

**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  
MARCH 4, 2008  
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:37 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, Rachel Quintana, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

**MAYOR'S PROCLAMATIONS**

- 1. MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES AWARENESS MONTH**
- 2. RED CROSS MONTH**
- 3. FUTURE FARMERS OF AMERICA (FFA) WEEK**

**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. Renee Saucedo
3. Mr. Antonio Medrano
4. Mr. Karl Kramer
5. Ms. M. Saucedo
6. Mr. Jorge Artalejo

Mayor Cook and Representatives Byrd and Ortega commented.

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

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Byrd, and unanimously carried that the City Council **SUSPEND THE RULES OF ORDER** in order to allow Ms. M. Saucedo an additional minute to address the Council.

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

Motion made by Representative O'Rourke, seconded by Mayor Pro Tempore Byrd, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:37 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.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, and unanimously carried to adjourn the Executive Session at 9:03 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

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

**EX1.** Petition of El Paso Electric Company for Fuel Surcharge before the Public Utility Commission of Texas Petition of El Paso Electric Company, Docket No. 35204, SOAH Docket No. 43-08-1338.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Quintana, and carried that the City Attorney's Office be authorized **SETTLEMENT AUTHORITY**, to negotiate settlement agreement, and sign all documents to resolve the Petition of El Paso Electric Co. for Fuel Surcharge before the Public Utilities Commission of Texas Docket No. 35204, SOAH Docket No. 473-08-1338.

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

**EX2.** City of El Paso vs. Public Utility Commission of Texas, Cause No. D-1-Gv-04-002035, 201<sup>st</sup> Judicial District Court, Travis County, Texas.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Quintana, and carried that the City Attorney's Office be authorized to **PURSUE THE LAWSUIT** entitled City of El Paso vs. Public Utilities Commission of Texas, Cause No. D-1-Gv-04-002035, 201<sup>st</sup> Judicial District Court, Travis, County, Texas.

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

**EX3.** Discussion and action regarding strategies and options related to Asarco litigation, bankruptcy, TCEQ permit process, and other legal matters involving Asarco.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and carried that the City of El Paso authorizes the City Attorney and outside counsel for the City of El Paso to **RETAIN THE**

**SERVICES** of an attorney to assist in the City's appeal of the Texas Commission on Environmental Quality's recent decision regarding the renewal of ASARCO's Air Quality Permit No. 20345.

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

NAYS: Representative Castro and Quintana

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**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 Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

NOT PRESENT FOT THE VOTE: Representative Lilly

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**1. APPROVAL OF MINUTES**

\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of February 26, 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**

That the City Manager be authorized to: (i) file an application with the Federal Aviation Administration (FAA), authorizing the continuation of the Passenger Facility Charge (PFC) at the El Paso International Airport (the Airport); (ii) expend revenues from the PFC at the Airport, in accordance with the Airport's Capital Improvement Program; (iii) submit all required assurances, understandings, and related documentation contained in the application or requested by the FAA; and (iv) designate the Director of Aviation as the authorized representative of the City of El Paso to act in connection with the application.

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**3B.**

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 18.50 of the El Paso City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 26<sup>th</sup> day of April, 2006, after due notice and hearing, issued an order to ESTHER HERNANDEZ a/k/a ESTHER HERNANDEZ AGUINAGA, record Owner of the hereinafter described property that the Buildings be demolished within thirty (30) days and to clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to demolish the Buildings and clean the premises of all weeds, trash, and debris.

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

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

1. That the City Council determines the actual cost of demolishing the Buildings and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 3, Block 4, of the Heatfield-Hudspeth Subdivision of the Cotton Addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 1630 Ladrillo Place, El Paso, Texas.

to be \$16, 208.41, performed by the Street Department of the City of El Paso, and \$894.96, performed by the City Clerk's Office and Development Services Department, making a total of \$17,103.37. The City Council finds that the work was completed on the 21<sup>st</sup> day of February, 2007, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of SEVENTEEN THOUSAND ONE HUNDRED THREE AND 37/100 DOLLARS (\$17,103.37) to be a lien on the above-described property.

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

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

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

**WHEREAS**, in accordance with Chapter 18.50 of the El Paso City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 25<sup>th</sup> day of April, 2007, after due notice and hearing, issued an order to LEONARDO TALAMANTES and NASARIO PEDROZA SOLIS, record Owners of the hereinafter described property that the main structure be secured and the unpermitted structures be demolished within thirty (30) days and to clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to secure the main structure and demolish the unpermitted structures and clean the premises of all weeds, trash, and debris.

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

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

1. That the City Council determines the actual cost of securing the main structure and demolishing the unpermitted structures and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lots 14 and 15, Block 51, Magoffin Addition, to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Book 14, Page 19, Plat Records of El Paso County, Texas, municipally known and numbered as 606 Nino Aguilera, El Paso, Texas.

to be \$4,863.63, performed by the Street Department of the City of El Paso, and \$1,191.20, performed by the City Clerk's Office and Development Services Department, making a total of \$6,054.83. The City Council finds that the work was completed on the 19<sup>th</sup> day of October, 2007, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of SIX THOUSAND FIFTY-FOUR AND 83/100 DOLLARS (\$6,054.83) to be a lien on the above-described property.

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

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

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

**WHEREAS**, in accordance with Chapter 18.50 of the El Paso City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 25<sup>th</sup> day of July, 2007, after due notice and hearing, issued an order to RUTILIO LOPEZ AND YSIDRA LOPEZ, record Owners of the hereinafter described property that the Primary Building be demolished and secure the accessory structure within thirty (30) days and to clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to demolish the Primary Building and secure the accessory structure and clean the premises of all weeds, trash, and debris.

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

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

1. That the City Council determines the actual cost of demolishing the Primary Building and securing the accessory structure and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 27, North Valumbrosa Subdivision, to the City of El Paso, Texas, El Paso County, Texas, according to the plat thereof on file in Book 1, Page 2, Plat Records of said county, municipally known and numbered as 138 Palla Place, El Paso, Texas.

to be \$11,142.57, performed by the Street Department of the City of El Paso, and \$2,644.67, performed by the City Clerk's Office and Development Services Department, making a total of \$13,787.24. The City Council finds that the work was completed on the 13<sup>th</sup> day of November, 2007, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of THIRTEEN THOUSAND SEVEN HUNDRED EIGHTY-SEVEN AND 24/100 DOLLARS (\$13,142.57) to be a lien on the above-described property.

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

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

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3C.

**RESOLUTION**

That the Mayor be authorized to sign the First Amendment to Interlocal Agreement with the University of Texas at El Paso under which the Institute for Policy and Economic Development of UTEP provides economic-impact assessments, briefing and training to City staff, and other technology-based economic development assessments services to the City. This Amendment will increase the compensation by an additional \$30,000.00 and extend the term to February 28, 2009.

Mayor Cook and Representatives Byrd, Ortega and Quintana commented.

Ms. Joyce Wilson, City Manager commented and Dr. Kathryn Dodson, Economic Development Director, presented a PowerPoint presentation (on file in the City Clerk's office).

Mr. Richard Schecter, citizen, commented.

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

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

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

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

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

NAYS: Representative Byrd

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3D.

**\*RESOLUTION**

That the City Manager be authorized to sign an agreement with the El Paso Electric Company for the purpose of upgrading electrical service to the City's Cebada Pump Station located at 3521 Delta Dr and that the City Manager or her designee be authorized to sign any permits necessary to accomplish the electrical upgrade of the facility.

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

Ms. Joyce Wilson, City Manager, and Mr. Alan Shubert, City Engineer, commented.

Mr. Richard Schecter, citizen, commented.

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3E.

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ROBERTO NAJERA, 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:

1337 Calle Lago, more particularly described as Lot(s) 10 (9614.17 SQ FT),  
Block 13, Park Hills #6 (Amending) Subdivision, El Paso, El Paso County,  
Texas, Parcel # P327-999-0130-1000

to be \$310.14, 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 THREE HUNDRED THIRTY FOUR AND 14/100 DOLLARS (\$334.14). The City Council finds that the work was completed on the 14th day(s) of September, 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 THIRTY FOUR AND 14/100 DOLLARS (\$334.14) 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, WILLIAM B. MAYFIELD REALTY c/o JAMES D. MAYFIELD (TRUSTEE), referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

Lot(s) 264, Block 27, Loretto Place Subdivision, City of El Paso, El Paso  
County, Texas, Parcel # L681-999-0270-0100.

to be \$32.48, 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 FIFTY SIX AND 48/100 DOLLARS (\$56.48). The City Council finds that the work was completed on the 12th 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 FIFTY SIX AND 48/100 DOLLARS (\$56.48) 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, RICHARD BARRIOS, 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:

3330 Lincoln, more particularly described as Lot(s) 26 to 27 (6000.00 SQ FT),  
Block 115, Morningside Heights Subdivision, El Paso, El Paso County, Texas,  
Parcel # M794-999-1150-4100

to be \$348.02, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED SEVENTY TWO AND 02/100 DOLLARS (\$372.02). The City Council finds that the work was completed on the 11th day(s) of September, 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 TWO AND 02/100 DOLLARS (\$372.02) 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, MARGARET S. GILCREASE, 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:

5012 Meade Court, more particularly described as Lot(s) 920 (6324 SQ FT),  
Block 35, Mountain View Subdivision, El Paso, El Paso County, Texas, Parcel  
# M851-999-0350-3100

to be \$263.59, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED EIGHTY SEVEN AND 59/100 DOLLARS (\$287.59). The City Council finds that the work was completed on the 12th day(s) of September, 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 EIGHTY SEVEN AND 59/100 DOLLARS (\$287.59) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, PEDRO A. & CONSUELO ORTEGA, 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:

4904-4906 Quitman Avenue, more particularly described as Lot(s) 6 (9775 SQ  
FT), Block 6, Mesa Terrace Subdivision, El Paso, El Paso County, Texas,  
Parcel # M372-999-0060-8100

to be \$108.25, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE

HUNDRED THIRTY TWO AND 25/100 DOLLARS (\$132.25). The City Council finds that the work was completed on the 21 st day(s) of September, 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 THIRTY TWO AND 25/100 DOLLARS (\$132.25) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, GUADALUPE KANE, 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:

112 Ascarate Street, more particularly described as Lot(s) 19 & 20, Block 2,  
Sambrano Subdivision, El Paso, El Paso County, Texas, Parcel # S052-999-  
0020-3600

to be \$1,549.06, 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 THOUSAND FIVE HUNDRED SEVENTY THREE AND 06/100 DOLLARS (\$1,573.06). The City Council finds that the work was completed on the 6<sup>th</sup>, 7<sup>th</sup>, and 10th day(s) of September, 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 THOUSAND FIVE HUNDRED SEVENTY THREE AND 06/100 DOLLARS (\$1,573.06) 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, GLORIA M. ALVIDREZ, 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:

12404 Armadillo, more particularly described as Lot(s) 21 (4125 SQ FT) SR#  
4752B-1.5-026, Block 3, Desert View Estates Subdivision, El Paso, El Paso  
County, Texas, Parcel # D463-999-0030-2100

to be \$182.94, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED SIX AND 94/100 DOLLARS (\$206.94). The City Council finds that the work was completed on the 22nd day(s) of August, 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 SIX AND 94/100 DOLLARS (\$206.94) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, HUBERT MCGRAW, 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:

6027 Camden Lake, more particularly described as Lot(s) 39 (5750.00 SQ FT), Block 21, Sunset View #3 Subdivision, El Paso, El Paso County, Texas, Parcel # S814-999-0210-3900

to be \$109.87, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED THIRTY THREE AND 87/100 DOLLARS (\$133.87). The City Council finds that the work was completed on the 7th day(s) of September, 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 THIRTY THREE AND 87/100 DOLLARS (\$133.87) 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, ALLAN B. PUGH, 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:

5353 Colin Powell, more particularly described as Lot(s) 5 (5129.00 SQ FT), Block 9, Patriot Village #2 Subdivision, El Paso, El Paso County, Texas, Parcel # P605-999-0090-0500

to be \$207.30, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED THIRTY ONE AND 30/100 DOLLARS (\$231.30). The City Council finds that the work was completed on the 5th day(s) of September, 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 THIRTY ONE AND 30/100 DOLLARS (\$231.30) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, 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 \$160.75, 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 ONE HUNDRED EIGHTY FOUR AND 75/100 DOLLARS (\$184.75). The City Council finds that the work was completed on the 12th day(s) of September, 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 EIGHTY FOUR AND 75/100 DOLLARS (\$184.75) 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, VERA L. R. RIVERA, 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:

11333 Lindenwood Avenue, more particularly described as Lot(s) 22, Block 10, Kimberly Heights Subdivision, El Paso, El Paso County, Texas, Parcel # K383-999-0100-2200

to be \$201.89, 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 TWENTY FIVE AND 89/100 DOLLARS (\$225.89). The City Council finds that the work was completed on the 14th day(s) of September, 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 TWENTY FIVE AND 89/100 DOLLARS (\$225.89) 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, CARMEN HERRERA, 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:

11433 Lindenwood Avenue, more particularly described as Lot(s) 24, Block 5, Kimberly Heights Subdivision, El Paso, El Paso County, Texas, Parcel #K383-999-0050-2400

to be \$306.89, 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 THIRTY AND 89/100 DOLLARS (\$330.89). The City Council finds that the work was completed on the 18<sup>th</sup> and 19th day(s) of September, 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 THIRTY AND 89/100 DOLLARS (\$330.89) 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, MAGDALENA YU, 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:

11461 Lindenwood , more particularly described as Lot(s) 17 (EXC ELY PT)  
(9170.50 SQ FT), Block 5, Kimberly Heights Subdivision, El Paso, El Paso  
County, Texas, Parcel # K383-999-0050-1700

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 17<sup>th</sup> and 18<sup>th</sup> day(s) of September, 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, PATRICIA M. WILLIAMS, 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:

11405 Menlo Avenue, more particularly described as Lot(s) 31, Block 3, Kimberly Heights Subdivision, El Paso, El Paso County, Texas, Parcel # K383-999-0030-3100

to be \$343.69, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED SIXTY SEVEN AND 69/100 DOLLARS (\$367.69). The City Council finds that the work was completed on the 17th day(s) of September, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED SIXTY SEVEN AND 69/100 DOLLARS (\$367.69) 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, TERESA M. ARREOLA, 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:

11408 Menlo Avenue, more particularly described as Lot(s) 3, Block 2, Kimberly Heights Subdivision, El Paso, El Paso County, Texas, Parcel # K383-999-0020-0300

to be \$287.40, 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 ELEVEN AND 40/100 DOLLARS (\$311.40). The City Council finds that the work was completed on the 17th day(s) of September, 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 ELEVEN AND 40/100 DOLLARS (\$311.40) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, The Alderete Family 1990 Trust, 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:

266 Southside, more particularly described as Tract 12 (1.5667 AC), Block 49,  
Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel # Y805-999-0490-  
1201

to be \$609.45, 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 SIX HUNDRED THIRTY THREE AND 45/100 DOLLARS (\$633.45). The City Council finds that the work was completed on the 10th and 17th day(s) of September, 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 SIX HUNDRED THIRTY THREE AND 45/100 DOLLARS (\$633.45) 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, NATHALIE 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:

Lot(s) 11 & WLY PT OF LOT 10 (6.04' ON ST - 98.37' ON WLY - 6.96' ON NLY - 95.53' ON ELY) (6051.24 SQ FT), Block B, Patterson Subdivision, City of El Paso, El Paso County, Texas, Parcel # P609-999-000B-7900.

to be \$304.72, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED TWENTY EIGHT AND 72/100 DOLLARS (\$328.72). The City Council finds that the work was completed on the 24th day(s) of September, 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 TWENTY EIGHT AND 72/100 DOLLARS (\$328.72) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, E. A. CAPLES, 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 4 (2.184 ACRES) & Tract 5 (2.2 ACRES), Fruitvale Subdivision, El Paso, El Paso County, Texas, Parcel # F856-999-0010-2100

to be \$1,975.56, 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 ONE THOUSAND NINE HUNDRED NINETY NINE AND 56/100 DOLLARS (\$1,999.56). The City Council finds that the work was completed on the 6th, 7th, and 20th day(s) of September, 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 THOUSAND NINE HUNDRED NINETY NINE AND 56/100 DOLLARS (\$1,999.56) 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, FRANCISCO & DIANA BARAJAS, 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:

2901 Magoffin, more particularly described as FR 28 TO 32 N OF MAGOFFIN  
(2893 SQ FT), Block 1, East El Paso Subdivision, El Paso, El Paso County,  
Texas, Parcel # E014-999-0010-8100

to be \$195.93, 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 TWO HUNDRED NINETEEN AND 93/100 DOLLARS (\$219.93). The City Council finds that the work was completed on the 20<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 TWO HUNDRED NINETEEN AND 93/100 DOLLARS (\$219.93) 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, PEDRO R. & ROSE M. LOPEZ c/o RAY 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:

242 Porfirio Diaz Street, more particularly described as Lot(s) 30 & S 1/2 of Lot 29 (4500 SQ FT), Block 1, Mundy Heights Subdivision, El Paso, El Paso County, Texas, Parcel # M946-999-0010-6600

to be \$152.63, 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-SIX AND 63/100 DOLLARS (\$176.63). The City Council finds that the work was completed on the 20th 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-SIX AND 63/100 DOLLARS (\$176.63) 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, PEDRO R. & ROSE M. 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:

242 Porfirio Diaz Street, more particularly described as Lot(s) 30 & S 1/2 of Lot 29 (4500 SQ FT), Block 1, Mundy Heights Subdivision, El Paso, El Paso County, Texas, Parcel # M946-999-0010-6600

to be \$231.11, 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 TWO HUNDRED FIFTY FIVE AND 11/100 DOLLARS (\$255.11). The City Council finds that the work was completed on the 28th day(s) of September, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED FIFTY FIVE AND 11/100 DOLLARS (\$255.11) 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, NASARIO P. SOLIS, 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:

1917 San Antonio, more particularly described as Lot(s) 23 & 24 & E 5 FT OF LOT 22 (6600 SQ FT), Block 20, Bassett Subdivision, El Paso, El Paso County, Texas, Parcel # B202-999-0200-6600

to be \$178.61, 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 TWO AND 61/100 DOLLARS (\$202.61). The City Council finds that the work was completed on the 24th day(s) of September, 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 TWO AND 61/100 DOLLARS (\$202.61) 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.

.....  
3F.

**RESOLUTION**

**WHEREAS**, the City awarded Contract No. 2006-019 to Keep El Paso Beautiful on December 5, 2006, for “Public Information Officer and Public Relations Representative for Environmental Service and Street Departments”; and

**WHEREAS**, the City Council may terminate said Contract in full or in part and pursuant to Section C 8A of the Contract (Cancellation for Convenience), the City is authorized to terminate the Contract for convenience; and

**WHEREAS**, the City wishes to terminate part of the services provided under Contract No. 2006-019 for convenience in order to more effectively provide public information services directly by City staff but continue the Contractor’s performance of certain environmental public event coordination responsibilities, as set forth in the Amendment to the Agreement for Public Information Officer and Public Relations Representative for Environmental Service and Street Departments.

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

That the City Manager is authorized to execute the Amendment to the Agreement for Public Information Officer and Public Relations Representative for Environmental Service and Street Departments with Keep El Paso Beautiful that terminates Contract No. 2006-019 in part due to convenience and continues the services relating to coordination of certain environmental public events.

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

Ms. Joyce Wilson, City Manager and Ms. Ellen Smyth, Environmental Services Director commented.

Mr. Richard Schechter, citizen, commented.

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

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

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

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

- AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, and O’Rourke
  - NAYS: None
  - ABSTAIN: Representative Ortega
- .....

3G.

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

**WHEREAS**, the City Council approved the participation of the City of El Paso (the "City") in the ESC-Region 19 Cooperative Purchasing Program on February 26, 2008, pursuant to the authority granted in the State of Texas Statutes Government code, title 7. Intergovernmental Relations, Chapter 791 Interlocal Cooperation Contracts, Subchapter C; and

**WHEREAS**, the City desires to continue to participate and utilize the contracts offered through the ESC-Region 19 Cooperative Purchasing Program; and

**WHEREAS**, the City has reviewed the benefits of participating in this program and based on this review has concluded that the program will benefit City of El Paso taxpayers through anticipated procurement saving.

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

That the City Manager sign an agreement whereby the City of El Paso agrees to participate in the ESC-Region 19 Cooperative Purchasing Program.

3H.

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

**WHEREAS**, the El Paso Public Library is in the process of applying for accreditation by the American Association of Museums; and

**WHEREAS**, the American Association of Museums Accreditation Commission requires that the Museum adopt a code of ethics for the El Paso Museum of Art as part of the requirements to achieve accreditation; and

**WHEREAS**, the American Association of Museums requires that the governing body of the El Paso Museum approve such Code of Ethics.

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

The attached El Paso Museum of Art Code of Ethics is hereby approved by the City Council of the City of El Paso.

**4. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Laura Gallegos to the Cultural Affairs Advisory Board by Representative Susie Byrd, District 2.

**5A. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Kevin T. von Finger to the El Paso Museum of Archaeology Advisory Board by Representative Beto O'Rourke, District 8.

**5B. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Nicholas Perry Houser to the Museum of Archaeology Advisory Board by Representative Ann Morgan Lilly, District 1.

.....  
**6. APPLICATIONS FOR TAX REFUND**

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

- A. McDonald's Corporation in the amount of \$4,181.35 overpayment of 2007 taxes. (PID #0517-999-0006-0000).
- B. Juanita Hunter in the amount of \$6,718.57 overpayment of 2007 taxes. (PID #C340-999-0170-1700).
- C. Landamerica Lawyers Title in the amount of \$5,016.34 overpayment of 2007 taxes. (PID #C340-999-0790-0300).
- D. Wells Fargo Home Mortgage in the amount of \$4,712.86 overpayment of 2007 taxes. (PID #C518-999-0740-0400).
- E. Martha Yadira Call in the amount of \$3,032.92 overpayment of 2007 taxes. (PID #C518-999-0270-8100).
- F. Jean E. Ponder Soto in the amount of \$2,738.96 overpayment of 2007 taxes. (PID #C844-999-0180-0500).
- G. Lone Star Title in the amount of \$4,145.56 overpayment of 2007 taxes. (PID #G770-999-0030-0500).
- H. Mortgage Services in the amount of \$2,922.53 overpayment of 2007 taxes. (PID #L478-999-0040-0800).
- I. Angel Chavez in the amount of \$3,000.00 overpayment of 2007 taxes. (PID #L536-999-001B-0900).
- J. Circle H. Homes LP in the amount of \$5,153.74 overpayment of 2007 taxes. (PID #L626-999-0090-1900).
- K. Thomas C. & Dayna R. Curlin in the amount of \$4,522.32 overpayment of 2007 taxes. (PID #M344-999-0160-1000).
- L. Joshua Kasevich in the amount of \$2,951.23 overpayment of 2007 taxes. (PID #M634-999-0020-4100).
- M. GMAC Mortgage in the amount of \$2,732.57 overpayment of 2007 taxes. (PID #P863-999-0040-6700).

- N. Lone star Title Company in the amount of \$3,503.28 overpayment of 2007 taxes. (PID #S127-999-0230-0100).
- O. Lone Star Title Company in the amount of \$3,782.51 overpayment of 2007 taxes. (PID #S430-999-0010-1400).
- P. Carlson Systems Corporate in the amount of \$25,165.71 overpayment of 2007 taxes. (PID #0711-999-4000-0000).
- Q. Sandra Rico in the amount of \$7,471.90 overpayment of 2007 taxes. (PID #S690-999-0010-5800).
- R. River Oaks Properties in the amount of \$29,212.56 overpayment of 2007 taxes. (PID #T287-999-0060-0100).
- S. Mortgage Service Center in the amount of \$5,736.42 overpayment of 2007 taxes. (PID #T287-999-1100-3400).
- T. Jorge A. & Leticia Martinez in the amount of \$5,012.52 overpayment of 2007 taxes. (PID #T287-999-1390-0200).
- U. Norma J. Lidiak in the amount of \$4,054.83 overpayment of 2007 taxes. (PID #V893-999-1330-1000).
- V. Kirk & Lisa Mounsey in the amount of \$3,320.47 overpayment of 2007 taxes. (PID #V893-999-2090-2500).
- W. First American Title in the amount of \$2,509.57 overpayment of 2007 taxes. (PID #V893-999-4690-5300).
- X. Southwest Escrow, Inc., in the amount of \$2,546.60 overpayment of 2007 taxes. (PID #X578-000-3370-1100).
- Y. Centro Properties Group in the amount of \$19,190.25 overpayment of 2007 taxes. (PID #Y600-999-0020-0101).
- Z. Sandra Rico in the amount of \$8,774.04 overpayment of 2007 taxes. (PID #Y805-999-0270-0208).
- AA. Sierra Title Company in the amount of \$3,715.11 overpayment of 2006 taxes. (PID #V893-999-4050-0300).

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**7. PURCHASING REQUESTS TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a purchase order to Basic IDIQ, Inc., The Cooperative Purchasing Network (TCPN) contractor under contract number R4539 (Area Job Order Contract) for the Shawver Pool HVAC Project for the total amount of \$174,938 to fund the Base Bid. The participation by the City of El Paso in The Cooperative Purchasing Network (TCPN) was approved by Mayor and City Council on March 27, 2007.

Department: Engineering

Award to: Basic IDIQ, Inc.  
Houston, Texas  
Items: Base Bid: \$174,938  
Account No. 21150060 – 508027 – 16411 – P500232  
Funding Sources: Source 1: 2006 Certificates of Obligation: Project –  
PCP08MF01, DeptID-99331117, Fund-27263 & Account-508027  
(\$30,000)  
Source 2: 1995A Certificates of Obligation: Project –  
PPAQ07001, DeptID-31131001, Fund-27061 & Account-508027  
(\$87,416.60)  
Source 3: 1997A Certificates of Obligation: Project –  
PPA07001, DeptID-31134001, Fund-27101 & Account-508027  
(\$22,583.40)  
Source 4: Capital Acquisition Fund: Project - PPA07001,  
DeptID-04102010, Fund-27503, & Account-508027 (\$100,000)  
Total Estimated Award: \$174,938  
Reference No.: 2008-144

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

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

This is a lump sum contract.

The Departments of Financial Services, Purchasing Division and Engineering recommend award as indicated.

.....  
**8. BEST VALUE PROCUREMENT**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2008-059 (Janitorial Services – Santa Fe and Stanton International Bridges) to CCBS Building Services for a total estimated minimum amount of \$100,526.76

Department: Street  
Award to: CCBS Building Services  
El Paso, Texas  
Items: All  
Option: Two years  
Account No.: 32010283 – 502206 – 40272  
Funding Source: Maint Svcs Contract – Janitorial, Bridge Operations  
Total Estimated Minimum Award: \$100,526.76

This is a thirty-six month requirements type contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

The Departments of Financial Services, Purchasing Division, and Street recommend award as indicated to the vendor offering the best value Bid.

Representative Byrd commented.

Mr. Charlie McNabb, City Attorney, commented.

Mr. Richard Schecter, citizen, commented.

.....  
**9A. BID**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2008-049 (Library Periodicals) to EBSCO Information Services for a total estimated minimum award of \$216,000.

Department: El Paso Public Library  
Award to: EBSCO Information Services  
Westminster, CO  
Items: All  
Annual Estimated Minimum Amount: \$72,000  
Account No.: 53010202 – 503101 – 01101  
Funding Source: El Paso Public Library Department, Equipment Purchase  
Total Estimated Minimum Award: \$216,000

This is a thirty-six month requirements type contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

The Departments of Financial Services, Purchasing Division and El Paso Public Library recommend award to the lowest responsive, responsible bidder.

Mayor Cook commented.

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

Mr. Richard Schecter, citizen, commented.

.....  
**9B. BID**

\*Motion made, seconded, and unanimously carried to **AWARD, AS REVISED**, Solicitation No. 2008-061 (Travis White Park – Parking Lot Improvements) to Lomeli & Sons Landscaping for a total estimated minimum amount of \$127,577.

Department: Engineering  
Award to: Lomeli & Sons Landscaping  
El Paso, Texas  
Items: Base Bid: \$127,577  
Account No: 14101001 - 508027 - 60179 - PQLPA179 and  
31130500 - 508027 - 60176 - PQLPA179  
Funding Source: 2000 Quality of Life Bonds

Total Estimated Min. Award: \$127,577

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.

Mayor Cook commented.

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

Mr. Richard Schechter, citizen, commented.

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

\*Motion made, seconded, and unanimously carried to **REJECT** all bids for Solicitation No. 2008-064 (DCL Safety Lighting, Zaragosa) as recommended by Financial Services Department, Purchasing Division, and Street Department because the sole bid received did not meet specifications and was deemed non-responsive.

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**10A. – 10D.**

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

- A.** An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses), Subsection C (Exceptions), of the El Paso City Code by deleting Paragraph 11 to remove the exception for Contractor Stamps; the penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code.
- B.** An Ordinance amending Title 13 (Streets, Sidewalks, and Public Places), Chapter 13.04 (Street and Sidewalk Construction and Maintenance), Section 13.04.020 (Sidewalk Specifications), of the El Paso City Code to add specifications for Contractor Stamps on sidewalks and to amend existing specifications; the penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON MARCH 11, 2008, FOR ITEMS A – B**

- C. An Ordinance changing the zoning of Tract 70, S.A. & M.G. Railroad Company Survey No. 267, City of El Paso, El Paso County, Texas, from R-4 (Residential) to C-1 (Commercial). 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 Lot 2, Block 15A, Chaparral Park Unit Seven, City of El Paso, El Paso County, Texas, from A-O (Apartment/Office) to S-D (Special Development) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON MARCH 25, 2008, FOR ITEMS C – D**

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**ITEMS 11A & 11B TAKEN TOGETHER:**

**11A.**

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

**WHEREAS**, the City awarded Contract No. 2006-051 to Helena Chemical Company, on January 3, 2006, for Fertilizer; and

**WHEREAS**, the City Council finds that the Company is in default of the provisions of the Contract; and

**WHEREAS**, pursuant to Section C 18B, of the Contract (Cancellation for Default), the City is authorized to terminate the Contract in the event of default by the Company.

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

That the Purchasing Manager is authorized to notify Helena Chemical Company, that the City is terminating Contract No. 2006-051 for default pursuant to the provisions and requirements of Section C 18B, of the Contract Clauses due to failure to perform and that the termination shall be effective as of March 4, 2008.

Representatives Byrd and Holguin commented.

Mr. Samuel Calhoun, Parks Superintendent, commented.

Motion made by Representative Ortega, seconded by Representative O'Rourke, 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

**11B. FINANCIAL SERVICES**

Motion made by Representative Ortega, seconded by Representative O'Rourke, and unanimously carried to **AWARD** Solicitation No. 2008-076 (Fertilizer) to Justin Seed Company for a total estimated minimum award of \$835,149.

Department:	Parks and Recreation
Award to:	Justin Seed Company
	Justin, Texas
Items:	All
Option:	2 Years
Annual Estimated Minimum Amount:	\$278,383
Account No.:	51010262 – 503113 – 01101
Funding Source:	Operating Funds, Land Maintenance Supplies
Total Estimated Minimum Award:	\$835,149

This is a thirty-six month requirements type contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

The Departments of Financial Services, Purchasing Division, and Parks and Recreation recommend award as indicated. Justin Seed Company was the lowest responsive, responsible bidder.

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

**12A.**

**ORDINANCE 16848**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON07-00153 TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 29 THROUGH 32, BLOCK 14, ALTURA PARK, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.260 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Phillip Etiwe, Development Review Manager for Planning, 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, 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**.

.....  
**12B.**

\*Motion made, seconded, and unanimously carried to **POSTPONE** for one week the public hearing on an Ordinance changing the zoning of the following real property described as: Parcel 1, Parcel 2, Parcel 3, Parcel 4, and Parcel 6. All parcels being a portion of Tract 1, John Barker No. 10, City of El Paso, El Paso County, Texas, and Parcel 5: Tract 6J, A.F. Miller Survey No. 216, City of El Paso, El Paso County, Texas. Parcel 1 be changed from R-3 (Residential) to R-3A (Residential); Parcel 2 be changed from R-3 (Residential) to C-1 (Commercial); Parcel 3 be changed from R-3 (Residential) to C-2 (Commercial); Parcel 4 be changed from R-3 (Residential) to C-3 (Commercial) and imposing conditions; Parcel 5 be changed from R-3 (Residential) to C-3 (Commercial) and imposing conditions; and Parcel 6 be changed from R-3 (Residential) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

.....  
**12C.**

**ORDINANCE 16849**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON07-00151 TO ALLOW FOR A BANK ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 18, BLOCK 13, THREE HILLS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.260 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mayor Cook and Representative Lilly commented.

Mr. Phillip Etiwe, Development Review Manager for Planning, presented a PowerPoint presentation (on file in the City Clerk's office) and Ms. Kimberly Forsyth, Engineering Senior Planner, commented.

Mr. Richard Schechter, citizen, commented.

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, and O'Rourke
- NAYS: None
- NOT PRESENT FOR THE VOTE: Representative Ortega

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

.....  
**12D.**

**ORDINANCE 16850**

The City Clerk read an Ordinance entitled: **AN ORDINANCE EXTENDING THE TERM OF ORDINANCE 16013 WHICH GRANTED A SPECIAL PRIVILEGE TO MARIO HERNANDEZ, HECTOR COBOS, JR., EBER MARTINEZ, MARIA COBOS, MARGARITA COBOS, JUAN TORRES, PEDRO ORONA, HECTOR COBOS, MARIA PRIETO, MARIA GRADO, JACK KELLOG, JESUS HERNANDEZ, EUSEBIO CORONEL, VICTOR OCHOA, CARMEN COX, MARIA CHAVEZ, EUNISE MORALES, MARIA BARRAZA, SANTIAGO AGUILAR, AND BRANDON PALMA TO ENCROACH ONTO A PORTION OF VARIOUS PUBLIC RIGHTS-OF-WAY WITH A FOOD-VENDING CONCESSION IN THE DOWNTOWN AREA.**

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

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

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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**13.**

The City Clerk read an Ordinance entitled: **AN ORDINANCE OF THE CITY OF EL PASO, TEXAS, AMENDING ORDINANCE NO. 016735 WHICH AUTHORIZED THE SALE AND CONVEYANCE OF 4,832.99 ACRES OF LAND, MORE OR LESS, OUT OF BLOCKS 80 AND 81, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, TO HUNT COMMUNITIES, LLC, TO REVISE THE DATE OF THE INITIAL CLOSING DATE FOR THE PURCHASE OF THE PHASE ONE PARCEL.**

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

The following members of City staff commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 3. Mr. Alan Shubert, City Engineer

The following members of the El Paso Water Utilities staff commented:

- 1. Mr. Nick Costanzo, Assistant General Manager for EPWU
- 2. Mr. Bob Andron, General Counsel for EPWU
- 3. Mr. Rudy Valdez, Planning and Development Consultant for EPWU

The following members of the public commented:

- 1. Mr. Justin Chapman, Hunt Communities
- 2. Mr. Mike Ainsa, Attorney for Hunt Communities, LLC.

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

Motion made by Representative Castro, seconded by Representative Holguin, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 11:16 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Section 551.071, Consultation with Attorney.

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

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, and unanimously carried to adjourn the **EXECUTIVE SESSION** at 11:42 a.m. and **RECONVENE** the meeting of the City Council.

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

Motion made by Representative Ortega, seconded by Representative O'Rourke, and unanimously carried to **POSTPONE** two weeks the public hearing on an Ordinance of the City of El Paso, Texas, amending Ordinance No. 016735 which authorized the sale and conveyance of 4,832.99 acres of land, more or less, out of Blocks 80 and 81, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, to Hunt Communities, LLC, to revise the date of the initial closing date for the purchase of the Phase One Parcel.

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

NAYS: None

.....  
**14A.**

**ORDINANCE 16851**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.180 (NO STOPPING OR STANDING - TOW-AWAY ZONE), SUBSECTION (A), OF THE EL PASO CITY CODE BY ADDING A NEW LOCATION ON PINE SPRINGS DRIVE FROM LOMA VERDE DRIVE WEST TO ITS TERMINUS. THE PENALTY BEING AS PROVIDED IN SECTION 12.88.180 OF THE EL PASO CITY CODE.**

Representatives Holguin, Ortega, and Byrd commented.

Mr. Ted Marquez, Engineering Division Manager, commented

Mr. Robert Humphries, Assistant Chief of US Customs and Borders Protection, commented.

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

AYES: Representatives Lilly, 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**.

.....  
**14B.**

**ORDINANCE 16852**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.200 (SCHEDULE XVII - RESTRICTIONS ON PARKING IN RESIDENTIAL DISTRICTS), OF THE EL PASO CITY CODE TO ADD ZONE R: NO PARKING 8:00 A.M. – 2:00 P.M., SCHOOL DAYS ONLY. (SUNSET HEIGHTS LOCATIONS LISTED IN THE ORDINANCE) THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 (VIOLATIONS - PENALTY) OF THE EL PASO CITY CODE.**

Representative O'Rourke commented.

Mr. Ted Marquez, Engineering Division 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, 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**.

.....  
**ITEMS 15A & 15B TAKEN TOGETHER:**

**15A.**

**ORDINANCE 16853**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY OF EL PASO TO SELL A 1.859-ACRE PARCEL (88,977 SQ. FT.), MORE OR LESS, BEING ALL OF TRACTS 3, 4, 8A, AND 8B, BLOCK 45, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS, TO OMEGA PAVING CONTRACTORS, INC.**

**15B.**

**ORDINANCE 16854**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY OF EL PASO TO SELL A 0.756-ACRE PARCEL (32,591 SQ. FT.), MORE OR LESS, BEING ALL OF TRACT 6, BLOCK 45, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS, TO OMEGA PAVING CONTRACTORS, INC.**

Representatives Holguin, Castro, and Quintana commented.

Ms. Carmen Arrieta-Candelaria, Chief Financial Officer of Financial Services, commented.

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

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

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

.....  
**16A. MAYOR AND COUNCIL**

\*Motion made, seconded, and unanimously carried to **POSTPONE** for two weeks the item for discussion concerning a rental inspection program to promote health, safety, and welfare in rental housing.

.....  
**16B. MAYOR AND COUNCIL**

\*Motion made, seconded, and unanimously carried to **POSTPONE** for two weeks the item for discussion and action concerning the exploration of moving the Anti-Graffiti Program from the Street Department to the El Paso Police Department.

.....  
**17. MUNICIPAL CLERK**

\*Motion made, seconded, and unanimously carried to **POSTPONE** for one week the appointment of additional Municipal Court Associate Judges.

Federico Soforo  
Michele Locke  
Victor Parra  
Regina Arditti

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

The following members of City staff commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Charlie McNabb, City Attorney, gave legal advice.
3. Ms. Richarda Momsen, Municipal Clerk

.....  
Motion made by Representative Holguin, seconded by Representative Lilly, and unanimously carried to **ADJOURN** this meeting at 12:08 p.m.  
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**APPROVED AS TO CONTENT:**

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Richarda Duffy Momsen, City Clerk