

**JOHN F. COOK**  
MAYOR



**JOYCE WILSON**  
CITY MANAGER

**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
RACHEL QUINTANA, DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

**REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
JANUARY 2, 2008  
9:00 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 9:08 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Jose Alexandro Lozano, Melina Castro, Rachel Quintana, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. The invocation was given by Police Chaplain Clift Barnes, followed by the Pledge of Allegiance to the Flag of the United States of America.

**MAYOR'S PROCLAMATIONS**

- 1. DR. MARTIN LUTHER KING, JR. FOOD DRIVE WEEK**
- 2. CENTRO DE SALUD FAMILIAR LA FE MONTH**

**RECOGNITIONS**

**YOUTH IN GOVERNMENT DAY:  
PRESENTATION BY YOUTH IN GOVERNMENT DELEGATES REGARDING  
"SHOULD EL PASO PUBLIC SCHOOLS ALLOW ILLEGAL IMMIGRANT STUDENTS?"**

**Shaoli Chadhuri (Radford High School), District 1  
Stephanie Teaney (Loretto Academy), District 2  
Daisy Chaparro (El Dorado High School), District 3  
Elizabeth Enriquez (Andress High School), District 4  
Analycia Villarreal (Americas High School), District 5  
Felicia Alba (Americas High School), District 6  
Vanessa Ruiz (Faith Christian Academy), District 7  
Liz Polinsky (Franklin High School), District 8  
Georgina Salcido (Loretto Academy), Mayor  
Sarah Chacon (Socorro High School), City Manager  
Robert Ordonez (Americas High School), City Clerk**

**CALL TO THE PUBLIC – PUBLIC COMMENT**

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

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

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. Huey Goins
2. Mr. Walt Phillips
3. Judge Regina Arditti

Mayor Cook and Representatives Castro, Lozano, and Holguin commented.

Ms. Joyce Wilson, City Manager, commented and Mr. Charlie McNabb, City Attorney, gave legal advice.

.....  
Motion made by Mayor Pro Tempore Lozano, 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, Lozano, Castro, Quintana, Holguin, Ortega, and O'Rourke  
NAYS: None

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

\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of December 18, 2007, and approve correction to December 11, 2007, Regular City Council Minutes to correct typographical error on page 8, correcting reference to items "8B and 8C" to read "8C and 8D."

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

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

.....  
**3A.**

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, CONCHA OROZCO, 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 Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the 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:

Tract 91 (0.150 Acre), S A & M G RR SURV 267 ABST 179 Subdivision, City of El Paso, El Paso County, Texas, Parcel # X267-999-S00F-3100

to be \$266.30, 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 NINETY AND 30/100 DOLLARS (\$290.30). The City Council finds that the work was completed on the 6<sup>th</sup> and 7<sup>th</sup> day(s) of June, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED NINETY AND 30/100 DOLLARS (\$290.30) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ESTEBAN & NORMA VLASICH, 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 Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the 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:

S 100 FT OF LOT 328 (19994 SQ FT) , Sunrise Acres #1 Subdivision, City of El Paso, El Paso County, Texas, Parcel # S912-999-001L-6700

to be \$966.13, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of NINE HUNDRED NINETY AND 13/100 DOLLARS (\$990.13). The City Council finds that the work was completed on the 1st and 4th day(s) of June, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount NINE HUNDRED NINETY AND 13/100 DOLLARS (\$990.13) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, CORINA Y. DUARTE & 3 c/o MANUEL E. DUARTE, 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 Municipal Code; and the owner failed to comply

with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the 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:

2702 Porter, more particularly described as Lot(s) 29 & 30 (6000 SQ FT),  
Block F, Grandview Subdivision, El Paso, El Paso County, Texas, Parcel  
#G686-999-000F-9200

to be \$233.82, 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 SEVEN AND 82/100 DOLLARS (\$257.82). The City Council finds that the work was completed on the 26th day(s) of June, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED FIFTY SEVEN AND 82/100 DOLLARS (\$257.82) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, GEORGE THOMAS HOMES, INC., C/O ANDREW KRAFSUR (TRUSTEE), 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 Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the 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:

10152 Tapir Court, more particularly described as Lot(s) 9 EXC SLY 16.00 FT  
(6163.95 SQ FT) , Block 7, Bellewood #2 Subdivision, El Paso, El Paso County,  
Texas, Parcel #B351-999-0070-0900

to be \$290.65, 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 THREE HUNDRED FOURTEEN AND 65/100 DOLLARS (\$314.65). The City Council finds that the work was completed on the 8th day(s) of June, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED FOURTEEN AND 65/100 DOLLARS (\$314.65) 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.

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

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ALFREDO C. & ADELINA L. DIAZ, 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 Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

Lot(s) 25 (43560 SQ FT), Block B, Pioneer Subdivision, City of El Paso, El Paso County, Texas, Parcel # P850-999-00B0-2500

to be \$401.61, 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 FOUR HUNDRED TWENTY-FIVE AND 61/100 DOLLARS (\$425.61). The City Council finds that the work was completed on the 6th day(s) of March, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FOUR HUNDRED TWENTY-FIVE AND 61/100 DOLLARS (\$425.61) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, RESORTVIEW HOMES I, LTD., 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 Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

Lot(s) 20 COS (4974.00 SQ FT), Block 1, Sun Valley Ranch Replat A  
Subdivision, City of El Paso, El Paso County, Texas, Parcel # S820-999-0010-  
2010

to be \$194.85, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED EIGHTEEN AND 85/100 DOLLARS (\$218.85). The City Council finds that the work was completed on the 17th day(s) of July, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED EIGHTEEN AND 85/100 DOLLARS (\$218.85) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, LARRY & VIRGINIA MASCORRO, 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 Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the 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:

2701 Gaston, more particularly described as Lot(s) 20 , Block 22, Parkwood  
Subdivision, El Paso, El Paso County, Texas, Parcel #P481-999-0220-3900

to be \$375.09, 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 THREE HUNDRED NINETY NINE AND 09/100 DOLLARS (\$399.09). The City Council finds that the work was completed on the 5th day(s) of June, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED NINETY NINE AND 09/100 DOLLARS (\$399.09) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, RUBEN G. & MAGDALENA M. RODRIGUEZ, 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 Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the 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:

Tract 20-A (0.474 Acre), Block 15, Ysleta Subdivision, City of El Paso,  
El Paso County, Texas, Parcel # Y805-999-015E-2001

to be \$499.03, 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 TWENTY THREE AND 03/100 DOLLARS (\$523.03). The City Council finds that the work was completed on the 1st and 4th day(s) of June, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FIVE HUNDRED TWENTY THREE AND 03/100 DOLLARS (\$523.03) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, RUBEN G. & MAGDALENA M. RODRIGUEZ, 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 Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the 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:

Tract 20-C-1 (.465 Acre), Block 15, Ysleta Subdivision, City of El Paso, El Paso County, Texas, Parcel # Y805-999-015E-2025

to be \$390.78, 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 FOUR HUNDRED FOURTEEN AND 78/100 DOLLARS (\$414.78). The City Council finds that the work was completed on the 1<sup>st</sup> and 4<sup>th</sup> day(s) of June, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FOUR HUNDRED FOURTEEN AND 78/100 DOLLARS (\$414.78) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, THE TEXICO CONFERENCE ASSOCIATION OF SEVENTH DAY ADVENTISTS, 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 Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the 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:

SELY PT OF LOT 1 (143.65 FT ON ELY - 216.82 FT ON SLY - 150.88 FT ON WLY - IRREG ON NLY) (37056.49 SQ FT), Block 5, Mesa Hills Plaza Subdivision, City of El Paso, El Paso County, Texas, Parcel # M346-999-0050-0100

to be \$749.09, 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 SEVEN HUNDRED SEVENTY THREE AND 09/100 DOLLARS (\$773.09). The City Council finds that the work was completed on the 11th and 12th day(s) of June, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount SEVEN HUNDRED SEVENTY THREE AND 09/100 DOLLARS (\$773.09) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, AGOSTINO PELLATI, JR., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

Lot(s) 33 TO 35 & WLY 13.6 FT OF LOT 32 (5757.00 SQ FT), Block 5, Golden Hill Subdivision, City of El Paso, El Paso County, Texas, Parcel # G537-999-0050-8100

to be \$754.50, 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 SEVEN HUNDRED SEVENTY EIGHT AND 50/100 DOLLARS (\$778.50). The City Council finds that the work was completed on the 15<sup>th</sup> and 18th day(s) of June, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount SEVEN HUNDRED SEVENTY EIGHT AND 50/100 DOLLARS (\$778.50) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, GERMAN & MARIA A. SILVA, 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 Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the 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:

Tract 11 (0.115 Acre), George L. Wilson Sur 91 Abst 2716 Subdivision, City of El Paso, El Paso County, Texas, Parcel # X091-999-000A-5300

to be \$345.86, 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 THREE HUNDRED SIXTY NINE AND 86/100 DOLLARS (\$369.86). The City Council finds that the work was completed on the 1<sup>st</sup> and 6th day(s) of June, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED SIXTY NINE AND 86/100 DOLLARS (\$369.86) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ARTHUR L. MASSE c/o HECTOR CHAFINO, 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 Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the 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:

1217 Main Drive, more particularly described as N PT OF LOT 20 & E 5 FT OF LOT 19 (37.29 FT ON S, 84.3 FT ON W, 23.93 FT ON N, 76.2 FT ON E) , Block 13, Mundy Heights Subdivision, El Paso, El Paso County, Texas, Parcel #M946-999-0130-8100

to be \$166.16, 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 AND 16/100 DOLLARS (\$190.16). The City Council finds that the work was completed on the 22nd day(s) of February, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED NINETY AND 16/100 DOLLARS (\$199.16) 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.

.....  
**3B.**

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

That the City Manager be authorized to sign a Lease Agreement between the City of El Paso and Franklin Self Storage Limited Liability Company to cross a portion of an identified 60-foot easement leased to El Paso Natural Gas in Tract 1P1, H.G. Foster Survey No. 256, City of El Paso, El Paso County, Texas, with a 30-foot access road.

.....  
**3C.**

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

**WHEREAS**, on Sept. 25, 2007, the City of El Paso granted a Right of Entry and Temporary Construction Easement to SFPP, L.P. to use a portion of Tract 4A30F, Block 2, Ascarate Grant, El Paso, El Paso County, Texas as a staging area to install a 12-inch pipeline under TxDOT Highway I-10 Right-of-Way, and

**WHEREAS**, on Oct.16, 2007, the City of El Paso granted a Right of Entry and Temporary Construction Easement to SFPP, L.P. to use a portion of Tract 4A30F, Block 2, Ascarate Grant, El Paso, El Paso County, Texas as a staging area to install a 12-inch pipeline on adjacent private property and on portions of City-owned property leased to Plains Pipeline, L.P.; and

**WHEREAS**, SFPP, L.P. has requested that it be allowed to use the identified properties on different dates but for the same purpose; and,

**WHEREAS**, the City staff recommends that the dates of the Rights of Entry and Temporary Construction Easements be revised,

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

That the City Manager be authorized to sign two Rights-of-Entry and Temporary Construction Easements to SFPP, L.P. to use the following parcels:

1. A portion of Tract 4A30F, Block 2, Ascarate Grant, El Paso, El Paso County, Texas, as a staging area to install a 12-inch pipeline under TxDOT Highway I-10 Right-of-Way, and

2. A portion of Tract 4A30F, Block 2, Ascarate Grant, El Paso, El Paso County, Texas, as a staging area to install a 12-inch pipeline on adjacent private property and on portions of City-owned property leased to Plains Pipeline, L.P.

.....  
**3D.**

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

That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of International Bridges Operations Manager is hereby created as specified in the duties and responsibilities attached hereto. The Code is 12400. The Grade is PM 130.

Mayor Cook and Representatives Holguin, Castro, Quintana, Ortega, and Lozano commented.

Ms. Joyce Wilson, City Manager, and Ms. Linda Thomas, Human Resource Director, commented.

Ms. Lisa Turner and Mr. David Haug, citizens, commented.

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

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

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

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

NOT PRESENT FOR THE VOTE: Representative Castro

**3<sup>RD</sup> AND FINAL MOTION**

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

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**4A. APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Adam Corrado to the Brownfields Redevelopment Board by Representative Steve Ortega, District 7.

.....  
**4B. APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Sam P. Shallenberger to the City Plan Commission by Representative Eddie Holguin, Jr., District 6.

.....  
**4C. APPOINTMENT**

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

.....  
**4D. APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Ruben Raymond Valencia to the El Paso Museum of Archaeology Advisory Board by Representative Rachel Quintana, District 5.

.....  
**5. APPLICATIONS FOR TAX REFUND**

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

- A. Saxon Mortgage in the amount of \$2,579.87 overpayment of 2007 taxes. (PID #A670-999-0030-0900).
- B. Estate of O.C. Coles, Sr. in the amount of \$3,594.56 overpayment of 2007 taxes. (PID #C961-999-0010-0100).
- C. Stewart Title of El Paso in the amount of \$4,930.80 overpayment of 2006 taxes. (PID #M794-999-1290-5100).
- D. FIS Tax Services in the amount of \$5,736.39 overpayment of 2007 taxes. (PID #N425-999-0010-0500).
- E. Sierra Title Company in the amount of \$2,553.43 overpayment of 2005 taxes. (PID #P605-999-0100-0100).
- F. Lone Star Title Company of El Paso in the amount of \$2,913.28 overpayment of 2007 taxes. (PID #X579-999-2350-0000).

Representatives Quintana and Lozano commented.

Mr. Juan Sandoval, Tax Assessor/Collector, commented.

.....  
**6A. PURCHASING REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded and unanimously carried to **APPROVE** the request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a purchase order to Motorola. Inc., the H-GAC contractor under contract number RA01-06 for Motorola Radio Repair Bank, for maintenance of all Public Safety and Transit voice and data radio subscriber units. The participation by the City of El Paso in the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program was approved by Mayor and City Council on May 8, 2007.

Department: Communications  
 Account No.: 39010352 – 01101 - 502229  
 Funding Source: Operating Account, Telecommunications  
 Total Estimated Award: \$190,000  
 Reference No.: 2000-008

.....  
**6B. PURCHASING REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **APPROVE** that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a purchase order to Intergraph Corporation, the sole source provider for maintenance of all Public Safety products and its software. This is a sole source procurement as defined under Chapter 252.022 of the Local Government Code.

Department: Information Technology  
 Total Estimated Award: \$110,056.90  
 Account No.: 39010351 – 01101 - 502202  
 Funding Source: Information Technologies, Operating Account, Data Processing Services  
 Sole Source No.: 2006-167

.....  
**7A. – 7B. INTRODUCTIONS**

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

- A. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII - Restrictions on Parking in Residential Districts), of the El Paso City Code to amend Zone C, No Parking 8:00 a.m. - 2:00 p.m., Monday through Friday, School Days Only, Tow-Away Zone. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON JANUARY 8, 2008, FOR ITEM A**

- B. An Ordinance amending Title 20 (Zoning), Chapter 20.20 (Historic Landmark Commission), Section 20.20.120 (Historic Landmark Demolition or Removal), of the El Paso City Code by adding a paragraph to address notice requirements for the applicant and amending a paragraph to correct a typographical error, the penalty is as provided for in Chapter 20.24 of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON JANUARY 22, 2008, FOR ITEM B**

Representative Quintana commented.

Ms. Kelly Carpenter, Deputy Director of Planning, commented.

**8A. FINANCIAL SERVICES**

Motion made by Representative Castro, seconded by Representative Holguin, and carried to **APPROVE** the award of Solicitation No. 2008-024 (Northeast Regional Park - Fence Project) to A & R Contractors for a total amount of \$97,500.

Department: Parks and Recreation  
Award to: A & R Contractors  
El Paso, Texas  
Base Bid I: \$88,000  
Alternate 1: \$ 9,500  
Total Estimated Award: \$97,500  
Account No. PPW0046004 – 31130550 – 60016 - 508027  
Funding Source: FY 2000 Quality of Life Bonds

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

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

This is a low bid, lump-sum contract.

AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, and O'Rourke  
NAYS: Representatives Lozano and Ortega

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

Mayor Cook and Representatives Castro, Lozano, Holguin, Ortega, Lilly, Byrd, O'Rourke, and Quintana commented.

Mr. Barry Russell, Assistant Parks and Recreation Director for Land Management, commented.

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**8B. FINANCIAL SERVICES**

Motion made by Representative Byrd, seconded by Representative Castro, and unanimously carried to **APPROVE** the award of Solicitation No. 2008-036 (Storm 2006: Northgate Diversion Channel) to Bain Construction for a total estimated amount of \$877,695.00.

Department: Engineering  
Award to: Bain Construction  
Horizon City, Texas  
Total Estimated Award: \$877,695  
Account No: PSTM06PW525 – 14200500 – 27264 - 508027  
Funding Source: Storm 2006

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

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

This is a low bid, lump-sum contract.

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

Representatives Ortega, Quintana, and Holguin commented.

Mr. Alan Shubert, City Engineer, commented.

.....  
**8C. FINANCIAL SERVICES**

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **APPROVE** the award of Solicitation No. 2008-037 (Storm 2006: McKelligon Canyon Park Road & Drainage Improvements Project) to Dan Williams Company for a total estimated amount of \$1,490,538.

Department: Engineering  
Award to: Dan Williams Company  
El Paso, Texas  
Total Estimated Award: \$1,490,538  
Account No: PSTM06PW64-0 – 14200500 – 27264 – 508027 and  
PSTM06PW64-0 – 31260001 – 60654 - 508027  
Funding Source: Storm 2006

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

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

This is a low bid, lump-sum contract.

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

Representative Byrd commented.

Mr. Alan Shubert, City Engineer, commented.

.....  
**8D. FINANCIAL SERVICES**

Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **APPROVE** the request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a Purchase Order to SHI-Government Solution, a Department of Information Resources (DIR) contractor under DIR State Contract DIR-SDD-198, for a three-year Microsoft software license agreement. Participation by the City of El Paso in the DIR Program was approved by Mayor and Council on March 6, 2007.

Department: Information Technology  
Account No.: 39010351 – 01101 - 502202  
Funding Source: Information Services, Operating Account, Data Processing Software Contracts  
Annual Estimated Amount: \$573,097  
Total Estimated Award: \$1,719,291 (3-year total)  
Reference No.: 2008-095

Representatives O'Rourke and Holguin commented.

Mr. Terrence Freiburg, Purchasing Manager, and Mr. Gerald Gordier, Chief Information Officer and Information Technology Director, commented.

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**9A. ORDINANCE 16813**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACTS 2, 3-B, AND 12A, BLOCK 6, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH AND FARM) TO R-3A (RESIDENTIAL) AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Ms. Kelly Carpenter, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Ortega and Byrd commented.

Ms. Yvonne Collins-Haggerty, representing Mr. Robert Garza, and Mr. Bradley Roe, Engineer for the applicants, commented.

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

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

NOT PRESENT FOR THE VOTE: Representative Lozano

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

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

AYES: Representatives Lilly, Byrd, Lozano, Castro, Quintana, Holguin, Ortega, and O'Rourke  
NAYS: None

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

.....  
**9B. PUBLIC HEARING – DEVELOPMENT SERVICES**

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lozano, and unanimously carried to **POSTPONE** until the January 8, 2008, City Council meeting an Ordinance amending Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities), of the El Paso City Code by adding a subsection to address Personal Wireless Service Facilities in the Manufacturing, Industrial, and Quarry Districts. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

Ms. Kelly Carpenter, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Holguin and Byrd commented.

Ms. Lupe Cuellar, Assistant City Attorney, and Mr. Charlie McNabb, City Attorney, gave legal advice.

.....  
**9C.**

**ORDINANCE 16814**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY DESCRIBED AS: PARCEL 1: A PORTION OF TRACT 1A, SECTION 34, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-5 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT); PARCEL 2: A PORTION OF TRACT 1A AND 12D, SECTION 34, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM A-2 (APARTMENT) TO C-1 (COMMERCIAL); AND PARCEL 3: A PORTION OF TRACTS 1A AND 12D, SECTION 34, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-5 (RESIDENTIAL) TO A-2 (APARTMENT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Ms. Kelly Carpenter, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

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

AYES: Representatives Byrd, Lozano, Castro, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Lilly

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

.....  
**9D.**

**ORDINANCE 16815**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 22, BLOCK 16, DEL NORTE ACRES, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM A-2 (APARTMENT) TO S-D (SPECIAL DEVELOPMENT) AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Ms. Kelly Carpenter, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Representative Byrd commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Lilly and Lozano

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

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ITEMS TAKEN TOGETHER:

**9E.**

**ORDINANCE 16816**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS) OF THE EL PASO CITY CODE TO CHANGE THE REFERENCES TO THE CITY-COUNTY HEALTH DISTRICT TO THE DEPARTMENT OF ENVIRONMENTAL SERVICES; AND TO CORRECT REFERENCES MADE TO STATE AGENCIES, SPECIFICALLY, THE DEPARTMENT OF STATE HEALTH SERVICES AND THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.**

**9F.**

**ORDINANCE 16817**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING) OF THE EL PASO CITY CODE TO CHANGE THE REFERENCES TO THE CITY-COUNTY HEALTH DISTRICT TO THE DEPARTMENT OF PUBLIC HEALTH AND THE DEPARTMENT OF ENVIRONMENTAL SERVICES, AS APPROPRIATE; AND TO ELIMINATE PROVISIONS REQUIRING THE CITY-COUNTY HEALTH DISTRICT TO ISSUE PERMITS FOR PROCESSING AND RECYCLING COLLECTION FACILITIES AND**

**REVERSE VENDING MACHINES; THE PENALTY IS AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Ms. Kelly Carpenter, Deputy Director of Planning, commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Byrd and Lozano

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

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**9G. PUBLIC HEARING – DEVELOPMENT SERVICES**

\*Motion made, seconded, and unanimously carried to **POSTPONE** until the January 15, 2008, City Council Meeting the public hearing on a Resolution approving a Detailed Site Development Plan for a portion of Lot 4, Block 3, Sunland Business Center, City of El Paso, El Paso County, Texas, pursuant to a special contract condition imposed by contract dated January 28, 1985. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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ITEMS TAKEN TOGETHER:

**10A.**

**ORDINANCE 16818**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION) OF THE EL PASO CITY CODE TO CHANGE THE REFERENCES TO THE CITY-COUNTY HEALTH DISTRICT TO THE DEPARTMENT OF ENVIRONMENTAL SERVICES; AND TO CORRECT REFERENCES MADE TO STATE AGENCIES, SPECIFICALLY, THE DEPARTMENT OF STATE HEALTH SERVICES AND THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; THE PENALTY AS IS PROVIDED IN SECTIONS 18.02.107, 18.18.400, 18.21.360, 18.36.040, 18.44.240, 18.46.180, AND 18.60.240 OF THE EL PASO CITY CODE.**

**10B.**

**ORDINANCE 16819**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 13 (STREETS, SIDEWALKS, AND PUBLIC PLACES) OF THE EL PASO CITY CODE TO CHANGE THE REFERENCES TO THE CITY-COUNTY HEALTH AND ENVIRONMENTAL DISTRICT; TO ASSIGN THE DUTIES OF THE DISTRICT TO THE DEPARTMENT OF PUBLIC HEALTH OR THE DEPARTMENT OF ENVIRONMENTAL SERVICES, AS APPROPRIATE; TO REVISE DEFINITIONS; TO CORRECT TITLES AND CODE REFERENCES; AND TO CORRECT REFERENCES MADE IN THE CODE TO A STATE AGENCY.**

10C.

**ORDINANCE 16820**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 14 (AIRCRAFT AND AIRPORTS) OF THE EL PASO CITY CODE TO CORRECT A REFERENCE MADE IN THE CODE TO A STATE AGENCY.**

10D.

**ORDINANCE 16821**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 10 (PUBLIC PEACE, MORALS, AND WELFARE) OF THE EL PASO CITY CODE, CHAPTER 10.12 (OFFENSES AGAINST PUBLIC PEACE) TO CHANGE THE REFERENCE TO AND ASSIGN THE DUTIES OF THE CITY-COUNTY HEALTH BOARD TO THE DEPARTMENT OF PUBLIC HEALTH.**

10E.

**ORDINANCE 16822**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES) OF THE EL PASO CITY CODE; TO CHANGE THE REFERENCES TO THE CITY-COUNTY HEALTH AND ENVIRONMENTAL DISTRICT; TO ASSIGN THE DUTIES OF THE DISTRICT TO THE DEPARTMENT OF ENVIRONMENTAL SERVICES; TO CORRECT TITLES AND CODE REFERENCES; AND TO CORRECT REFERENCES MADE IN THE CODE TO A STATE AGENCY.**

Mayor Cook and Representatives Quintana and Ortega commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Elaine Hengen, Senior City Attorney, gave legal advice.
- 3. Mr. Charlie McNabb, City Attorney, gave legal advice.

Ms. Lisa Turner, citizen, commented.

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

AYES: Representatives Lilly, Byrd, Lozano, Castro, Quintana, Holguin, Ortega, and O'Rourke  
NAYS: None

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

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**11. PARKS AND RECREATION**

Motion made by Representative Holguin, seconded by Mayor Pro Tempore Lozano, and unanimously carried to **AUTHORIZE** the City Manager or designee to negotiate and develop lease agreements between the City and the Ysleta Independent School District for the use of the City of El Paso park property to construct an elementary school on the eastern portion of Blackie Chesher Park and for the use of school property to construct soccer fields on property across from the Blackie Chesher Park on Escobar Drive.

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

The following City staff members commented:

- 4. Ms. Joyce Wilson, City Manager
- 5. Ms. Nanette Smejkal, Parks and Recreation Director
- 6. Mr. Charlie McNabb, City Attorney, gave legal advice.

The following Ysleta Independent School District representatives commented:

- 1. Ms. Martha "Marty" Reyes, YISD Board of Trustees, District 6
- 2. Ms. Linda Chavez, YISD Board of Trustees, District 7
- 3. Mr. Rene Ordonez, General Counsel for YISD

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 Motion made by Representative Ortega, seconded by Representative Quintana, and unanimously carried to  
**ADJOURN** this meeting at 11:44 a.m.

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**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
 Richarda Duffy Momsen, City Clerk