

**JOHN F. COOK**  
MAYOR



**JOYCE WILSON**  
CITY MANAGER

**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
EMMA ACOSTA, 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 24, 2009  
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:35 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Emma Acosta, Steve Ortega, and Beto O'Rourke. Late arrivals: Melina Castro at 8:36 a.m. during Executive Session deliberations, Ann Morgan Lilly at 8:40 a.m. during Executive Session deliberations, and Eddie Holguin, Jr. at 8:45 a.m. during Executive Session deliberations. Absent: Rachel Quintana requested to be excused. The invocation was given by Fire Chaplain Ed Sinke, followed by the Pledge of Allegiance to the Flag of the United States of America.

**MAYOR'S PROCLAMATIONS**

1. **16TH ANNUAL BEEMS CONFERENCE**
2. **BOYS & GIRLS CLUBS OF EL PASO WEEK**
3. **GIRL SCOUT WEEK**

**RECOGNITIONS**

**EARTH HOUR**

**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. Jerry Thiedt
2. Mr. Bill Addington, Sierra Club
3. Ms. Maria Perez

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

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

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

NOT PRESENT FOR THE VOTE: Representatives Lilly and Holguin

Motion made by Representative Castro, seconded by Mayor Pro Tempore Byrd, and unanimously carried to adjourn the Executive Session at 9:05 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

.....  
**EX1.** Claim of Laurence Clark, Our File No. 08-C-259. (551.071)

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, and unanimously carried that the City Attorney's Office be authorized to **REJECT** claimant's settlement demand in the claim of Laurence Clark, Our File No. 08-C-259/Police.

.....  
**EX2.** Claim of R.J. Jeanmarie, Our File No. 08-C-244. (551.071)

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and unanimously carried that the City Attorney's Office be authorized to **REJECT** claimant's settlement demand in the claim of Ramon Jeanmarie, Our File No. 08-C-244/Police.

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**EX3.** Claim of Lucia Esmeralda Oporto, Our File No. 08-C-095. (551.071)

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

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**EX4.** Claim of Estate of Gregory Smith, Our File No. 08-C-167. (551.071)

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

.....  
**EX5.** Claim of Estate of Anthony Gonzalez, Our File No, 09-C-043. (551.071)

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

.....  
**CONSENT AGENDA**

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

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

NAYS: None

ABSENT: Representative Quintana

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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 17, 2009.

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

\*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Quintana from the Regular Council Meeting of March 24, 2009.

**3A.**

**\*RESOLUTION**

**THAT** the City Manager be authorized to sign an agreement for electric service, payment of construction costs of Four Thousand One Hundred Fifty Five and 84/100 Dollars (\$4,155.84) to the El Paso Electric Company and granting an overhead electrical easement to the El Paso Electric Company for the purpose of providing electrical service to the McCutcheon Basin Pump Station at 146 Redd Road, El Paso, Texas. Said property being more particularly described as a portion Lot 1, Block 2, La Paz Estates, El Paso, El Paso County, Texas.

**3B.**

**\*RESOLUTION**

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

3801 Pierce, more particularly described as Lot(s) 16 & W 1/2 of Lot 15 (5100 SQ FT), Block 107, Morningside Heights Subdivision, El Paso, El Paso County, Texas, Parcel #M794-999-1070-4300

to be \$167.17, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY ONE AND 17/100 DOLLARS (\$191.17). The City Council finds that the work was completed on the 27th day(s) of October, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED NINETY ONE AND 17/100 DOLLARS (\$191.17) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ANDREA RODRIGUEZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

3511 Polk Avenue, more particularly described as Lot(s) 11 & 12 (6000 SQ FT),  
Block 85, Morningside Heights Subdivision, El Paso, El Paso County, Texas,  
Parcel #M794-999-0850-3100

to be \$193.77, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED SEVENTEEN AND 77/100 DOLLARS (\$217.77). The City Council finds that the work was completed on the 16th day(s) of October, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED SEVENTEEN AND 77/100 DOLLARS (\$217.77) 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.

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, LEONSO A & VICTORIA BARRAZA, 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:

3726 Polk Avenue, more particularly described as Lot(s) 19 to 21 (9000 SQ FT),  
Block 60, Morningside Heights Subdivision, El Paso, El Paso County, Texas,  
Parcel #M794-999-0600-5700

to be \$218.67, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED FORTY TWO AND 67/100 DOLLARS (\$242.67). The City Council finds that the work was completed on the 24th day(s) of October, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED FORTY TWO AND 67/100 DOLLARS (\$242.67) 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**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JACK LUCERO, 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) 19, Block 21, Del Norte Acres Subdivision, El Paso, El Paso County,  
Texas, Parcel #D361-999-0210-7100

to be \$250.27, 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 SEVENTY FOUR AND 27/100 DOLLARS (\$274.27). The City Council finds that the work was completed on the 17th day(s) of September, 2008, 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 SEVENTY FOUR AND 27/100 DOLLARS (\$274.27) to be

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

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, MARY C. MALUF (TR), 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) 5 & 6, Block 31, Logan Heights Subdivision, City of El Paso, El Paso County, Texas, Parcel #L447-999-0310-1500.

to be \$197.83, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED TWENTY ONE AND 83/100 DOLLARS (\$221.83). The City Council finds that the work was completed on the 25th day(s) of September, 2008, 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 ONE AND 83/100 DOLLARS (\$221.83) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, BENNIE J. GILMORE, 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:

412 Marr Street, more particularly described as Lot(s) 4 & 5, Block 19, Lincoln Park Subdivision, El Paso, El Paso County, Texas, Parcel #L314-999-0190-2800

to be \$154.80, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY EIGHT AND 80/100 DOLLARS (\$178.80). The City Council finds that the work was completed on the 10th day(s) of September, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED SEVENTY EIGHT AND 80/100 DOLLARS (\$178.80) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, RICARDO & CLAUDIA SAMANIEGO, 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:

7500 Matamoras, more particularly described as Lot(s) 27, Block 33, Hacienda Heights Subdivision, El Paso, El Paso County, Texas, Parcel #H012-999-0330-8900

to be \$111.26, 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 FIVE AND 26/100 DOLLARS (\$135.26). The City Council finds that the work was completed on the 17th day(s) of October, 2008, 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 FIVE AND 26/100 DOLLARS (\$135.26) to be a

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

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

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

### **\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, MARIA D. L. FERNANDEZ, 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:

5629 Ranchito Avenue, more particularly described as Lot(s) 69, Los Ranchitos Subdivision, El Paso, El Paso County, Texas, Parcel #L789-999-0000-6900

to be \$60.95, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of EIGHTY FOUR AND 95/100 DOLLARS (\$84.95). The City Council finds that the work was completed on the 2nd day(s) of January, 2008, 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 EIGHTY FOUR AND 95/100 DOLLARS (\$84.95) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

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

5204 Saxon, more particularly described as Lot(s) 42 (6000 SQ FT), Block 22,  
Sun Valley Subdivision, El Paso, El Paso County, Texas, Parcel #S816-999-  
0220-4200

to be \$269.62, 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 62/100 DOLLARS (\$293.62). The City Council finds that the work was completed on the 15th day(s) of October, 2008, 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 62/100 DOLLARS (\$293.62) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with 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 \$241.40, 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 TWO HUNDRED SIXTY FIVE AND 40/100 DOLLARS (\$265.40). The City Council finds that the work was completed on the 15th day(s) of October, 2008, 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 FIVE AND 40/100 DOLLARS (\$265.40) 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.

**\*RESOLUTION**

**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 \$234.36, 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 EIGHT AND 36/100 DOLLARS (\$258.36). The City Council finds that the work was completed on the 15th day(s) of October, 2008, 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 EIGHT AND 36/100 DOLLARS (\$258.36) 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.

**\*RESOLUTION**

**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 \$174.63, 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 NINETY EIGHT AND 63/100 DOLLARS (\$198.63). The City Council finds that the work was completed on the 22nd day(s) of October, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED NINETY EIGHT AND 63/100 DOLLARS (\$198.63) 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.

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, SANDY A. LEVARIO, 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:

11416 Menlo, more particularly described as Lot(s) 5, Block 2, Kimberly  
Heights Subdivision, El Paso, El Paso County, Texas, Parcel #K383-999-  
0020-0500

to be \$183.48, 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 TWO

HUNDRED SEVEN AND 48/100 DOLLARS (\$207.48). The City Council finds that the work was completed on the 14th day(s) of October, 2008, 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 SEVEN AND 48/100 DOLLARS (\$207.48) 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.

### **\*RESOLUTION**

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

10948 Montana, more particularly described as Tract 1-A (2.774 ACRES),  
Block 80, TSP 2 SEC 36 T & P SURV Subdivision, El Paso, El Paso  
County, Texas, Parcel #X580-999-236A-0100

to be \$490.37, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of FIVE HUNDRED FOURTEEN AND 37/100 DOLLARS (\$514.37). The City Council finds that the work was completed on the 28th day(s) of October, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FIVE HUNDRED FOURTEEN AND 37/100 DOLLARS (\$514.37) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, MANUEL R. MARQUEZ, 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:

11325 Patricia, more particularly described as Lot(s) 24, Block 7, Kimberly Heights Subdivision, El Paso, El Paso County, Texas, Parcel #K383-999-0070-2400

to be \$237.07, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED SIXTY ONE AND 07/100 DOLLARS (\$261.07). The City Council finds that the work was completed on the 14th day(s) of October, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED SIXTY ONE AND 07/100 DOLLARS (\$261.07) 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.

**\*RESOLUTION**

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

11428 Patricia, more particularly described as Lot(s) 8, Block 1, Kimberly Heights Subdivision, El Paso, El Paso County, Texas, Parcel #K383-999-0010-0800

to be \$121.65, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY FIVE AND 65/100 DOLLARS (\$145.65). The City Council finds that the work was completed on the 8th day(s) of October, 2008, 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 FORTY FIVE AND 65/100 DOLLARS (\$145.65) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JEFFREY S. & W. MC CLELLAND, 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:

12135 Quail Harvest Lane, more particularly described as Lot 23 & W 0.30 Ft of Lot 22 (5030 SQ FT), Block 13, Quail Run Subdivision, El Paso, El Paso County, Texas, Parcel #Q550-999-0130-2300

to be \$240.59, 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 SIXTY FOUR AND 59/100 DOLLARS (\$264.59). The City Council finds that the work was completed on the 6th day(s) of October, 2008, 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 FOUR AND 59/100 DOLLARS (\$264.59) 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.

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, VALLEY FORGE INC., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

11861 Physicians, more particularly described as Tract 21 (1.9165 AC), Block O, A Danielson Sur 310 Abstract 10026 Subdivision, El Paso, El Paso County, Texas, Parcel #X310-999-0000-1840

to be \$372.92, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED NINETY SIX AND 92/100 DOLLARS (\$396.92). The City Council finds that the work was completed on the 29th day(s) of October, 2008, 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 SIX AND 92/100 DOLLARS (\$396.92) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

11409 Pratt Avenue, more particularly described as Lot(s) 30, Block 1, Kimberly Heights Subdivision, El Paso, El Paso County, Texas, Parcel #K383-999-0010-3000

to be \$166.43, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY AND 43/100 DOLLARS (\$190.43). The City Council finds that the work was completed on the 16th day(s) of October, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED NINETY AND 43/100 DOLLARS (\$190.43) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, SERGIO ALVAREZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

Tract 6-C (0.361 ACRE), Block 15, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel #Y805-999-015D-0630

to be \$216.85, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED FORTY AND 85/100 DOLLARS (\$240.85). The City Council finds that the work was completed on the 7th day(s) of October, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED FORTY AND 85/100 DOLLARS (\$240.85) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

180 Zaragoza more particularly described as Tract 14-A (0.2594 AC), Block 45, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel #Y805-999-0450-1401

to be \$178.88, 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 88/100 DOLLARS (\$202.88). The City Council finds that the work was completed on the 23rd day(s) of October, 2008, 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 88/100 DOLLARS (\$202.88) 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**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, CARMEN & JOSE M. ISSA, 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:

1512 Babe Hiskey, more particularly described as Lot(s) 13, Block 210, Vista del Sol #37 Subdivision, El Paso, El Paso County, Texas, Parcel #V893-999-2100-2500

to be \$154.80, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY EIGHT AND 80/100 DOLLARS (\$178.80). The City Council finds that the work was completed on the 23rd day(s) of October, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED SEVENTY EIGHT AND 80/100 DOLLARS (\$178.80) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JAVIER JR GRIEGO, 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:

11268 Enid Wilson, more particularly described as Lot 1, The Heights Subdivision, El Paso, El Paso County, Texas, Parcel #T211-999-0000-0100

to be \$111.77, 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 FIVE AND 77/100 DOLLARS (\$135.77). The City Council finds that the work was completed on the 30th day(s) of October, 2008, 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 FIVE AND 77/100 DOLLARS (\$135.77) 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.

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ROBERTO JR & MARIO O. MARTINEZ, 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:

8032 Glendale, more particularly described as Tract 8 (18575 SQ FT), Block 3, Mesa Vista #2 Subdivision, El Paso, El Paso County, Texas, Parcel #M386-999-0030-1700

to be \$330.79, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED FIFTY FOUR AND 79/100 DOLLARS (\$354.79). The City Council finds that the work was completed on the 15th day(s) of October, 2008, 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 FIFTY FOUR AND 79/100 DOLLARS (\$354.79) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JOHN H. TRIEN, 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:

4001 Laredo, more particularly described as Lot(s) 19 & 20 (7000 SQ FT), Block 44, Woodlawn Subdivision, El Paso, El Paso County, Texas, Parcel #W886-999-0440-9700

to be \$189.98, 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 THIRTEEN AND 98/100 DOLLARS (\$213.98). The City Council finds that the work was completed on the 30th day(s) of October, 2008, 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 THIRTEEN AND 98/100 DOLLARS (\$213.98) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

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

3007 Rivera, more particularly described as Lot(s) 5 & E 19.667 FT of Lot 4 (6253 SQ FT), Block 2, East El Paso Subdivision, El Paso, El Paso County, Texas, Parcel #E014-999-0020-0700

to be \$246.59, 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 SEVENTY AND 59/100 DOLLARS (\$270.59). The City Council finds that the work was completed on the 28th day(s) of October, 2008, 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 SEVENTY AND 59/100 DOLLARS (\$270.59) 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.

.....  
3C.

**\*RESOLUTION**

**THAT** the City Manager be authorized to sign a Multiple Use Agreement between the City of El Paso and the State of Texas by and between the Texas Department of Transportation to permit the construction, maintenance, and operation of a temporary storage facility on the southwest corner highway right of way at Gateway Boulevard East and Franklin Street.

.....  
4A. **BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Janice Nutt to the Animal Shelter Advisory Committee by Representative Steve Ortega, District 7.

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

\*Motion made, seconded, and unanimously carried to **APPOINT** Janice Nutt to the Animal Welfare Advisory Committee by Representative Steve Ortega, District 7.

.....  
5. **NOTICE OF CAMPAIGN CONTRIBUTIONS:**

\*Motion made, seconded, and unanimously carried to **APPROVE** the following notations pursuant to Section 2.92.110 of the City Code: receipt of campaign contribution by Representative Susie Byrd on February 23, 2009, in the amount of \$500 from J. Robert Brown and Sherry Brown; on March 10, 2009, in the amount of \$500 from Julie S. Tarwater; on March 13, 2009, in the amount of \$700 from El Paso Association of Fire Fighters, Local 51 Inc.; and on March 17, 2009, in the amount of \$500 from Kristi K. Borden Zacour.

.....  
6A. **PURCHASING REQUEST 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 Portable Computers Systems Inc., a State Department of Information Resources (DIR) contractor under DIR State Contract DIR-SDD-518, in the amount of \$172,710 for computers and equipment products. Participation by the City of El Paso in the DIR Program was approved by Mayor and Council on February 27, 2007.

Department: Fire  
Account No.: 22150024 – 508035 – 07188 – G220902  
Funding Source: Fire Department Grants Communications Equipment, Asst. to FF-Equipment  
Total Amount: \$172,710  
Reference No.:2009-168

.....  
6B. **PURCHASING REQUEST 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 Wagner Equipment Co., the sole authorized sales, parts, and service distributor in El Paso, Texas, for Caterpillar genuine parts, product, support, and maintenance. Annual estimated amount is \$160,000. Total estimated three year amount is \$480,000 with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department: General Services  
Account No.: 37370510 – 503121 – 45202

37370510 – 503125 – 45202  
Funding Source: General Services Internal Service Fund  
Total Est. Award: \$480,000 (3-year total)  
Sole Source No.: 2009-147

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**7. BEST VALUE PROCUREMENT**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2009-043 (Janitorial Services – Marty Robbins and Carolina Recreation Centers) to Total Cleaning Services, for a total estimated award of \$153,976.64.

Department: Parks and Recreation  
Award to: Total Cleaning Services  
El Paso, TX  
Items: All  
Option: Two years  
Account No.: 51010363 – 502206 – 01101  
Funding Source: Parks–Operating Account–Janitorial Maintenance Contracts  
Total Est. Award: \$153,976.64 (3-year total)

This is a thirty-six month contract.

The Departments of Financial Services, Purchasing Division, and Parks and Recreation recommend award to Total Cleaning Services, the vendor offering the best value bid.

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**8A. – 8E. INTRODUCTIONS**

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

Motion made by Representative Holguin, seconded by Representative Castro, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Salazar an additional minute to address the Council.

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

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, 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:

- 8A.** An Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in real property located at 2731 Portland Avenue to the El Paso Preservation Alliance in accordance with section 3405 (1) of the tax code.
- 8B.** An Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in real property located at 1123 - 1125 Missouri Avenue to Hector Duran in accordance with section 34.05 (h) of the tax code.
- 8C.** An Ordinance authorizing the City of El Paso to sell approximately 1,448.9250 acres and three identified access easements, being a portion of Sections 3, 4, 9, 15, 16, 17, 18, 23 & 24, Block 81, Township 1, Texas & Pacific Railway Company Surveys, El Paso, El Paso County, Texas, and approximately 210.0026 acres being a portion of Tract 1A, S.J. Larkin Survey No. 269 and Tract 1, S.J. Larkin Survey No. 268, El Paso, El Paso County, Texas, to the State of Texas, acting by and through the Texas Parks & Wildlife Department, for inclusion in the Franklin Mountains State Park.

Mr. Bill Addington, citizen, commented.

- 8D. An Ordinance amending Title 13 (Streets, Sidewalks, and Public Places), Chapter 13.24 (City Parks and Recreation Areas), of the El Paso City Code to revise provisions relating to rentals and other uses of Parks and Recreation facilities by government officials and members of the public.

Mayor Cook and Representatives Byrd, Acosta, Castro, and Holguin commented.

Ms. Nanette Smejkal, Director of Parks and Recreation, commented, and Ms. Elaine Hengen, Senior City Attorney, gave legal advice.

Mr. Marc Salazar and Ms. Maria Perez, citizens, commented.

**PUBLIC HEARING WILL BE HELD ON MARCH 31, 2009, FOR ITEMS 8A – 8D**

- 8E. An Ordinance changing the zoning of Lots 15 through 26 and east 15.48 feet of Lot 14, Block 4, Hughes Subdivision of Block 2 of Alameda Acres, City of El Paso, El Paso County, Texas, from R-5 (Residential) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON APRIL 14, 2009, FOR ITEM 8E**

**9A. FINANCIAL SERVICES**

\*Motion made, seconded, and unanimously carried to **DELETE** the item on discussion and action on a Resolution authorizing the City Manager to sign a State Use Contract – Contract for Cleaning Services between the City of El Paso and TIBH Industries, Inc. (“TIBH”) and Professional Contract Services, Inc (“PCSI”), for various cleaning services at the El Paso International Airport terminal building. The term of the contract will be through December 31, 2011.

Department: Aviation  
Account No.: 62620005-502206-40101 – EPIA Enterprise Fund  
Total Est. Award: \$1,847,557.71 (3-year total)

**9B. FINANCIAL SERVICES**

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a purchase order to KRONOS Incorporated, the sole source maintenance supporter for the KRONOS Workforce Central Software. Annual estimated amount is \$206,384.01. Total estimated three year amount is \$619,152.03 with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department: Information Technology  
Account No.: 39010351 – 502202 – 01101  
Funding Source: Information Services, Data Processing Service Contracts, Operating Account  
Total Est. Award: \$619,152.03 (3-year total)  
Sole Source No.: 2007-232

Mr. Terrence Freiburg, Purchasing Manager, commented.

**9C. FINANCIAL SERVICES**

Motion made by Representative O'Rourke, seconded by Representative Acosta, and unanimously carried to **AWARD, AS REVISED**, Proposal No. 2009-078 (Central Recreation Center) to Blair Hall Co Inc. for a total amount of \$4,896,000. Blair Hall Co Inc.'s proposal has provided the best value to the City.

Department: Parks and Recreation  
Award to: Blair-Hall Co, Inc.  
El Paso, TX  
Base Bid: \$4,248,000  
Additive Option 2: \$ 268,000  
Additive Option 3: \$ 346,000  
Additive Option 4: \$ 34,000  
Account No.: 71150069-508027-10082-G7134CD0022  
99331117-508027-27263-PMF08002  
Funding Source: CDBG Funds & 2008 Reprogramming  
Total Est. Award: \$4,896,000

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 a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution 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 \$25,000.00 per numbered change order without further authorization by City Council.

This is a lump-sum contract.

The Departments of Financial Services - Purchasing Division, Engineering, and Parks and Recreation recommend award to Blair Hall Co. Inc. who submitted the highest ranked proposal.

Representative Steve Ortega commented.

Mr. Alan Shubert, City Engineer, commented.

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**9D. FINANCIAL SERVICES**

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

Motion made by Representative Castro, seconded by Representative Acosta, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 10:19 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

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

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **ADJOURN** the Executive Session at 10:25 a.m. and **RECONVENE** the meeting of the City Council.

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

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, and carried to **AWARD** Solicitation No. 2009-089 (Upper Valley Road Street & Drainage Improvements Phase I, Traffic Circle) to Karlsruhe Inc. d/b/a CSA Engineers & Constructors for a total estimated amount of \$1,773,440.58.

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

NAYS: None

ABSTAIN: Representatives Acosta and Castro

ABSENT: Representative Quintana

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

Motion made by Representative Castro, seconded by Representative Ortega, and unanimously carried to **RECONSIDER** the item.

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

Motion made by Representative Lilly, seconded by Representative Ortega, and carried to **AWARD** Solicitation No. 2009-089 (Upper Valley Road Street & Drainage Improvements Phase I, Traffic Circle) to Karlsruhe Inc. d/b/a CSA Engineers & Constructors for a total estimated amount of \$1,773,440.58.

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

NAYS: None

ABSTAIN: Representative Acosta

ABSENT: Representative Quintana

Department:	Engineering
Award to:	Karlsruher Inc. d/b/a CSA Engineers & Constructors
	El Paso, TX
Base Bid I:	\$1,582,974.41
Base Bid II:	\$175,020.81
Base Bid III:	\$15,445.36
Account No.:	14200403 – 508027 – 29155 – PBE04ST139
	31255008 – 508027 – 27695 – PBE04ST139
Funding Source:	2004 General Obligation Bonds and Public Service Board (PSB)
Total Est. Award:	\$1,773,440.58

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 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 value and will be the sum total of unit prices at the end of the contract term.

As a part of this award the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate 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 responsible bidder. The Financial Services, Purchasing Division, and Engineering Department further recommend that Quest Contracting Inc. and Southwest Growth Corporation be declared non-responsible bidders for the Upper Valley Road Street & Drainage Improvements Phase I, Traffic Circle Project.

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

Representatives Holguin, Lilly, and Acosta commented.

Mr. Sam Rodriguez, Engineering Division Manager, commented.

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10.

**ORDINANCE 17084**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III – PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) OF THE EL PASO CITY CODE TO PROHIBIT PARKING ON TRAWOOD DRIVE BETWEEN BEN HOGAN DRIVE AND ESTRADA DRIVE; THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 (VIOLATION - PENALTY) OF THE EL PASO CITY CODE.**

Representative Ortega commented.

Mr. Ted Marquez, Engineering Division Manager, commented.

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

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

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ITEMS TAKEN TOGETHER:

11A.

**ORDINANCE 17085**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON08-00103 TO ALLOW FOR INFILL DEVELOPMENT ON LOTS 24 AND 25, BLOCK 41, AMENDED MAP OF MORNINGSIDE HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTIONS 20.04.260 AND 20.10.280 OF THE EL PASO CITY CODE.**

11B.

**ORDINANCE 17086**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON08-00104 TO ALLOW FOR INFILL DEVELOPMENT ON LOTS 30 AND 31, BLOCK 115, AMENDED MAP OF MORNINGSIDE HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTIONS 20.04.260 AND 20.10.280 OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

11C.

**ORDINANCE 17087**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON08-00105 TO ALLOW FOR INFILL DEVELOPMENT ON LOTS 9 AND 10, BLOCK 69, AMENDED MAP OF MORNINGSIDE HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTIONS 20.04.260 AND 20.10.280 OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

11D.

**ORDINANCE 17088**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON08-00114 TO ALLOW FOR INFILL DEVELOPMENT ON LOTS 22 AND THE EAST 1/2 OF LOT 23, BLOCK 69, AMENDED MAP OF MORNINGSIDE HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTIONS 20.04.260 AND 20.10.280 OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

11E.

**ORDINANCE 17089**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON08-00115 TO ALLOW FOR INFILL DEVELOPMENT ON LOTS 11, 12, AND 13, BLOCK 69, AMENDED MAP OF MORNINGSIDE HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTIONS 20.04.260 AND 20.10.280 OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Representative Byrd commented.

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

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

.....  
**11F.**

**ORDINANCE 17090**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACTS 4, 4A, 5A, AND 5A1, S.A. & M.G.R.R. SURVEY NO. 265, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-1 (COMMERCIAL) TO C-2 (COMMERCIAL) AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Lilly, Castro, Holguin, and Acosta commented.

Mr. Mark Alvarado, Neighborhood Services Coordinator, and Ms. Kimberly Forsyth, Senior Planner for Engineering, commented.

The following members of the public commented:

- 1. Ms. Maria Elena Gordon
- 2. Ms. Maria De Los Angeles Cortez
- 3. Mr. David Edsel, representing the applicant
- 4. Mr. Salvador Perches, owner of the property

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

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

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

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

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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**11G.**

**ORDINANCE 17091**

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING CONDITIONS PLACED ON PROPERTY BY ORDINANCE NO. 15897 WHICH VACATED A PORTION OF A 20-FOOT WIDE ALLEY ABUTTING LOTS 3 & 4, BLOCK 1, MILLS MAP, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND WHICH IMPOSED CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

.....  
**11H.**

**ORDINANCE 17092**

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING TO PUBLIC VEHICULAR TRAFFIC A PORTION OF A SIXTEEN-FOOT WIDE ALLEY, 0.096 ACRES OF LAND, BEING ALL OF THE ALLEY IN BLOCK 224, ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Lilly and Ortega 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, Acosta, Castro, Holguin, Ortega, and O'Rourke  
NAYS: None  
ABSENT: Representative Quintana

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

.....  
**11I. PUBLIC HEARING – DEVELOPMENT SERVICES**

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

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

NOT PRESENT FOR THE VOTE: Representative Byrd

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

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **CLOSE** the Public Hearing to consider the land use assumptions and capital improvements plan under which an impact fee may be imposed. Any member of the public has a right to appear at the hearing and present evidence for or against the land use assumptions and capital improvements plan.

NOT PRESENT FOR THE VOTE: Representatives Acosta and Holguin

Mr. John Neal, City Manager's Office, and Mr. Rick Giardina, RedOak Consulting, presented a PowerPoint presentation (on file in the City Clerk's office).

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

The following City staff members commented:

- 1. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 2. Ms. Lupe Cuellar, Assistant City Attorney, gave legal advice.
- 3. Mr. Nick Costanzo, Assistant General Manager for El Paso Water Utilities

The following members of the public commented:

- 1. Mr. Charlie Wakeem, Capital Improvements Advisory Committee member
- 2. Mr. Dan Olivas, Chair of the Capital Improvements Advisory Committee
- 3. Mr. Bill Addington, Sierra Club
- 4. Mr. Ray Gilbert
- 5. Ms. Cassie McKenzie, The Greater El Paso Chamber of Commerce Government Relations Legislative Program Manager
- 6. Ms. Linda Troncoso, Gray-Jansing & Associates Inc.

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**12A.**

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

**WHEREAS**, Chapter 395 (Impact Fee Statute) of the Texas Local Government Code provides for the establishment and collection of impact fees; and,

**WHEREAS**, the Impact Fee Statute requires the City of El Paso to provide for a capital improvement plan to be developed by qualified professionals using generally accepted engineering and planning practices in accordance with the Impact Fee Statute; and,

**WHEREAS**, the City of El Paso hired a consultant to prepare a capital improvement plan and develop land use assumptions in accordance with the Impact Fee Statute; and,

**WHEREAS**, the Consultant has completed the process required for the preparation of the Land Use Assumption Report, Capital Improvements Plan, and Impact Fee pursuant to the requirements of Local Government Code, Chapter 395 and provided the capital improvement plan and land use assumptions to the City; and,

**WHEREAS**, the Impact Fee Statute requires the City Council to appoint a Capital Improvements Advisory Committee prior to holding the public hearing and such Committee was appointed on October 28, 2008; and,

**WHEREAS**, the capital improvement plan and land use assumptions were provided to the Capital Improvements Advisory Committee and the Committee reviewed the documents and provided comments to the documents before the fifth business day before the public hearing on whether to adopt the capital improvement plan and land use assumptions; and,

**WHEREAS**, as a part of the process of adopting an impact fee under the Texas Local Government Code, Chapter 395 (Impact Fee Statute), the City Council must hold a public hearing to consider the adoption of land use assumptions and capital improvements plan; and,

**WHEREAS**, prior to holding the public hearing, the land use assumptions, time period of projections, and a description of the proposed capital improvements facilities were made available to the public as required under the Impact Fee Statute; and,

**WHEREAS**, a public hearing was held on March 24, 2009 and members of the public were allowed to appear at the hearing and present evidence for or against the land use assumptions and capital improvements plan in accordance with the provisions of the Impact Fee Statute;

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

That the findings and recitations set out in the preambles to this Resolution are found to be true and correct, and they are hereby adopted by the City Council of the City of El Paso and made a part of this Resolution for all purposes.

That the City Council, after conducting a public hearing on March 24, 2009 to consider adoption of the land use assumptions and capital improvements plan under which an impact fee may be imposed, and after giving members of the public an opportunity to present evidence for or against the land use assumptions and capital improvements plan, hereby adopt the land use assumptions and capital improvements plan attached hereto and made a part hereof by reference.

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

Mr. Charlie McNabb, City Attorney, gave legal advice, and Mr. John Neal, City Manager’s Office, commented.

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

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

NAYS: Representatives Acosta and Castro

ABSENT: Representative Quintana

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

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

**WHEREAS**, Chapter 395 (Impact Fee Statute) of the Texas Local Government Code provides for the establishment and collection of impact fees; and,

**WHEREAS**, the Impact Fee Statute requires the City of El Paso to provide for a capital improvement plan to be developed by qualified professionals using generally accepted engineering and planning practices in accordance with the Impact Fee Statute; and,

**WHEREAS**, the Consultant completed the process required for the preparation of the Land Use Assumption Report, Capital Improvements Plan, and Impact Fee pursuant to the requirements of Local Government Code, Chapter 395 and provided the capital improvement plan and land use assumptions to the City; and,

**WHEREAS**, the capital improvement plan and land use assumptions were provided to the Capital Improvements Advisory Committee and the Committee reviewed the documents and provided comments to the documents before the fifth business day before the public hearing on whether to adopt the capital improvement plan and land use assumptions; and,

**WHEREAS**, a public hearing was held on March 24, 2009 and members of the public were allowed to appear at the hearing and present evidence for or against the land use assumptions and capital improvements plan in accordance with the provisions of the Impact Fee Statute and after conducting the hearing the City Council adopted the land use assumptions and capital improvements plan; and,

**WHEREAS**, as a part of the process of adopting an impact fee under the Texas Local Government Code, Chapter 395 (Impact Fee Statute), the City Council must hold a public hearing to consider the adoption of an impact fee; and,

**WHEREAS**, the City of El Paso after complying with the above statutory requirements, now desires to hold a public hearing to consider the adoption of impact fees;

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

That the findings and recitations set out in the preambles to this Resolution are found to be true and correct, and they are hereby adopted by the City Council of the City of El Paso and made a part of this Resolution for all purposes.

That the City Council hereby calls a public hearing to be held on the 12<sup>th</sup> day of May, 2009 at 9:00 a.m. in the City Council Chambers on the second floor of City Hall, #2 Civic Center Plaza, El Paso, El Paso County, Texas to consider the adoption of impact fees;

That the City will provide notice of the hearing and the published notice of said hearing shall be in accordance with Section 395.049 of the Texas Local Government Code and the published notice of said hearing shall be substantially in the form of the "Notice of Public Hearing" attached to this Resolution.

That any member of the public has the right to appear at the hearing and present evidence for or against the adoption of impact fees.

Ms. Lupe Cuellar, Assistant City Attorney, gave legal advice.

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

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The City Council Meeting **RECESSED** at 1:15 p.m. and **RECONVENED** at 1:59 p.m.  
.....

**13.**

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

**WHEREAS**, on June 24, 2008, the City Council for the City of El Paso adopted a Final Action Plan for 2008-2009 for the Consolidated Plan 2005-2010, including the 34<sup>th</sup> Year (2008-2009) Community Development

Block Grant (CDBG) Program, and on the same date authorized the City Manager to sign and submit to the United States Department of Housing and Urban Development (HUD) the Annual Action Plan (2008-2009) and all certifications contained therein; and

**WHEREAS**, the City Council, based on the recommendation of the Director of the Community and Human Development Department and Department staff, now desires to amend the Annual Action Plan (2008-2009) and 34<sup>th</sup> Year (2008-2009) CDBG Program Budget by adding one interim assistance activity; and

**WHEREAS**, on February 19, 2009, the City of El Paso published in the El Paso Times public notice and allowed a 30-day public comment period regarding the proposed amendment to the Annual Action Plan (2008-2009) and 34<sup>th</sup> Year (2008-2009) CDBG Program Budget and City Council has duly considered public comment, if any.

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

1. That the Annual Action Plan (2008-2009) and 34<sup>th</sup> Year (2008-2009) CDBG Program Budget is hereby amended as follows:

The new interim assistance activity, "Segundo Barrio Revitalization - Neighborhood Cleanup Campaign" - \$15,000.00 is added to provide an intensive neighborhood clean-up effort in the form of garbage, trash, and debris removal services, disposal-related costs, and equipment use (front-end loaders, bobcats, dump trucks, trash collection roll-off, etc.) to effectuate a clean-up campaign in the identified CD-eligible neighborhood in El Paso, Texas.

2. That the City Manager or her designee be authorized to take any actions necessary to accomplish the intent of this resolution and to implement the project, including the necessary budget transfers and notifying HUD of said Annual Action Plan amendment.

Mayor Cook and Representative O'Rourke commented.

Mr. William Lilly, Director of Community and Human Development, commented.

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

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**14. DEVELOPMENT SERVICES**

\*Motion made, seconded, and unanimously carried to **POSTPONE** one week the item for discussion and action on an appeal by property owners of the Manhattan Heights Historic District regarding a decision rendered by the Historic Landmark Commission (HLC) in HLC Case: HPC09-00005; 3200 Wheeling, El Paso, Texas, on February 2, 2009, to approve a Certificate of Appropriateness for the referenced property.  
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**15. ECONOMIC DEVELOPMENT**

Presentation regarding Business Climate Survey conducted by IPED.

Ms. Rose Romero, Economic Development Specialist, presented a PowerPoint presentation (on file in the City Clerk’s office).

Representatives Castro, Holguin, and Byrd commented.

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

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

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**16.**

**RESOLUTION**

**THAT** the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Structural Engineering Associates Inc. for a project known as “New Commuter Port of Entry between the Bridge of The Americas and Zaragoza Ports of Entry” for an amount not to exceed \$905,353 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$955,353.

Mr. Johanes Makahaube, Engineering Division Manager, presented a PowerPoint presentation (on file in the City Clerk’s office).

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

Mr. Said Larbi-Cherif, Director of International Bridges, and Mr. Alan Shubert, City Engineer, commented.

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

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**17. MAYOR AND COUNCIL**

Discussion and action to request for City Manager and staff to evaluate for traffic control devices at the following intersections:

- Kellogg and Blossom
- Snark Drive and Zeus Place
- Pickerel and Snark Drive
- Nike Lane and Zeus Place
- Arjay Lane and Umbria Drive
- Bluewing and Bobwhite
- Bluewing and Macaw
- Bluewing and Dolphin
- Bluewing and Tarpon
- Bluewing and Sturgeon
- Bluewing and Teal
- Bluewing and Swallow Lane

Representative Castro commented.

Mr. Ted Marquez, Engineering Division Manager, and Mr. Daryl Cole, Director of Streets, commented.

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

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Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to  
**ADJOURN** this meeting at 3:07 p.m.  
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**APPROVED AS TO CONTENT:**

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Richarda Duffy Momsen, City Clerk