

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

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

**REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
MARCH 13, 2007
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:39 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Jose Alexandro Lozano, Presi Ortega, Jr., Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Late arrival: Melina Castro at 8:41 a.m. during Executive Session deliberations. Early departure: Mayor Cook at 2:56 p.m. The invocation was given by Reverend Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America by the Rio Grande Girl Scout representatives.

MAYOR'S PROCLAMATIONS

- 1. GIRL SCOUTS MAKE THE WORLD A BETTER PLACE WEEK**
- 2. THE FRANKLIN MOUNTAINS POPPIES CELEBRATION**
- 3. BORDER VOICES AND IMAGES OF TUBERCULOSIS**

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

Requests to speak must be received by 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. Jerry Rosenbaum
2. Mr. Walt Phillips
3. Mr. Matt Carroll
4. Mr. Ray Gilbert
5. Mr. Fred Jackson
6. Mr. Lynn Fitzgerald

Mayor Cook and Representatives Steve Ortega, Holguin, and Lozano commented.

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

1ST MOTION

Motion made by Representative Steve Ortega, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Rosenbaum an additional minute to address Council.

2ND MOTION

Motion made by Representative Steve Ortega, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Gilbert an additional minute to address Council.

3RD AND FINAL MOTION

Motion made by Representative Steve Ortega, seconded by Representative Lozano, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Jackson an additional minute to address Council.

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Motion made by Mayor Pro Tempore Presi Ortega, seconded by Representative Holguin, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 8:40 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.

AYES: Representatives Lilly, Byrd, Lozano, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Castro

Motion made by Representative Steve Ortega, seconded by Mayor Pro Tempore Presi Ortega, Jr., and unanimously carried to **ADJOURN** the Executive Session at 9:18 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative O'Rourke

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EX1. Discussion and action on the lease agreement between the City of El Paso and the El Paso Science Museum - Insights. (551.071) and (551.072).

Motion made by Mayor Pro Tempore Presi Ortega, Jr., seconded by Representative Byrd, and unanimously carried that the City Manager should **PROCEED WITH NEGOTIATIONS** for an acquisition of The El Paso Science Museum – Insights leasehold interest and a mutual termination of the lease agreement between the City of El Paso and The El Paso Science Museum – Insights.

Mr. Richard Schecter, citizen, commented.

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EX2. Discussion and action on legal questions relating to the professional services contract between the City of El Paso and Patricia A. Shipton. (551.071).

NO ACTION was taken on the item.

CONSENT AGENDA

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

AYES: Representatives Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke
NAYS: None

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of March 6, 2007, and the Special City Council Meeting of March 5, 2007 (Agenda Review).

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2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS

NO ACTION WAS TAKEN on the item.

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3A.

***RESOLUTION**

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

That the City Manager be authorized to execute Modification No. 9 REVISED to Cooperative Agreement No. DTSA20-03-H-00998 between the City of El Paso and the Transportation Security Administration (TSA). This Modification will provide additional funding from the TSA in the amount of \$127,173.33 for fiscal year 2007 for the TSA National Explosives Detection Canine Team Program reimbursements at the El Paso International Airport; bringing the cumulative amount of the contract to \$995,413.33; and extending the contract through September 30, 2007.

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3B.

***RESOLUTION**

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

That the City Manager be authorized to sign a Lessor's Approval of Sublease between the City of El Paso ("Lessor"), Juliusson Family Limited Partnership ("Lessee"), and WJN Corporation ("Sublessee") regarding a portion of the premises located at 6805 Boeing Dr., El Paso, Texas 79925.

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3C.

***RESOLUTION**

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

WHEREAS, in accordance with Section 18.50 of the El Paso Municipal Code, the City Council of the City of El Paso, by Resolution dated the 26th day of July, 2006, after due notice and hearing, ordered DAVID D. LUDWICK and JOANNE M. LUDWICK, record Owners of the hereinafter described property that the Buildings be secured within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to secure the Buildings

and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property 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 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 securing the Buildings and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 231, Block 9, Yucca Village, an addition in the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 13, Page 5, Plat records in the office of the County Clerk of El Paso County, Texas, municipally known and number as 10225 Fertell Street, El Paso, Texas,

to be \$845.89, performed by the Street Department of the City of El Paso, and \$1,065.55, performed by the City Attorney's Office and the City Clerk's Office, making a total of \$1,911.44. The City Council finds that the work was completed on the 29th day of December, 2006, 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 ONE THOUSAND NINE HUNDRED ELEVEN AND 44/100 DOLLARS (\$1,911.44) 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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3D.

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

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, FEDERAL NATIONAL MORTGAGE ASSOC, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

8810 Comet Street, N 75 FT OF W 120 FT OF 313 (4500 SQ FT), Sunrise Acres #1 Subdivision, City of El Paso, El Paso County, Texas, Parcel #S912-999-001L-0410,

to be \$309.60 performed by the Solid Waste Management 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 THREE

HUNDRED THIRTY THREE AND 60/100 DOLLARS (\$333.60). The City Council finds that the work was completed on the 3th day of October, 2006, 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 THREE AND 60/100 DOLLARS (\$333.60) 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**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JUAN A. FLORES, JR., owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

Lot 11 to 13, Block 94, Highland Park Subdivision, City of El Paso, El Paso County, Texas, Parcel #H453-999-0940-3600,

to be \$342.07 performed by the Solid Waste Management 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 THREE HUNDRED SIXTY SIX AND 07/100 DOLLARS (\$366.07). The City Council finds that the work was completed on the 12th day of October, 2006, 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 SIX AND 07/100 DOLLARS (\$366.07) 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**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, DUARTE, CORINA Y. & 3 % DUARTE, MANUEL E., owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

2702 Porter, Lot 29 & 30 (6000 SQ FT), Block F, Grandview
Subdivision, City of El Paso, El Paso County, Texas, Parcel
#G686-999-00F-9200,

to be \$239.23 performed by the Solid Waste Management 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 TWO HUNDRED SIXTY THREE AND 23/100 dollars (\$263.23). The City Council finds that the work was completed on the 4th day of October, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED SIXTY THREE AND 23/100 (\$263.23) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, LAND AMERICA CONSTRUCTION, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

Lot 30 to 32, Block 86-B, Logan Heights Subdivision, City of El Paso, El Paso County, Texas, Parcel #L447-999-086B-9200,

to be \$363.72 performed by the Solid Waste Management 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 THREE HUNDRED EIGHTY SEVEN AND 72/100 DOLLARS (\$387.72). The City Council finds that the work was completed on the 25th day of October, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED EIGHTY SEVEN AND 72/100 DOLLARS (\$387.72) 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**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ANABELLE MIRANDA, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

10904 Alfredo Vasquez, Lot 30 (7923.67 SQ FT), Block 42, North Hills #14 Subdivision, City of El Paso, El Paso County, Texas, Parcel #N425-999-0420-3000,

to be \$158.05 performed by the Solid Waste Management 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 ONE HUNDRED EIGHTY TWO AND 05/100 DOLLARS (\$182.05). The City Council finds that the work was completed on the 13th day of October, 2006, 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 TWO AND 05/100 DOLLARS (\$182.05) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, CHERYL S. WILLIAMS, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

10008 Caribou Dr. #D, PT OF LOT 3 (UNIT D & UND 1/4 INT IN UNIT E 2552.90 SQ FT) 1001.00 SQ FT, Block 10, Bellewood #4 Subdivision, City of El Paso, El Paso County, Texas, Parcel #B351-999-0100-0375,

to be \$191.60 performed by the Solid Waste Management 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 TWO HUNDRED FIFTEEN AND 60/100 DOLLARS (\$215.60). The City Council finds that the work was completed on the 13th day of October, 2006, 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 FIFTEEN AND 60/100 DOLLARS (\$215.60) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JOEL T. SILVA, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

10700 Coral Sands, Lot 27 (5444.11 SQ FT), Block 32, Pleasant Hills Unit 7
Subdivision, City of El Paso, El Paso County, Texas, Parcel #S863-999-0320-
2700,

to be \$179.70 performed by the Solid Waste Management 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 TWO HUNDRED THREE AND 70/100 DOLLARS (\$203.70). The City Council finds that the work was completed on the 4th day of August, 2006, 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 THREE AND 70/100 DOLLARS (\$203.70) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, RICO ALVAREZ, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

5629 Hemmingway, Lot 5, Block 98, Sun Valley Subdivision, City of El Paso, El
Paso County, Texas, Parcel #S816-999-0980-0900,

to be \$298.77 performed by the Solid Waste Management 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 THREE HUNDRED TWENTY TWO AND 77/100 DOLLARS (\$322.77). The City Council finds that the work was completed on the 23rd day of October, 2006, 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 TWO AND 77/100 DOLLARS (\$322.77) 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**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, CATHY L. & JAMES JOHNSON, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

6244 Impala Avenue, Lot 12, Block 8, Bellewood #2 Subdivision, City of El Paso,
El Paso County, Texas, Parcel #B351-999-0080-1200,

to be \$336.66, performed by the Solid Waste Management 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 THREE HUNDRED SIXTY AND 66/100 DOLLARS (\$360.66). The City Council finds that the work was completed on the 5th day of October, 2006, 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 AND 66/100 DOLLARS (\$360.66) 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**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, VERONICA RODRIGUEZ, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

4809 Maureen Circle, Lot 41 (5684 SQ FT), Block 25, Castner Heights #4
Subdivision, City of El Paso, El Paso County, Texas, Parcel #C231-999-0250-
4100

to be \$374.55 performed by the Solid Waste Management 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 THREE HUNDRED NINETY EIGHT AND 55/100 DOLLARS (\$398.55). The City Council finds that the work was completed on the 24th and 25th days of October, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED NINETY EIGHT AND 55/100 DOLLARS (\$398.55) 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**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, 10313 NEWPORT, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

10313 Newport, Lot 4 (6900 SQ FT), Block 18, Sun Valley #2 Subdivision, City
of El Paso, El Paso County, Texas, Parcel #S816-999-0180-0700,

to be \$471.97, performed by the Solid Waste Management 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 FOUR HUNDRED NINETY FIVE AND 97/100 DOLLARS (\$495.97). The City Council finds that the work was completed on the 23rd day of October, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FOUR HUNDRED NINETY FIVE AND 97/100 DOLLARS (\$495.97) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, VICTOR D. MATA, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

4597 Robert Acosta, Lot 22 (5722.01 SQ FT), Block 41, North Hills #14
Subdivision, City of El Paso, El Paso County, Texas, Parcel #N425-999-0410-
2200,

to be \$89.31 performed by the Solid Waste Management 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 ONE HUNDRED THIRTEEN AND 31/100 DOLLARS (\$113.31). The City Council finds that the work was completed on the 19th day of October, 2006, 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 THIRTEEN AND 31/100 DOLLARS (\$113.31) 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**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JOAQUIN D. SANTOYO, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

10100 & 10101 Shenandoah Street, Lot 1 , Block 28 & 29, Terrace Hills #4
Subdivision, City of El Paso, El Paso County, Texas, Parcel #T172-999-0280-
0100 and T172-999-0290-0100 and

to be \$656.00 performed by the Solid Waste Management 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 SIX HUNDRED EIGHTY AND 00/100 DOLLARS (\$680.00). The City Council finds that the work was completed on the 30th and 31st days of October, 2006, 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 EIGHTY AND 00/100 DOLLARS (\$680.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ROBERT & PRISCILLA PACHECO, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

11224 Sundance Avenue, Lot 9 (7245 SQ FT), Block 5, Indian Ridge Subdivision, City of El Paso, El Paso County, Texas, Parcel #1256-999-0050-1700,

to be \$158.05 performed by the Solid Waste Management 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 ONE HUNDRED EIGHTY TWO AND 05/100 DOLLARS (\$182.05). The City Council finds that the work was completed on the 31st day of October, 2006, 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 TWO AND 05/100 DOLLARS (\$182.05) 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**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, MARIA MERAZ, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

193 N. Old Pueblo Road, Lot 15-B-3 (0.1276 AC) & 15-B-1-B (0.0413 AC) (0.1689 AC), Block 45, Ysleta Subdivision, City of El Paso, El Paso County, Texas, Parcel #Y805-999-0450-1520,

to be \$260.88 performed by the Solid Waste Management 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 TWO HUNDRED EIGHTY FOUR AND 88/100 DOLLARS (\$284.88). The City Council finds that the work was completed on the 20th day of October, 2006, 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 FOUR AND 88/100 DOLLARS (\$284.88) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, YOLANDA GONZALEZ, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

8632 ½ North Loop, PT OF 8-A BEG 72.48' W OF SEC (90.71' ON ST-74.99' w-130.43' ON N-IRREG O E) (8220.09 SQ FT), Boothville Subdivision, City of El Paso, El Paso County, Texas, Parcel #B680-999-0010-4000,

to be \$428.67 performed by the Solid Waste Management 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 FOUR HUNDRED FIFTY TWO AND 67/100 DOLLARS (\$452.67). The City Council finds that the work was completed on the 26th day of October, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FOUR HUNDRED FIFTY TWO AND 67/100 DOLLARS (\$452.67) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ANTONIO ESPINOZA, owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

2618 Chico, Lot 6 & W 5 FT of 5 & E 10 ft of 7 (2500 SQ FT), Block 100, Bassett Subdivision, City of El Paso, El Paso County, Texas, Parcel #B202-999-1000-1100,

to be \$293.36 performed by the Solid Waste Management 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 THREE HUNDRED SEVENTEEN AND 36/100 DOLLARS (\$317.36). The City Council finds that the work was completed on the 20th day of October, 2006, 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 SEVENTEEN AND 36/100 DOLLARS (\$317.36) 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**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, MARTIN SWEED., owner 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 Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

3505 Wyoming, Lot 3 & 4 (7000 SQ FT), Block 74, East El Paso Subdivision, City of El Paso, El Paso County, Texas, Parcel #E014-999-0740-0600,

to be \$591.05 performed by the Solid Waste Management 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 SIX HUNDRED FIFTEEN AND 05/100 DOLLARS (\$615.05). The City Council finds that the work was completed on the 4th day of October, 2006, 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 FIFTEEN AND 05/100 DOLLARS (\$615.05) 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.

3E.

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

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

WHEREAS, the City Council adopted a Resolution on February 20, 2007 to call the 2007 General Election and the submission of Charter Amendments;

WHEREAS, the list of sections initially referenced under Amendment no. 6 did not include a reference to Section 3.9 C, although the full text of that section was included in the election order and properly referenced in the text of the ballot proposition;

WHEREAS, it is necessary for the County Elections Administrator to change the location of the polling place for voting precinct number 68, as the building of the former location has been sold and is no longer available;

WHEREAS, the Council finds that the new polling place is an appropriate location for the voters of that precinct.

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

1. That the Resolution dated February 20, 2007 to call the 2007 General Election and the submission of Charter Amendments ("Resolution") be amended for the purpose of revising the list of sections initially referenced under Amendment No. 6 to include a reference to Section 3.9 C, to read as follows, with the remainder of the language under Amendment No. 6 remaining unchanged and in full force and effect:

Amending the Charter of the City of El Paso Section 6.1-1, General; Section 6.1-5, Functions and Duties of the Civil Service Commission; Section 6.1-2, Appointment; Section 6.1-3, Qualifications; Section 6.1-6, Rules; Section 3.9 C Actions Requiring Ordinances; Section 6.1-15, Removal; and Section 6.1-16, Discrimination; and deleting Sections 6.1-8, 6.1-9 and 6.1-13 in their entirety; to read as follows:

2. That the Resolution be amended for the purpose of revising and incorporating Exhibit A, as referenced in the Resolution, as follows:

That Exhibit A, containing the listing of all of the polling places for the May 12, 2007 election, is hereby revised to change the location of the polling place for voting precinct number 68 to Paul C. Moreno Elementary School, 2300 San Diego, and the Resolution is hereby amended to include the revised Exhibit A, as hereto attached.

4A. REINSTATEMENT

*Motion made, seconded, and unanimously carried to **APPROVE** the request for the following name to be placed on the Reinstatement List in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

Aguilar, Eduardo – Police Officer
.....

4B. REINSTATEMENT

*Motion made, seconded, and unanimously carried to **APPROVE** the request for the following name to be placed on the Reinstatement List in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

Davila, Suzanne K. – Police Officer
.....

5A. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Summer Luciano to the Ethics Review Commission by Representative Susie Byrd, District 2.
.....

5B. BOARD RE-APPOINTMENT

Motion made, seconded, and unanimously carried to **RE-APPOINT** Daphne Hamilton to the Historic Landmark Commission by Representative Steve Ortega, District 7.
.....

6. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Daphne Hamilton to the Historic Landmark Commission by Representative Steve Ortega, District 7.
.....

7. REQUEST FOR PROPOSAL

*Motion made, seconded, and unanimously carried to **APPROVE** Solicitation No. 2006-193R (Library Access Management Software and Services System) to CMS, Inc. for a total estimated award of \$59,000.00.

Department:	El Paso Public Library
Award to:	CMS, Inc. Tucson, AZ
Item(s):	All
Account No.:	53010201-01101-508008
Funding Source:	Library Administration, Government Operations, Major Office Equipment
Total Estimated Award:	\$59,000.00

Review Committee recommends award as indicated. CMS, Inc. submitted the highest ranked and best proposal to meet the needs of the Library.

The Departments of Financial Services and El Paso Public Library recommend the award as indicated.
.....

8. BID

The award of Solicitation No. 2007-056 (Guardrails) to Comade, Inc. for a total estimated award of \$105,920.00.

Department:	Streets
Award to:	Comade, Inc. Irvine, CA
Item(s):	1 to 7a
Account No.:	32010200 – 503203 – 01101 - 32000
Funding Source:	Streets Department General Operations Funds-Public Access Maintenance and Repairs
Total Estimated Award:	\$105,920.00

This is a requirements type contract with an initial term of twenty-four months.

The Departments of Financial Services and the Streets Department recommend award to the lowest responsive, responsible bidder.

9A. INTRODUCTION

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

An Ordinance limiting the use of the Power of Eminent Domain on non-blighted private property in the redevelopment districts of the Downtown 2015 Plan.

NOT PRESENT FOR THE VOTE: Representative Lozano

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

Mr. Charlie McNabb, City Attorney, and Mr. Raymond Telles, Assistant City Attorney, gave legal advice.

PUBLIC HEARING WILL BE HELD ON MARCH 27, 2007, FOR ITEM 9A

9B. – 9C. INTRODUCTIONS

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

B. 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 revise Zone A(2): No Parking, Seven A.M. to Six P.M. Monday through Friday, to amend an additional area bounded by West Yandell Drive, Fewel Street, Mundy Drive, Lawton Drive, Missouri Avenue, Porfirio Diaz Street, Main Street, and Fern Way. The penalty being as provided in Section 12.85.110 (Violation - Penalty) of the El Paso City Code.

C. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.041 (Schedule IV(A) - Parking Prohibited During Certain Hours, School Days Only), Paragraph A, (No Parking 7:00 A.M. to 4:00 P.M.) of the El Paso City Code by adding Anise Drive between Lee Trevino

Drive and Montwood Drive, west side only. The penalty being as provided in Section 12.85.110 (Violation - Penalty) of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MARCH 27, 2007, FOR ITEMS 9B – 9C

9D. INTRODUCTION

An Ordinance granting a franchise to Mercy Medical EMS to operate a non-emergency ambulance transfer service.

*Motion made, seconded, and unanimously carried to **DELETE** the item.

10A.

ORDINANCE 16581

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACTS 10, 102, 103, 104, 105, 106, 107, 108, 109, 1P1, 1P3, 1Q, 1Q2, 1Q3, 1Q4, 1Q5, 1Q6, 1D1, 1D1A, 1D1B, 1D1C, 1D1E, BLOCK 10, UPPER VALLEY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH AND FARM) TO R-2 (RESIDENTIAL) AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.**

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

Mayor Cook and Representatives O’Rourke, Steve Ortega, Byrd, Lilly, Lozano, Castro, and Presi Ortega, Jr. commented.

Mr. Charlie McNabb, City Attorney, gave legal advice, and Mr. Ted Marquez, Engineering Division Manager, commented.

The following members of the public commented:

1. Ms. Mary Frances Keisling, Save the Valley
2. Mr. Thomas Matthews
3. Dr. Diane Bryan
4. Mr. Sal Masoud, applicant
5. Mr. Larry Nance
6. Mr. Enrique Escobar
7. Mr. Jerome Ponicki
8. Ms. Luisa Gomez
9. Mr. Richard Schechter
10. Ms. Maureen Keton
11. Mr. John Ortiz
12. Mr. Robert Ortiz
13. Mr. Ray Gilbert
14. Mr. Rafael Martinez, Martinez Engineering Group
15. Ms. Susan Bescobo

1ST MOTION

Motion made by Representative O'Rourke, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Ms. Keisling an additional thirty seconds to address the Council.

2ND MOTION

Motion made by Representative Lozano, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Masoud an additional seven minutes to address the Council.

3RD MOTION

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

4TH MOTION

Motion made by Representative Steve Ortega, seconded by Representative O'Rourke, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Ms. Bescobo to address the Council after the sign-up period.

5TH AND FINAL MOTION

Motion duly made by Representative Lilly, seconded by Mayor Pro Tempore Presi 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, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve 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 is hereby **ADOPTED**.

.....
Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **RECESS** the City Council Meeting at 11:47 a.m. in order to convene the Mass Transit Department Board Meeting.

.....
Motion made by Representative Byrd, seconded by Mayor Pro Tempore Presi Ortega, and unanimously carried to **RECONVENE** the City Council Meeting at 12:08 p.m.

10B.

ORDINANCE 16582

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF PARCEL 1: LOT 2, BLOCK 1, KINGSLEY SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-1/SC (COMMERCIAL/SPECIAL CONTRACT) TO C-3/SC (COMMERCIAL/SPECIAL CONTRACT) AND IMPOSING A CONDITION; AND PARCEL 2: TRACTS 5B AND 5C, SECTION 9, BLOCK 81, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-1/SC/SP (COMMERCIAL/SPECIAL CONTRACT/SPECIAL PERMIT) TO C-3/SC/SP (COMMERCIAL/SPECIAL CONTRACT/SPECIAL PERMIT) AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.**

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

Mayor Cook and Representative Steve Ortega commented.

Mr. Raymond Mancera, representing the applicant, commented.

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

AYES: Representatives Lilly, Byrd, Lozano, Castro, Holguin, Steve Ortega, and O'Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Presi Ortega, Jr.

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

.....
10C.

ORDINANCE 16583

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING A CONDITION PLACED ON PROPERTY BY ORDINANCE NO. 013894 WHICH CHANGED THE ZONING OF A PORTION OF TRACT 5A, SECTION 21 AND A PORTION OF TRACT 1, SECTION 22, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILROAD SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND WHICH IMPOSED A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.**

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

Mayor Cook and Representative Castro commented.

Mr. Walt Phillips, citizen, commented.

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

AYES: Representatives Byrd, Lozano, Castro, Holguin, Steve Ortega, and O'Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Lilly and Presi Ortega, Jr.

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

.....
10D.

ORDINANCE 16584

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON06-00101 TO ALLOW FOR AN INFILL DEVELOPMENT ON THE PROPERTY DESCRIBED AS LOTS 31-32, BLOCK 58, EAST EL PASO ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.040 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO CITY CODE.**

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

AYES: Representatives Lilly, Byrd, Lozano, Castro, Holguin, Steve Ortega, and O'Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Presi Ortega, Jr.

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

.....
10E.

ORDINANCE 16585

The City Clerk read an Ordinance entitled: **AN ORDINANCE INCORPORATING THE OPEN SPACE MASTER PLAN INTO THE CITY'S COMPREHENSIVE PLAN, THE PLAN FOR EL PASO, AND WHICH PLAN SHALL AMEND THE PLAN FOR EL PASO.**

Mr. Jim Carrillo, Halff Associates, presented a PowerPoint presentation (on file in the City Clerk's office).

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

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Charlie McNabb, City Attorney, gave legal advice.
3. Ms. Kelly Carpenter, Deputy Director of Planning

The following members of the public commented:

1. Mr. Charlie Wakeem, Member of Open Space Advisory Committee
2. Mr. Walt Phillips
3. Ms. Judy Ackerman
4. Dr. Rick Bonart, Member of Open Space Advisory Committee and Mountain Bike Association
5. Mr. Rick Lobello (Mr. Wakeem read a statement from Mr. Lobello)
6. Ms. Maria Trunk, Frontería Land Alliance
7. Mr. Richard Schechter
8. Mr. Nick Costanzo, Assistant General Manager, El Paso Water Utilities

1ST MOTION

Motion made by Representative O'Rourke, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Schechter to address the Council for an additional two minutes.

NOT PRESENT FOR THE VOTE: Representatives Castro, Presi Ortega, Jr., and Holguin

2ND MOTION

Motion made by Representative O'Rourke, seconded by Representative Steve Ortega, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Nick Costanzo, Assistant General Manager of El Paso Water Utilities, to address the Council after the sign-up period.

NOT PRESENT FOR THE VOTE: Representatives Castro and Holguin

3RD MOTION

Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Wakeem, Mr. Phillips, and Dr. Rick Bonart an additional minute to speak.

NOT PRESENT FOR THE VOTE: Representative Presi Ortega, Jr.

4TH AND FINAL MOTION

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

AYES: Representatives Lilly, Byrd, Lozano, and O'Rourke
NAYS: Representatives Castro, Holguin, and Steve Ortega
NOT PRESENT FOR THE VOTE: Representative Presi Ortega, Jr.

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

.....
11A. MAYOR AND COUNCIL

Discuss and action to eliminate the Special City Council Meetings for agenda review, typically held on Mondays at 4:00 p.m., as they are no longer necessary.

Mayor Cook and Representative Lozano commented.

Ms. Joyce Wilson, City Manager, commented.

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

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11B.

R E S O L U T I O N

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

WHEREAS, on February 14, 2006, the City Council of the City of El Paso passed a resolution authorizing the Mayor to submit a "Petition and Request for Authorization to Form the Camino Real Regional Mobility Authority" to the Texas Transportation Commission; and

WHEREAS, on June 29, 2006, the Texas Transportation Commission adopted Minute Order No. 110573, which authorized the City of El Paso to create the Camino Real Regional Mobility Authority to directly benefit the State of Texas, the City of El Paso, and the traveling public through the improvement of the state's transportation systems in and around the City of El Paso; and

WHEREAS, the City Council of the City of El Paso now desires to create the Camino Real Regional Mobility Authority and to name its initial Board;

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

1. That pursuant to and in accordance with Chapter 370 of the Texas Transportation Code, Chapter 26 of Title 43 of the Texas Administrative Code, and Texas Transportation Commission Minute Order No. 110573, a copy of which is attached hereto and incorporated herein for all purposes, the City of El Paso hereby establishes the Camino Real Regional Mobility Authority; and
2. That the Camino Real Regional Mobility Authority shall have seven (7) initial board members. The Governor of the State of Texas shall appoint the chair, while the remaining six (6) initial board

members shall be appointed by the City of El Paso in accordance with the Petition and Request for Authorization to Form the Camino Real Regional Mobility Authority, as approved by the Texas Transportation Commission; whereby the Mayor nominates three (3) potential Board members for each of the six (6) open positions and the City Council makes the appointment to each such open position; and

3. That, in accordance with Section 370.251 of the Texas Transportation Code, the terms of three (3) initial members appointed by the City shall terminate on February 1, 2008, while the remaining three (3) members appointed by the City shall terminate on February 1, 2009. The length of each initial board member's term has been determined by the drawing of lots. Thereafter, each appointment by the City shall be for a term of two (2) years, to expire on February 1; and
4. That the City of El Paso hereby appoints the following initial board members to the Camino Real Regional Mobility Authority:
 - (i) David Marcus, whose term expires on February 1, 2008;
 - (ii) J. O. Stewart, whose term expires on February 1, 2009;
 - (iii) Ann Herkenhoff, whose term expires on February 1, 2008;
 - (iv) Tanny Berg, whose term expires on February 1, 2009;
 - (v) Ralph Adame, whose term expires on February 1, 2008; and
 - (vi) Tony Payan, whose term expires on February 1, 2009.

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

Mr. Charlie McNabb, City Attorney, and Mr. Raymond Telles, Assistant City Attorney, gave legal advice.

The following members of the public commented:

1. Ms. Heather McMurray
2. Ms. Lisa Turner
3. Mr. Ray Gilbert
4. Mr. Richard Schechter
5. Mr. Dionisio Dorado

1ST MOTION

Motion made by Representative Holguin, seconded by Representative Castro, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Ms. Turner an additional three minutes to address Council.

2ND MOTION

Motion made by Representative Lozano, seconded by Representative Holguin, to **POSTPONE** the item for four weeks. The motion **FAILED**.

AYES: Representatives Lozano, Castro, and Holguin

NAYS: Representatives Lilly, Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke

3RD MOTION

Motion made by Representative Byrd, seconded by Representative Steve Ortega, and carried to **APPROVE THE RESOLUTION** for creating the Camino Real Regional Mobility Authority.

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke

NAYS: Representatives Lozano, Castro, and Holguin

4TH MOTION

Motion made by Representative Byrd, seconded by Representative Steve Ortega, and carried to **APPOINT** six members to the Camino Real Regional Mobility Authority.

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke

NAYS: Representatives Castro, and Holguin

ABSTAIN: Representative Lozano

5TH MOTION

Motion made by Representative Byrd, seconded by Representative Lilly, and carried to **APPOINT** David Marcus as the Board Member for Position 1 on the Camino Real Regional Mobility Authority.

AYES: Representatives Lilly, Byrd, Lozano, Presi Ortega, Jr., Steve Ortega, and O'Rourke

NAYS: Representatives Castro, and Holguin

6TH MOTION

Motion made by Representative Byrd, seconded by Representative Lilly, and carried to **APPOINT** J.O. Stewart as the Board Member for Position 2 on the Camino Real Regional Mobility Authority.

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke

NAYS: Representatives Lozano, Castro, and Holguin

7TH MOTION

Motion made by Representative Byrd, seconded by Representative O'Rourke, and carried to **APPOINT** Ann Herkenhoff as the Board Member for Position 3 on the Camino Real Regional Mobility Authority.

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke

NAYS: Representatives Lozano, Castro, and Holguin

8TH MOTION

Motion made by Representative O'Rourke, seconded by Representative Byrd, and carried to **APPOINT** Tanny Berg as the Board Member for Position 4 on the Camino Real Regional Mobility Authority.

AYES: Representatives Lilly, Byrd, Lozano, Presi Ortega, Jr., Steve Ortega, and O'Rourke

NAYS: Representatives Castro and Holguin

9TH MOTION

Motion made by Representative Lozano, seconded by Representative Steve Ortega, and carried to **APPOINT** Ralph Adame as the Board Member for Position 5 on the Camino Real Regional Mobility Authority.

AYES: Representatives Lilly, Byrd, Lozano, Presi Ortega, Jr., and Steve Ortega

NAYS: Representatives Castro and Holguin

ABSTAIN: Representative O'Rourke (affidavit to recuse on file in City Clerk's Office)

10TH MOTION

Motion made by Representative Steve Ortega, seconded by Representative Lilly, to **APPOINT** Scott McLaughlin as the Board Member for Position 6 on the Camino Real Regional Mobility Authority. Motion **FAILED**.

AYES: Representatives Lilly, Steve Ortega, and O'Rourke

NAYS: Representatives Byrd, Lozano, Castro, Presi Ortega, Jr., and Holguin

11TH MOTION

Motion made by Representative Byrd, seconded by Representative Lozano, and carried to **APPOINT** Dr. Tony Payan as the Board Member for Position 6 on the Camino Real Regional Mobility Authority.

AYES: Representatives Byrd, Lozano, Presi Ortega, Jr., Steve Ortega, and O'Rourke

NAYS: Representatives Castro and Holguin

ABSTAIN: Representative Lilly (affidavit to recuse on file in City Clerk's Office)

12TH AND FINAL MOTION

Motion made by Mayor Pro Tempore Presi Ortega, Jr., seconded by Representative Byrd, and carried to **ACCEPT** the term limits as drawn for each position.

AYES: Representatives Lilly, Byrd, Lozano, Presi Ortega, Jr., Steve Ortega, and O'Rourke

NAYS: Representatives Castro and Holguin

11C. MAYOR AND COUNCIL

Discussion and action affirming the actions by the Mayor and the City Attorney to seek legislation to amend Article 6243b, Vernon's Civil Statutes, to eliminate the automatic membership of the fire and police chiefs to the eleven member El Paso Fire and Police Pension Fund Board and to add two appointees designated by the City Manager; to give the City Council and/or the citizens a say over benefit changes; and to provide a permissive mechanism for ensuring the future proper funding of the Plan.

*Motion made, seconded, and unanimously carried to **POSTPONE** the item for two weeks.

12A.

RESOLUTION

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

WHEREAS, the City of El Paso (the "City") has pursuant to a petition authorized the creation of the El Paso Public Improvement District No. 1 (the "PID"); and

WHEREAS, the City staff has prepared a Service and Assessment Plan and a proposed assessment roll for the PID; and

WHEREAS, the City Council is required to file the proposed assessment roll with the City Clerk for public inspection and to have notice given of the proposed assessment roll and hold a hearing regarding the proposed assessment roll, such notice by publication and mailing in accordance with the requirements of §372.016(b) of the Texas Local Government Code, as amended; and

WHEREAS, the City desires to provide the requisite notice and hearing on the proposed assessment roll and to conduct a hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EI PASO, TEXAS, THAT:

Section 1. The facts recited in the preamble hereto are found to be true and correct.

Section 2. The public hearing required by §372.016(b) of the Texas Local Government Code Chapter 372 be scheduled for April 3, 2007 at 9:00 a.m. in the Council Chambers at City Hall, 2 Civic Center Plaza, El Paso, Texas.

Section 3. The City Clerk is hereby authorized and directed to provide notice of such hearing by publication and mailing in accordance with the requirements of §372.0016(b) of Texas Local Government Code.

Section 4. It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 5. Effective Date. This Resolution shall become effective immediately upon its passage.

Representative Holguin commented.

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

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

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., and O'Rourke

NAYS: None

ABSTAIN: Representative Holguin

NOT PRESENT FOR THE VOTE: Representatives Castro and Steve Ortega

NOT PRESENT FOR THE VOTE BUT PRESENT FOR THE MOTION: Representative Lozano

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12B.

RESOLUTION

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

WHEREAS, the Office of Economic Adjustment ("OEA") is a field activity of the U.S. Department of Defense that provides adjustment assistance to state and local governments impacted significantly by defense program changes; and

WHEREAS, OEA assists communities by providing technical and financial planning assistance to prepare for defense growth and community impacts resulting from military missions; and

WHEREAS, a community match of 10% is required for any federal grant awarded by the OEA to address regional concerns resulting from any base growth; and

WHEREAS, on January 28, 2007, the City of El Paso submitted an application for federal assistance to OEA for the hiring of a Growth Coordinator to undertake all services related to growth planning and implementation, and to partially reimburse the City for costs related to ongoing consultant work; and

WHEREAS, the City's application for OEA assistance was approved on February 9, 2007 and the City was awarded an initial Grant in the amount of \$936,500.00 in community adjustment assistance in response to the realignment at Fort Bliss, Texas; and

WHEREAS, as part of the Grant, the City must contribute \$110,000.00 from non-federal sources as its required match; and

WHEREAS, the Office of the City Manager will act as the project administrator and plan development coordinator for the Grant,

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

That the City Manager, or designee, shall be authorized to sign a Grant Agreement between the City of El Paso and the Office of Economic Adjustment, on behalf of the Department of Defense for the purposes of undertaking community economic adjustment activities. The City Manager, or designee, is also authorized to sign any related paperwork, including all understandings and assurances contained therein; to apply for, accept, reject, alter or terminate the grant, authorize budget transfers; submit any necessary revisions to the operational plan; execute on behalf of the City of El Paso any grant amendments or corrections to the initial Grant Agreement which increase, decrease or de-obligate program funds, provided that no additional City funds are required, or which decrease the amount of matching funds; to request and accept an extension of the award ending date for the grant; and that grant officials be as designated in the Agreement. The City's matching contribution consists of \$110,000.00.

Ms. Joyce Wilson, City Manager, commented.

Mr. Richard Schechter, citizen, commented.

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

NOT PRESENT FOR THE VOTE: Representatives Lozano, Castro, and Holguin

13.

R E S O L U T I O N

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

That the City Manager be authorized to execute a Tax Abatement Agreement by and between the City of El Paso, Texas, a home-rule municipality of El Paso County, Texas, and ADP, Inc., a Delaware Corporation, for the construction of a Solutions/Technical Support Facility on the property municipally known and numbered as 1851 Resler, El Paso, Texas 79912.

Representatives Byrd, Presi Ortega, Jr., Lilly, Holguin, and Steve Ortega commented.

Ms. Kathryn Dodson, Director of Economic Development, commented.

Mr. Richard Schechter and Ms. Lisa Turner, citizens, commented.

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

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke

NAYS: Representatives Castro and Holguin

NOT PRESENT FOR THE VOTE: Representative Lozano

14. FINANCIAL SERVICES - BID

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **AWARD** Bid Solicitation No. 2007-050 (Street Resurfacing 2007).

Department:	Streets
Award to:	J. A. R. Concrete, Inc. El Paso, Texas
Item(s):	Base Bid: \$ 6,843,584.20 Alternate A1: \$70,000.00 Alternate A2: \$62,500.00
Total Estimated Award:	\$6,976,084.20
Account No:	99331117 - PCP06ST011 – 27263 - 508027
Funding Source:	2006 Certificates of Obligation

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract 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 or interim 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 which are within the appropriate budget.

This is a low bid, unit-price contract.

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

NOT PRESENT FOR THE VOTE: Representative Lozano

Representatives Castro and Steve Ortega commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Terrence Freiburg, Purchasing Manager
3. Mr. Daryl Cole, Streets Department Director

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15. CITY MANAGER

City Manager's report of current events and issues:

Discussion and action on issues related to Storm 2006.

NO ACTION was taken on the item.

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Motion made by Representative Steve Ortega, seconded by Representative Holguin, and unanimously carried to **ADJOURN** this meeting at 3:11 p.m.

NOT PRESENT FOR THE VOTE: Representative Lozano
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk