

**JOHN F. COOK**  
MAYOR



**JOYCE WILSON**  
CITY MANAGER

**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
VACANT, 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 29, 2008  
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:36 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Melina Castro, Steve Ortega, and Beto O'Rourke. Late arrivals: Eddie Holguin, Jr. at 8:37 a.m. during Executive Session deliberations and Rachel Quintana at 8:43 a.m. during Executive Session deliberations. 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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**RECOGNITIONS**

- 1. CONQUISTADOR AWARD TO TEDD F. RICHARDSON**
- 2. CITY EMPLOYEE RECOGNITIONS**

Ms. Joyce Wilson, City Manager, presented the following employee recognitions:

- A. Mr. Robert Mora, Environmental Services – 25 years**
- B. Mr. Rodolfo Lopau, Environmental Services - 25 years**
- C. Police Officer Bryan Olson, Police Department - 25 years**
- D. Police Officer George Garza, Police Department - 25 years**
- E. Police Officer Ruben Cisneros, Police Department - 25 years**
- F. Police Officer Henry Rivera, Police Department – 25 years**
- G. Ms. Eva Medrano, Engineering – 25 years**
- H. Mr. Ramiro Pedroza, General Services – 25 years**
- I. Ms. Martha Gasca, Municipal Clerk – 25 years**
- J. Mr. Michael Ortiz, Fire Department – 25 years**
- K. Mr. Rick Kiesel, Fire Department – 25 years**
- L. Mr. Herbert Beard, Library – 25 years**
- M. Ms. Isabel Hernandez, Police Department – 30 years**
- N. Police Commander Jerome Johnson, Police Department – 30 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](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. Richard Schecter
2. Ms. Lisa Turner
3. Mr. Ray Gilbert
4. Mr. Jorge Artalejo

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 Motion made by Representative O'Rourke, seconded by Mayor Pro Tempore Byrd, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:36 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

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

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

NOT PRESENT FOR THE VOTE: Representatives Quintana and Holguin

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Holguin, and unanimously carried to adjourn the Executive Session at 9:25 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Castro and Quintana

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**EX1.** Intervention on behalf of the City for the Petition of El Paso Electric Company for Fuel Surcharge before the Public Utility Commission of Texas Petition of El Paso Electric Company, PUC Docket No. 35204 and SOAH Docket No. 473-08-1338.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and unanimously carried to grant the authority to the City Attorney to **FILE A MOTION IN INTERVENTION** on behalf of the City for the Petition of El Paso Electric Company for Fuel Surcharge before the Public Utility Commission of Texas Petition of El Paso Electric Company, PUC Docket No. 35204 and SOAH Docket No. 473-08-1338 and to engage outside counsel to represent the City on this matter.

Mayor Cook and Representative Castro commented.

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

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**EX2.** Charles Roger Krieger vs. City of El Paso, et al; Cause No. EP-07-CA-0281-KC.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, and unanimously carried that the outside counsel for the City of El Paso be authorized to **REJECT** Plaintiff's settlement demand in the lawsuit styled Charles R. Krieger vs. City of El Paso, et. al.; Cause No. EP-07-CA-0281-KC.

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**EX3.** Claim of Lluvia Juarez, Our File No. 07-C-184.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, and carried that the City Attorney's Office be authorized to **REJECT** claimant's settlement demand in the claim of Lluvia Juarez, Our File No. 07-C-184.

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

NAYS: None

ABSTAIN: Representative Quintana

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**EX4.** Discussion and action regarding the following cases: Jose Fong, et. al. vs. City of El Paso, Cause No. 2007-2900; E.B.S. Enterprises, Inc., et. al. vs. City of El Paso, Cause No. 2007-5238, and City of El Paso vs. El Paso Entertainment, et. al., Cause No. EP07CA0380KC.

Representative Byrd commented.

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

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

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**EX5.** Discussion and action on City Attorney settlement authority regarding general bankruptcy matters.

\*Motion made, seconded, and unanimously carried to **DELETE** the item on discussion and action on City Attorney settlement authority regarding general bankruptcy matters.

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**EX6.** 710, Inc. vs. The El Paso Central Appraisal District and The City of El Paso, Cause No. 2003TX350.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and unanimously carried that the outside counsel for the City of El Paso be authorized **SETTLEMENT AUTHORITY**, to negotiate settlement agreement and sign all documents to resolve the lawsuit styled 710, Inc. vs. City of El Paso, et. al.; Cause No. 2003-TX350.

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**EX7.** Discussion and action regarding strategies and options related to Asarco litigation, bankruptcy, TCEQ permit process, and other legal matters involving Asarco.

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

Motion made Mayor Pro Tempore Byrd, seconded by Representative Ortega, and carried that the City's outside counsel be authorized to **FILE A RESPONSE** to the Motion to Appoint an Examiner in the ASARCO bankruptcy case.

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

NAYS: Representative Castro

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

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and unanimously carried that the City's outside counsel be authorized to **FILE DOCUMENTS** related to the Motion for Continuance regarding ASARCO's Air Quality Permit No. 20345.

**CONSENT AGENDA**

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

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**1. APPROVAL OF MINUTES**

\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of January 22, 2008.

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

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

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**3A.**

**\*RESOLUTION**

**WHEREAS**, the City of El Paso ("City") and the El Paso Electric Company ("EPE") entered into a Lease Agreement dated July 22, 1976 (the "1976 Lease") whereby EPE granted the City certain rights of use on a portion of EPE property adjacent to the City's property, now known as Lone Star Golf Club, in exchange for the City's maintenance of such EPE property;

**WHEREAS**, EPE desires to use a portion of the City's property, which is also adjacent to the Lone Star Golf Club in order to create a secondary ingress/egress point for EPE Scottsdale Substation;

**WHEREAS** the Parties desire to terminate the 1976 Lease and enter into a new agreement whereby the City's access to and use of EPE's referenced property is granted in exchange for EPE's access to and use of the City's referenced property;

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

THAT the City Manager be authorized to sign the Lease Agreement by and between the City of El Paso ("City") and the El Paso Electric Company ("EPE") with respect to the City's use of EPE property in exchange for EPE's use of the City's property, both of which are located near the Lone Star Golf Club.-

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**3B.**

**\*RESOLUTION**

**WHEREAS**, Kern Place Merchants Association (hereinafter referred to as "Grantee") is sponsoring an outdoor street festival (hereinafter referred to as "Event"), on Tuesday, February 5, 2008 to Wednesday, February 6, 2008; and

**WHEREAS**, the Grantee has received administrative approval for a Special Privilege License for a street closure for twenty-four (24) hours to temporarily close a portion of Baltimore Avenue, the adjacent alley, and Cincinnati Street, between Stanton Street and North Mesa Street for the use and closure of public rights-of-way from 3:00 pm Tuesday, February 5, 2008 to 4:00 am Wednesday, February 6, 2008, in conjunction with the proposed 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 public rights-of-way during the Event;

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

That the Grantee be authorized to provide for the sale and serving of alcoholic beverages at the outdoor street festival in the closed portion of Baltimore Avenue, the adjacent alley, and Cincinnati Street, from 6:00 pm, Tuesday, February 5, 2008 to 2:00 am, Wednesday, February 6, 2008.

Representative Lilly commented.

Mr. Keith Pannell commented.

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**3C.**

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

**WHEREAS**, The New O.P.E.P (hereinafter referred to as "Grantee") is sponsoring an outdoor street festival (hereinafter referred to as "Event"), on Tuesday, February 5, 2008 to Wednesday, February 6, 2008; and

**WHEREAS**, the Grantee has received administrative approval for a Special Privilege License for a street closure for less than twenty-four (24) hours to temporarily close a portion of Ochoa Street, between First Street and Paisano Avenue for the use and closure of public rights-of-way from 4:00 pm Tuesday, February 5, 2008 to 4:00 am Wednesday, February 6, 2008, in conjunction with the proposed 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 public rights-of-way during the Event;

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

That the Grantee be authorized to provide for the sale and serving of alcoholic beverages at the outdoor street festival in the closed portion of Ochoa Street, from 8:00 pm, Tuesday, February 5, 2008 to 2:00 am, Wednesday, February 6, 2008.

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**3D.**

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

That the El Paso City Council hereby renames the southern portion of the street currently known as Belvidere Street, which is located south of Mesa Street (as identified in Exhibit "A"), and authorizes the City Manager to take the necessary steps to change the name from Belvidere Street to Desert Pass Street. This is located within the City of El Paso, El Paso County, Texas.

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3E.

**\*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, RUDOLF & SANDRA MONTIEL, 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:

6333 Franklin Bluff, more particularly described as Lot(s) 17, (10529.00 SQ FT)  
Block 8, Franklin Hills #3 (Amending) Subdivision, El Paso, El Paso County, Texas,  
Parcel # F609-999-0080-1700

to be \$429.75, 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 FIFTY-THREE AND 75/100 DOLLARS (\$453.75). The City Council finds that the work was completed on the 2nd 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 FOUR HUNDRED FIFTY-THREE AND 75/100 DOLLARS (\$453.75) 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, JESUS M. ROJAS, 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:

5532 Bandy, more particularly described as Lot(s) 178, Block 12, Foster Heights Subdivision, El Paso, El Paso County, Texas, Parcel # F524-999-0120-4100

to be \$285.24, 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 THREE HUNDRED NINE AND 24/100 DOLLARS (\$309.24). 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 THREE HUNDRED NINE AND 24/100 DOLLARS (\$309.24) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, C. D. & TERRIE GODWIN, 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:

8913 Gateway, more particularly described as 371 EXC N 20 FT (39596 SQ FT), Sunrise Acres #1 Subdivision, El Paso, El Paso County, Texas, Parcel # S912-999-001M-7000

to be \$347.48, 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 SEVENTY-ONE AND 48/100 DOLLARS (\$371.48). 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 THREE HUNDRED SEVENTY-ONE AND 48/100 DOLLARS (\$371.48) 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, BRAMBLETT & GRANDARA INVEST 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 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:

5117 Mount Abbott Drive, more particularly described as Lot(s) 1022, Block 40, Mountain View Subdivision, El Paso, El Paso County, Texas, Parcel # M851-999-0400-4600

to be \$284.70, 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 THREE HUNDRED EIGHT AND 70/100 DOLLARS (\$308.70). The City Council finds that the work was completed on the 31st 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 THREE HUNDRED EIGHT AND 70/100 DOLLARS (\$308.70) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, MARIO C. AUDETAT, 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, Block 11, Del Norte Acres Subdivision, City of El Paso, El Paso County, Texas, Parcel # D361-999-0110-6600.

to be \$87.14, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED ELEVEN AND 14/100 DOLLARS (\$111.14). The City Council finds that the work was completed on the 5th 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 ONE HUNDRED ELEVEN AND 14/100 DOLLARS (\$111.14) 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, C. D. & TERRIE GODWIN, 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:

8916 - 8920 NEPTUNE STREET, more particularly described as Lot(s) 372  
EXC N 20 FT, SUNRISE ACRES #1 Subdivision, El Paso, El Paso County,  
Texas, Parcel #S912-999-001M-7300.

to be \$962.34, 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 NINE HUNDRED EIGHTY SIX AND 34/100 DOLLARS (\$986.34). The City Council finds that the work was completed on the 7<sup>th</sup> and 8th 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 NINE HUNDRED EIGHTY SIX AND 34/100 DOLLARS (\$986.34) 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.

## **\*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, JESUS JR & JANINE B. JASSO, 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:

100 Anita, more particularly described as Lot(s) 54 (8025 SQ FT), Corbin Replat Subdivision, El Paso, El Paso County, Texas, Parcel # C776-999-0000-5700

to be \$407.56, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of FOUR HUNDRED THIRTY-ONE AND 56/100 DOLLARS (\$431.56). The City Council finds that the work was completed on the 24<sup>th</sup> and 25th 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 FOUR HUNDRED THIRTY-ONE AND 56/100 DOLLARS (\$431.56) 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, MARIA C.O. 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 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:

7737 Hermosillo, more particularly described as Lot(s) 19 (7200 SQ FT), Block 16, Hacienda Heights Subdivision, El Paso, El Paso County, Texas, Parcel # H012-999-0160-3700

to be \$269.54, 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-THREE AND 54/100 DOLLARS (\$293.54). The City Council finds that the work was completed on the 27th 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 NINETY-THREE AND 54/100 DOLLARS (\$293.54) 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, STEVE A. & JAMEY J. THRASHER, 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:

7431 Rose Circle, more particularly described as Tract 20 (0.29 ACRE) (12067 SQ FT), Paisano Subdivision, El Paso, El Paso County, Texas, Parcel # P089-999-0010-6700

to be \$361.56, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED EIGHTY-FIVE AND 56/100 DOLLARS (\$385.56). The City Council finds that the work was completed on the 27<sup>th</sup> and 31<sup>st</sup> 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 THREE HUNDRED EIGHTY-FIVE AND 56/100 DOLLARS (\$385.56) 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, JOHN L. MCKELLIPS, 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:

10272 Shenandoah Street, more particularly described as Lot(s) 8, Block 30,  
Sun Valley Subdivision, El Paso, El Paso County, Texas, Parcel # S816-999-  
0300-6400

to be \$167.79, 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-ONE AND 79/100 DOLLARS (\$191.79). The City Council finds that the work was completed on the 3rd 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 ONE HUNDRED NINETY-ONE AND 79/100 DOLLARS (\$191.79) 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, JAIME J. V. 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 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:

10016 Imperial Street, more particularly described as Lot(s) 40, Block 12, Terrace Hills #2 Subdivision, El Paso, El Paso County, Texas, Parcel # T172-999-0120-7900

to be \$282.53, 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 SIX AND 53/100 DOLLARS (\$306.53). The City Council finds that the work was completed on the 30th 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 THREE HUNDRED SIX AND 53/100 DOLLARS (\$306.53) 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, ARTURO JR. & PATRICIA FALCON, 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:

5814 Sun Court, more particularly described as Lot(s) 14 , Block 1, Sun Court Mobile Home Subdivision, El Paso, El Paso County, Texas, Parcel #S808-999-0010-2700.

to be \$193.23, 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 SEVENTEEN AND 23/100 DOLLARS (\$217.23). The City Council finds that the work was completed on the 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 SEVENTEEN AND 23/100 DOLLARS (\$217.23) 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, JAVIER 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:

9749 Gaza, more particularly described as Lot(s) 8, Block 13, Vista del Prado  
#3 Subdivision, El Paso, El Paso County, Texas, Parcel # V887-999-0130-  
1500

to be \$237.61, 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 TWO HUNDRED SIXTY-ONE AND 61/100 DOLLARS (\$261.61). The City Council finds that the work was completed on the 5th 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 SIXTY-ONE AND 61/100 DOLLARS (\$261.61) 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, ROSARIO E. CORTEZ, 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:

1451 Rudy Montoya, more particularly described as Lot(s) 1 (11092.36 SQ FT) , Block 530, Vista del Sol #124 Subdivision, El Paso, El Paso County, Texas, Parcel #V893-999-5300-0100.

to be \$154.80, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY EIGHT AND 80/100 DOLLARS (\$178.80). The City Council finds that the work was completed on the 30th 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 ONE HUNDRED SEVENTY EIGHT AND 80/100 DOLLARS (\$178.80) 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, RAFAEL R. OLIVAS, 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:

12180 Valley Quail Drive, more particularly described as Lot(s) 70 (7034.40 SQ FT), Block 6, Quail Run Subdivision, El Paso, El Paso County, Texas, Parcel # Q550-999-0060-7000

to be \$216.50, 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 TWO HUNDRED FORTY AND 50/100 DOLLARS (\$240.50). The City Council finds that the work was completed on the 3rd 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 FORTY AND 50/100 DOLLARS (\$240.50) 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, MARTHA O. LOPEZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso 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:

595 River Valley, more particularly described as Lot(s) 2 (6434.70 SQ FT), Block 1, River Valley Subdivision, El Paso, El Paso County, Texas, Parcel # R579-999-0010-0200

to be \$761.54, 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 EIGHTY-FIVE AND 54/100 DOLLARS (\$785.54). The City Council finds that the work was completed on the 25<sup>th</sup> and 26th 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 SEVEN HUNDRED EIGHTY-FIVE AND 54/100 DOLLARS (\$785.54) 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, MARIA HORTON and MARGARET H. VARA, 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:

418 San Pablo Place, more particularly described as N 60 FT OF Lot 4,  
Najera Subdivision, El Paso, El Paso County, Texas, Parcel # N040-999-  
0010-1900

to be \$497.95, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of FIVE HUNDRED TWENTY-ONE AND 95/100 DOLLARS (\$521.95). The City Council finds that the work was completed on the 25th 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 FIVE HUNDRED TWENTY-ONE AND 95/100 DOLLARS (\$521.95) 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, SERGIO 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 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 6-C (0.361 ACRE), Block 15, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel # Y805-999-015D-0630

to be \$471.43, 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 NINETY-FIVE AND 43/100 DOLLARS (\$495.43). The City Council finds that the work was completed on the 3<sup>rd</sup> and 5<sup>th</sup> 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 FOUR HUNDRED NINETY-FIVE AND 43/100 DOLLARS (\$495.43) 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, CHARLES G. CLARK, 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:

1921 Arizona Avenue, more particularly described as Lot(s) 18 & W 1/2 of Lot 19 (4500 SQ FT), Block 93, Franklin Heights Subdivision, El Paso, El Paso County, Texas, Parcel # F607-999-0930-6100

to be \$277.12, 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 ONE AND 12/100 DOLLARS (\$301.12). The City Council finds that the work was completed on the 2nd 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 THREE HUNDRED ONE AND 12/100 DOLLARS (\$301.12) 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, GERALD A. GEORGES, 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 15-Q (3.463 ACRES), A F Miller Surv 213 Abst 3597  
Subdivision, El Paso, El Paso County, Texas, Parcel # X213-999-  
0000-4557

to be \$180.24, 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 TWO HUNDRED FOUR AND 24/100 DOLLARS (\$204.24). The City Council finds that the work was completed on the 9th 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 FOUR AND 24/100 DOLLARS (\$204.24) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, LUCINDA B. LEPE, 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:

1419 Saint Vrain, more particularly described as E 82 FT of N 1/2 of Lot 9 and E 82 FT of Lot 10, Block 35, Alexander Subdivision, El Paso, El Paso County, Texas, Parcel # A462-999-0350-3500

to be \$149.93, 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 SEVENTY-THREE AND 93/100 DOLLARS (\$173.93). 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 ONE HUNDRED SEVENTY-THREE AND 93/100 DOLLARS (\$173.93) 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, DON SYVERTSEN, 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:

1601 Stanton, more particularly described as Lot(s) 1 to 5 (15860 SQ FT),  
Block 57, Alexander Subdivision, El Paso, El Paso County, Texas, Parcel #  
A462-999-0570-0100

to be \$382.12, 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 SIX AND 12/100 DOLLARS (\$406.12). The City Council finds that the work was completed on the 5th 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 FOUR HUNDRED SIX AND 12/100 DOLLARS (\$406.12) 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, MARY I. HOOPER, 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:

N PT OF LOT 9 & E 1/2 OF LOT 10 (37.5 FT ON N-28.84 FT ON E-44.03 FT ON S-49.26 FT ON W) (1449.00 SQ FT), Block 12, Sunset Heights Subdivision, City of El Paso, El Paso County, Texas, Parcel # S979-999-0120-1000.

to be \$80.11, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FOUR AND 11/100 DOLLARS (\$104.11). The City Council finds that the work was completed on the 2nd 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 ONE HUNDRED FOUR AND 11/100 DOLLARS (\$104.11) 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, MARIA T. VILLALOBOS, 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:

3027 Rivera, more particularly described as Lot(s) 14, Block 2, East El Paso Subdivision, El Paso, El Paso County, Texas, Parcel # E014-999-0020-3100

to be \$274.41, 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 TWO HUNDRED NINETY-EIGHT AND 41/100 DOLLARS (\$298.41). The City Council finds that the work was completed on the 2nd 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 NINETY-EIGHT AND 41/100 DOLLARS (\$298.41) 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.

.....  
3F.

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

**WHEREAS**, the El Paso City Council finds it in the best interest of the citizens of El Paso that the Serious Habitual Offender Comprehensive Action Program (SHOCAP) be operated for the August 1, 2008 --- July 31, 2009 year; and

**WHEREAS**, the El Paso City Council agrees to provide applicable matching funds for the said project as required by the Juvenile Accountability Block Grant Program (Office of the Governor Criminal Justice Division) grant application; and

**WHEREAS**, the El Paso City Council agrees that in the event of loss or misuse of the Criminal Justice Division funds, the El Paso City Council assures that the funds will be returned to the Criminal Justice Division in full.

**WHEREAS**, the El Paso City Council designates City Manager Joyce Wilson as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW THEREFORE, 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 for the Serious Habitual Offender Comprehensive Action Program (SHOCAP) project to the Office of the Governor, Criminal Justice Division.
2. The City Manager be authorized to sign the grant application including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant in the amount of \$18,311.34, from the City of El Paso Police Department to the Office of the Governor, Criminal Justice Division, for the purpose of continuing the efforts of the Police Department's Serious Habitual Offender Comprehensive Action Program (SHOCAP).
3. The City of El Paso agrees to provide cash matching funds in the amount of \$9,350.06.
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 receives or provides to its Police Department at or after the time the grant is awarded.

- 5. Lt. Alfred Lowe with the El Paso Police Department be authorized to sign Cooperative Working Agreements relating to the grant with the following agencies: El Paso County Sheriff's; El Paso County Attorney's Office, El Paso County Juvenile Probation Department, Child Protective Services, Texas Youth Commission and Communities In Schools-El Paso, Inc.

Representatives Quintana and Byrd commented.

Ms. Joyce Wilson, City Manager, and Mr. Tom Whitten, Assistant Police Chief, commented.

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

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Henry Stokes to the Parks and Recreation Advisory Board by Mayor John F. Cook.

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**4B. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** George Ingram to the City Employees Pension Board of Trustees by Mayor John F. Cook.

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**4C. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Daniel Barnes to the International Bridge Commission by Representative Melina Castro, District 4.

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**5A. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Rodolfo A. Troncoso to the Parks and Recreation Advisory Board by Representative Eddie Holguin, Jr., District 6.

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**5B. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Sandra Chiquito to the Public Utility Regulation Board by Representative Eddie Holguin, Jr., District 6.  
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**5C. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Josiah Heyman to the Museum of Archaeology Advisory Board by Mayor John F. Cook.

**5D. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Tommy J. Razloznic to the Building and Standards Commission by Mayor John F. Cook.

**5E. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Steven R. Silver to the Brownfields Redevelopment Board by Representative Melina Castro, District 4.

**5F. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Albert Martinez, III, to the Fair Housing Task Force by Representative Rachel Quintana, District 5.

**5G. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** David Short to the Information Technology Advisory Board by Representative Melina Castro, District 4.

Representative Castro commented.

**5H. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Anibal Olague to the Building and Standards Commission, as a regular member under the Community Affairs appointment, by Representative Melina Castro, District 4.

**5I. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Melissa C. Brandrup to the Historic Landmark Commission by Representative Melina Castro, District 4.

**5J. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Mary Russell to the Museum of Archaeology Advisory Board by Representative Melina Castro, District 4.

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

Motion made, seconded, and unanimously carried to **APPROVE** the request that the Purchasing Manager issue a purchase order to extend the existing contract to Clear Channel to provide outdoor billboard advertising promoting El Paso, Texas, through February 2008 for an additional \$6,100 for a total of \$56,001. Effective September 1, 2007, under Local Government Code Section 252-022(16), advertising is exempt, other than legal notices, from competitive bidding requirements.

Department: Economic Development  
Account No.: 15010721 – 15462 – 15000  
Funding Source: Economic Development/City Manager  
Total Estimated Award: \$56,001  
Reference No.: 2008-125

Representative Quintana commented.

Ms. Joyce Wilson, City Manager, and Mr. Terrence Freiburg, Purchasing Manager, commented.

Ms. Lisa Turner, citizen, commented.

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**7A. – 7D. INTRODUCTIONS**

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

- A. An Ordinance granting Special Permit No. ZON06-00148 to allow for an infill development to allow reduced lot depth and setbacks on the property described as a portion of Tracts 8 and 9, Block C, Christy Tract, City of El Paso, El Paso County, Texas, pursuant to Section 20.08.030.C of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.
- B. An Ordinance changing the zoning of Lots 9 and 10, Block 28, Cotton Addition, City of El Paso, El Paso County, Texas, from R-4 (Residential) to A-O(Apartment/Office) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- C. An Ordinance changing the zoning of lots 28, 29, and 30, Block 12, Sahara Addition, City of El Paso, El Paso County, Texas, from R-4 (Residential) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- D. An Ordinance changing the zoning of a portion of Tract 1, Section 16, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to M-1 (Light Manufacturing) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON FEBRUARY 19, 2008, FOR ITEMS 7A – 7D**

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**8A. FINANCIAL SERVICES**

Motion made by Mayor Pro Tempore Byrd , seconded Representative Lilly, and unanimously carried to **APPROVE** the award of Solicitation No. 2008- 051 (Concrete Intersection Improvements Phase I: Pellicano @ Lomaland & McCombs @ Railroad) to C.F. Jordan, L.P., for a total estimated minimum amount of \$1,597,133.

Department: Street  
Award to: C.F. Jordan, L.P.  
El Paso, Texas  
Items: Pellicano @ Lomaland: Base Bid I: \$605,045  
Alternate I: \$75,600  
Base Bid III A: \$41,701

Base Bid III B: \$4,040

McCombs @ Railroad: Base Bid II: \$788,152  
Alternate II: \$44,840  
Base Bid IV A: \$36,955  
Base Bid IV B: \$800

Total Estimated Minimum Award: \$1,597,133  
Account No: PCP06ST005 and PCP06ST008 – 99331117 – 27263 - 508027  
Funding Source: 2006 Certificates of Obligation

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

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

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and increased funds are appropriated in the budget.

This is a low bid, unit-price contract.

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

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

Mr. Alan Shubert, City Engineer, presented a PowerPoint presentation (on file in the City Clerk's office).

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

Ms. Joyce Wilson, City Manager, commented.

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**8B. FINANCIAL SERVICES**

Motion made by Representative Lilly, seconded Mayor Pro Tempore Byrd, and unanimously carried to **POSTPONE** for one week the award of Solicitation No. 2008-073 (Storm 2006: Upper Valley Drainage Improvements Phase I) to C.F. Jordan, L.P., El Paso, Texas, for an estimated minimum total amount of \$10,427,250.

Department: Engineering  
Award to: C.F. Jordan, L.P.  
El Paso, Texas  
Items: Base Bid I: \$3,517,345  
Base Bid II: \$5,872,080  
Base Bid III: \$257,080  
Base Bid IV: \$780,745

Total Est. Min. Award:\$10,427,250

Account No: PSTM06PW26-0 – 27264 – 14200500 - 508027  
Funding Source: Storm 2006 Bond Issue

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

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

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and increased funds are appropriated in the budget.

This is a low bid, unit-price contract.

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

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

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

Ms. Joyce Wilson, City Manager, commented and Mr. Alan Shubert, City Engineer, presented a PowerPoint presentation (on file in the City Clerk's office).

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**8C. FINANCIAL SERVICES**

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

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 12:27 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071, Consultation with Attorney

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

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and unanimously carried to adjourn the Executive Session at 12:41 p.m. and **RECONVENE** the meeting of the City Council.

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

Motion made by Representative O'Rourke, seconded Representative Lilly, and carried to **APPROVE** the award of Solicitation No. 2008-070 (EPIA – Reconstruction of Taxiway J and Taxiway M) to C.F. Jordan, L.P., for a total estimated minimum amount of \$10,999,150.

Department: El Paso International Airport  
Award to: C.F. Jordan, L.P.  
El Paso, Texas  
Items: Alternate Bid I: \$9,657,330  
Alternate Bid II: \$1,341,820  
Total Est. Min. Award: \$10,999,150  
Account No: G620AIP0025 – 62620031 – 11514 - 508027

Funding Source: FAA AIP Grants & Airport Enterprise Fund

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

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

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and increased funds are appropriated in the budget.

This is a low bid, unit-price contract.

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

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

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

Mr. Alan Shubert, City Engineer, and Mr. Patrick Abeln, Director of Aviation, presented a PowerPoint presentation (on file in the City Clerk's office).

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

The following members of the public commented:

1. Mr. Michael Norby, Professional Engineer for Kimley-Horn and Associates, Inc.
2. Mr. Jim Martinez, attorney for JAR Concrete
3. Mr. Joe Rosales, JAR Concrete
4. Mr. Darren Woody, C.F. Jordan

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**9A. PUBLIC HEARING-DEVELOPMENT SERVICES**

An Ordinance changing the zoning of a portion of Tract 14A, A.F. Miller Survey No. 210, and a portion of Tract 3-B-3-A, John Whittaker Survey No. 134, City of El Paso, El Paso County, Texas, from R-3 (Residential) to R-4 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: south of Dianjou Drive and west of Bartlett Drive. Applicants: Mountain Valley Homes. ZON07-00129

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

Mayor Cook and Representative Lilly commented.

The following members of the public commented:

1. Ms. Lisa Turner
2. Mr. George Halloul

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

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

AYES: Representatives Lilly, Byrd, 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**.

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

Motion made by Representative Lilly, seconded by Representative Quintana, and unanimously carried to **RECONSIDER** the item.

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

Motion made by Representative Lilly, seconded by Representative Quintana and unanimously carried to **POSTPONE** the item for one week.

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

Motion made by Representative O'Rourke, seconded by Representative Ortega and unanimously carried to **DENY** an Ordinance changing the zoning of a portion of Block 5, Fiesta Hills Unit One, City of El Paso, El Paso County, Texas, from C-1 (Commercial) to C-3 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

Representative O'Rourke commented.

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

The following members of the public commented:

1. Mr. Frank Ainsa, attorney for Cavalier Investment, Co., Inc.
2. Mr. Edward Abraham, applicant

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**9C.**

**ORDINANCE 16833**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 14, BLOCK 63, EAST EL PASO, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-5 (RESIDENTIAL) TO C-1 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

AYES: Representatives Lilly, Byrd, 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**.

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**9D.**

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

**WHEREAS**, Sunland Business Center Partners, L.P., (the "Applicant") has applied for approval of a detailed site development plan pursuant to a special contract condition, to permit the construction and development of a bus maintenance facility; and

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

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

**WHEREAS**, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

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

1. Pursuant to requirements imposed by a special contract condition, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of bus maintenance facility on the following described property which is located in a C-4/sc (Commercial/special contract) District:

A portion of Lot 4, Block 3, Sunland Business Center, City of El Paso, El Paso County, Texas.

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

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-4/sc (Commercial/special contract) District regulations.

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

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Representative O'Rourke commented.

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

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

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

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

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**10. PUBLIC HEARING-MAYOR AND COUNCIL**

An Ordinance limiting the use of the power of eminent domain on non-blighted private property in the Redevelopment Districts of the Downtown 2015 Plan.

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

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

The following members of the public commented:

- 1. Mr. Jerry Rosenbaum
- 2. Mr. Richard Schechter
- 3. Ms. Gabby Garcia
- 4. Ms. Edie Zuranich
- 5. Ms. Lisa Turner
- 6. Mr. Ray Gilbert
- 7. Ms. Maria Guadalupe Ochoa
- 8. Ms. Magdalena Hernandez
- 9. Mr. Antonio Lopez

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

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

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

Motion made by Representative Quintana, seconded by Mayor Pro Tempore Byrd and unanimously carried to **SUSPEND THE RULES OF ORDER** in order to allow Mr. Jerry Rosenbaum an additional two minutes to address Council.

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

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

**4<sup>TH</sup> MOTION**

Motion made by Representative Castro, seconded by Representative Quintana, to **POSTPONE** the item for one week. **THE MOTION FAILED.**

AYES: Representatives Castro, Quintana, and Holguin

NAYS: Lilly, Byrd, Ortega, and O'Rourke

**5<sup>TH</sup> MOTION**

Motion duly made by Representative Quintana, seconded by Representative Castro, 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 Castro, Quintana, and Holguin

NAYS: Lilly, Byrd, Ortega, and O'Rourke

**THE MOTION FAILED**

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11.

**ORDINANCE 16834**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 016428 TO CHANGE THE THREE DIVISIONS OF MUNICIPAL COURT NUMBER FOUR TO BE DIVISIONS OF MUNICIPAL COURT NUMBER FIVE.**

Representative Holguin commented.

Ms. Joyce Wilson, City Manager, and Ms. Richarda Duffy Momsen, Municipal Clerk, commented.

Motion duly made by Mayor Pro Tempore Byrd, 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, 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**.

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**ITEMS TAKEN TOGETHER:**

12.

**ORDINANCE 16835**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY OF EL PASO TO SELL 11,057 SQUARE FEET, MORE OR LESS, BEING A PORTION OF BLOCK 17, ANSON MILLS MAP OF THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, COMMONLY KNOWN AS 319 - 327 OREGON STREET, TO MILLS ACQUISITION COMPANY LP N/K/A MILLS PLAZA PROPERTIES LP.**

Mayor Cook and Representatives Byrd and Holguin commented.

Ms. Joyce Wilson, City Manager, and Mr. Gonzalo Cedillos, Financial Services Capital Assets Manager, commented.

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

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

NAYS: None  
NOT PRESENT FOR THE VOTE: Representative Castro

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

13.

**RESOLUTION**

**WHEREAS**, the City of El Paso staff has recommended the sale of 11,057 square feet, more or less, being a portion of Block 17, Anson Mills Map of the City of El Paso, El Paso County, Texas, commonly known as 319-327 Oregon Street; and

**WHEREAS**, in accordance with Section 272.001 of the Texas Local Government Code, the City of El Paso advertised and solicited bids for the purchase of the identified property; and

**WHEREAS**, Mills Acquisition Company LP, n/k/a Mills Plaza Properties LP, is the highest bidder and submitted a bid of \$451,000.00, which amount includes additional fees for an appraisal and a survey incurred by the City to sell the identified property and staff has recommended the sale of the property to the highest bidder; and

**WHEREAS**, a term and condition of the proposed bid award is that the City must give its express written consent of any assignment of the awarded contract of sale, and the Mills Acquisition Company LP, n/k/a Mills Plaza Properties LP has requested that the City give its consent to allow Mills Acquisition Company LP, n/k/a Mills Plaza Properties LP, to assign its interest in the sale identified property, and

**WHEREAS**, Mills Plaza Parking LP agrees to perform all obligations of the bid award as recommended to be awarded to Mills Acquisition Company LP, n/k/a Mills Plaza Properties LP,

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

That the El Paso City Council consents to the assignment by Mills Acquisition Company LP, n/k/a Mills Plaza Properties LP, of its interest in the sale of a portion of City property within Block 17, Anson Mills Map of the City of El Paso, El Paso County, Texas, commonly known as 319-327 Oregon Street, to Mills Plaza Parking LP.

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

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

.....  
**14A. MAYOR AND COUNCIL**

Motion made by Representative Quintana, seconded by Representative Lilly, and unanimously carried to **POSTPONE** for one week discussion and action on authorizing the City Manager and staff to install street lights at 18 identified locations in south El Paso.

1. On east side of Park, a few yards before Cesar Chavez Hwy
2. Intersection of 8th Ave and the alley between Park & Tays
3. Alley between Tays & Hills and Father Rahm & 6<sup>th</sup>

4. Alley between Tays & Hills and 6<sup>th</sup> & 7<sup>th</sup>
5. Alley between Tays & Hills and 6<sup>th</sup> and Father Rahm
6. Alley between 7<sup>th</sup> & 8<sup>th</sup> and Hills & St. Vrain
7. Alley between 8<sup>th</sup> & 9<sup>th</sup> and Hills and St. Vrain
8. Alley between Father Rahm & 6<sup>th</sup> and St. Vrain & Virginia
9. Alley between 6<sup>th</sup> & 7<sup>th</sup> and St. Vrain & Virginia
10. At the intersection of Virginia and 9<sup>th</sup>
11. Alley between Virginia & Ochoa and 6<sup>th</sup> and Father Rahm
12. Alley between 8<sup>th</sup> & 9<sup>th</sup> and Virginia & Ochoa (possibly on pole #1009)
13. On Hills, between Paisano and Delta
14. Intersection between 8<sup>th</sup> Ave and the alley between Mesa and Oregon (north corner of the intersection).
15. West side of Mesa, between 6<sup>th</sup> and Father Rahm
16. Alley between Oregon & Mesa and 4<sup>th</sup> & 3<sup>rd</sup> (east side of alley)
17. Alley between Stanton & Kansas and 8<sup>th</sup> & 7<sup>th</sup>
18. Intersection of Father Rahm and Campbell (either of the north corners)

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**14B. MAYOR AND COUNCIL**

Motion made by Representative Quintana, seconded by Representative Lilly, and unanimously carried to **POSTPONE** for one week discussion and action on authorizing the City Manager and staff to install street lights at the following identified locations in east El Paso.

1. 2827 Chaswood Street
1. 10235 Blackwood Street
2. 3451 Buffalo Gap Street
3. 2225 Frank Beard
4. 2205 Anise
5. 11354 Lake Loy
6. 11374 Lake Loy
7. 11237 Thundercloud Dr.
8. 11207 Thundercloud Dr.
9. Intersection of Sam Snead and Red Sails
10. 11671 Tom Fiore
11. Intersection of Edgemere and East Glen
12. 12600 Tierra Dura
13. 11349 Lake Nemi

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**14C.**

**RESOLUTION**

That the City Manager be authorized to sign a Professional Services Agreement by and between the City of El Paso and Patricia A. Shipton for legislative and lobbying services in Austin, Texas. The term of the Agreement is for the period of January 29, 2008, through January 28, 2009, with two consecutive renewal terms of one year each. Compensation for each year will not exceed \$100,000.

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

Ms. Joyce Wilson, City Manager, commented and Ms. Sylvia Borunda Firth, Director of Governmental Affairs and Senior City Attorney, gave legal advice.

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

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**14D.**

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

**WHEREAS**, by Resolution of March 13, 2007, the City Council of the City of El Paso created the Camino Real Regional Mobility Authority (CRRMA) and named its initial Board;

**WHEREAS**, in accordance with Section 370.251 of the Texas Transportation Code and the City of El Paso’s Petition and Request for Authorization to Form the Camino Real Regional Mobility Authority, as approved by the Texas Transportation Commission, the terms for CRRMA Board Positions 1, 3 and 5 are set to expire on February 1, 2008;

**WHEREAS**, in an effort to insure the continuity of the CRRMA through the avoidance of any vacancies in City-appointed positions of the CRRMA Board, the City Council desires to make appointments to such positions to become effective on February 1, 2008;

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

That the City of El Paso hereby appoints the following board members to the Camino Real Regional Mobility Authority Board for the positions identified below, each of which shall take effect on February 1, 2008:

- 1. David Marcus for Position 1, whose term will expire on February 1, 2010;
- 2. Scott McLaughlin for Position 3, whose term will expire on February 1, 2010; and
- 3. Ralph Adame for Position 5, whose term will expire on February 1, 2010.

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

Mr. Ralph Adame commented.

**1<sup>st</sup> MOTION**

Motion made by Representative Ortega, seconded by Representative Lilly and carried to **APPOINT** Mr. David Marcus to Position 1.

- AYES: Representatives Lilly, Byrd, Quintana, Ortega, and O’Rourke
- NAYS: Representative Holguin
- ABSTAIN: Representative Castro

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

Motion made by Representative Ortega, seconded by Representative Lilly, and carried to **APPOINT** Mr. Scott Laughlin to Position 3.

- AYES: Representatives Lilly, Byrd, Ortega, and O’Rourke
- NAYS: Representative Holguin
- ABSTAIN: Representative Castro
- NOT PRESENT FOR THE VOTE: Representative Quintana

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

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Byrd, and carried to **APPOINT** Mr. Ralph Adame to Position 5.

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

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**14E. MAYOR AND COUNCIL**

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to **APPOINT** Ruben E. Guerra to the Public Service Board.

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

The following members of the public commented:

1. Mr. Ruben E. Guerra
2. Mr. Charlie Wakeem
3. Ms. Elma Carreto

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**15.**

**RESOLUTION**

**WHEREAS**, on January 2, 2008, District No. 3 Representative J. Alexandro Lozano announced his candidacy for an office of profit or trust in the state of Texas and by operation of law, Article XI, Section 11 of the Texas Constitution, automatically resigned from his office, and

**WHEREAS**, the City Council for the City of El Paso finds that a vacancy exists in the City Representative District No. 3; and

**WHEREAS**, The City Council finds that holding the special election on the uniform election date of May 10, 2008, best serves the rights and interests of the qualified voters in the election, as are accorded by federal law.

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

1. On May 10, 2008, an election will be held in the City of El Paso for the purpose of electing the following named officer of the City of El Paso:

A Representative who is to be elected from single-member District No. 3.

2. At such election, any candidate for the office of Representative shall file an application for a specific place on the ballot as a candidate for Representative District No. 3. At the polling places in the Representative District the ballot in such election shall show the office of Representative for such district, the district number and the name of each candidate for office; and the Representative shall be elected by the voters in the district in which the person is a candidate. The period for filing such application shall begin on February 4, 2008 and the deadline for filing such application shall be March 4, 2008.

3. Such election shall be held at the polling places designated in Exhibit "A" attached hereto and made a part hereof for all purposes, and said polling places shall open at 7:00 a.m. and remain open until 7:00 p.m. on the day of the election.

4. That Richarda Duffy Momsen, the City Clerk of the City of El Paso, shall be the clerk for early voting, and Javier Chacon, County Elections Administrator, shall be the deputy clerk for early voting for said City election. The County Courthouse, 500 E. San Antonio, is hereby designated as the main early voting polling place for such election. In addition, early voting may also occur at such branch early voting polling

places as are designated by the County Elections Department and posted at city hall by the City Clerk. The hours for early voting by personal appearance shall be authorized for such election as follows:

Regular Dates and Hours for Early Voting by Personal Appearance:

April 28 – May 2 (Mon-Fri)

Hours for the County Courthouse: 8:00 a.m. – 5:00 p.m.

Hours for other designated early voting locations: 9:00 a.m. – 6:00 p.m.

May 5 and 6 (Mon-Tues)

Hours for all early voting locations: 7:00 a.m. - 7:00 p.m.

There shall be no dates and hours of any Saturday or Sunday early voting by personal appearance. In addition, any locations, including mobile voting stations, that might be later identified or more clearly identified by the County Elections Department for inclusion or deletion, and their respective hours for early voting by personal appearance, shall be authorized for such election.

Applications for early voting by mail shall be submitted to the Early Voting Clerk no earlier than March 11, 2008, and no later than the close of business on May 2, 2008, at the following address:

Mr. Javier Chacon  
Deputy Early Voting Clerk  
500 E. San Antonio, Room 402  
El Paso, Texas 79901

5. That a runoff election shall be held, if required, on Saturday, June 7, 2008, or other date permitted by the Texas Election Code. Such election, if any, shall be called by the City Council. Early voting dates and sites will be identified if such runoff election shall be held.

6. A special canvassing board shall be appointed by the Mayor as provided by law, to count and canvass all early votes and ballots cast at said election.

7. That electronic voting machines shall be used for voting at the regular polling places in such election, and for the casting of early ballots by persons voting early by personal appearance and by mail.

8. That such election shall be held in the manner and form prescribed by the laws of the State of Texas, and at such election all qualified voters in District No. 3 of the City are authorized to vote.

9. That by approving and signing this resolution, the Mayor officially confirms as his action all matters recited herein which by law come within his jurisdiction.

10. A substantial copy of this resolution shall serve as proper notice of said election.

11. The City Clerk shall give notice of such election by posting a notice of such election in English and Spanish in the Office of the City Clerk as provided by law and by publishing a copy of said notice in both English and Spanish in the official newspaper of the City as required by law.

Representatives Byrd, Castro, Quintana, and Holguin commented.

The following members of City staff 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.
- 4. Ms. Richarda Duffy Momsen, Municipal Clerk

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

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**16.**

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

**WHEREAS**, the Mayor and City Council accept the recommendation from the Parks and Recreation Advisory Board to rename Shawver Pool to the "**WILLIAM W. COWAN POOL.**"

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

**THAT** Shawver Pool shall henceforth be renamed and known as the William W. Cowan Pool; and,

**THAT** Claire Cowan is the person requesting this specific name and shall incur the customary costs associated with the naming or renaming of a park or park facility, such as installing or replacing signs with the park name or any other signs posted or affixed for a facility. Any proposed signs shall be acceptable to both the Parks and Recreation Department and the individual(s) or group making the request. (District 7)

Representative Ortega commented.

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

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**17A. CITY MANAGER**

City Manager's report of current events and issues:

For discussion and action; presentation by UTEP on Customer Service Survey.

Motion made by Representative Quintana, seconded by Representative Lilly, and unanimously carried to **POSTPONE** the item for one week.

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**17B. CITY MANAGER**

City Manager's report of current events and issues:

Discussion and action on Capital Improvement Program, including:

- 1. Status Report of fund balances
- 2. Highlights of Storm 2006 & other capital projects
- 3. Reprogramming recommendations to address emerging, unfunded capital needs
- 4. Proposed process for FY 2009 - 2010 bond authorization

Motion made by Representative Quintana, seconded by Representative Lilly, and unanimously carried to **POSTPONE** the item for one week.

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Motion made by Representative O'Rourke, seconded by Mayor Pro Tempore Byrd, and unanimously carried to  
**ADJOURN** this meeting at 2:30 p.m.  
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APPROVED AS TO CONTENT:

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Richarda Duffy Momsen, City Clerk