID: 51510115, ACCOUNT 502214

1. CONTRACTOR: Michelle Avila, Dance Instructor
   DATES: June 3, 2004 through July 31, 2004
   RATE PER CL: $8.00
   MAXIMUM AMT: $1,600.00
   CONTRACT: **2003/2004-146**

2. CONTRACTOR: Martina Avila, Arts & Crafts Instructor
   DATES: June 3, 2004 through July 30, 2004
   RATE PER CL: $8.00
   MAXIMUM AMT: $1,600.00
   CONTRACT: **2003/2004-147**

3. CONTRACTOR: Rodolfo Hernandez, Drama & Acting Instructor
   DATES: June 3, 2004 through July 31, 2004
   RATE PER CL: $8.00
   MAXIMUM AMT: $1,600.00
   CONTRACT: **2003/2004-148**

FATHER MARTINEZ SENIOR CENTER
DEPARTMENT ID: 51510160, ACCOUNT 502214

4. CONTRACTOR: Veronica Luevanos, Arts & Crafts Instructor
   DATES: June 3, 2004 through August 31, 2004
   RATE PER CL: $6.00
   MAXIMUM AMT: $420.00
   CONTRACT: **2003/2004-149**

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Motion made by Representative Cushing, seconded by Representative Escobar and carried to postpone until the June 15, 2004 Regular City Council Meeting a Resolution of the City of El Paso, Texas, supporting a delay of retail competition for El Paso Electric Company.

AYES: Representatives Austin, Cushing, Lozano, Escobar, Rojas and Cobos
NAYS: Representative Cook
NOT PRESENT: Representative Power

NOTE: This item was considered together with the discussion and action on a resolution expressing the will of the El Paso City Council regarding "deregulation" of electric services in the City of El Paso.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, JACK LUCERO % PEGGY A. BELTRAN of the hereinafter described property that the owners' 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 owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management 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:

> 8800 Block of Norton Drive, City of El Paso, El Paso County, Texas, being more particularly described as Lot 19, Block 21, Del Norte Acres, Parcel #D361-999-0210-7100,

to be TWO HUNDRED FORTY FOUR DOLLARS AND 65/100 ($244.65) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Seventh day of January, 2004, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED FORTY FOUR DOLLARS AND 65/100 ($244.65) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. 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. 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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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, CHASE MANHATTAN MORTGAGE CORPORTION of the hereinafter described property that the owners' 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 owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management 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:

> 4620 Loma de Cobre Drive, City of El Paso, El Paso County, Texas, being more particularly described as Lot 34 (5502.00 SQ FT), Block 16, North Hills #5 Subdivision, Parcel #N425-999-0160-3400,

to be TWO HUNDRED DOLLARS AND 26/100 ($200.26) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Eighteenth day of September, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED DOLLARS AND 26/100 ($200.26) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. 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. 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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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, LUIS R. MARIONI of the hereinafter described property that the owners' 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 owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management 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:

> 10301 Dyer, City of El Paso, El Paso County, Texas, being more particularly described as Lot 31 to 36 (EXC SQ 17.22 FT OF 31 & 32) (4.5911 AC), Parkland Subdivision, Parcel #P448-999-0020-2400,

to be FOUR HUNDRED SIXTEEN AND 76/100 ($416.76) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Nineteenth day of November, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount FOUR HUNDRED SIXTEEN AND 76/100 ($416.76) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. 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. 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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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, MONICA D. GANDARA of the hereinafter described property that the owners' 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 owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management 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:

> 11429 Pratt Avenue, City of El Paso, El Paso County, Texas, being more particularly described as Lot 25, Block 1, Kimberly Heights Subdivision, Parcel #K383-999-0010-2500,

to be TWO HUNDRED FOURTEEN AND 88/100 ($214.88) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Ninth day of October, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED FOURTEEN AND 88/100 ($214.88) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. 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. 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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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, MANUEL HERNANDEZ, JR. of the hereinafter described property that the owners' 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 owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management 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:

> 9868 Jericho Street, City of El Paso, El Paso County, Texas, being more particularly described as Lot 13, Block 8, Vista del Prado Subdivision, Parcel #V887-999-0080-2500,

to be TWO HUNDRED ELEVEN DOLLARS AND 09/100 ($211.09) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Eighteenth day of November, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED ELEVEN DOLLARS AND 09/100 ($211.09) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. 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. 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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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, ROY W. & DARLENE M. GORE of the hereinafter described property that the owners' 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 owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management 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:

> 1703 Janet Coles Lane, City of El Paso, El Paso County, Texas, being more particularly described as Lot 1 (7375.62 SQ FT), Block 402, Vista del Sol #89 Subdivision, Parcel #V893-999-4020-0100,

to be ONE HUNDRED SIXTY EIGHT DOLLARS AND 87/100 ($168.87) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Seventh day of January, 2004, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED SIXTY EIGHT DOLLARS AND 87/100 ($168.87) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. 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. 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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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, IRMA A. & ANA G. AVILA of the hereinafter described property that the owners' 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 owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management 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:

> 324 Pendale Road, City of El Paso, El Paso County, Texas, being more particularly described as Tract 10 (1.23 ACRES), Block 8, Ysleta Subdivision, Parcel #Y805-999-0080-1001,

to be ONE THOUSAND TWO HUNDRED NINETY ONE AND 42/100 ($1,291.42) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Ninth day of October, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE THOUSAND TWO HUNDRED NINETY ONE AND 42/100 ($1,291.42) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. 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. 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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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, HECTOR L. DURAN AND GUERRERO LOZOYA of the hereinafter described property that the owners' 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 owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management 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:

> 7800 Block of Mansfield, City of El Paso, El Paso County, Texas, being more particularly described as Tract 8 (1.933 ACRES), and Tract 9 (0.244 ACRE), Block 1, Christy Subdivision, Parcel #C454-999-0010-7100, and Parcel #C454-999-0010-7800,

to be FOUR HUNDRED SEVENTY SIX AND 30/100 ($476.30) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Second day of December, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount FOUR HUNDRED SEVENTY SIX AND 30/100 ($476.30) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. 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. 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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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, LORENZO & JOSEFINA CANDIA of the hereinafter described property that the owners' 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 owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management 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:

> 7883 Craddock Avenue, City of El Paso, El Paso County, Texas, being more particularly described as Lot 31, Block 1, Green Brook Subdivision, Parcel #G710-999-0010-6100,

to be THREE HUNDRED NINETY NINE DOLLARS AND 44/100 ($399.44) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Sixteenth day of December, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount THREE HUNDRED NINETY NINE DOLLARS AND 44/100 ($399.44) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. 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. 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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***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

> **Lot 11, Block E, Santa Fe, an Addition to the City of El Paso, El Paso County, Texas and known as 410 Charles Road. (PID #S148-999-000E-4500)**

. . . . . .

***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

Tract 2-M, Block 81, Township 2, Section 2, Texas and Pacific Railway Company Survey, an Addition to the City of El Paso, being more particularly described in Volume 1431, Page 885, Deed Records of El Paso County, Texas. (PID #X581-999-2020-0230)

. . . . . .

***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

Lot 31, Block 2, Mirflor Addition, an Addition to the City of El Paso, being more particularly described in Volume 739, Page 404, Deed Records of El Paso County, Texas. (PID #M488-999-0020-7900)

. . . . . .

***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

Lots 1, 2, 3, 4 and 5, Block 64, Logan Heights Addition, an Addition to the City of El Paso, being more particularly described in Volume 3322, Page 516, Deed Records, El Paso County, Texas. (PID #L447-999-0640-0100)

. . . . . .

*RESOLUTION

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

Lots 9 and 10, Block 119, Highland Park Addition, an Addition to the City of El Paso, being more particularly described in Volume 2633, Page 1530, Deed Records of El Paso County, Texas. (PID #H453-999-1190-2100)

. . . . . .

*RESOLUTION

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

Lot 4 and the West one half of Lot 5, Block 16, Franklin Heights Addition to the City of El Paso, El Paso County, Texas, being more particularly described in Volume 881, Page 1303, Deed Record, El Paso County, Texas. (PID #F607-999-0160-1500)

. . . . . .

*RESOLUTION AUTHORIZING TAX RESALE

WHEREAS, by Sheriff's Sale conducted on **May 4, 1999**, the property described below was struck-off to City of El Paso, Trustee, pursuant to a delinquent tax foreclosure decree of the 327th Judicial District, El Paso, County, Texas, and

WHEREAS, the sum of $ **4,000.00** has been tendered by **David Bingham** of El Paso County for the purchase of said property pursuant to Section 34.05, Texas Tax Code Ann. (Vernon, 1982);

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

That the Mayor be authorized to execute a tax resale (quitclaim) deed on behalf of all the taxing entities they represent conveying to **David Bingham,** all of the right, title, and interest of all taxing units interested in the tax foreclosure judgment in the following described real property located in El Paso County, Texas, the tax sale deed shall be executed upon the execution of the resolution authorizing the tax resale by all the interested taxing entities.

> **.046 acre, more or less, out of Lots 31 and 32, Block 7, East El Paso Addition, Supplemental Map #1, an Addition to the City of El Paso, being more particularly described as Exhibit "B" in Volume 1642, Page 1276, Deed Records of El Paso County, Texas. (PID #E014-999-0070-7900)**

. . . . . .

*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision:	Franklin Hills Unit Two
Owner/Developer:	Colony Partners L.P.
Consultant:	Quantum Inc.

Street Improvements:

High Ridge Drive - from the west subdivision boundary line to the east subdivision boundary line

Franklin Crest Drive - from the north R.O.W. line of High Ridge Drive to the northt subdivision boundary line

Franklin Hills Street - from the north subdivision boundary line to the southwest subdivision boundary line

Franklin View Drive - from the east R.O.W. line of Franklin Cove Place to the west R.O.W. line of Franklin Crest Drive, and from the east R.O.W. line of Franklin Crest Drive to the northeast subdivision boundary line

Franklin Cove Place - from the north R.O.W. line of High Ridge Drive to the end of cul-de-sac

Franklin Summit Drive - from the east subdivision boundary line to the east R.O.W. line of Franklin Crest Drive, and from the west R.O.W. line of Franklin Crest Drive to the end of cul-de-sac

Franklin Nook Way - from the north R.O.W. line of Franklin Summit Drive to the end of cul-de-sac

Franklin Trail Drive - from the north R.O.W. line of Franklin Summit Drive to the west R.O.W. line of Franklin Hills Street

Franklin Vista Drive - from the east R.O.W. line of Franklin Trail Drive to the east subdivision boundary line

Franklin Bluff Drive - from the east R.O.W. line of Franklin Trail Drive to the east subdivision boundary line

Franklin Red Drive - from the east R.O.W. line of Franklin Crest Drive to the west R.O.W. line of Franklin Hills Street

Drainage Improvements:

15 ft. Drainage Easement - located at Lot 3, Block 12; 130 ft. of 2-36" R.C.P. with Concrete Collars

15 ft. Drainage Easement - located at Lot 8, Block 17; 105.67 ft. of 24" R.C.P. with Concrete Collars

15 ft. Drainage R.O.W. - located between Lots 7 and 8, Block 16; 47.50 ft. of 30" R.C.P. with Concrete Collars; 20.77 ft. x 14 ft. Concrete Flume; 41.54 ft. x 6 ft. high Rock Wall Fence located at the east and west sides of the R.O.W.; and 15 ft. x 6 ft. Wrought Iron Gate

Drainage R.O.W. Concrete Channel - from Station 0 + 00 to Station 17 + 10.48; 1710.48 ft. of Reinforced Concrete Channel that varies in dimension; 2- 78 ft. x 8 ft. x 4 ft. Reinforced Concrete Box Culvert; 65 ft. of 24" R.C.P. Concrete Spillway; Berm; 1434.71 ft. x 6 ft. high Rock Wall Fence along the Concrete Channel; 90 ft. x 3 ft. high Rock Wall Fence; 90 ft. x 4 ft. high Wrought Iron Fence; 2- 15 ft x 6 ft. Double Swing Gate; and 2- 15 ft. Concrete Apron

Storm Drainage System - located at Franklin Cove Place; 1-6 Grate Drop Inlet Type III; and 251.41 ft. of 30" R.C.P.

located at Franklin Summit Drive; 1-10 Grate Drop Inlet Type I; and 1-4 Grate Drop Inlet Type I

located at Franklin Trail Drive; 2-5 Grate Drop Inlet Type I; 34.7 ft. of 24" R.C.P.; and 140.20 ft. of 36" R.C.P.

located at Franklin Crest Drive; 8 ft. x 9 ft. Concrete Flume with Steel Plate and Rock Rip-Rap

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*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Franklin Hills Unit Three
Owner/Developer: Colony Partners L.P.
Consultant: Quantum Inc.

Street Improvements:

High Ridge Drive - from the east subdivision boundary line to the west subdivision boundary line

Franklin View Drive - from the west subdivision boundary line to the west right-of-way line of Franklin Hills Street

Franklin Summit Drive - from the west subdivision boundary line to the west property line of Franklin Hills Street

Franklin Bluff Drive - from the west subdivision boundary line to the west R.O.W. line of Franklin Hills Street

Franklin Vista Drive - from the west subdivision boundary line to the west R.O.W. line of Franklin Hills Street

Franklin Hills Street - from the north subdivision boundary line to the north R.O.W. line of High Ridge Drive

Drainage Improvements:

Storm Drainage System - located at Franklin Hills Street; 1-6 Grate Drop Inlet Type 1; 1-5 Grate Drop Inlet Type I ;2-2 Grate Drop Inlet Type 1; 211.94 ft. of 36" R.C.P.; 277.15 ft. of 30" R.C.P.; and 84 ft. of 24" R.C.P.

Drainage R.O.W. Concrete Channel - from Station 17+10.48 to Station 27+45.42; 11034.94 ft. of Reinforced Concrete Channel that varies in dimension; 2-77.08 ft. x 8 ft. x 4 ft. Reinforced Concrete Box Culvert with Concrete Wing Wall Structure; 16 ft. x 17 ft. Concrete Flume; 3-12 ft. Concrete Apron; 2069.88

ft. x 6 ft. high Rock Wall/Retaining Fence along the Concrete Channel; 45 ft. x 3 ft. high Rock Wall; and 45 ft. x 4 ft. Wrought Iron Fence 3-7 ft. x 15 ft. Wrought Iron Gates.

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*Motion made, seconded and unanimously carried to approve the request to fill the following position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Automotive Service Worker I

. . . . . .

*Motion made, seconded and unanimously carried to approve the following provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Solid Waste Management Director

. . . . . .

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for **BUILDING PERMITS & INSPECTIONS**

Add	1.00	Landscape Inspector	GS 22
Delete	1.00	Budgeted Position Class Undetermined	GS 22

. . . . . .

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to postpone until the June 8, 2004 Regular City Council Meeting the appointment of Eleanor Ann Smyth, Solid Waste Management Director (provisional), effective July 8, 2004.

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*Motion made, seconded and unanimously carried to re-appoint Ed Anderson to the Airport Board by Mayor Pro Tempore Anthony W. Cobos, District 8.

. . . . . .

*Motion made, seconded and unanimously carried to re-appoint Trini Acevedo to the Community Development Steering Committee by Mayor Pro Tempore Anthony W. Cobos, District 8.

. . . . . .

*Motion made, seconded and unanimously carried to appoint Nestor Valencia to the Art Museum Advisory Board by Mayor Joe Wardy.

. . . . . .

*Motion made, seconded and unanimously carried to appoint Mark C. Walker to the Art Museum Advisory Board by Representative Susan Austin, District 1.

. . . . . .

*Motion made, seconded and unanimously carried to appoint Daniel Delahaye to the Parks and Recreation Advisory Board by Representative Robert A. Cushing, Jr., District 2. Serving an unexpired term.

. . . . . .

*Motion made, seconded and unanimously carried to appoint Vincent Burke to the El Paso Public Arts Commission by Representative Robert A. Cushing, Jr. District 2.

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*Motion made, seconded and unanimously carried to delete the request for authorization to use Six Hundred Fifty Seven Dollars and Two Cents ($657.02) from District 6 Discretionary Funds to install a guardrail at 7273 Barker Road.

. . . . . .

*Motion made, seconded and unanimously carried to delete the request for authorization to use One Thousand Two Hundred Fourteen Dollars and Sixty-Three Cents ($1,214.63) to install much needed guardrail post at 8926 Ayeta Lane.

. . . . . .

*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

A. PID #'s #H793-017-0010-0210 & H788-006-0350-0100, $837.32 per month installments on a balance of $6,698.56 for 2003 taxes; Ricardo & Blanca Ramirez – 601 Endwall.

B. PID #M794-999-0480-0100, $204.41 per month installments on a balance of $7,358.76 for 2003 taxes; Rosa M. Weiser– 3429 Harrison.

C. PID #V887-999-0130-0300, $175.47 per month installments on a balance of $2,105.64 for 2003 taxes; Leticia Rojas – 221 Darius.

D. PID #V893-999-3960-0400, $314.06 per month installments on a balance of $3,768.72 for 2003 taxes; Delia Gonzalez – 11412 Tom Ulozas Dr.

E. PID #2002-000-2221-0059, $813.12 per month installments on a balance of $4,878.72 for 2002 & 2003 taxes; Sierra Iron & Metal Inc. % Jimmy Gandera - 266 Horizon.

. . . . . .

*Motion made, seconded and unanimously carried to approve the request that the Director of Purchasing be authorized to issue sole source Purchase Orders as necessary for Volvo (Samsung) and Champion parts to Sierra Machinery, Inc. Sierra Machinery is the sole source as the authorized dealer in the Southwestern Texas and Southern New Mexico, for the sale of Volvo (Samsung) and Champion proprietary parts for heavy equipment vehicles. Contract 2000-279.

Department:	Various
Funds available:	Various
Total award:	$25,000.00 (estimated year)

. . . . . .

Motion made, seconded and unanimously carried to postpone until the June 8, 2004 Regular City Council Meeting Bid No.: 2004-150 Household Hazardous Waste Disposal Services

Award to:	Environmental Management Services of Texas, Inc. El Paso, TX
Item (s):	1
Amount:	$265,000.00 (estimated year)

Department:	Solid Waste Management
Funds available:	34010289-40403-502115
Funding source:	Outside Contracts
Total award:	$795,000.00 (estimated)

Solid Waste Management and Purchasing recommend awards as indicated as this vendor has provided the Best Value Bid Procurement meeting specifications.

This is a thirty-six (36) month contract with the option to extend the term of this contract for two (2) additional years. Additionally, Environmental Management Services of Texas, Inc. offers a 5% 10 days prompt payment discount.

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*Motion made, seconded and unanimously carried to award Bid No.: 2004-146 Waste Removal & Disposal Service

Award to:	Safety-Kleen Systems Inc. El Paso, TX
Item (s):	All
Amount:	$28,668.84 (estimated year)

Department:	Municipal Services
Funds available:	Various
Funding source:	Various
Total award:	$57,337.68 (estimated)

Municipal Service and Purchasing recommend awards as indicated, as this vendor has provided the Best Value Procurement and meets specifications.

This is a twenty-four (24) month contract with the option to extend the term of this contract for one (1) additional year.

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*Motion made, seconded and unanimously carried to postpone until the June 8, 2004 Regular City Council Meeting Bid No.: 2004-150 Household Hazardous Waste Disposal Services

Award to:	Environmental Management Services of Texas, Inc. El Paso, TX
Item (s):	1
Amount:	$265,000.00 (estimated year)

Department:	Solid Waste Management
Funds available:	34010289-40403-502115
Funding source:	Outside Contracts
Total award:	$795,000.00 (estimated)

Solid Waste Management and Purchasing recommend awards as indicated as this vendor has provided the Best Value Bid Procurement meeting specifications.

This is a thirty-six (36) month contract with the option to extend the term of this contract for two (2) additional years. Additionally, Environmental Management Services of Texas, Inc. offers a 5% 10 days prompt payment discount.

. . . . . .

*Motion made, seconded and unanimously carried to award Bid No.: 2004-153 EPIA Aircraft Rescue & Fire Fighting Facility Re-Bid

Contractor:	Gemco Construction, Inc. El Paso, TX	
Department:	Department of Aviation	
Funds Available:	62620029-PAP0007001-41062-508027	
Funding Source:	Airport Revenue Bonds	
Items:	Base Bid I	$270,000.00
	Base Bid IA	$ 325.00
	Alternate Bid I	$ 13,700.00
Total Award:		$284,025.00

The Departments of Engineering, Purchasing and El Paso International Airport recommend the award of this contract to Gemco Construction, Inc., as this Offeror has provided the Best Value Proposal. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction 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 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

NOTE: Item was revised.

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Motion made by Representative Cook, seconded by Representative Cobos and carried to reject all bids and send this item out for a Best Value Procurement.

AYES: Representatives Cushing, Lozano, Cook, Escobar and Cobos
NAYS: Representative Austin, Power and Rojas

Bid No.:	2004-169	Washing of Heavy Duty Equipment (Rebid)
Award to:	Vendor #1	Blue Beacon International El Paso, TX
Item (s):		Group 1 All
Amount:		$125,000.00 (estimated year)
	Vendor #2	A&E Truck & Car Wash Co. El Paso, TX
Item (s):		Group 2 All
Amount:		$50,000.00 (estimated year)
Department:		Fleet Services
Funds available:		37370510-45202-503125
Funding source:		Fleet Services-Inventory Sales - Equipment Outside Repairs
Total award:		$525,000.00

The Fleet Services Department and Purchasing Departments recommend award as indicated to the lowest responsive offers meeting specifications, from responsible parties.

This is a thirty-six (36) month contract with no option to extend the contract.

Mr. Byron Johnson, Director of Purchasing, recommended that the Council Members reject Group One of the Bid, vehicle washing at the vendor's location, and that the Council Members award Group Two, vehicle washing at the City's location. He suggested revising the bid language so that inclusion of additional items by the bidders would eliminate their bid and answered questions from and responded to comments made by the Council Members.

Representatives Escobar, Cobos, Austin, Cook, and Rojas commented on issues regarding the bid. Representative Cook further explained that a Best Value Procurement bid would take into consideration distance traveled, mileage, gas expense, etc.

Mr. Jeffrey Belles, Director of Fleet Services, noted that on-site washing would be conducted after hours, on City property, and added that the vendor must comply with City Ordinances and State laws, etc. He commented on price differences between vendors, noted that both components of the bid met the Fleet Service Department's recommendations based on low bid and specifications. He answered questions from and responded to comments made by the Council Members.

Mr. Jim Martinez, Chief Administrative Officer, explained that there would be no disruption to operations if the Council decided to delete the bid in its entirety.

Ms. Ruth Reyes, Assistant City Attorney, provided legal advice.

Mr. David Escobar, attorney representing Horizon Truck Wash, stated that their position would be that Council reject all bids and provided further explanation. He noted that the current contract contained an extension clause.

Mr. Johnson responded to Representative Rojas' concern regarding the Purchasing Department responding to previous questions/concerns by Mr. Escobar regarding the bid and added that the current contract had expired.

Representative Rojas questioned whether or not it was appropriate for Representative Escobar to vote on the matter since Mr. David Escobar is his uncle.

Representative Escobar stated that he had no interests in the contract and is not in partnership with his uncle. He noted that he had previously asked for a legal opinion on whether or not there was a conflict of interest in him voting on items that involved his uncle and he had been told there was no conflict.

. . . . . .

*Motion made, seconded and unanimously carried to award Bid No. 2004-166 Proprietary Parts & Service-Tiger Mower Equipment

Award to:	Bisset Specialty Equipment, Inc. El Paso, Texas
Item (s):	A, 1A & B (all)
Amount:	$30,000.00 (estimated annual)
Department:	Fleet Service
Funds available:	37370510-503121-50325-45202
Funding source:	Fleet Service Internal Service Fund
Total award:	$90,000.00 (estimated)

The Fleet Service and Purchasing Departments recommend award as indicated to the sole responsive bidder offer meeting specifications, from responsible parties.

No options offered.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

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*Motion made, seconded and unanimously carried to award Bid No.: 2004-167 Proprietary Parts & Service-Ford New Holland Equipment

Award to:	Bisset Specialty Equipment, Inc. El Paso, Texas
Item (s):	A, 1A & B (all)
Amount:	$30,000.00 (estimated annual)
Department:	Fleet Service
Funds available:	37370510-503121-503125-45202
Funding source:	Fleet Service Internal Service Fund
Total award:	$90,000.00 (estimated)

The Fleet Service and Purchasing Departments recommend award as indicated to the sole responsive bidder offer meeting specifications, from responsible parties.

No options offered.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

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*Motion made, seconded and unanimously carried to delete budget transfer BT2004-737 PARKS AND RECREATION

This budget transfer recognizes actual revenues from Parkland Dedication fees and appropriates money to be used for parks construction within the same park zone as the development that generated the revenue. Parkland Dedication fees are paid by developers based upon City Ordinance.

Increase	$ 300	to	51159242/P51800080916148/405072	Parkland Ded
Increase	$ 300	to	51159242/P51800080916148/508004	Parkland Ded
Increase	$ 36,800	to	51159242/P51800005316027/405072	Parkland Ded
Increase	$ 36,800	to	51159242/P51800005316027/508004	Parkland Ded
Increase	$ 3,000	to	51159242/P51800015916133/405072	Parkland Ded
Increase	$ 3,000	to	51159242/P51800015916133/508004	Parkland Ded
Increase	$ 93,300	to	51159242/P51800086416204/405072	Parkland Ded
Increase	$ 93,300	to	51159242/P51800086416204/508004	Parkland Ded
Increase	$ 1,800	to	51159242/P51800086516205/405072	Parkland Ded
Increase	$ 1,800	to	51159242/P51800086516205/508004	Parkland Ded
Increase	$ 42,340	to	51159242/P51800083616175/405072	Parkland Ded
Increase	$ 42,340	to	51159242/P51800083616175/508004	Parkland Ded
Increase	$ 3,000	to	51159242/P51800083616175/405072	Parkland Ded
Increase	$ 3,000	to	51159242/P51800083616175/508004	Parkland Ded
Increase	$3,181.20	to	51159242/P51800015416128/405072	Parkland Ded
Increase	$3,181.20	to	51159242/P51800015416128/508004	Parkland Ded
Increase	$1,800.00	to	51159242/P51800015316127/405072	Parkland Ded
Increase	$1,800.00	to	51159242/P51800015316127/508004	Parkland Ded
Increase	$1,200.00	to	51159242/P5180000145/16119/405072	Parkland Ded
Increase	$1,200.00	to	51159242/P5180000145/16119/508004	Parkland Ded
Increase	$ 5,793	to	51159242/P51800008216056/405072	Parkland Ded
Increase	$ 5,793	to	51159242/P51800008216056/508004	Parkland Ded
Increase	$ 27,300	to	51159242/P51800011316087/405072	Parkland Ded
Increase	$ 27,300	to	51159242/P51800011316087/508004	Parkland Ded
Increase	$ 300	to	51159242/P51800005016024/405072	Parkland Ded
Increase	$ 300	to	51159242/P51800005016024/508004	Parkland Ded

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*Motion made, seconded and unanimously carried to approve budget transfer BT2004-787 HUMAN RESOURCES

To establish the grant for the Community College Employee Program – TACE Project.

Increase	$20,000	to	09150087/G09040107319/406002	Loc Grt Proc
Increase	$18,483	to	09150087/G09040107319/501011	Pt-Tm Temp
Increase	$ 102	to	09150087/G09040107319/501100	Wrkr Comp
Increase	$ 1,147	to	09150087/G09040107319/501129	FICA CtyMtch
Increase	$ 268	to	09150087/G09040107319/501130	FICAMedCMh

. . . . . .

*Motion made, seconded and unanimously carried to approve budget transfer BT2004-791 HEALTH

Budget transfer of $107,439.93 needed to make settlement payment.

Decrease	$ 10,000.00	from	41010140/01101/502111	HlthCrProv
Decrease	$ 9,876.20	from	41010142/01101/501000	Salaries
Decrease	$ 87,563.73	from	41010157/01101/506000	Grant Match
Increase	$107,439.93	to	41010157/01101/505409	Settlements

. . . . . .

*Motion made, seconded and unanimously carried to approve the request of Sisters of Perpetual Adoration to hold a procession on June 13, 2004 from 8:00 a.m. to 9:45 a.m. Route: Start on Magoffin St. to Cotton, turn left on Cotton to Myrtle, turn left on Newman, and finish at Magoffin St., at the church. Approximately 100 persons will take part. PERMIT #04-045 [Teresa Andow]

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*Motion made, seconded and unanimously carried to approve the request of Child Crisis Center of El Paso to hold a 5k foot race on August 28, 2004 from 6:00 a.m. to 11:30 a.m., Route: Start on 1300 Hardaway to Bliss, turn right on Radford St, proceed on Radford St. to Leeds Ave., turn right on Leeds Ave. to Hawley, turn right on Hawley to Post, turn left on Post to Howze, proceed on Howze to Hastings, turn right on Hastings to Cumberland, turn left on Cumberland to Radford, turn left on Radford to Cumberland, turn left on Cumberland to Graham, turn right on Raynolds to Clifton, turn right on Clifton to Radford, turn right on Radford to Trowbridge, turn right on Trowbridge to Hardaway and finish at 1300 Hardaway. Approximately 300 persons will take part. This request includes permission to use amplification (1 microphone and 1 speaker). PERMIT #04-047 [Marty Brown]

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*Motion made, seconded and unanimously carried to approve the request of Child Crisis Center to hold a One Mile walk on June 19, 2004 from 8:30 a.m. to 11:00 a.m. Route: Jogging paths at Album Park, located at 3110 Parkwood. Approximately 300 persons and 20 vehicles will take part. This request also includes permission to use amplification (1 microphone and 2 speakers supplied by Power 102). PERMIT #04-046 [David A. Sanchez]

. . . . . .

Motion made by Representative Cobos, seconded by Representative Austin 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:

Representative Power was not present for the vote.

A. An Ordinance changing the zoning of Lot 1 and a Portion of Lot 2, Block 2, Hueco View Acres and a Portion of Harkis Road, El Paso, El Paso County, Texas (North of Edgemere Blvd.) from M-1 (Manufacturing) to R-5 (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON04-00026. Applicant: JNC Development Co./ Representative: Conde, Inc., 1790 Lee Trevino, Suite 400, El Paso, TX 79936

B. An Ordinance changing the zoning of Parcel 1: A portion of Tract 2B and a portion of the Ellis Lateral, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-2 (Residential), Parcel 2: A portion of Tract 2B and a portion of the Ellis Lateral, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-2A (Residential), Parcel 3: All of Tract 3A, a portion of Tract 1G, and a portion of the Ellis Lateral, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-2A (Residential), and Parcel 4: A portion of Tract 1G and a portion of the Ellis Lateral, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-3A (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: RPW Development Ltd. / Representative: CEA Engineering Group; 2718 Wyoming, El Paso, TX 79903. ZON03-00089

C. An Ordinance changing the zoning of a portion of Lot 11 and all of Lot 12, Block 20, Second Amended Map of West Ysleta, El Paso, El Paso County, Texas from R-4 (Residential) to A-2 (Apartment). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Young Women's Christian Association / Representative: Jim Smith; 6236 Quail Avenue, El Paso, TX 79924. ZON04-00034

D. An Ordinance changing the zoning of Tracts 79 and 80, Sunrise Acres No. One, El Paso, El Paso County, Texas from R-4 (Residential) to R-5 (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Tropicana Homes, Inc. / Representative: Del Rio Engineering, Inc.; 491 N. Resler Drive Suite F, El Paso, TX 79912. ZON04-00056

E. An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by adding church as a permitted use in Chapters 20.34 (C-OP Office Park District), 20.46 (M-1 Light Manufacturing District), 20.48 (M-2 Heavy Manufacturing District), 20.50 (M-3 Unrestricted Manufacturing District), 20.53 (U-P Union Plaza District), 20.58 (P-C Planned Commercial District), and 20.60 (P-I Planned Industrial District). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code.

PUBLIC HEARING WILL BE HELD ON JUNE 22, 2004 FOR ITEMS A – E

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

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Motion made by Representative Cushing, seconded by Representative Escobar and carried to postpone until the June 15, 2004 Regular City Council Meeting the discussion and action on a resolution expressing the will of the El Paso City Council regarding "deregulation" of electric services in the City of El Paso.

AYES:	Representatives Austin, Cushing, Lozano, Escobar, Rojas and Cobos
NAYS:	Representative Cook
NOT PRESENT:	Representative Power

NOTE: This item was considered together with the resolution of the City of El Paso, Texas, supporting a delay of retail competition for El Paso Electric Company.

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No action was taken on the discussion and action on reimbursing the Keystone Heritage Park, Inc. the amount of $75,000 of unused Meadows Foundation grant fund.

Mayor Pro Tem Cobos introduced the matter to the Council and asked questions of City staff members, Mr. Jim Martinez, Chief Administrative Officer, Ms. Carmen Arrieta, Comptroller, and Ms. Teresa Quezada, Capital Development Program Administrator.

Mr. Bernie Sargeant, Keystone Heritage Park, Inc. Board Member, explained financial matters regarding funding the Keystone Heritage Park, TxDOT financial matters, completing the Keystone Heritage Park on time, commitments made by the Board and the Junior League of El Paso.

Ms. Arrieta and Ms. Quezada provided financial information and stated that they would meet with Mr. Sargeant and other individuals associated with the project for further discussion on the matter.

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Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to approve Conditional "B" building permits for Maria Seanes Unit Two Subdivision on the finding of economic hardship.

Representative Austin was not present for the vote.

Mr. Bashar Abugalyon, Engineering Department, presented the matter to the Council Members.

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Motion made by Representative Escobar, seconded by Representative Cobos and unanimously carried to approve Conditional "B" building permits for Capistrano Park Subdivision Unit 5 on the finding of economic hardship.

Representative Austin was not present for the vote.

Mr. Bashar Abugalyon, Engineering Department, presented the matter to the Council Members.

Mr. Bobby Bowling, representing Tropicana Homes, was present to answer questions of the Council Members.

Mayor Pro Tem Cobos noted, for the record, that the permits would be authorized due to a finding of economic hardship.

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Motion made by Representative Escobar, seconded by Representative Cobos and unanimously carried to move to the forefront of the regular agenda the following:

RESOLUTION

WHEREAS, the General Services Administration (hereinafter referred to as "GSA") is in the process of completing steps necessary to design, construct, and occupy a proposed new federal courthouse (hereinafter referred to as "Courthouse") within the El Paso downtown area; and

WHEREAS, the existing federal courthouse located at 511 E. San Antonio Avenue will continue to be used for office space for court-related agencies, bankruptcy courts, and other courtrooms; and

WHEREAS, the GSA is acquiring lands within blocks 217 & 218, Campbell Addition, El Paso, El Paso County, Texas, (hereinafter referred to as "Site"); and

WHEREAS, the GSA's plans require the vacation of certain public street and alley rights-of-way within and along blocks 217 & 218, Campbell Addition, El Paso, El Paso County, Texas; and

WHEREAS, by resolution dated July 17, 2001, the City of El Paso concurs with the proposed project location and authorizes the Department of Planning, Research, & Development to coordinate project aspects as requested with GSA representatives and other City departments; and

WHEREAS, the Texas Local Government Code, §271.001.B provides that streets and alleys owned in fee or used by easement may be conveyed for less than fair market value to one or more abutting property owner who owns the underlying fee simple interest; and

WHEREAS, the GSA has stated that federal funding is proposed in the amount of $11 million for site acquisition and design in FY 2002, construction funding in FY 2004, and completion in FY 2007; and

WHEREAS, Council finds that the proposed GSA use serves a paramount public purpose for the areas contemplated by this resolution; and

WHEREAS, Council finds that the economic benefit to the City of El Paso in terms of anticipated increased employment, contracts, and tax revenue, as a result of the federal expenditure of funds, is sufficient consideration for street and alley vacations necessary within and along blocks 217 & 218, Cambell Addition, El Paso, El Paso County, Texas.

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

That the El Paso City Council determines that the conveyance of its interest in the streets and alleys to the United States of America with the understanding that such properties will be incorporated into the new federal courthouse site is a paramount public use of the property and that the expansion of the federal courthouse facilities will benefit the City of El Paso and is found to be adequate consideration for the City's interest in such rights-of-way.

See the discussion for Ordinance 15800.

The City Clerk called for any public comment. There was no public comment.

Motion made by Representative Escobar, seconded by Representative Cook and unanimously carried to approve the above Resolution.

Representative Power was not present for the vote.

NOTE: Ordinances 15800, 15801, 15802, 15803, 15804, 15805 and the Resolution that the El Paso City Council determines that the conveyance of its interest in the streets and alleys to the United States of America with the understanding that such properties will be incorporated into the new federal courthouse site is a paramount public use of the property and that the expansion of the federal courthouse facilities will benefit the City of El Paso and is found to be adequate consideration for the City's interest in such rights-of-way.

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RESOLUTION

WHEREAS, on April 2, 1985, the City entered into a contract with Derrick & Schaefer, a copy of which is filed of record in Volume 1547, Page 449, and Volume 1576, Page 15, El Paso County Deed Records and is additionally attached hereto as Exhibit "A" (hereafter "Contract") setting forth certain obligations and requirements for the development of certain property, including the property currently known as Mesa Hills Unit Six Replat "A", City of El Paso, El Paso County, Texas, and hereinafter referred to as the "Subject Property;"

WHEREAS, a term of the Contract is that Derrick & Schaefer or its successors in title (hereinafter "Developer") limit access onto Stanton Street, as explained more fully in Section Three of said contract as well as exhibit "G" thereto;

WHEREAS, Section Three of said contract provides that the City shall reserve the right to reasonably require additional points of access along Stanton Street;

WHEREAS, on December 5, 2002, the City Plan Commission recommended approval of an additional point of access off Stanton Street in order to provide entrance to the property legally described as a .493 acre portion of Tract 1A (n/k/a T1A6), A.F. Miller Survey No. 216, City of El Paso, El Paso County, Texas, and being more particularly described in exhibit "B" attached hereto; and

WHEREAS, City Council for the City of El Paso, Texas finds that one additional point of access off Stanton Street serving the property more fully described in Exhibit "B" above is reasonable and does not adversely affect the health, safety, or welfare of the citizens of El Paso.

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

That, pursuant to Section Three of the Contract more fully described above, Council has determined that the property described as a .493 acre portion of Tract 1A (n/k/a T1A6), A.F. Miller Survey No. 216, City of El Paso, El Paso County, Texas shall be and is hereby provided a single point of access off of Stanton Street, the location of which to be later determined by the City of El Paso Traffic Engineer based on traffic safety, and that a curb cut permit pursuant to 13.04.010 is hereby authorized to the extent all other Municipal Code requirements are complied with.

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended approval. He explained that the property owner, Mr. Mervin Moore, had requested the amendment to the contract to permit access to the property off of Stanton Street.

Motion made by Representative Austin, seconded by Representative Cobos and unanimously carried to approve the above Resolution.

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Motion made by Representative Lozano, seconded by Representative Escobar and unanimously carried to approve the following item:

On May 4, 2004, City Council approved award of Bid No. 2004-149, Ramona Ave.-Thomas Pl. Street and Drainage Improvements, to C. F. Jordan L.P. The Council form contained an error in the amount of award for Base Bid II, and was subsequently carried over to the Motion. Request Council approve the following correction of a scribner's error, as follows:

Correct amount for Base Bid II from $68,602.00 to $75,312.00. The total award amount of $711,363.00 remains the same.

Representative Austin was not present for the vote.

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Motion made by Representative Cushing, seconded by Representative Escobar and unanimously carried to delete the Resolution that the City of El Paso hereby awards Contract Bid Number 2004-092, El Paso Zoo New Zoo Support Facilities in the amount of $ 3,177,209.00 as this Offeror provides the Best Value to the City based on the published criteria and on its ranking evaluation; and

That the Mayor be authorized to sign the contract referenced above as approved by the City Engineer, Contract Compliance, Purchasing and the City Attorney; and

That the Mayor be authorized to execute budget transfers for this award and project as necessary; and

That the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction 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 per numbered change order and 10% of the original contract price as awarded, without further authorization by City Council.

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Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve Bid No. 2004-119 Temporary Personnel Backup, as amended:

Award to:	Vendor #1	Adecco Employment Services El Paso, TX
Item (s):		#1, 2, 4, 6, 7, 8 & 11
Amount:		$4.851.55 (estimated year)

	Vendor #2	Advance'd Temporaries Inc. El Paso, TX
Item (s):		#3, 9 & 10
Amount:		$3,551.40 (estimated year)
	Vendor #3	dmDickason Personnel Svcs El Paso, TX
Item (s):		#5
Amount:		$2,529.60 (estimated year)

Department:	Human Resources
Funds available:	Various
Funding source:	Various
Total award:	$32,797.65 (estimated)

Human Resources Department and Purchasing recommend award as indicated to the lowest responsive offers meeting specifications, from responsible parties.

This is a thirty-six [36] month contract with no renewable options.

Item #11 was quoted at identical prices by two vendors, Adecco Employment Services & itsQuest Professional Staffing Solutions. Human Resources and Purchasing Department request that the Mayor and City Council draw lots on these offers to determine award.

Representative Austin was not present for the vote.

Representative Cobos moved to include Adecco in item 11 and approve the Bid. Representative Cook seconded.

NOTE: Lots were drawn for item 11. Mayor Pro Tem Cobos drew Adecco Employment Services as the winning bid. Item 11 was awarded to Adecco Employment Services.

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*Motion made, seconded and unanimously carried to postpone until the June 15, 2004 Regular City Council Meeting the public hearing to determine if the property located at 4425 Sunrise Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated April 28th, 2003. The owner of this property, Michael V. Torres, 5104 Flower Drive, El Paso, Texas 79905, has been notified of the violations at this property. No taxes are due.

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*Motion made, seconded and unanimously carried to postpone until the June 29, 2004 Regular City Council Meeting the public hearing to determine if the property located at 6127-6135 N. Mesa Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated February 2004. The owner of this property, Karl M. Friedman, 5647 A Cory Drive, El Paso, Texas 79932, has been notified of the violations at this property. Delinquent taxes in the amount of $0.

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RESOLUTION

WHEREAS, the Director for Building Permits and Inspections of the City of El Paso has conducted an investigation and has reported to the City Council in writing that he is of the opinion that the structure located on the property at 810 S. Oregon Street, in El Paso, Texas, which property is more particularly described as follows:

Lots: 15 and the South 16 Feet of Lot 14 and the North 1 Foot of Lot 16, Block 74, Campbell's Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 2, Page 68, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Guadalupe Norman AKA Lupe Norman, 203 E. 7th Street, El Paso, Texas 79901, record Owner, and all mortgagees and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on June 2nd, 2004; and

WHEREAS, NO ONE, APPEARED,

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

1. That City Council having heard the evidence, makes the following findings:

   a. That the structure located on said property is unsafe, substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and

   b. That the structure is not in substantial compliance with municipal ordinances regulating structural integrity and disposal of refuse; and

   c. The structure's certificate of occupancy is hereby revoked; and

   d. Since the owner has failed to supply any drawings, plans, or reports to indicate otherwise, we find that the structure cannot be repaired.

2. That the City Council hereby orders Owner to comply with the following requirements:
   a. That the Building be demolished within (30) days; and
   b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
   c. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
   d. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
   e. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all weeds, trash, and debris; and

3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections may demolish the Building and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and

4. That said Owner shall become personally liable for all costs incurred by City in connection with the demolition of the Building and cleaning the premises of all weeds, trash and debris; and

5. That the costs incurred by the City in connection with the demolition the Building and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and

6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:

   a. The City may perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
   b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed $1,000.00 a day for each violation or, if the Owner shows that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
   c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and

7. That upon failure of the Owner, any mortgagees or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and

8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and

9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and

10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits and Inspections, presented the case to Council Members and gave the department's recommendation(s).

Ms. Carmen Perez, attorney with Delgado, Acosta, Spencer, Linebarger, Heard & Perez LLP, explained that the delinquent taxes would be paid at the time the property closed.

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to approve the above Resolution.

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ORDINANCE 15791

The City Clerk read an Ordinance entitled: **AN ORDINANCE ESTABLISHING DEADLINES AND PROCEDURES FOR PLACING MATTERS ON THE AGENDA FOR CITY COUNCIL MEETINGS AND REPEALING ORDINANCE NO. 010397, ORDINANCE NO. 011042, ORDINANCE NO. 011573, AND ORDINANCE NO. 15264.**

Representative Cushing moved that the Council Members accept option four which was provided in the backup documents and to disregard options 1, 2, and 3.

Ms. Terri Cullen-Garney, Deputy City Attorney, explained that option four would change the deadline for placing items on the Addition to the Agenda to 9:00 a.m. Friday mornings, additionally, items not received by 9:00 a.m. Friday morning must then be classified as a UPN (Urgent Public Necessity) to be heard by the Council at the following City Council meeting.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Cook, that the Ordinance be adopted, selection four of the draft ordinance. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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ORDINANCE 15792

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO ADD NEW LOCATIONS ON COLLINGSWORTH STREET. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Lozano, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Lozano, Cook, Power, Escobar and Rojas
NAYS: None Absent: None

Council Members Cushing and Cobos were not present for the vote.

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15792, 15793, 15794 and 15795 were considered together.

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ORDINANCE 15793

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III- PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO ADD A NEW LOCATION ON MARYLAND STREET, BETWEEN GEIGER AVENUE AND ALAMEDA AVENUE (SH-20), WESTSIDE ONLY. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Lozano, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Lozano, Cook, Power, Escobar and Rojas
NAYS: None Absent: None

Council Members Cushing and Cobos were not present for the vote.

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15792, 15793, 15794 and 15795 were considered together.

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ORDINANCE 15794

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO ADD A NEW LOCATION ON GEIGER AVENUE, BETWEEN COLLINGSWORTH STREET AND CARGIL STREET, BOTH SIDES. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Lozano, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Lozano, Cook, Power, Escobar and Rojas
NAYS: None Absent: None

Council Members Cushing and Cobos were not present for the vote.

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15792, 15793, 15794 and 15795 were considered together.

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ORDINANCE 15795

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC). CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO ADD A NEW LOCATION ON WYMOND COURT, NORTH SIDE ONLY. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Lozano, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Lozano, Cook, Power, Escobar and Rojas
NAYS: None Absent: None

Council Members Cushing and Cobos were not present for the vote.

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15792, 15793, 15794 and 15795 were considered together.

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ORDINANCE 15796

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV, SPEED LIMITS), OF THE EL PASO MUNICIPAL CODE, TO ADD A SUBSECTION IDENTIFYING THE SPEED LIMIT AS THIRTY-FIVE MILES PER HOUR ON TED HOUGHTON DRIVE FROM PELLICANO DRIVE TO OLGA MAPULA DRIVE. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Escobar, seconded by Representative Power, that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lozano, Cook, Power, Escobar and Rojas
NAYS: None Absent: None

Council Members Austin, Cushing and Cobos were not present for the vote.

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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ORDINANCE 15797

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO DELETE VARIOUS EXISTING LOCATIONS AS THE PROPOSED DELETIONS ARE DUPLICATES FOUND ELSEWHERE IN SECTION 12.88.030. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Escobar, seconded by Representative Lozano, that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Lozano, Cook, Power, Escobar and Rojas
NAYS: None Absent: None

Council Members Cushing and Cobos were not present for the vote.

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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ORDINANCE 15798

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.180 (NO STOPPING OR STANDING - TOW-AWAY ZONE), SUBSECTION (A), SUBPARAGRAPH 84 OF THE EL PASO MUNICIPAL CODE, BY REVISING PARKING RESTRICTIONS ON SANTA FE STREET. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. Ted Marquez, Traffic Engineer Division Manager – Engineering, displayed a map of the affected area and provided explanation. He noted that the Ordinance would become effective immediately upon approval.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Escobar, seconded by Representative Lozano, that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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*Motion made, seconded and unanimously carried to postpone until the June 15, 2004 Regular City Council Meeting an Ordinance authorizing the issuance of City of El Paso, Texas, General Obligation Commercial Paper Notes, Series B, in an aggregate principal amount not to exceed $50,000,000 for the purpose of providing money for certain authorized purposes; approving and authorizing certain authorized officers and employees to act on behalf of the City in the selling and delivery of such notes, within the limitations and procedures specified herein; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of the notes, including the approval of an Issuing and Paying Agency Agreement, a Credit Agreement, an Offering Memorandum and a Commercial Paper Dealer Agreement.

. . . . . .

*Motion made, seconded and unanimously carried to postpone until the June 15, 2004 Regular City Council Meeting an Ordinance of the City of El Paso, Texas, authorizing the issuance and sale of City of El Paso, Texas, Solid Waste Disposal System Revenue Bonds, Series 2004; providing for the security and payment of said bonds; approving the Official Statement; approving execution and delivery of a Bond Purchase Agreement and enacting other provisions relating thereto.

. . . . . .

ORDINANCE 15799

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00041, TO ALLOW FOR A PHILANTHROPIC USE ON A PORTION OF BLOCK 5, MARTINEZ HOMESTEAD ADDITION, EL PASO, EL PASO COUNTY, TEXAS (205 TOBIN PLACE) PURSUANT TO SECTION 20.14.040, AND THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended unanimous approval. He added that there was opposition to the Special Permit, however, after further discussion with the opponent, the opposition was removed. He answered questions from and responded to comments made by the Council Members.

Ms. Mary Ann Fleager, speaking on behalf of Mr. Harry Tyler, Executive Director for the Lighthouse for the Blind, appeared to answer any questions of the Council Members.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Lozano, seconded by Representative Rojas, that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Council Members Austin and Cushing were not present for the vote.

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

. . . . . .

Motion made by Representative Escobar, seconded by Representative Cobos and unanimously carried to move to the forefront of the regular agenda the following:

ORDINANCE 15800

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A 20-FOOT WIDE ALLEY WITHIN BLOCK 217, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

Representative Escobar stated that the courthouse would be a great addition to downtown and commented on dilapidated buildings to be demolished.

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and explained the need for the alley, street and right-of-way vacation(s) for the construction of the new Federal courthouse. He stated that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended unanimous approval and answered questions from and responded to comments made by the Council Members.

Federal Judge Phillip Martinez, spoke on behalf of Federal Judge David Briones, thanked City staff and explained that financing the courthouse was included in President Bush's Proposed 2005 Budget and actual construction would begin in 2005. He noted that the old courthouse would continue to serve the public for bankruptcy courts and other federal offices.

Mr. Kelvin Kroeker, representing the General Services Administration (BPLW Architects and Engineers, Inc.), gave a Powerpoint presentation and showed an artist's rendering of the proposed courthouse. He answered questions from and responded to comments made by the Council Members.

The City Clerk called for any public comment. There was no public comment.

Motion duly made by Representative Escobar, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Escobar, Rojas and Cobos
NAYS: None Absent: None

Council Member Power was not present for the vote.

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15800, 15801, 15802, 15803, 15804 and the Resolution that the El Paso City Council determines that the conveyance of its interest in the streets and alleys to the United States of America with the understanding that such properties will be incorporated into the new federal courthouse site is a paramount public use of the property and that the expansion of the federal courthouse facilities will benefit the City of El Paso and is found to be adequate consideration for the City's interest in such rights-of-way.

. . . . . .

Motion made by Representative Escobar, seconded by Representative Cobos and unanimously carried to move to the forefront of the regular agenda the following:

ORDINANCE 15801

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A 20-FOOT WIDE ALLEY WITHIN BLOCK 218, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

See the discussion for Ordinance 15800.

The City Clerk called for any public comment. There was no public comment.

Motion duly made by Representative Escobar, seconded by Representative Cook, that the Ordinance be adopted as revised. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Escobar, Rojas and Cobos
NAYS: None Absent: None

Council Member Power was not present for the vote.

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15800, 15801, 15802, 15803, 15804 and the Resolution that the El Paso City Council determines that the conveyance of its interest in the streets and alleys to the United States of America with the understanding that such properties will be incorporated into the new federal courthouse site is a paramount public use of the property and that the expansion of the federal courthouse facilities will benefit the City of El Paso and is found to be adequate consideration for the City's interest in such rights-of-way.

. . . . . .

Motion made by Representative Escobar, seconded by Representative Cobos and unanimously carried to move to the forefront of the regular agenda the following:

ORDINANCE 15802

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF CAMPBELL STREET (TRIANGLE) ADJACENT TO BLOCK 218, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

See the discussion for Ordinance 15800.

The City Clerk called for any public comment. There was no public comment.

Motion duly made by Representative Escobar, seconded by Representative Cook, that the Ordinance be adopted as revised. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Escobar, Rojas and Cobos
NAYS: None Absent: None

Council Member Power was not present for the vote.

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15800, 15801, 15802, 15803, 15804 and the Resolution that the El Paso City Council determines that the conveyance of its interest in the streets and alleys to the United States of America with the understanding that such properties will be incorporated into the new federal courthouse site is a paramount public use of the property and that the expansion of the federal courthouse facilities will benefit the City of El Paso and is found to be adequate consideration for the City's interest in such rights-of-way.

. . . . . .

Motion made by Representative Escobar, seconded by Representative Cobos and unanimously carried to move to the forefront of the regular agenda the following:

ORDINANCE 15803

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF FLORENCE STREET BETWEEN BLOCKS 217 AND 218, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

See the discussion for Ordinance 15800.

The City Clerk called for any public comment. There was no public comment.

Motion duly made by Representative Escobar, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Escobar, Rojas and Cobos
NAYS: None Absent: None

Council Member Power was not present for the vote.

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15800, 15801, 15802, 15803, 15804 and the Resolution that the El Paso City Council determines that the conveyance of its interest in the streets and alleys to the United States of America with the understanding that such properties will be incorporated into the new federal courthouse site is a paramount public use of the property and that the expansion of the federal courthouse facilities will benefit the City of El Paso and is found to be adequate consideration for the City's interest in such rights-of-way.

. . . . . .

Motion made by Representative Escobar, seconded by Representative Cobos and unanimously carried to move to the forefront of the regular agenda the following:

ORDINANCE 15804

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF OCHOA STREET ADJACENT TO BLOCK 217, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

See the discussion for Ordinance 15800.

The City Clerk called for any public comment. There was no public comment.

Motion duly made by Representative Escobar, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Escobar, Rojas and Cobos
NAYS: None Absent: None

Council Member Power was not present for the vote.

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15800, 15801, 15802, 15803, 15804 and the Resolution that the El Paso City Council determines that the conveyance of its interest in the streets and alleys to the United States of America with the understanding that such properties will be incorporated into the new federal courthouse site is a paramount public use of the property and that the expansion of the federal courthouse facilities will benefit the City of El Paso and is found to be adequate consideration for the City's interest in such rights-of-way.

. . . . . .

*Motion made, seconded and unanimously carried to delete an Ordinance authorizing the Mayor to execute a quitclaim (tax resale) deed for .046 acres, more or less, out of Lots 31 and 32, Block 7, East El Paso Addition, Supplemental Map #1, an Addition to the City of El Paso, Texas.

. . . . . .

ADDITION TO THE AGENDA

Motion made by Representative Cushing, seconded by Representative Escobar and carried to move to the forefront of the regular agenda the Resolution that the City's Parks and Recreation Department, through its Neighborhood Youth Outreach Program, be authorized to conduct a Summer Camp for youth ages 6 to 16 years at the Friendly Community Center, located at 2215 Murchison Drive, from 2:00 to 6:00 p.m. on weekdays during the period beginning June 14, 2004, and ending on July 30, 2004, and that the allocation of $3,000.00 from District 2 Discretionary Funds be authorized to support the Summer Camp.

AYES: Representatives Austin, Cushing, Lozano, Escobar, Rojas and Cobos
NAYS: Representative Cook
NOT PRESENT: Representative Power

RESOLUTION

WHEREAS, the City and the County of El Paso entered into a Lease, dated April 28, 1987, for the use by the City-County Nutrition Project of the Friendly Senior Citizens Center (now the Friendly Community Center or the Center), located at 2215 Murchison Drive; and

WHEREAS, under Section 6 of the Lease, the City reserves the right to use the Center for such recreational programs and activities that would not be incompatible with the County's lease and use of the premises; and

WHEREAS, the City desires to conduct a Summer Camp at the Center for youth ages 6 to 16 from 2:00 to 6:00 p.m. on weekdays during the period beginning June 14, 2004, and ending on July 30, 2004; and

WHEREAS, the County has by similar Resolution acknowledged its consent to the use of the Center for such purposes;

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

That the City's Parks and Recreation Department, through its Neighborhood Youth Outreach Program, be authorized to conduct a Summer Camp for youth ages 6 to 16 years at the Friendly Community Center, located at 2215 Murchison Drive, from 2:00 to 6:00 p.m. on weekdays during the period beginning June 14, 2004, and ending on July 30, 2004, and that the allocation of $3,000.00 from District 2 Discretionary Funds be authorized to support the Summer Camp.

Mr. Marcos Palacios, neighborhood parent, spoke in Spanish thanking Representative Cushing for the Summer Camp program for the children and providing financial support, while Ms. Virginia Villasana, neighborhood parent, interpreted.

Motion made by Representative Cushing, seconded by Representative Austin and unanimously carried to approve the above Resolution.

Representative Power was not present for the vote.

NOTE: This resolution was considered together with the request authorization to allocate the use of District 2 discretionary funds in the amount of $3,000.00 to the Parks and Recreation Department, through its Neighborhood Youth Outreach Program, to conduct a Summer Camp at the Friendly Community Center, located at 2215 Murchison Drive from 2:00 to 6:00 p.m. on weekdays during the period beginning June 14, 2004, and ending on July 30, 2004.

. . . . . .

Motion made by Representative Cushing, seconded by Representative Escobar and carried to move to the forefront of the regular agenda the request for authorization to allocate the use of District 2 discretionary funds in the amount of $3,000.00 to the Parks and Recreation Department, through its Neighborhood Youth Outreach Program, to conduct a Summer Camp at the Friendly Community Center, located at 2215 Murchison Drive from 2:00 to 6:00 p.m. on weekdays during the period beginning June 14, 2004, and ending on July 30, 2004.

AYES:	Representatives Austin, Cushing, Lozano, Escobar, Rojas and Cobos
NAYS:	Representative Cook
NOT PRESENT:	Representative Power

Motion made by Representative Cushing, seconded by Representative Austin and unanimously carried to approve the request for authorization to allocate the use of District 2 discretionary funds in the amount of $3,000.00 to the Parks and Recreation Department, through its Neighborhood Youth Outreach Program, to conduct a Summer Camp at the Friendly Community Center, located at 2215 Murchison Drive from 2:00 to 6:00 p.m. on weekdays during the period beginning June 14, 2004, and ending on July 30, 2004.

Representative Power was not present for the vote.

NOTE: This request was considered together with the Resolution that the City's Parks and Recreation Department, through its Neighborhood Youth Outreach Program, be authorized to conduct a Summer Camp for youth ages 6 to 16 years at the Friendly Community Center, located at 2215 Murchison Drive, from 2:00 to 6:00 p.m. on weekdays during the period beginning June 14, 2004, and ending on July 30, 2004, and that the allocation of $3,000.00 from District 2 Discretionary Funds be authorized to support the Summer Camp.

. . . . . .

Item: Presentation, discussion and action on the proposal by Cypress Equities concerning proposed arena at Bassett Center.

Motion made by Representative Cushing, seconded by Representative Cobos and carried to instruct the City Attorney's Office to get together with bond counsel to start drafting the documents necessary to place this proposal on the September 11, 2004, ballot.

AYES: Representatives Cobos, Cushing, Lozano, Cook, Power Escobar and Cobos
NAYS: Representative Rojas

Mayor Pro Tem Cobos stated that a Legislative Review Committee of the Whole meeting would be scheduled for next week, during the evening hours, to allow for further in-depth discussions.

Representative Cushing requested that the Cypress Equities Powerpoint presentation be made available on the City's website.

Representatives Rojas, Power, Escobar, Cushing, Cook and Austin asked questions of Messrs. Minnis and Kozuback.

The following members of the public spoke in opposition:

Dr. Henry P. King, citizen, provided handout material to the Council Members (on file in the City Clerk's office);

Mr. Ray Gilbert, citizen; objected to the matter placed on the September 11th ballot. He suggested the November ballot to allow exposure to more voters during the national election;

Mr. Sal Gomez, citizen, opposed the Bassett Center site for the arena;

Mr. Mike Rooney, citizen, opposed hastening the arena proposal without thorough scrutiny;

Mr. Pat Goff, citizen, pointed out the public transportation benefit of having the arena downtown

Mr. Mike Breitinger, Executive Director, El Paso Central Business Association and El Paso Downtown Management District, spoke about the need to build the arena downtown and the need to determine its size. He answered questions from and responded to comments made by the Council Members.

Messrs. Ben Brooks and Norman Gordon, Bond Counsel, requested guidance from the Council Members regarding the appropriate funding mechanisms for the arena.

Mr. David Dobson, Director of Economic Development, commended Cypress Equities for taking the initiative to invest in El Paso. He read into the record language from the C. A. Johnson study regarding a proposed downtown arena. He urged the Council to focus on the process and avoid haste.

. . . . . .

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried that the City Council retire into EXECUTIVE SESSION at 1:28 p.m. 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:

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:

32B. Ralph and Carla Kilgore, 03-C-181 (551.071)

ADDN 4. Discussion and action regarding defense of claims alleged in Cause No: EP04CA0185 styled Nancy L. Hollebeke v. City of El Paso et al. (551.071)

Motion made by Representative Cushing, seconded by Representative Escobar and unanimously carried to adjourn the Executive Session at 1:51 p.m. and reconvene the meeting of the City Council, during which time motions were made as follows:

Representatives Lozano and Power were not present for the vote.

. . . . . .

*Motion made, seconded and unanimously carried to delete the following executive session item:

City of El Paso vs. Vintage Car Wash, File No. 02-PD-6-4G. (551.071)

. . . . . .

Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried that the claim entitled **RALPH AND CARLA KILGORE, Our file No. 03-C-181,** be **DENIED,** as recommended by the City Attorney.

Representatives Lozano and Power were not present for the vote.

. . . . . .

Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried that the City Attorney be **AUTHORIZED SETTLEMENT AUTHORITY** in the claim entitled **Ralph and Carla Kilgore; Our File No. 03-C-181,** as recommended by the City Attorney.

Representative Lozano was not present for the vote.

. . . . . .

Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried that the City SHALL provide legal representation to the City of El Paso and its current and former employees, who are named as defendants in the civil action styled Nancy L. Hollebeke vs. City of El Paso, et al, Cause EP-04-CA-0185, as recommended by the City Attorney.

Representative Lozano was not present for the vote.

. . . . . .

Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 1:54 p.m.

Representative Lozano was not present for the vote.

. . . . . .

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk