

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHIEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

**REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
APRIL 23, 2013
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:32 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Carl Robinson, Michiel R. Noe, and Cortney Carlisle Niland. Late arrivals: Emma Acosta and Eddie Holguin, Jr. at 8:33 a.m., Steve Ortega at 8:36 a.m., and Ann Morgan Lilly at 8:59 a.m. The invocation was given by Mayor Cook, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

- 1. THE ANNUAL SALE OF BUDDY POPPIES WEEK**
- 2. CELEBRATION OF PROGRESS – MONTECILLO DAY**
- 3. EL PASO NIGHT SHIFT NIGHTS**
- 4. ARBOR DAY**
- 5. GLOBAL YOUTH SERVICE DAY**

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

Requests to speak must be received by 8:30 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. Paul McDonough
2. Ms. Elsa S. Garcia
3. Ms. Barbara Valencia
4. Mr. Paul Maxwell
5. Ms. Wally Cech
6. Mr. Salvador Gomez
7. Mr. Steven Strumer
8. Mr. Jorge Artalejo

Mayor Cook and Representatives Holguin, Niland, Lilly commented.

Ms. Joyce Wilson, City Manager, commented.

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CONSENT AGENDA

1st MOTION

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

2nd AND FINAL MOTION

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Robinson, and 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, Robinson, Noe, Holguin, and Niland

NAYS: None

ABSTAIN: Representative Ortega

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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 April 16, 2013.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3A.

***RESOLUTION**

That the City Manager be authorized to sign an Air Cargo Building Lease Agreement by and between the City of El Paso ("Lessor") and Southwest Airline Co. ("Lessee") for warehouse and office space at the Air Cargo Building located at 6435 Convair Road, Space 1, El Paso, Texas.

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3B.

***RESOLUTION**

That the City Manager be authorized to sign an Air Cargo Building Lease Agreement by and between the City of El Paso ("Lessor") and Southwest Airline Co. ("Lessee") for warehouse and office space at the Air Cargo Building located at 6425 Convair Road, Space 2, El Paso, Texas.

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3C.

***RESOLUTION**

WHEREAS, The El Paso Times (hereinafter referred to as "Grantee") is sponsoring El Paso Times Open House on Friday, April 26, 2013 (hereinafter referred to as "Event"); and

WHEREAS, the Grantee assumes full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, the Grantee has authorized Valentine's Kitchen (hereinafter referred as "Licensee") to provide for the sale and service of alcoholic beverages during the Event; and

WHEREAS, the Grantee has received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for less than twenty-four (24) hours on portions of City rights-of-way on Overland Drive between Paisano Drive and Durango Street from 11:00 am to 10:30 pm Friday, April 26, 2013, in conjunction with the proposed Event; and

WHEREAS, the Grantee and Licensee desire to provide for the sale and service of alcoholic beverages on the closed portions of City rights-of-way during the Event; and

WHEREAS, the Texas Alcoholic Beverage Commission requires that the City Council for the City of El Paso approve, as a permissible activity, the sale and service of alcoholic beverages during the City Event.

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

That the sale and service of alcoholic beverages by The El Paso Times and Valentine's Kitchen, in the closed portions of City rights-of-way on Overland Drive between Paisano Drive and Durango Street from 5:30 pm to 8:00 pm Friday, April 26, 2013 is a permissible activity in conjunction with The El Paso Times Open House.

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3D.

***RESOLUTION**

WHEREAS, Bordier Enterprises, LLC dba Plum City Lounge (hereinafter referred to as "Grantee") is sponsoring The Pre Summer Patio Bash from Saturday, April 27, 2013 to Sunday, April 28, 2013 (hereinafter referred to as "Event"); and

WHEREAS, the Grantee assumes full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, the Grantee desires to provide for the sale and service of alcoholic beverages during the Event; and

WHEREAS, the Grantee has received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for less than twenty-four (24) hours on portions of City rights-of-way on a portion of the right-of-way on Durango Street between San Francisco Street and San Antonio Avenue and a portion of the adjacent alley between Durango Street and Anthony Street from 3:00 pm Saturday, April 27, 2013 to 3:00 am Sunday, April 28, 2013, in conjunction with the proposed Event; and

WHEREAS, the Grantee desires to provide for the sale and service of alcoholic beverages on the closed portions of City rights-of-way during the Event; and

WHEREAS, the Texas Alcoholic Beverage Commission requires that the City Council for the City of El Paso approve, as a permissible activity, the sale and service of alcoholic beverages during the Event.

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

That the sale and service of alcoholic beverages by Bordier Enterprises, LLC dba Plum City Lounge, in the closed portions of City rights-of-way on a portion of right-of-way on Durango Street between San Francisco Street and San Antonio Avenue and a portion of the adjacent alley between Durango Street and Anthony Street from 9:00 pm Saturday, April 27, 2013 to 2:00 am Sunday, April 28, 2013 is a permissible activity in conjunction with The Pre Summer Patio Bash.

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3E.

***RESOLUTION**

That the City Manager be authorized to sign a City Landfill Litter Control Contract among the City of El Paso and TIBH Industries, Inc. ("TIBH"), and BorderTM Industries, Inc. d/b/a Xceed Resources to provide litter control services for the City's Department of Environmental Services.

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3F.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, MEDINA, ROBERTO, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

5321 Charl Ann St, more particularly described as TR 5-A (6.00 ACRES), Block 5, Upper Valley Subdivision, El Paso, El Paso County, Texas, Parcel #U819-999-005A-0510

to be \$308.51, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED THIRTY TWO AND 51/100 DOLLARS (\$332.51). The City Council finds that the work was completed on the 16th day(s) of August, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED THIRTY TWO AND 51/100 DOLLARS (\$332.51) 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 Chapter 9.04 of the El Paso City Code, TRIEN, LE, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

5327 Charl Ann Street, more particularly described as TR 4-B (1.00 ACRE), Block 5, Upper Valley Subdivision, El Paso, El Paso County, Texas, Parcel # U819-999-005A-0433

to be \$279.29, 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 THREE AND 29/100 DOLLARS (\$303.29). The City Council finds that the work was completed on the 16th day(s) of August, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED THREE AND 29/100 DOLLARS (\$303.29) 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 Chapter 9.04 of the El Paso City Code, HERNANDEZ, PIERRE & NORMA, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

667 Jeanny Marie Court , more particularly described as Lot(s) 30 (13499.89 SQ FT), Block 8, River Run #2 Subdivision, El Paso, El Paso County, Texas, Parcel #R577-999-0080-3000

to be \$296.06, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED TWENTY AND 06/100 DOLLARS (\$320.06). The City Council finds that the work was completed on the 31st day(s) of July, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED TWENTY AND 06/100 DOLLARS (\$320.06) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, ABBUD, ALBERTO, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

4721 Sir Gareth, more particularly described as Lot(s) 13 (7998 SQ FT), Block 2, Camelot Heights Replat B Subdivision, El Paso, El Paso County, Texas, Parcel #C007-999-0020-2500

to be \$136.83, 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 ONE HUNDRED SIXTY AND 83/100 DOLLARS (\$160.83). The City Council finds that the work was completed on the 5th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SIXTY AND 83/100 DOLLARS (\$160.83) 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.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, BACA, ELVIRA S, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

4730 Atlas Avenue, more particularly described as Lot(s) E 39.45 FT OF N 138 FT OF 148 (5444.10 SQ FT), Sunrise Acres #2 Subdivision, El Paso, El Paso County, Texas, Parcel # S917-999-002F-1500

to be \$127.65, 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 FIFTY ONE AND 65/100 DOLLARS (\$151.65). The City Council finds that the work was completed on the 26th day(s) of October, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY ONE AND 65/100 DOLLARS (\$151.65) 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 Chapter 9.04 of the El Paso City Code, FLORES, ELIZABETH, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

8315 Eclipse Street, more particularly described as S 65 FT ON E 1/2 OF 32 (6500 SF), Sunrise Acres #1 Subdivision, El Paso, El Paso County, Texas, Parcel # S912-999-001B-7900

to be \$169.14, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY THREE AND 14/100 DOLLARS (\$193.14). The City Council finds that the work was completed on the 7th day(s) of November, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY THREE AND 14/100 DOLLARS (\$193.14) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, MEDINA, CHRISTINA, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the

Environmental Services Department 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:

2912 E Glen Drive B, more particularly described as S 29.3 FT OF N 48.3 FT OF 11 (3516 SQ FT), Block 2, East Glen #1 Replat B Subdivision, El Paso, El Paso County, Texas, Parcel # E054-999-0020-3350

to be \$95.94, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETEEN AND 94/100 DOLLARS (\$119.94). The City Council finds that the work was completed on the 14th day(s) of December, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETEEN AND 94/100 DOLLARS (\$119.94) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, HUNT, JOHN D, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

6047 Deer Avenue, more particularly described as Lot(s) 38 (5096 SQ FT) SR# TEX172015, Block 6, Deer Valley #1 Subdivision, El Paso, El Paso County, Texas, Parcel # D327-999-0060-7500

to be \$121.11, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY FIVE AND 11/100 DOLLARS (\$145.11). The City Council finds that the work was completed on the 7th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY FIVE AND 11/100 DOLLARS (\$145.11) to be a lien on the

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

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, GUZMAN, EDUARDO JR, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

6480 Mohair, more particularly described as W 85.93 FT OF 23 & E 97.50 FT OF 20 (41053.46 SQ FT), Block B, Pioneer Subdivision, El Paso, El Paso County, Texas, Parcel #P850-999-00B0-2025

to be \$311.76, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED THIRTY FIVE AND 76/100 DOLLARS (\$335.76). The City Council finds that the work was completed on the 7th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED THIRTY FIVE AND 76/100 DOLLARS (\$335.76) 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 Chapter 9.04 of the El Paso City Code, DLEE CUSTOM HOMES 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

14065 Robert Ituarte, more particularly described as Lot(s) 79 (4725.00 SQ FT), Block 157, Tierra Del Este #44 Subdivision, El Paso, El Paso County, Texas, Parcel #T287-999-1570-7900

to be \$172.93, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY SIX AND 93/100 DOLLARS (\$196.93). The City Council finds that the work was completed on the 28th day(s) of August, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY SIX AND 93/100 DOLLARS (\$196.93) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, CANALES, OSWALDO, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

3300 Tierra Jazmin Ln, more particularly described as Lot(s) 16 (6172.16 Sq Ft), Block 153, Tierra Del Este #38 (AMENDING) Subdivision, El Paso, El Paso County, Texas, Parcel #T287-999-1530-1600

to be \$123.76, 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 SEVEN AND 76/100 DOLLARS (\$147.76). The City Council finds that the work was completed on the 3rd day(s) of July, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY SEVEN AND 76/100 DOLLARS (\$147.76) 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 Chapter 9.04 of the El Paso City Code, PEDERSON, MIKE L, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

200 Carnes Road, more particularly described as TR 6 1.3004 ACRES, Block 51, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel # Y805-999-051B-0601

to be \$182.67, 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 SIX AND 67/100 DOLLARS (\$206.67). The City Council finds that the work was completed on the 13th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SIX AND 67/100 DOLLARS (\$206.67) 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 Chapter 9.04 of the El Paso City Code, ARRIAGA, MARGARITA, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

162 N Davis Drive, more particularly described as TR 18-C (0.200 AC), Block 36, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel # Y805-999-036B-1809

to be \$244.65, 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 TWO HUNDRED SIXTY EIGHT AND 65/100 DOLLARS (\$268.65). The City Council finds that the work was completed on the 12th day(s) of November, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SIXTY EIGHT AND 65/100 DOLLARS (\$268.65) 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 Chapter 9.04 of the El Paso City Code, SAMANIEGO, JOSE L, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

11709 Dos Palmas Drive, more particularly described as Lot(s) 13 (17410.00 SQ FT), Block 1, Dos Palmas Subdivision, El Paso, El Paso County, Texas, Parcel # D768-999-0010-1300

to be \$160.21, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED EIGHTY FOUR AND 21/100 DOLLARS (\$184.21). The City Council finds that the work was completed on the 14th day(s) of December, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED EIGHTY FOUR AND 21/100 DOLLARS (\$184.21) 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 Chapter 9.04 of the El Paso City Code, MARTINEZ, HECTOR L., 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

648 Mauer Drive, more particularly described as Lot(s) E 40 FT OF 25 & W 20 FT OF 26 (15480 SQ FT), Block 3, Lafayette Place Subdivision, El Paso, El Paso County, Texas, Parcel #L125-999-0030-2600

to be \$208.92, 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 TWO HUNDRED THIRTY TWO AND 92/100 DOLLARS (\$232.92). The City Council finds that the work was completed on the 5th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED THIRTY TWO AND 92/100 DOLLARS (\$232.92) 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.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, Duran, Richard & Maria, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

7749 Wenda Way, more particularly described as S 100 FT of TR 38 (32496 SQ FT), Rosedale Farms #2 Subdivision, El Paso, El Paso County, Texas, Parcel # R745-999-001C-4400

to be \$355.87, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED SEVENTY NINE AND 87/100 DOLLARS (\$379.87). The City Council finds that the work was completed on the 12th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED SEVENTY NINE AND 87/100 DOLLARS (\$379.87) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, GUTIERREZ, CARIDAD M & 8, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

2510 Montana Ave, more particularly described as Lot(s) 11 & E 24 Ft of Lot 12 (5880 SQ FT), Block 88, Bassett Subdivision, El Paso, El Paso County, Texas, Parcel #B202-999-0880-2100

to be \$123.95, 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 ONE HUNDRED FORTY SEVEN AND 95/100 DOLLARS (\$147.95). The City Council finds that the work was completed on the 9th day(s) of August, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY SEVEN AND 95/100 DOLLARS (\$147.95) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, GONZALEZ, EDUARDO, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

5025 Rico Valles Ln, more particularly described as Lot(s) 8 (10016.06), Block 1, Jardines Del Valle Subdivision, El Paso, El Paso County, Texas, Parcel #J188-999-0010-0800

to be \$151.13, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY FIVE AND 13/100 DOLLARS (\$175.13). The City Council finds that the work was completed on the 15th day(s) of August, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY FIVE AND 13/100 DOLLARS (\$175.13) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

3G.

***RESOLUTION**

That the City Manager be authorized to sign a Government Entity Tower License Agreement between the Crown Atlantic Company, LLC, and the City of El Paso for antenna, shelter and/or antenna space, including any antennas, cables connectors, wires, radios, radio shelter or cabinet and related transmission and reception hardware and software and other personal property necessary to carry out City's public safety P-25 communications located a portion of Tract 3A7 Clara Mundy Survey No. 247, City of Anthony, El Paso County, Texas more commonly known as Anthony Tower on the top of Franklin Mountains, for an initial term of five (5) years with an option to extend for additional five-year terms, at cost to the City of \$26,400 per annum for rent with a 3% annual increase and additional fees and operating costs, as set forth in the License.

4. BOARD RE-APPOINTMENT

*Motion made, seconded, and carried to **RE-APPOINT** Robert A. Ardovino to the City Plan Commission by Mayor John F. Cook.

5. APPLICATIONS FOR TAX REFUNDS

*Motion made, seconded, and carried that the following tax refunds be **APPROVED**, subject to auditor approval:

- 1. GMAC Mortgage in the amount of \$11,054.88 overpayment of 2012 taxes.

(Geo. # C007-999-0010-1900)

2. Albertsons' LLC in the amount of \$18,745.51 overpayment of 2011 taxes.
(Geo. # K216-999-0510-0300)
3. JP Morgan Chase & Co. in the amount of \$41,429.69 overpayment of 2012 taxes.
(Geo. # M473-999-0210-0100)
4. Texas Title Company in the amount of \$4,776.93 for double payment of 2012 taxes.
(Geo. # N425-999-0030-0800)
5. Nationstar Mortgage LLC in the amount of \$7,845.21 overpayment of 2012 taxes.
(Geo. # R460-999-0140-1300)
6. Nationstar Mortgage LLC in the amount of \$4,168.95 overpayment of 2012 taxes.
(Geo. # R460-999-0180-1500)
7. James and Michelle Maxfield in the amount of \$5,670.47 overpayment of 2012 taxes.
(Geo. # S040-999-0010-0100)
8. Micaela Nevarez Rommers in the amount of \$4,479.44 for double payment of 2012 taxes.
(Geo. # S137-999-0050-0300)
9. Karen Wallen in the amount of \$2,847.40 for payment in error of 2012 taxes.
(Geo. #S237-999-0380-3700)
10. Brenda and Yoshico S. Paz in the amount of \$3,241.44 for payment in error of 2012 taxes.
(Geo. # S541-999-0070-3550)
11. Octavio and Maria Saavedra in the amount of \$10,383.68 overpayment of 2012 taxes.
(Geo. # V902-999-0010-1300)
12. CitiMortgage Inc. in the amount of \$2,703.53 overpayment of 2012 taxes.
(Geo. # W145-999-0270-1300)
13. Network National Title in the amount of \$3,295.21 for double payment of 2012 taxes.
(Geo. # X146-000-0000-0200)

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6A. REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City's option to extend current Contract 2010-020 (North Central WIC Clinic Lease) with Robert Malooly for Option 1 pursuant to the lease terms of an award approved by the City Council on February 23, 2010. The extended contract period will be from execution of lease to May 30, 2016.

Department:
Award to:

Public Health
Robert Malooly
El Paso, TX

1st Option to Extend: 3 Years
Annual Estimated Amount: \$ 51,600
Estimated 3 year Amount: \$154,800

Total Estimated Amount: \$154,800

Account No.: 341-524000-2140-G4113ADO
WIC Admin-DSHS
341-524000-2140-G4113NEO
WIC Nutrition-DSHS
Funding Source: Health Department-Buildings Leases-WIC
Admin-DSHS
Health District Department-Buildings
Leases- WIC Nutrition-DSHS

This is a Best Value, Service contract

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6B. REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City's option to extend current Contract 2010-062R (Defensive Tactics, Arrest and Control Program) with L. Hicks Inc. for two additional years pursuant to the provisions of an award approved by the City Council on July 13, 2010. The extended contract period will be from April 28, 2013 to April 27, 2015.

Department: Police
Award to: L. Hicks Inc.
Virginia Beach, VA (Corporate Office)
Option: 2 Years
Annual Estimated Amount: \$ 25,000
Total Estimated Amount: \$ 50,000 (2 years)
Account No.: 321-21270-522140-4341-Pro P5002310
Funding Source: Police Confiscated Funds
Total Estimated Award \$ 291,800 (5 years)

This is a Requirements Type contract.

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7A. BID

*Motion made, seconded, and carried to **AWARD** Solicitation No. 2013-114 for Sandstone Ranch Estates Park Phase II to Kaizen Construction Services, LLC for a total award of \$114,120.24.

Department: Engineering and Construction Management
Award to: Kaizen Construction Services, LLC
El Paso, TX
Base Bid I: \$ 60,228.72
Option I: \$ 53,891.52
Total Estimated Award: \$114,120.24
Time for Completion: 150 Consecutive Calendar Days
Account: 451-51480-580270-2210-P09PA0030

Funding Source:

999-99999-580270-4690-P09PA0030
Parkland Dedication and 2006 Certificates
of Obligation

That the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measure 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, 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 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 Engineering & Construction Management Department recommends award as indicated to the lowest responsive and responsible bidder.

Representatives Byrd and Robinson commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Javier Reyes, Engineering Division Manager

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7B. BID

*Motion made, seconded, and carried to **AWARD** Solicitation No. 2013-108 for Park Pond Improvements Group 2 – Edgemere Park to Karlsruher, Inc dba CSA Constructors, for an estimated total amount of \$218,029.07.

Department:	Engineering and Construction Management
Award to:	Karlsruher, Inc dba CSA Constructors El Paso, TX
Base Bid II:	\$218,029.07
Total Estimated Award:	\$218,029.07
Time for Completion:	150 Consecutive Calendar Days
Accounts:	190-28340-580270-4560-PCP12PRK01G0 – (City) 190-38030-580270-4970- PCP12PRK01G0 – (EPWU)
Funding Source:	2012-2013 Certificates of Obligation – CIP Plan, El Paso Water Utilities – Storm Water

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only estimated value and will be ordered, performed, invoiced, and paid by measure 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, 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 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 Engineering & Construction Management Department recommends award as indicated to the lowest responsive and responsible bidder.

Representative Acosta commented.

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7C. BID

*Motion made, seconded, and carried to **AWARD** Solicitation No. 2013-045 (ESD Uniforms) to Bazaar Uniforms and Men’s Store for an initial term estimated award of \$249,530.52.

Department:	Environmental Services
Award to:	Bazaar Uniforms and Men’s Store
	El Paso, Texas
Item(s):	All
Initial Term:	3 years
Option to Extend:	None
Annual Estimated Award:	\$ 83,176.84
Initial Term Estimated Award:	\$249,530.52 (3 years)
Total Estimated Award:	\$249,530.52 (3 years)
Account No.:	334-34030-531200-3100
	334-34040-531200-3100
	334-34050-531200-1000
	334-34060-531200-3100
	334-34080-531200-3100
	334-34100-531200-3100
	334-34110-531200-3100
	334-34130-531200-3100
	334-34140-531200-3100
Funding Source:	Environmental Services – Code
	Environmental Services – Code Animals
	Environmental Services – Animal Shelters
	Environmental Services – Administration
	Environmental Services – Collections
	Environmental Services – Citizen Collection Stations
	Environmental Services – Special Collections
	Environmental Services – Landfill
	Environmental Services – Container
	Collections

This is a low bid, requirements contract.

The Financial Services - Purchasing Division and Environmental recommend award as indicated to Bazaar Uniforms and men’s Store, the lowest responsive, responsible bidder.

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8A. – 8I. INTRODUCTIONS

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

- 8A.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building And Construction Administrative Code), of the El Paso City Code, to add Section 18.02.105.20.1 establishing construction work hours and providing a permit process for after hours construction work, the penalty being as provided in Section 18.02.111 (Violations And Penalties) of the El Paso City Code.
- 8B.** An Ordinance amending Title 9 (Health and Safety), Chapter 9.40 (Noise), Section 9.40.120 (Exemptions), Paragraph D (Exemptions Associated with Construction) of the El Paso City Code, to amend the exemption for construction during established construction work hours and to provide a permit process for exemption for construction after hours, legal holidays and weekends, the penalty being as provided by Section 9.40.140 (Violation - Penalty) of the El Paso City Code.
- 8C.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.44 (Grading), Section 18.44.150 (Work Hours Specified), of the El Paso City Code, to provide a permit process for after hours grading, the penalty being as provided in Sections 18.02.111 (Violations and Penalties) and 18.44.201 (Penalty – Severability) of the El Paso City Code.
- 8D.** An Ordinance granting a Special Privilege license to Texas Tech University Health Sciences Center for the construction, maintenance, use and repair of a surface parking lot within portions of City right-of-way along Alberta Avenue beneath the Raynolds Street overpass bridge for a term of four years with a renewable four year term followed by an additional two year term (NESV12-00039)
- 8E.** An Ordinance granting a franchise to Dominion Ambulance, LLC to operate a non-emergency ambulance transfer service.
- 8F.** An Ordinance granting a franchise to Elite Medical Transport of Texas, LLC to operate a non-emergency ambulance transfer service.
- 8G.** An Ordinance granting a franchise to Life Ambulance Service, Inc. to operate a non-emergency ambulance transfer service.

PUBLIC HEARING WILL BE HELD ON APRIL 30, 2013, FOR ITEMS 8A – 8G

- 8H.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV - Speed Limits) Paragraph F (Thirty-Five Miles Per Hours), of the El Paso City Code, to add new speed limits, the penalty being as provided in Chapter 1.08 (General Penalty) of the El Paso City Code.
- 8I.** 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 add Weston Brent Lane, the penalty being as provided in Section 12.84.010 and Chapter 12.85 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 7, 2013, FOR ITEMS 8H – 8I

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9A. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Robinson, seconded by Representative Acosta, and unanimously carried to **AWARD** Solicitation No. 2013-108 for Park Pond Improvements Group 2 – Skyline Park and Vocational Park to Medlock Commercial Contractors, LLC, for an estimated total amount of \$1,491,776.72.

Department: Engineering and Construction Management
Award to: Medlock Commercial Contractors, LLC
El Paso, TX
Base Bid I: \$ 583,510.34
Base Bid III: \$ 908,266.38
Total Estimated Award: \$1,491,776.72
Time for Completion: 150 Consecutive Calendar Days
Accounts: 190-28340-580270-4560-PCP12PRK01C0 – (City)
190-38030-580270-4970-PCP12PRK01C0 – (EPWU)
190-28340-580270-4560-PCP12PRK01H0 – (City)
190-38030-580270-4970-PCP12PRK01H0 – (EPWU)
Funding Source: 2012-2013 Certificates of Obligation – CIP Plan,
El Paso Water Utilities – Storm Water

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only estimated value and will be ordered, performed, invoiced, and paid by measure 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, 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 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 Engineering & Construction Management Department recommends award as indicated to the lowest responsive and responsible bidder.

Mr. Javier Reyes, Engineering Division Manager, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Mayor Cook and Representatives Acosta and Robinson commented.

Ms. Linda Centraway, citizen, commented.

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9B. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Acosta, seconded by Representative Robinson, and unanimously carried to **AWARD** Solicitation No. 2013-086 for Park Pond Improvements Group 1 – Shawver Park, Capistrano Park and Jamestown Park to Three C’s Contractors, Inc, for an estimated total amount of \$1,016,977.25.

Department: Engineering and Construction Management
Award to: Three C’s Contractors, Inc
El Paso, TX

Base Bid I:	\$ 544,222.88
Base Bid II:	\$ 193,971.50
Option I:	\$ 278,782.87
Total Estimated Award:	\$1,016,977.25
Time for Completion:	150 Consecutive Calendar Days
Accounts:	190-28340-580270-4560-PCP12PRK01B0 – (City) 190-38030-580270-4970-PCP12PRK01B0 – (EPWU) 190-28340-580270-4560-PCP12PRK01F0 – (City) 190-38030-580270-4970-PCP12PRK01F0 – (EPWU) 190-28340-580270-4560-PCP12PRK01I0 – (City) 190-38030-580270-4970-PCP12PRK01I0 – (EPWU)
Funding Source:	2012-2013 Certificates of Obligation – CIP Plan, El Paso Water Utilities – Storm Water

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only estimated value and will be ordered, performed, invoiced, and paid by measure 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, 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 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 Engineering & Construction Management Department recommends award as indicated to the lowest responsive and responsible bidder.

Mr. Javier Reyes, Engineering Division Manager, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Mayor Cook and Representatives Ortega and Byrd commented.

Ms. Irene Ramirez, Interim City Engineer, commented.

Ms. Linda Centraway, citizen, commented.

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9C. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Acosta, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **AWARD** Solicitation No. 2013-181 for 2012 Neighborhood Traffic Management Program to Martinez Bros. Contractors, LLC for an estimated total amount of \$532,775.

Department:	Engineering and Construction Management
Award to:	Martinez Bros. Contractors, LLC El Paso, TX
Base Bid I:	\$532,775
Total Estimated Award:	\$532,775
Time for Completion:	150 Consecutive Calendar Days
Accounts:	190 -28900-580270-4740- PCP13ST006Y1

Funding Source:

2013 Certificates of Obligation – Street Infrastructure

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only estimated value and will be ordered, performed, invoiced, and paid by measure 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, 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 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 Engineering & Construction Management Department recommends award as indicated to the lowest responsive and responsible bidder.

Ms. Irene Ramirez, Interim City Engineer, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Representative Holguin commented.

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10A1. FINANCIAL SERVICES

*Motion made, seconded, and unanimously carried to **POSTPONE** three weeks the Resolution authorizing the Purchasing Manager to notify Ruiz Protective Services, Inc. that the City is terminating Contract No. 2009-163 for convenience pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses and that the termination shall be effective as of April 23, 2013. Vendor will be notified.

Department: General Services

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10A2. FINANCIAL SERVICES

*Motion made, seconded, and unanimously carried to **POSTPONE** three weeks the award of Solicitation No. 2013-076 (Security Guard Service for City Municipal Buildings) to Ruiz Protective Services, Inc. for an initial term estimated award of \$745,830.

Department:	General Services
Award to:	Ruiz Protective Services, Inc. El Paso, TX
Item(s):	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$ 248,610
Initial Term Estimated Award:	\$ 745,830 (3 years)
Total Estimated Award:	\$1,243,050 (5 years)
Account No.:	231-31040-522120-1000-P3120
Funding Source:	General Fund

This is a Best Value, Service contract.

The Financial Services - Purchasing Division and Department of General Services recommend award as indicated to Ruiz Protective Services, Inc., the lowest responsive, responsible bidder.

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10B. FINANCIAL SERVICES

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **AWARD, AS REVISED** Solicitation No. 2013-110 Fuel Management System (Re-Bid) to C & L Pump Services, Inc., for an initial term estimated award of \$648,095.

Department:	General Services
Award to:	C & L Pump Service, Inc. El Paso, TX
Item(s):	Part A & B
Initial Term:	3 years
Option to Extend:	60 days; 180 days from date of award
Total Estimated Award:	\$648,095
Account No.:	231 – 37010 - 580540 – 4960 334 – 34060 – 580100 –3150—PSWM00170
Funding Source:	General Services Department-Cars, Pickups, Vans Environmental Services Department-Capital Only

This is a low bid fixed price contract.

The Financial Services - Purchasing Division and General Services Department recommend award as indicated to C & L Pump Service, Inc, the lowest responsive, responsible bidders and that Megatronix International Corp., Assetwork, Inc., be deemed as non-responsive and the contract be awarded as indicated to C & L Pump Service, Inc., the lowest responsive, responsible bidder. Kachina Petroleum Equipment, Co. was the third lowest bidder however the vendor did not accept the bid extension and the offer expired. Megatronix International Corp. did not include fuel dispensers in bid. Assetwork, Inc. bid was based on used fuel dispensers.

Representative Byrd commented.

Mr. Bruce Collins, Purchasing Manager, commented.

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11. CITY ATTORNEY

*Motion made, seconded, and unanimously carried to **DELETE** the item regarding proposed legislation relating to the El Paso Police and Fire Pension Plan.

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12.

RESOLUTION

WHEREAS, the City of El Paso (“City”) desires to create Railroad Quiet Zones in the University Medical Center of the Americas and the Five Points areas of the City of El Paso pursuant to the Federal Railroad Administration guidelines; and

WHEREAS, within the University Medical Center of the Americas area of the City, also identified as the proposed University Medical Center Quiet Zone, the City has identified the following right-of-way crossings

for permanent closure over railroad property: Cadwallader Street, Boone Street, Cebada Street and Estrella Street; and

WHEREAS, within in the Five Points area of the City, also identified as the proposed Five Points Quiet Zone, the City has identified the following right-of-way crossings for permanent closure over railroad property: Elm Street, Cedar Street, and Birch Street; and

WHEREAS, Union Pacific Railroad Company (“UPRR”) requested that the City permanently close the seven identified City right-of-way crossings over its property in the interest of enhancing safety for the residents of the City; and

WHEREAS, UPRR has offered to pay the City \$165,000.00 for each of the seven identified right-of-way crossings over its property, which are permanently closed; and

WHEREAS, furthermore, UPRR has advised the City that the permanent closure of the seven identified right-of-way crossings over its property will help facilitate the creation of the desired University Medical Center Quiet Zone and the Five Points Quiet Zone; and

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

That the City Manager is authorized to take any and all action necessary to establish the University Medical Center Quiet Zone and the Five Points Quiet Zone using supplemental safety measures as required by the Federal Railroad Administration, including but not limited to, the permanent closing of street crossings over Union Pacific Railroad Company (“UPRR”) property at Cadwallader Street, Elm Street, Cedar Street, Birch Street, Boone Street, Cebada Street, and Estrella Street; the installation of a Four Quadrant Gate System at Glenwood Street; the installation of Raised Medians or Median Channelization Devices at Piedras Street, Rosewood Street, San Marcial Street, Grama Street, Copia Street, Concepcion Street, Chelsea Street and Clark Road in City and/or UPRR right-of-way, and the installation of advance warning signage and pavement markings in compliance with the Texas Manual on Uniform Traffic Control Devices guidelines, and the installation of guard-railing with signage, Quick curbing at medians, driveway reconstruction, illumination, curb and gutter and sidewalk repairs;

That the City Manager is authorized to take any and all action necessary to modify the existing traffic circulation patterns from one-way to two way traffic on Grant Avenue/Rio Grande Street from Piedras Street to Mesa Street and on Arizona Avenue from Alabama Street to Oregon Street, and that the two-way conversion will include but not be limited to removal, relocation, repair, modification and installation of signage and striping, sidewalks, curb and gutter, ADA curb ramps, and any geometric improvements, traffic signals, asphalt and concrete paving, and illumination;

That the City Manager is authorized to take any and all action necessary, within the authorized budget approved by City Council, to negotiate a contract with the Texas Department of Transportation (“TxDOT”) for the reconstruction the Carolina Bridge, including but not limited to, the preparation of Environmental Clearance Documents, acquisition of right-of-way needed for construction of the project to include appraisals and title searches, utility coordination including any necessary utility relocation, any budget transfers necessary to allocate matching funds for the project, preparation of new or amended Project Request Forms, or preparation of new or amended Local Participation Advanced Funding Agreements with TxDOT;

That the City Manager is authorized to sign any and all documents, as approved by the City Attorney, necessary to effectuate the creation of the University Medical Center Quiet Zone and the Five Points Quiet Zone;

That the City Manager is authorized to sign, the Railroad Highway Grade Crossing Closure Agreements, attached as Exhibits 1-3, by and between the City of El Paso (the “City”) and UPRR, whereby UPRR shall pay to the City One Hundred Sixty Five Thousand Dollars (\$165,000.00) each, for the permanent closing of the seven identified right-of-way crossings over UPRR property, for a total amount of One Million

One Hundred Fifty Five Thousand Dollars (\$1,155,000.00), and the Agreement for Preliminary Engineering Services for Four Quadrant Gate System at Glenwood Street;

That the City Manager be authorized to sign, as approved by the City Attorney, any other documents necessary to effectuate the permanent closure of the seven identified right-of-way crossings over UPRR property, the installation of a Four Quadrant Gate System at Glenwood Street, the two way traffic conversion of Grant Avenue/Rio Grande Street and Arizona Avenue or the installation of Raised Medians or Median Channelization Devices within City and/or UPRR right-of-way;

That the City Manager be authorized to sign, as approved by the City Attorney and within the authorized budget already approved by City Council, any and all documents necessary to negotiate a contract with the Texas Department of Transportation (“TxDOT”) for the reconstruction the Carolina Bridge, including but not limited to, the preparation of Environmental Clearance Documents, acquisition of right-of-way needed for construction of the project to include appraisals and title searches, utility coordination including any necessary utility relocation, any budget transfers necessary to allocate matching funds for the project, preparation of new or amended Project Request Forms, or preparation of new or amended Local Participation Advanced Funding Agreements with TxDOT;

And that, the City Manager be authorized to establish the funding sources and make any and all necessary budget transfers necessary to accomplish the intent of this resolution.

Mr. Ted Marquez, Deputy Director of Department of Transportation, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Mayor Cook and Representatives Robinson, Holguin, Byrd, Acosta, Niland, and Ortega commented.

Ms. Theresa Cullen, Deputy City Attorney, read revision into the record and gave legal advice.

The following members of the public commented:

1. Ms. Martha Reyes
2. Dr. Michael Zolkoski
3. Mr. Rick Lopez
4. Pastor Ponce Brown
5. Ms. Linda Centraway

Motion made by Representative Niland, seconded by Representative Ortega, and carried to **APPROVE, AS REVISED** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Noe, Ortega, and Niland

NAYS: Representatives Robinson and Holguin

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13. CITY MANAGER’S OFFICE

Motion made by Representative Niland, seconded by Representative Noe, and carried to **ACCEPT** the report by BKD, L.L.P. (“BKD”) on the independent audit of the City of El Paso (“City”) Comprehensive Annual Financial Report (CAFR) for fiscal year ending August 31, 2012. Report will include the audit opinion regarding City financial statements and a brief overview of financial results for the City for the fiscal year ended August 31, 2012.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Holguin and Ortega

Mr. David Coleman, Senior Manager at BKD, L.L.P., presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Niland commented.

Mr. Mark Sutter, Comptroller, commented.

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14. MAYOR AND COUNCIL

Motion made by Representative Acosta, seconded by Representative Byrd, and unanimously carried to **DELETE** the item for the City Attorney to draft an ordinance, similar if not the same, as the City of Austin ordinance that addresses the use of personal electronic communication in conducting city business, and directing the City Manager to draft a policy in accordance with the ordinance as well as an agreement that will include all City board members to the same policy as elected officials.

NOT PRESENT FOR THE VOTE: Representatives Holguin and Ortega

Representatives Acosta, Byrd, Niland, and Robinson commented.
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Motion made by Representative Byrd, seconded by Representative Robinson, and unanimously carried to **ADJOURN** this meeting at 11:19 a.m.

NOT PRESENT FOR THE VOTE: Representatives Holguin and Ortega
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk