

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
April 24, 2012
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:33 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Carl Robinson, Michiel R. Noe, Steve Ortega, and Cortney Carlisle Niland. Late arrivals: Susie Byrd at 8:36 a.m.; Emma Acosta at 8:36 a.m. and Eddie Holguin, Jr. at 8:55 a.m. The invocation was given by Police Chaplain, Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. **ARBOR DAY 2012**
2. **NATIONAL REBUILD DAY**

RECOGNITIONS

1. **Mr. Joe H. Cano, 25 years**
2. **Mr. Martin Rodriguez, 25 years**
3. **Mr. Christopher Celaya, 25 years**
4. **Mr. Juan Francisco Rodriguez, 25 years**
5. **Mr. Oscar Salazar, 25 years**
6. **Ms. Sylvia Martinez, 25 years**

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

Requests to speak must be received by 8:30 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. James Perry
2. Ms. Lisa Turner
3. Mr. Salvador Gomez

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None
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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of April 17, 2012 and the Legislative Review Meeting of the Whole of April 16, 2012.
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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.
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3A.

***RESOLUTION**

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

That the City Manager be authorized to sign a First Amendment to Non-Commercial Aviation Ground Lease by and between the City of El Paso and Dade Aviation, Inc. to include the correct legal description for the following described leased premises:

A 60,000 square foot parcel, more or less, being Lots 25, 26 and 27, and a vacated portion of Boeing Drive, El Paso International Airport Tracts Unit 2, City of El Paso, El Paso County, Texas, and municipally known and numbered as 7605 Boeing Drive, El Paso, Texas.
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3B.

***RESOLUTION**

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

That the City Manager be authorized to sign "Supplemental Lease Agreement No. 2" to Lease No. GS-07B-16867 by and between the City of El Paso and the United States of America regarding the Transportation Security Administration's rental of space in the El Paso International Airport Terminal building to allow for the installation and usage of communication equipment.
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3C.

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

Motion made, seconded, and unanimously carried to **DELETE** a Resolution that the City Council ratify the award of Parks Upgrade 2010 – Phase I, Solicitation No. 2011-185, to Smart Con, LLC, the lowest responsive bidder, and approve the expenditure of additional available funding in the amount of \$6,043 to Smart Con, LLC for additional construction costs for the project.

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3D.

***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 City Manager be authorized to sign that certain Waste Exchange Agreement by and between the City of El Paso and El Paso Disposal, LP and Camino Real Environmental Center, Inc. joined for approval purposes by its parent company Waste Connections, Inc., to allow, on a quarterly basis and at no tipping fee except in certain circumstances, for the City to deposit up to 15,000 tons of acceptable waste in the Camino Real Landfill and to allow for El Paso Disposal, LP to deposit up to 15,000 tons of acceptable waste in the Greater El Paso Regional Landfill.

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3E.

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

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

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

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

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

6944 Oveja Avenue, more particularly described as Lot(s) 10 & ELY 1.32 FT
OF LOT 9 (7803.60 SQ FT), Block 44, Chaparral Park #13 Subdivision, El
Paso, El Paso County, Texas, Parcel # C340-999-0440-1900

to be \$133.25, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FIFTY SEVEN AND 25/100 DOLLARS (\$157.25). The City Council finds that the work was completed on the 16th day(s) of September, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY SEVEN AND 25/100 DOLLARS (\$157.25) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

6208 Patria Street, more particularly described as Lot(s) 27 (EXC ELY 9.80 Ft) (5220.00 Sq Ft), Block 6, Borderland Heights #4 Subdivision, El Paso, El Paso County, Texas, Parcel # B690-999-0006-2700

to be \$67.70, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of NINETY ONE AND 70/100 DOLLARS (\$91.70). The City Council finds that the work was completed on the 7th day(s) of October, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount NINETY ONE AND 70/100 DOLLARS (\$91.70) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

644 Pinar del Rio Drive, more particularly described as Lot(s) 5 (10339.00 Sq Ft), Block 18, West Green #3 Subdivision, El Paso, El Paso County, Texas, Parcel # W144-999-0180-0500

to be \$110.29, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED THIRTY FOUR AND 29/100 DOLLARS (\$134.29). The City Council finds that the work was completed on the 26th day(s) of October, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED THIRTY FOUR AND 29/100 DOLLARS (\$134.29) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

5000 Andes Drive, more particularly described as Lot(s) 1188 (7233 Sq Ft),
Block 46, Mountain View Subdivision, El Paso, El Paso County, Texas,
Parcel # M851-999-0460-5000

to be \$195.25, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED NINETEEN AND 25/100 DOLLARS (\$219.25). The City Council finds that the work was completed on the 9th day(s) of June, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED NINETEEN AND 25/100 DOLLARS (\$219.25) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

2516 Memphis Avenue, more particularly described as Lot(s) 29 to 31 (9000
Sq Ft), Block 122, Highland Park Subdivision, El Paso, El Paso County,
Texas, Parcel # H453-999-1220-6500

to be \$120.01, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY FOUR AND 01/100 DOLLARS (\$144.01). The City Council finds that the work was completed on the 27th day(s) of September, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY FOUR AND 01/100 DOLLARS (\$144.01) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

2619 N Piedras Street, more particularly described as Lot(s) N 40 Ft of Lot(s) 17 to 19 & N 40 Ft of E 15 Ft of Lot 20 (3600 Sq Ft), Block 126, Highland Park Subdivision, El Paso, El Paso County, Texas, Parcel # H453-999-1260-5100

to be \$83.94, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVEN AND 94/100 DOLLARS (\$107.94). The City Council finds that the work was completed on the 19th day(s) of October, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVEN AND 97/100 DOLLARS (\$107.94) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

1025 N. Carolina Drive, more particularly described as Pt of Blk Beg 428.83
Ft S of NEC (350 Ft on E - Irreg on S & W - 679.17 Ft on N) (6.8837 AC),
Block 33, Sageland 2nd Replat Subdivision, El Paso, El Paso County, Texas,
Parcel # S029-999-0330-2000

to be \$258.59, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED EIGHTY TWO AND 59/100 DOLLARS (\$282.59). The City Council finds that the work was completed on the 22nd and 23rd day(s) of October, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED EIGHTY TWO AND 59/100 DOLLARS (\$282.59) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

1116 Del Norte Street, more particularly described as Lot(s) Tract 112 (7000 Sq Ft), Del Norte Heights Subdivision, El Paso, El Paso County, Texas, Parcel # D377-999-001C-2900

to be \$230.57, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED FIFTY FOUR AND 57/100 DOLLARS (\$254.57). The City Council finds that the work was completed on the 10th day(s) of October, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED FIFTY FOUR AND 57/100 DOLLARS (\$254.57) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, LUBIE & 2 HARVEY, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

7736 Hermosillo Drive, more particularly described as Lot(s) 26 (7334 Sq Ft), Block 12, Hacienda Heights Subdivision, El Paso, El Paso County, Texas, Parcel # H012-999-0120-5100

to be \$136.38, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SIXTY AND 38/100 DOLLARS (\$160.38). The City Council finds that the work was completed on the 2nd day(s) of June, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SIXTY AND 38/100 DOLLARS (\$160.38) to be a lien on the above described

property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

6016 Redstone Lane, more particularly described as Lot(s) 13 & W 8 Ft of
Lot 14 (7893.22 Sq Ft), Block 13, Dale Bellamah Subdivision, El Paso, El
Paso County, Texas, Parcel # D047-999-0130-6100

to be \$120.24, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY FOUR AND 24/100 DOLLARS (\$144.24). The City Council finds that the work was completed on the 6th day(s) of October, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY FOUR AND 24/100 DOLLARS (\$144.24) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, ANTONIO & AMISTA L SALCIDO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the

Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

2917 Nancy McDonald Drive, more particularly described as Lot(s) 2 (EXEC N 2.0 Ft) (6120 Sq Ft), Block 69, Vista Hills #22 Subdivision, El Paso, El Paso County, Texas, Parcel # V897-999-0690-0200

to be \$145.49, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SIXTY NINE AND 49/100 DOLLARS (\$169.49). The City Council finds that the work was completed on the 25th day(s) of August, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SIXTY NINE AND 49/100 DOLLARS (\$169.49) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

14012 Tierra Leona Drive, more particularly described as Lot(s) 57 (4711.63 Sq Ft), Block 145, Tierra Del Este #36 Subdivision, El Paso, El Paso County, Texas, Parcel # T287-999-1450-5700

to be \$84.47, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED EIGHT AND 47/100 DOLLARS (\$108.47). The City Council finds that the work was completed on the 4th day(s) of August, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED EIGHT AND 47/100 DOLLARS (\$108.47) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

9713 El Tepeyac Avenue, more particularly described as Lot(s) 15 (5565.00 Sq Ft), Block 3, Mission Pass Subdivision, El Paso, El Paso County, Texas,
Parcel # M597-999-0030-1500

to be \$75.00, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of NINETY NINE AND 00/100 DOLLARS (\$99.00). The City Council finds that the work was completed on the 19th day(s) of July, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount NINETY NINE AND 00/100 DOLLARS (\$99.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

8631 North Loop Drive, more particularly described as Tract 2 (EXC WLY PT) (167022.57 Sq Ft), Boothville Subdivision, El Paso, El Paso County, Texas, Parcel # B680-999-0010-0400

to be \$478.74, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of FIVE HUNDRED TWO AND 74/100 DOLLARS (\$502.74). The City Council finds that the work was completed on the 7th & 9th day(s) of June, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FIVE HUNDRED TWO AND 74/100 DOLLARS (\$502.74) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

8161 Valley View Drive, more particularly described as Lot(s) 17 (8330 Sq Ft), Block 1, La Paloma Park Subdivision, El Paso, El Paso County, Texas, Parcel #L064-999-0010-4900

to be \$172.72, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY SIX AND 72/100 DOLLARS (\$196.72). The City Council finds that the work was completed on the 20th day(s) of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY SIX AND 72/100 DOLLARS (\$196.72) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

5940 Cadiz Street, more particularly described as Lot(s) 254 (7875 Sq Ft), Block 17, Coronado Hills Subdivision, El Paso, El Paso County, Texas, Parcel # C818-999-0170-0100

to be \$91.83, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FIFTEEN AND 83/100 DOLLARS (\$115.83). The City Council finds that the work was completed on the 6th day(s) of October, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTEEN AND 83/100 DOLLARS (\$115.83) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

2. 7297 Cactus Spine Lane, more particularly described as Lot(s) 44 (6009.00 Sq Ft), Block 133, Chaparral Park #29 Rpl B Subdivision, El Paso, El Paso County, Texas, Parcel # C340-999-1330-4400

to be \$123.41, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY SEVEN AND 41/100 DOLLARS (\$147.41). The City Council finds that the work was completed on the 10th day(s) of October, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY SEVEN AND 41/100 DOLLARS (\$147.41) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

7324 Mission Viejo Drive, more particularly described as Lot(s) 15 (8652.49 Sq Ft), Block 14, Mesa Del Castillo #4 Subdivision, El Paso, El Paso County, Texas, Parcel # M327-999-0140-1500

to be \$105.00, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED TWENTY NINE AND 00/100 DOLLARS (\$129.00). The City Council finds that the work was completed on the 14th day(s) of October, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY NINE AND 00/100 DOLLARS (\$129.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

1717 E Missouri Avenue, more particularly described as Lot(s) 24 & E 1/2 of Lot 23 (4500 Sq Ft), Block 54, Franklin Heights Subdivision, El Paso, El Paso County, Texas, Parcel #F607-999-0540-6600

to be \$238.65, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED SIXTY TWO AND 65/100 DOLLARS (\$262.65). The City Council finds that the work was completed on the 12th day(s) of September, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SIXTY TWO AND 65/100 DOLLARS (\$262.65) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

3906 1/2 Tularosa Avenue, more particularly described as Lot(s) 28 & 29 (7000 Sq Ft), Block 20, Government Hill Subdivision, El Paso, El Paso County, Texas, Parcel # G569-999-0200-8900

to be \$94.34, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED EIGHTEEN AND 34/100 DOLLARS (\$118.34). The City Council finds that the work was completed on the 25th day(s) of August, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED EIGHTEEN AND 34/100 DOLLARS (\$118.34) to be a lien on the above

described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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3F.

***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 City Manager be authorized to sign a Document Storage & Retrieval System, File Validation and Secure Document Destruction Services Contract by and between the city of El Paso and both TIBH Industries, Inc., a private non-profit corporation and the certifying party, and ReadyOne Industries, Inc., the performing party, to provide specified document storage and retrieval, file validation and secure document destruction services for the City, as managed by the City of El Paso's Records Management Division, by and through the City's General Services Department. This is a service requirements contract at a currently estimated cost to the City of \$139,854.10 over the one-year term of the contract (April 24, 2012 through April 23, 2013).

Representative Byrd commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Stuart Ed, Director, General Services, commented.

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3G.

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

WHEREAS, The City of El Paso (hereinafter referred to as "The City") has granted Entravision Communications Corporation permission to utilize portions of City rights-of-way for Puebla En El Paso (hereinafter referred to as "Event"); and

WHEREAS, The City has found the Event serves a public purpose; and

WHEREAS, The State of Texas (hereinafter referred to as "The State") owns and operates a system of highways for public use and benefit within El Paso, Texas; and

WHEREAS, the Event utilizes both City and State rights-of-way; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of portions of the State Highway System for periods of time exceeding four hours; and

WHEREAS, the State, in recognition of the public purpose of the Event, provides a means of cooperating with the City for the temporary closure of State rights-of-way, provided each closure is in accordance with the requirements of 43 TAC, Section 22.12 and the City enters into an Agreement for the Temporary Closure of State Right of Way for each Event.

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

That the City Manager be authorized to sign an Agreement for the Temporary Closure of State Right Of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas for the temporary closure and use of State-owned Paisano Drive during Puebla En El Paso on May 5th and 6th, 2012, an event scheduled to exceed four hours in length and found by the City to serve a public purpose.

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3H.

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

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

WHEREAS, Entravision Communications Corporation (hereinafter referred to as "Grantee") is sponsoring Puebla En El Paso (hereinafter referred to as "Event"), from Saturday, May 5, 2012 to Sunday, May 6, 2012; and

WHEREAS, Bordier Enterprizes (hereinafter referred to as "Licensee") has been approved by the Grantee to provide for the sale and service of alcoholic beverages during the Event; and

WHEREAS, the Grantee has received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for more than twenty-four (24) hours on El Paso Street between West Paisano Drive and San Antonio Avenue from 2:00 am Saturday, May 5, 2012, to 1:00 pm Sunday, May 6, 2012, in conjunction with the Event; and

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

WHEREAS, the Grantee desires to provide for the sale and serving of alcoholic beverages on portions of the City rights-of-way.

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

That Entravision Communications Corporation and Bordier Enterprizes be authorized to provide for the sale and service of alcoholic beverages at Puebla En El Paso in the closed portion of El Paso Street between West Paisano Drive and San Antonio Avenue from 12:00 pm Saturday, May 5, 2012, to 2:00 am Sunday, May 6, 2012.

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3I.

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

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

WHEREAS, Lowbrow Palace, LLC (hereinafter referred to as "Grantee") is sponsoring a Cinco de Mayo Block Party (hereinafter referred to as "Event"), from Saturday, May 5, 2012 to Sunday, May 6, 2012; and

WHEREAS, the Grantee has received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for less than twenty-four (24) hours on Robinson Street between Oregon Street and North Mesa Street from 10:00 am Saturday, May 5, 2012, to 3:00 am Sunday, May 6, 2012, in conjunction with the Event; and

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

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

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

That Lowbrow Palace, LLC be authorized to provide for the sale and service of alcoholic beverages at the Cinco de Mayo Block Party in the closed portion of Robinson Street between Oregon Street and North Mesa Street from 5:00 pm Saturday, May 5, 2012 to 2:00 am Sunday, May 6, 2012.

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3J.

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

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

WHEREAS, LAVA Entertainment Group, LLC (hereinafter referred to as "Grantee") is sponsoring a Cinco de Mayo Block Party (hereinafter referred to as "Event"), from Saturday, May 5, 2012 to Sunday, May 6, 2012; and

WHEREAS, the Grantee has received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for less than twenty-four (24) hours on West San Antonio Avenue between Durango Street and Anthony Street from 7:00 am Saturday, May 5, 2012, to 7:00 am Sunday, May 6, 2012, in conjunction with the Event; and

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

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

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

That LAVA Entertainment Group, LLC be authorized to provide for the sale and service of alcoholic beverages at the Cinco de Mayo Block Party in the closed portion of West San Antonio Avenue between Durango Street and Anthony Street from 2:00 pm Saturday, May 5, 2012, to 2:00 am Sunday, May 6, 2012.

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4A. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Sergio Vasquez to the Fair Housing Task Force by City Representative Ann Morgan Lilly, District 1.

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4B. BOARD RE-APPOINTMENT

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

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5 NOTICE OF CAMPAIGN CONTRIBUTIONS

*Motion made, seconded, and unanimously carried to **APPROVE** the notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contribution by Representative Ann Morgan Lilly in the amount of \$1000 from Daniel M. Rowe; \$1000 from Linda M. Thomas; \$500 from Richard V. Teschner; \$500 from Bette Azar; \$500 from Ike J. Monty; \$500 from Gary B. Sapp; \$500 from Lynn C. Martin; \$1000 from Maria E. Ortiz; \$1000 from Michael A. Hiett; \$1000 from Marcus Dyer; \$1000 from Herschel A. Stringfield; \$1000 from Scott Winton; \$779.13 from Stanley P. Jobe.

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6. APPLICATION FOR TAX REFUNDS

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

- A. Millenium Auto Center in the amount of \$2,721.48 overpayment of 2011 taxes. (PID #09SS-999-1120-0242).
- B. Rent-A-Tire LP in the amount of \$7,293.02 overpayment of 2011 taxes. (PID #2000-999-1563-0034).
- C. River Oaks Properties, Ltd. in the amount of \$60,216.52 overpayment of 2011 taxes. (PID #A765-999-002E-0556).
- D. Corelogic c/o Aurora Bank in the amount of \$2,521.90 overpayment of 2011 taxes. (PID #E054-999-0460-1900).
- E. Hilda E. Mijares in the amount of \$3,568.89 overpayment of 2011 taxes. (PID #S700-999-0070-1100).

F. Corelogic c/o Nationstar in the amount of \$6,006.67 overpayment of 2011 taxes.
(PID #U819-000-0160-09F1).

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7A.. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and unanimously carried to **REJECT** the proposals received for Solicitation No. 2012-111R, (EB-5 Regional Center) as recommended by Financial Services Department – Purchasing Division and Planning and Economic Development Department as bids were deemed non-responsive.

Department: Planning & Economic Development
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7B. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Kidde Fire Trainers, Inc., the sole source provider for Aqua Mesh Fireplace. This purchase is for the upgrade to the Fire Trainer T-2000 to include Aqua Mesh water bath burner retrofit, gas detection, and computer system located at Fire Training Academy.

Department:	Fire
Award to:	Kidde Fire Trainers, Inc. Montvale, NJ
Total Estimated Amount:	\$105,000
Account Nos.:	22010096 – 502226 – 01101 22010320 – 503303 – 01101
Funding Source:	General Fund
Sole Source No.:	2012-211

This is a Sole Source, services contract.
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8A. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-119 (Front Loaders) to Sierra Machinery, Inc., for a total of \$251,526.

Department:	General Services
Award to:	Sierra Machinery, Inc. El Paso, TX
Items:	1, O-2, O-3
Option:	Purchase 100% of Original Contract Quantities, up to 365 days
Total Award:	\$251,526 (2 vehicles)
Account No:	34010289 – 508029 – 40499 – PSWM0017
Funding Source:	Environmental Services Department, Heavy Off-Road Equipment

This is a Best Value, single (one-time) purchase.

The Financial Services - Purchasing Division and General Services – Fleet Division recommend award as indicated to Sierra Machinery, Inc, the bidder offering the best value bid.
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8B.

***RESOLUTION**

WHEREAS, on March 9, 2010, the City awarded Contract No. 2010-066 (Audio/Visual Materials – All Languages, Adult and Juvenile) to Baker & Taylor; and

WHEREAS, the amount of the Contract awarded will soon be exceeded and the City has notified the vendor that the City would rebid the contract and Council would terminates said Contract for convenience pursuant to the provisions of the Contract; and

WHEREAS, pursuant to Section C, Paragraph 8A of the Contract (Termination for Convenience), the City is authorized to terminate the Contract for convenience; and

WHEREAS, the City desires to terminate the Contract for convenience.

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

That the Purchasing Manager is authorized to notify Baker & Taylor the City is terminating Contract No. 2010-066 pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses, and that the termination shall be effective as of April 24, 2012.

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8C. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-106 (Audio/Visual Materials-All Languages, Adult and Juvenile) to Baker & Taylor Inc. for an initial term estimated award of \$360,000.

Department:	Libraries
Award to:	Baker & Taylor Inc. Charlotte, NC
Items:	All
Initial Term:	3 Years
Option:	2 Years
Annual Estimated Award:	\$120,000
Initial Term Estimated Award:	\$360,000 (3 Years)
Total Estimated Award:	\$600,000 (5 Years)
Account No.:	53010202 – 503103 - 01101
Funding Source:	General Fund - Library Materials
Districts:	All

This is a Best Value, requirements contract.

The Financial Services - Purchasing Division and Libraries recommend award as indicated to Baker & Taylor Inc., the bidder offering the best value bid.

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8D. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-148 (Body Armor) to Galls, LLC for a total estimated award of \$377,300.

Department:	Police
Award to:	Galls, LLC (Alternate 1) Lexington, KY
Items:	All

Initial Term:	2 Years
Option:	None
Annual Estimated Award:	\$188,650
Total Estimated Award:	\$377,300 (2 Years)
Account No.:	21010060 – 503120 – 01101
Funding Source:	General Fund – Uniforms and Apparel Supplies

This is a Best Value, unit price contract.

The Financial Services - Purchasing Division and the Police Department recommend award as indicated to Galls, LLC the bidder offering the best value bid.

8E. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-151 (Tire Recap, Retread and Casing Repair Services) to R. B. Wicker Tire and Rubber Company, Inc. for an initial term estimated award of \$395,137.50.

Department:	General Services
Award to:	R.B. Wicker Tire and Rubber Company, Inc. El Paso, TX
Items:	All
Initial Term:	3 Years
Option:	2 Years
Annual Estimated Award:	\$131,712.50
Initial Term Estimated Award:	\$395,137.50 (3 Years)
Total Estimated Award:	\$658,562.50 (5 Years)
Account No.:	37370510 – 503125 - 45202
Funding Source:	Internal Service Fund – Equipment, Outside Repairs

This is a Best Value, services contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to R. B. Wicker Tire and Rubber Company, Inc., the bidder offering the best value bid.

9. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-109 (Spanish Language Magazines) to Latin American Periodicals, LLC for an initial term estimated award of \$300,000.

Department:	Libraries
Award to:	Latin American Periodicals, LLC Nogales, AZ
Items:	All
Initial Term:	3 Years
Option:	2 Years
Annual Estimated Award:	\$100,000
Initial Term Estimated Award:	\$300,000 (3 Years)
Total Estimated Award:	\$500,000 (5 Years)
Account No.:	53010202 – 503103 – 01101
Funding Source:	Library Materials – General Fund

This is a low bid, supplies contract.

The Financial Services - Purchasing Division and Libraries recommend award as indicated to Latin American Periodicals, LLC, the sole responsive, responsible bidder.

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10A THROUGH 10I TAKEN TOGETHER

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

- 10A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.010 (Schedule I - One-Way Streets) of the El Paso City Code, to delete San Antonio Avenue from El Paso Street to Florence Street, the penalty being as provided in Section 12.84.010 and Chapter 12.85 of the El Paso City Code.
- 10B.** An Ordinance granting a franchise to Life Ambulance Service Inc. to operate a non-emergency ambulance transfer service.
- 10C.** An Ordinance granting a franchise to Elite Medical Transport to operate a non-emergency ambulance transfer service.
- 10D.** An Ordinance granting a franchise to Dominion Ambulance, LLC to operate a non-emergency ambulance transfer service.
- 10E.** An Ordinance granting a franchise to American Medical Response Ambulance Service, Inc. to operate a non-emergency ambulance transfer service.

PUBLIC HEARING WILL BE HELD ON MAY 1, 2012, FOR ITEMS 10A – 10E

- 10F.** An Ordinance changing the zoning of the following real property known as: Parcel 1: Block 34 excluding Lot 1 and Lot 31, all of Block 35 and Block 36 excluding Lot 1 and Lot 20, City of El Paso, El Paso County, Texas, from R-5/SC (Residential/Special Contract) to RMU (Residential Mixed Use); and, Parcel 2: Lot 1, Block 36, Montwood Heights Unit 8, City of El Paso, El Paso County, Texas, from C-3/SC (Commercial/Special Contract) to RMU (Residential Mixed Use). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: north of Zaragoza Road and east of Joe Battle Boulevard. Property Owner: The Housing Authority of the City of El Paso. PZRZ12-00005
- 10G.** An Ordinance releasing all conditions placed on property by Special Contract No. 56-005 of the following parcels: Parcel 1: a portion of Tract 1 and Tract 2, Bassett Center Subdivision, City of El Paso, El Paso County, Texas, and Parcel 2: a portion of Tract 1 and Tract 2, Bassett Center Subdivision, City of El Paso, El Paso County, Texas, and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: north of I-10 and east of Magruder Street. Property Owner: Bassett Place Real Estate Company, LLC. PZCR12-00001
- 10H.** An Ordinance changing the zoning for the following parcels of land:

Parcel 1. a portion of Tract 1, all of Tracts 3 and 3A, John Barker Survey No. 10 and Tract 4F2B, A.F. Miller Survey No. 215 and Tracts 6 and 7, I.F. Harrison Survey No. 54 and Montecillo Unit Three Amending Plat save and except Lot 2, Block 2, thereof as recorded in clerk's file no. 20090065237 and save and except 4.6007 acres being Lots 3 and 4, Block 9, Montecillo Unit Three Replat A, recorded in clerk's file No. 20110085971, Real property records City of El Paso, El Paso County, Texas, from C-1, C-2, C-3/C, GMU/C, A-2, R-3, R-3A, R-5, and M-1 to SCZ (SmartCode zone), and Parcel 2. Tract 4, John Barker Survey No. 10, City of El Paso, El Paso County, Texas from M-3 to SCZ (SmartCode zone); and Parcel 3. Lot 1, Block 3, Kings Hill Replat and Tract 4A, 6G and a portion of Tract 6A, A.F. Miller Survey No. 216 and Tract 21, John Barker Survey No. 10, City of El Paso, El Paso County, Texas, from C-1, C-1/SC, A-O/SC, A-O/C/SC, PR-1/SC and R-3 to SCZ (SmartCode zone). The penalty is as provided for in Chapter 21.60 of the El Paso City Code. Property Owner: EPT Mesa Development, LP PZRZ11-00058.

- 10I.** An Ordinance amending Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Chapter 21.40 (Infill Community Plans), Chapter 21.50 (Building Scale Plans), Chapter 21.70 (Definitions of Terms), and Chapter 21.80 (Tables) of the El Paso City Code to clarify the Smartcode provisions, to calibrate the SmartCode to the local character of the place and local conditions, and to add standards for a new transect zone; the penalty is as provided for in Chapter 21.60 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 15, 2012, FOR ITEMS 10F –10I

11A GENERAL SERVICES

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **AWARD** Solicitation No. 2012-152 (Off-Site Vehicle Propane Fueling Services) to Heritage Operating LP dba Denman Propane for an initial term estimated award of \$873,000.

Department:	General Services
Award to:	Heritage Operating LP dba Denman Propane El Paso, TX
Items:	All
Initial Term:	3 Years
Option:	2 Years
Annual Estimated Award:	\$ 291,000
Initial Term Estimated Award:	\$ 873,000 (3 Years)
Total Estimated Award:	\$1,455,000 (5 Years)
Account No.:	37370510 – 503124 – 45202
Funding Source:	Internal Service Fund – Fuel Inventory Purchases

This is a low bid, service contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Heritage Operating LP dba Denman Propane, the lowest responsive, responsible bidder.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

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11B. AND 11C. TAKEN TOGETHER

11B. GENERAL SERVICES

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **APPROVE** a Resolution authorizing the Purchasing Manager to notify Rush Truck Centers of Texas, L.P. dba Rush Truck Center, El Paso that the City is terminating Contract No. 2010-063 pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses, and that the termination shall be effective as of April 24, 2012.

Department: General Services

11C. GENERAL SERVICES

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **AWARD** Solicitation No. 2012-172 (Peterbilt Proprietary Parts and Service) to Rush Truck Centers of Texas, L.P. dba Rush Truck Center, El Paso for an initial term estimated award of \$510,000.

Department:	General Services
Award to:	Rush Truck Centers of Texas, L.P. dba Rush Truck Center, El Paso El Paso, TX
Items:	All
Initial Term:	3 Years
Option:	2 Years
Annual Estimated Award:	\$170,000
Initial Term Estimated Award:	\$510,000 (3 Years)
Total Estimated Award:	\$850,000 (5 Years)
Account No.:	37370510 – 503125 – 45202
Funding Source:	Internal Service Fund – Equipment, Outside Repairs

This is a low bid, service contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Rush Truck Centers of Texas, L.P. dba Rush Truck Center, El Paso, the sole responsive, responsible bidder.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

Representative Byrd commented.

Mr. Stuart Ed, Director, General Services, commented.

Mr. Bruce Collins, Financial Services, commented

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11D. AND 11E. WERE TAKEN TOGETHER

11D. GENERAL SERVICES

WHEREAS, on October 27, 2009, the City awarded Contract No. 2009-290 (Cummins Proprietary Parts) to Border International Trucks, for the General Services Department; and

WHEREAS, the amount of the Contract awarded has been exceeded and the City has notified the vendor that the City would rebid the contract and Council would terminate said Contract for convenience pursuant to the provisions of the Contract; and

WHEREAS, pursuant to Section C, Paragraph 8A of the Contract (Termination for Convenience), the City is authorized to terminate the Contract for convenience; and

WHEREAS, the City desires to terminate the Contract for convenience.

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

That the Purchasing Manager is authorized to notify Border International Trucks that the City is terminating Contract No. 2009-290 pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses, and that the termination shall be effective as of April 24, 2012.

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

11E. GENERAL SERVICES

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **AWARD** Solicitation No. 2012-171 (Cummins Proprietary Parts and Service) to Rush Truck Centers of Texas, L.P. dba Rush Truck Center, El Paso for an initial term estimated award of \$825,000.

Department:	General Services
Award to:	Rush Truck Centers of Texas, L.P. dba Rush Truck Center, El Paso El Paso, TX
Items:	All
Initial Term:	3 Years
Option:	2 Years
Annual Estimated Award:	\$ 275,000
Initial Term Estimated Award:	\$ 825,000 (3 Years)
Total Estimated Award:	\$1,375,000 (5 Years)
Account No.:	37370510 – 503125 – 45202
Funding Source:	Internal Service Fund – Equipment, Outside Repairs

This is a low bid, service contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Rush Truck Centers of Texas, L.P. dba Rush Truck Center, El Paso, the lowest responsive, responsible bidder.

Representative Byrd commented.

Mr. Bruce Collins, Financial Services, commented.

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Acosta

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12 INFORMATION TECHNOLOGY

Motion made by Representative Acosta, seconded by Representative Robinson, and unanimously carried to **POSTPONE** four weeks a Resolution authorizing the City Manager to sign a Lease between the City of El Paso and Luther Acquisition Company, L.P. for the lease of the property commonly known as 218 North Campbell, El Paso, Texas more particularly described as Lots 11-14, Block 230, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 2, Page 68, Real Property Records, El Paso County, Texas, and that the City Manager, or her designee, be authorized to sign any necessary documents to accomplish the intent of this Resolution.

Mr. William Studer, Deputy City Manager, and Mr. Miguel Gamino, Director, Information Technology, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Lilly, Acosta, Robinson, Noe, Ortega, and Niland commented.

Ms. Joyce Wilson, City Manager, commented.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

1ST MOTION

Motion made by Representative Ortega seconded by Mayor Pro Tempore Lilly and unanimously carried to **SUSPEND THE RULES** of Council to allow for additional speakers after the sign up period.

Ms. Lisa Turner, citizen, commented.

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13 MUNICIPAL CLERK

Motion made by Representative Byrd, seconded by Representative Acosta, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City's option to extend current Contract 2009-109 (Security – Municipal Court) with Ruiz Protective Service, Inc. for two additional years pursuant to the provisions of an award approved by the City Council on May 12, 2009. The extended contract period will be from June 1, 2012 to May 31, 2014.

Department:	Municipal Clerk
Award to:	Ruiz Protective Services, Inc. Dallas, TX
Option:	One [of One]
Annual Estimated Amount:	\$258,855.24
Total Estimated Amount:	\$517,710.48 (2 Years)
Account No.:	11153060 – 502212 – 16011
Funding Source:	Municipal Court Security Fund

This is a Best Value, services contract.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

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14A. MAYOR AND COUNCIL

LEGISLATIVE REVIEW COMMITTEE:

1. For notation only: Formal report of the Economic Development, Planning & Tourism Legislative Review Committee meeting held on March 1, 2012, as submitted by Steve Ortega, Chair; and,
2. Discussion and presentation on a Preliminary Market Assessment of Convention Activity for the El Paso Convention & Visitors Bureau.
[El Paso Convention and Visitors Bureau, William Blaziek, (915) 534-0608].
3. Discussion and action on options to create a Green Building Initiative that encourages homebuilders and commercial developers to go beyond the 2009 International Energy Conservation Code.
[Engineering and Construction Management Victor Morrison-Vega, (915) 541-4123].
4. Discussion and action on El Paso's new Comprehensive Plan
[Representative Steve Ortega, (915) 541-4124].

Representative Ortega commented

NO ACTION was taken on this item.

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14B. MAYOR AND COUNCIL

Discussion and presentation by the Texas Department of Transportation (TxDOT) on the Status of Alameda Avenue Phase II Project (Intersection of Paisano and Alameda) and the Interstate 10/US 54 Aesthetics Project (Spaghetti Bowl on I-10). **(District 3)**

Mr. Robert Bietek, TxDOT presented a PowerPoint presentation (copy on file in City Clerk's office).
Representatives Byrd, and Acosta commented.

Mr. Rick Prieto, AIA Engineers, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Byrd, Acosta, and Ortega commented.

NO ACTION was taken on this item

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14C. MAYOR AND COUNCIL

Motion made by Representative Noe, seconded Representative Robinson, and carried to **DIRECT** staff to amend Title 18 (Building and Construction), Chapter 18.08 (Building Code), Section 18.08.070 (Fences), of the El Paso City Code to amend the standards for electric fences to remove the masonry wall requirement for the perimeter fence associated with the installation of an electric fence.

AYES: Mayor Cook and Representatives Acosta, Robinson, Noe, and Niland

NAYS: Representatives Lilly, Byrd, Holguin and Ortega

Representatives Byrd, Acosta, Robinson, Noe, Ortega, and Niland commented

Mr. R. Alan Shubert, Engineer, commented.

The following members of the public commented:

1. Mr. Tom Burke, Old Dominion Freight Lines
2. Ms. Loretta Akers, Citizen
3. Mr. Ysai Peneda, Acme Brick Manufacturing
4. Mr. Michael Pate, Sentry Security

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15A. DISCRETIONARY FUNDS

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **AUTHORIZE** the use of District 7 discretionary funds, in an amount not to exceed \$1,000, to cover travel expenses for a member of the Downtown Revitalization Committee to conduct an assessment of the City's downtown buildings to identify the 12 best revitalized buildings and the 12 most endangered buildings, serves a municipal purpose and is authorized.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

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15B.

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 City Council declares that the expenditure of District 7 discretionary funds in an amount not to exceed \$500.00 and District 8 discretionary funds in an amount not to exceed \$500.00 to pay towards the costs of uniforms, equipment and other related items necessary for the proper participation the Segundo Barrio Futbol Club's soccer camp that will also serve to create a team to play in the City leagues and programs, serves the municipal purposes of furthering organized athletics in south El Paso, an area with a large number of disadvantaged children who benefit from City organized activities, which benefits the community and instills community pride, and is authorized; and

That the City Attorney be authorized to negotiate and the City Manager be authorized to sign an appropriate contract to ensure that the funds are properly expended for the municipal purpose.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

Representatives Lilly and Niland commented.

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RESOLUTION

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

That the City Manager be authorized to sign a Local Project Advance Funding Agreement (LPAFA) between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation. The scope of work for this Agreement is described as the rehabilitation of Country Club Road in the City of El Paso from River Run Street to SH 20 (Doniphan Drive), to include the construction of a roundabout, continuous left turn lanes, hike/bike trail, ADA ramps, illumination, and drainage improvements.

Representative Lilly commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Ted Marquez, Deputy Director, Department of Transportation commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
 NAYS: None

RESOLUTION

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

THAT the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and the El Paso County Community College District for utilization of the City of El Paso Fire Training Academy to train El Paso County Community College fire science students for an initial term of three years with two renewals of an additional one year each, in an amount of \$33,276.00/year.

Chief Otto Drozd, Fire Department, commented.

Representative Byrd commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin and Ortega
 NAYS: None
 NOT PRESENT FOR THE VOTE: Representative Niland

18-1 THROUGH 18-4 TAKEN TOGETHER

18-1 ENVIRONMENTAL SERVICES

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and unanimously carried to **APPROVE** a Resolution authorizing the City Manager to sign a three year agreement for Veterinary Services – Animal Shelter by and between the City of El Paso and Bernie Ray Page, DVM for a total contract amount not to exceed \$450,000.

Department: Environmental Services and Code Enforcement

18-2 ENVIRONMENTAL SERVICES

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and unanimously carried to **APPROVE** a Resolution authorizing the City Manager to sign a three year agreement for Veterinary Services - Animal Shelter by and between the City of El Paso and Lawrence Koym, DVM, for a total contract amount not to exceed \$120,000.

Department: Environmental Services and Code Enforcement

18-3 ENVIRONMENTAL SERVICES

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and unanimously carried to **APPROVE** a Resolution authorizing the City Manager to sign a three year agreement for Veterinary Services – Animal Shelter by and between the City of El Paso and Alvaro Medina, DVM, for a total contract amount not to exceed \$90,000.

Department: Environmental Services and Code Enforcement

18-4. ENVIRONMENTAL SERVICES

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and unanimously carried to **APPROVE** a Resolution authorizing the City Manager to sign a three year agreement for Veterinary Services - Animal Shelter by and between the City of El Paso and Dennis W. Flosi, DVM, for a total contract amount not to exceed \$45,000.

Department: Environmental Services and Code Enforcement

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

Mayor Cook and Representative Lilly commented.

The following City Staff members commented.

1. Ms. Joyce Wilson, City Manager
2. Mr. Bruce Collins, Financial Services
3. Mr. Kurt Fentersmacher, Assistant Director, Environmental Services

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19A.

RESOLUTION

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

1. That the El Paso City Council approves submission of the grant application to the Auto Burglary & Theft Prevention Authority ("ABTPA") for the benefit of the El Paso Police Department's Auto Theft Task Force, also known as El Paso County Auto Burglary and Theft Prevention Task Force.
2. The City Manager be authorized to sign the grant application including all understandings and assurances contained therein, as well as apply for, accept, reject, alter or terminate the grant in the amount of ONE MILLION SEVEN HUNDRED TWENTY FOUR THOUSAND FOUR HUNDRED TWENTY TWO AND NO/100 DOLLARS (\$1,724,422.00) from Auto Theft & Burglary Authority to the El Paso Police Department, for purpose of continuing the efforts of the El Paso Police Department's against auto theft and related crimes for the City of El Paso.
3. The City of El Paso agrees to provide a cash match in the amount of FOUR HUNDRED FORTY EIGHT THOUSAND FOUR HUNDRED SEVENTY AND 00/100 DOLLARS (\$ 448,470.00), and in-kind match in the amount of ONE MILLION FIVE HUNDRED NINETY FIVE THOUSAND NINE HUNDRED FIFTY SEVEN AND 00/100 DOLLARS (\$1,595,957.00).
4. The El Paso City Council agrees that the existence of an award will not be used to offset or decrease total salaries, expenses and allowances that the City of El Paso receives or provides to its police department at or after the time the grant is awarded.

Assistant Police Chief Robert Feidner, commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

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19B.

RESOLUTION

WHEREAS, the El Paso City Council finds that transnational gangs, narcotics trafficking, and other border criminal activity threaten the peace and security for the citizens of El Paso; and

WHEREAS, the El Paso City Council finds it in the best interest of the citizens of El Paso to submit of the grant application for the Local Border Security Program FY2012 (LBSP-12) project to the Texas Department of Public Safety for period May 1, 2012-August 31, 2012.

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

1. The City Manager be authorized to sign the grant application for the Local Border Security Program FY2012 (LBSP-12) project to the Texas Department of Public Safety including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant in the

amount of \$1,096,618.92, from the Texas Department of Public Safety to the City of El Paso Police Department, for the purpose of continuing the efforts of the Police Department to reduce crime in the border community to ultimately improve the quality of life for the residents in the City of El Paso.

2. No cash match or in-kind match required.
3. The El Paso City Council agrees that the existence of an award will not be used to offset or decrease total salaries, expenses and allowances that the City receives or provides to its Police Department at or after the time the grant is awarded.
4. The El Paso City Council agrees that in the event of loss or misuse of the funds, the El Paso City Council assures that the funds will be returned to the Texas Department of Public Safety in full.

Assistant Police Chief Robert Feidner, commented.

Mayor Cook and Representative Byrd commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

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20A. AND 20B TAKEN TOGETHER

20A. CITY MANAGER

Motion made by Representative Acosta, seconded by Representative Robinson, and unanimously carried to **ACCEPT** the 2nd Quarter Financial Report for FY2012.

AYES: Representatives Byrd, Acosta, Robinson, Noe, Holguin, Ortega, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Lilly

20B. CITY MANAGER

Presentation and discussion on a report by BKD, L.L.P. ("BKD") on the independent audit of the City of El Paso ("City") Comprehensive Annual Financial Report (CAFR) for fiscal year ending August 31, 2011. Report will include the audit opinion regarding City financial statements and a brief overview of financial results for the City for the fiscal year ended August 31, 2011. **(All Districts)**
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4011]

Mr. Bill Studer, Deputy City Manager, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mr. Kevin Kemp, BKD, Inc. presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Lilly, Byrd, Acosta, Holguin, Ortega and Niland commented.

The following City Staff members commented:

1. Ms. Joyce Wilson, City Manager

2. Ms. Richarda Duffy Momsen, Municipal Clerk
3. Dr. Mark Sutter, Comptroller

Mr. Tom Watson, BKD, Inc commented.

NO ACTION was taken on this item.

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 Motion made by Representative Robinson, seconded by Representative Ortega, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 11:52 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the Executive Session items listed on the Agenda.

NOT PRESENT FOR THE VOTE: Representatives

Motion made by Representative Robinson, seconded by Mayor Pro Tempore Lilly, and unanimously carried to adjourn the Executive Session at 12:14 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

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EX1. The Texas Department of Transportation, et. al. vs. H & W Industrial Services, Inc., et. al.; Cause No. 2010-152 (551.071) [City Attorney's Office, Robert Almonte (915) 541-4550]

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Niland and carried that the City Attorney's Office be authorized limited settlement authority; to participate in mediation; and to consult with the City Manager regarding any recommended settlement but will present any final recommendation to the City Council in lawsuit styled *The Texas Department of Transportation, et. al. vs. H & W Industrial Services, Inc., et. al.*; Cause No. 2010-152.

AYES: Representatives Lilly, Acosta, Robinson, Holguin, Ortega and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Byrd and Noe.

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EX2. Discussion and action on the Estate of Betty Marcus-Randle a/k/a Betty E. Marcus Randle a/k/a Betty E. Marcus-Randle, Cause No. 2011-00813P (551.071)
 [City Attorney's Office, Kristen L. Hamilton, (915) 541-4550]

NO ACTION was taken on this item

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 Motion made by Representative Robinson, seconded by Representative Acosta, and unanimously carried to **ADJOURN** this meeting at 12:16 p. m.

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk