

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

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

**REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
MAY 1, 2007
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:39 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Jose Alejandro Lozano, Steve Ortega, and Beto O'Rourke. Late arrivals: Eddie Holguin, Jr. at 8:40 a.m. during Executive Session deliberations and Melina Castro and Presi Ortega, Jr. at 8:41 a.m. during Executive Session deliberations. Early departure: Eddie Holguin, Jr. at 11:24 a.m. The invocation was given by Fire Chaplain Ed Sinke, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

- 1. EL PASO GOLF CLASSIC WEEK**
- 2. ELDER ABUSE PREVENTION MONTH**
- 3. SMALL BUSINESS WEEK**

CALL TO THE PUBLIC – PUBLIC COMMENT

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

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp 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. Matt Carroll
2. Mr. Marvin Rosenbaum
3. Mr. Ray Gilbert

Representatives O'Rourke, Steve Ortega, Castro, Byrd, Presi Ortega, Jr., and Lozano commented.

Mr. Charlie McNabb, City Attorney, gave legal advice.
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Motion made by Representative Byrd, seconded by Representative Steve Ortega, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 8:39 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 item listed on the Agenda.

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

NAYS: None

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

Motion made by Representative Steve Ortega, seconded by Representative Byrd, and unanimously carried to **ADJOURN** the Executive Session at 9:13 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

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

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EX1. Discussion and action on Cumbre Estates Claims. (551.071)

Mayor Cook and Representative Castro commented.

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

Mr. Ray Gilbert, citizen, commented.

Motion made by Mayor Pro Tempore Presi Ortega, Jr., seconded by Representative Byrd, and carried that the City Attorney's office be authorized to **TAKE ANY AND ALL ACTION** to protect the City's interest and position, both affirmative and defensive, as necessary to resolve any claims or lawsuits asserted against the City related to the Cumbre Estates Subdivision. This Motion is intended to grant broad authority to the Office of the City Attorney to take any action necessary to address these matters, including but not limited to, the initiation of and response to litigation, complaints, and any other administrative or judicial process and entry into a settlement agreement resolving any disputes, in consultation with the City Manager.

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

NAYS: Representatives Castro and Holguin

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EX2. Ernesto Casas vs. City of El Paso; Cause No. EP-06-CA-0101. (551.071)

Motion made by Representative Steve Ortega, seconded by Representative Byrd, and unanimously carried to **DELETE** the item.

NOT PRESENT FOR THE VOTE: Representative Holguin

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EX3. Claim of Lillian Borrego, Our File No. 07-C-048. (551.071)

Motion made by Mayor Pro Tempore Presi Ortega, Jr., seconded by Representative Steve Ortega, and unanimously carried that the City Attorney’s Office be authorized **SETTLEMENT AUTHORITY**, to negotiate settlement agreement, and sign all documents to resolve the claim entitled Lillian Borrego; Our File No. 07-C-048.

NOT PRESENT FOR THE VOTE: Representative Holguin

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EX4. Claim of Danny Sander Construction, Our File No. 07-C-070. (551.071)

Motion made by Mayor Pro Tempore Presi Ortega, Jr., seconded by Representative Byrd, and unanimously carried that the City Attorney’s Office be authorized **SETTLEMENT AUTHORITY**, to negotiate settlement agreement, and sign all necessary documents to resolve the claim of Danny Sander Construction – Cedar Grove Street & Drainage Improvements Project, Our File No. 07-C-070.

NOT PRESENT FOR THE VOTE: Representative Holguin

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EX5. Claim of Alberto Cigarroa, Our File No. 07-C-076. (551.071)

Motion made by Mayor Pro Tempore Presi Ortega, Jr., seconded by Representative Byrd, and unanimously carried that the outside counsel for the City of El Paso be authorized to **REJECT** the settlement demand presented but be authorized settlement authority to negotiate a possible settlement agreement and sign all documents to resolve the claim of Alberto Cigarroa, Our File No. 07-C-076.

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EX6. Claim of Lorenzo Guel, Our File No. 07-C-019. (551.071)

Motion made by Representative Steve Ortega, seconded by Representative Byrd, and unanimously carried to **POSTPONE** the item for one week.

NOT PRESENT FOR THE VOTE: Representative Holguin

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EX7. State of Texas vs. Porfirio Morales, Jr., et al, Cause No. 2006-1995. (551.071)

Representative Holguin commented.

Ms. Laura Gordon, Deputy City Attorney, gave legal advice.

1ST MOTION

Motion made by Mayor Pro Tempore Presi Ortega, Jr., seconded by Representative Steve Ortega, and unanimously carried that the City of El Paso **PARTIALLY RELEASE THE JUDGMENT** Suit No. 2006-1995 styled The State of Texas vs. Porfirio Morales, Jr., et al, a condemnation proceeding, the court by way of a judgment entered on January 3, 2007, against Porfirio Morales, Jr.; Daniel Morales, Jr.; Terry Patt; The City of El Paso; Government Employees Credit Union of El Paso; and the State of Texas, Office of the Attorney General Child Support Division, Defendant(s) ordered that the State of Texas was entitled to condemn and have a fee estate in the following property:

.008 hectares (0.020 acres) of land out of Tract 19D1A, Block 9, Socorro Grant, within the corporate limits of the City of Socorro, El Paso County, Texas, as described in Volume 318,

Page 1859, El Paso County deed Records, being more particularly described in Exhibit "A," attached hereto and incorporated herein for all purposes.

2ND MOTION

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

NOT PRESENT FOR THE VOTE: Representative Holguin

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Presi Ortega, Jr., seconded by Representative Steve Ortega, and unanimously carried to **PARTIALLY RELEASE** the judgment in connection with a certain portion of property in the Suit No. 99TX492 styled City of El Paso vs. Porfirio Morales, Jr. et al allowing for the clearing of the title to property taken by the State of Texas in Suit No. 2006-1995 styled The State of Texas vs. Porfirio Morales, Jr., et al.

NOT PRESENT FOR THE VOTE: Representative Holguin

CONSENT AGENDA

Motion made by Mayor Pro Tempore Presi Ortega, Jr., seconded by Representative O'Rourke, 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, Presi Ortega, Jr., Steve Ortega, and O'Rourke

NAYS: Representatives Castro and Holguin

NOT PRESENT FOR THE VOTE: Representative Lozano

1. APPROVAL OF MINUTES

*Motion made, seconded, and carried to **APPROVE** the Minutes for the Regular City Council Meeting of April 24, 2007, and the Special Meeting of April 23, 2007 (Sexually Oriented Businesses).

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS

NO ACTION WAS TAKEN on the item.

3A.

***RESOLUTION**

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

That the City Manager be authorized to execute a State Use Contract between the City of El Paso, Texas, Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc. to provide specified grounds maintenance services for the El Paso International Airport in the amount of seven thousand ninety eight and 43/100 dollars (\$7,098.43) monthly and that it is in the best interest of the City for this grounds maintenance service function to be performed through contract.

Representative Steve Ortega commented.

3B.

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

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

That the City Manager be authorized to accept on behalf of the City a Dedication Warranty Deed from Canutillo Independent School District and El Paso Community College District dedicating to the City real property for use as a public right of way located within a portion of Tracts 1A1 and 3A1, Nellie D. Mundy Survey No. 240, City of El Paso, El Paso County, and being more fully described by metes and bounds in Exhibit "A" of the Dedication Deed.

Representatives Steve Ortega and Byrd commented.

Ms. Joyce Wilson, City Manager, and Mr. Alan Shubert, Director of Development Services, commented.

Mr. Ray Gilbert, citizen, commented.

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3C.

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

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

That the City Manager be authorized to sign and accept on behalf of the City a Dedication Warranty Deed from Hunt Communities Holding, L.P., dedicating to the City real property for use as a public drainage, collection, and detention of storm and surface waters described as a 6.203 acres out of S,J. Larkin Survey No. 266, City of El Paso, El Paso County, and being more fully described by metes and bounds in Exhibit "A" of the Dedication Deed.

Representatives Steve Ortega, Castro, and Byrd commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Kelly Carpenter, Deputy Director of Planning
- 3. Mr. Alan Shubert, Director of Development Services

Mr. Richard Schechter, citizen, commented.

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3D.

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

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

That the Mayor be authorized to sign and accept on behalf of the City a Dedication Deed from River Oaks Properties Ltd., dedicating to the City real property for use as a storm water ponding described as a Parcel of land being a portion of Tract 1B, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, and being more fully described by metes and bounds in Exhibit "A" of the Dedication Deed.

Representatives Castro and Byrd commented.

Ms. Joyce Wilson, City Manager, and Mr. Alan Shubert, Deputy Director of Planning, commented.

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3E.

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

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

WHEREAS, in accordance with Chapter 18.50 of the El Paso Municipal Code, the Building Standards Commission of the City of El Paso, by Order dated the 26th day of June, 2006, after due notice and hearing, ordered Nebram Enterprises, record Owner of the hereinafter described property that the Building(s) be secured within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to secure the Building(s) and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to secure the Building(s) and clean the premises of all weeds, trash, and debris.

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

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

1. That the City Council determines the actual cost of securing the Building(s) and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 5, Block 30, Dale Bellamah Subdivision, an addition to the City of El Paso, municipally known and numbered as 9961 Sidewinder Street, El Paso, Texas,

to be \$1,400.73, performed by the Street Department of the City of El Paso, and \$1,075.12, performed by the City Attorney's Office and the City Clerk's Office, making a total of \$2,475.85. The City Council finds that the work was completed on the 25th day of April, 2006 and the 28th day of September, 2006, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of two thousand four hundred seventy-five and 85/100 dollars (\$2,475.85) to be a lien on the above-described property.

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

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

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3F.

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

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

That the City Manager be authorized to sign an Overhead Electrical Easement to the El Paso Electric Company for a portion of Block 28, Loretto Place, a Subdivision in El Paso, El Paso County, Texas to provide electrical service to the City Park facilities located at 819 Chelsea.

3G.

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

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

That the City Manager be authorized to sign an Overhead Electrical Easement to the El Paso Electric Company for a portion of Section 16, TSP 4, Block 78 T. & P.R.R., El Paso, El Paso County, Texas to provide electrical service to the facilities located at the Clint Landfill.

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3H.

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

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

That the City Manager be authorized to sign an agreement granting an underground electrical utility easement with transformer site, to the El Paso Electric Company for the purpose of providing electrical service to Guest House Suites presently under construction at 1850 Airway Drive. Said property being more particularly described as a portion of real property known as Lot 1, Bock 1A, El Paso International Airport Tracts, Replat of Unit 4, City of El Paso, El Paso County, Texas.

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3I.

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

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

That the City Manager be authorized to 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 public underground storm sewer on the highway right of way on Border Highway and Francis Street.

Representatives Castro and Byrd commented.

Ms. Joyce Wilson, City Manager, and Mr. Alan Shubert, Deputy Director of Planning, commented.

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3J.

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

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

That the City Manager is hereby authorized to sign an amendment to that certain Agreement for Architectural Services [Paso Del Norte Facility Improvement Project] which was entered into by and between the City of El Paso and Parkhill, Smith & Cooper, Inc., a Texas Corporation, on February 14, 2006, to increase the services and compensation to an amount not to exceed two hundred two thousand four hundred sixty-two dollars (\$202,462.00).

Mayor Cook and Representatives O'Rourke and Castro commented.

The following City staff members commented:

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

3. Mr. Daryl Cole, Streets Department Director

Mr. Richard Schechter and Mr. Ray Gilbert, citizens, commented.

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3K.

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

709 Mesita, Lot 15 (7977 SQ FT), Block 59, Kern Place Subdivision, City of El Paso, El Paso County, Texas, Parcel #K216-999-0590-6400,

to be \$ 195.39 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total two hundred nineteen and 39/100 dollars (\$219.39). The City Council finds that the work was completed on the 8th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount two hundred nineteen and 39/100 dollars (\$219.39) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, Sierra View LLC, owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the

Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

650 Sara Lynn, Lot 35 (13892.47 SQ FT), Block 8, River Run #2 Subdivision,
City of El Paso, El Paso County, Texas, Parcel #R577-999-0080-3500

to be \$828.11 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total eight hundred fifty two and 11/100 dollars (\$852.11). The City Council finds that the work was completed on the 30th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount eight hundred fifty two and 11/100 dollars (\$852.11) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

1701 Stanton, Lot 1 & 2 & S 3.5 FT of 3 (6710.00 SQ FT), Block 76,
Alexander Subdivision, City of El Paso, El Paso County, Texas, Parcel #A462-
999-0760-0100

to be \$ 401.61 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total four

hundred twenty five and 61/100 dollars (\$425.61). The City Council finds that the work was completed on the 27th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount four hundred twenty five and 61/100 dollars (\$425.61) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

3401 Harrison, Lot 15 & 16, Block 48, Morningside Heights Subdivision, City of El Paso, El Paso County, Texas, Parcel #M794-999-0480-4100,

to be \$250.06 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total two hundred seventy four and 06/100 dollars (\$274.06). The City Council finds that the work was completed on the 10th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount two hundred seventy four and 06/100 dollars (\$274.06) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

3502 E. Missouri Avenue, Lot 32, Block 58, East El Paso Subdivision, City of El Paso, El Paso County, Texas, Parcel #E014-999-0580-6700,

to be \$444.91 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total four hundred sixty eight and 91/100 dollars (468.91). The City Council finds that the work was completed on the 17th day of October, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount four hundred sixty eight and 91/100 dollars (468.91) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, Adrian & 4 Herrera, owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

5257 Pikes Peak Drive, Lot 1887 (5888 SQ FT), Block 63, Mountain View Subdivision, City of El Paso, El Paso County, Texas, Parcel #M851-999-0630-7100,

to be \$ 407.02 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total four hundred thirty one and 02/100 dollars (\$431.02). The City Council finds that the work was completed on the 14th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount four hundred thirty one and 02/100 dollars (\$431.02) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

2020 San Jose Avenue, Lot 21 to 22 & E 7.5 FT of 23 (6900.00 SQ FT), Block 43, Highland Park Subdivision, City of El Paso, El Paso County, Texas, Parcel #H453-999-0430-8100

to be \$342.07 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total three hundred sixty six and 07/100 dollars (\$366.07). The City Council finds that the work was completed on the 29th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount three hundred sixty six and 07/100 dollars (\$366.07) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

10729 Jadestone Street, Lot 31, Block 1, Shearman #2 Subdivision, City of El Paso, El Paso County, Texas, Parcel #S363-999-0010-6100,

to be \$424.34 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total four hundred forty eight and 34/100 dollars (\$448.34). The City Council finds that the work was completed on the 16th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount four hundred forty eight and 34/100 dollars (\$448.34) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, Vella B. Nowak (EST), owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the

Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

10049 Kenworthy Street, Lot 13, Block 14, Terrace Hills Subdivision, City of El Paso, El Paso County, Texas, Parcel #T172-999-0140-2500,

to be \$374.55 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total three hundred ninety eight and 55/100 dollars (\$398.55). The City Council finds that the work was completed on the 15th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount three hundred ninety eight and 55/100 dollars (\$398.55) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

5321 Olan Court, Lot 10, Block 6, Skyview Subdivision, City of El Paso, El Paso County, Texas, Parcel #S502-999-0060-9100,

to be \$ 358.31 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total three hundred eighty two and 31/100 dollars (\$382.31). The City Council finds that the work was completed on the 10th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount three hundred eighty two and 31/100 dollars (\$382.31) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

12112 Desert Quail, Lot 7 & E 7.50 FT OF 6 (6435.00 SQ FT), Block 3, Quail Run Subdivision, City of El Paso, El Paso County, Texas, Parcel #Q550-999-0030-0700,

to be \$204.05 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total two hundred twenty eight and 05/100 dollars (\$228.05). The City Council finds that the work was completed on the 27th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount two hundred twenty eight and 05/100 dollars (\$228.05) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

11320 Edgemere, Lot 10 (EXC W 30 FT & SW PT) (4.0494 AC), Block 5,
Hueco View Acres Subdivision, City of El Paso, El Paso County, Texas,
Parcel #H817-999-0050-2900,

to be \$947.19 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total nine hundred seventy one and 19/100 dollars (\$971.19). The City Council finds that the work was completed on the 16th and 17th days of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount nine hundred seventy one and 19/100 dollars (\$971.19) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

11325 Patricia Avenue, Lot 24, Block 7, Kimberly Heights Subdivision, City of El Paso, El Paso County, Texas, Parcel #K383-999-0070-2400,

to be \$ 185.11 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total two hundred nine and 11/100 dollars (\$209.11). The City Council finds that the work was completed on the 8th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount two hundred nine and 11/100 dollars (\$209.11) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

1451 Rudy Montoya, Lot 1 (11092.36 SQ FT), Block 530, Vista del Sol #124 Subdivision, City of El Paso, El Paso County, Texas, Parcel #V893-999-5300-0100,

to be \$ 350.19 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total three hundred seventy four and 19/100 dollars (\$374.19). The City Council finds that the work was completed on the 2nd day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount three hundred seventy four and 19/100 dollars (\$374.19) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

TR 7-L-1 (0.833 ACRE), TR 7-K-1 (0.325 ACRE), & TR 7-L-1-B (0.009 ACRE), Block 35, Ysleta Subdivision, City of El Paso, El Paso County, Texas, Parcel #Y805-999-035D-0748,

to be \$628.93 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total six hundred fifty two and 93/100 dollars (\$652.93). The City Council finds that the work was completed on the 2nd day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount six hundred fifty two and 93/100 dollars (\$652.93) 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**

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

569 Riverdale, Lot 10 (19519 SQ FT), Block B, Valley Home Replat
Subdivision, City of El Paso, El Paso County, Texas, Parcel #V244-999-000B-
4100,

to be \$424.34 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total four hundred forty eight and 34/100 dollars (\$448.34). The City Council finds that the work was completed on the 9th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount four hundred forty eight and 34/100 dollars (\$448.34) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

PT OF 7 OF UNRECORDED MAP BEG 54.64 FT NELY OF SWLY COR
(IRREG ON SWLY – 70.36’ ON NWLY – 309.85’ ON NELY – 15.72’ ON ST),
Block 5, Christy Subdivision, City of El Paso, El Paso County, Texas, Parcel
#C454-999-0050-0300

to be \$ 255.47 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total two hundred seventy nine and 47/100 dollars (\$279.47). The City Council finds that the work was completed on the 28th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount two hundred seventy nine and 47/100 dollars (\$279.47) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

SELY PT OF LOT 7 OF UNRECORDED MAP (9280.60 SQ FT), Block 5,
Christy Subdivision, City of El Paso, El Paso County, Texas, Parcel #C454-
999-0050-0325

to be \$ 255.47 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total two hundred seventy nine and 47/100 dollars (\$279.47). The City Council finds that the work was completed on the 28th day of November, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount two hundred seventy nine and 47/100 dollars (\$279.47) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

8102 Tigua Circle, Lot 2 (6000 SQ FT), Block 3, Tigua Place Subdivision, City of El Paso, El Paso County, Texas, Parcel #T374-999-0030-0500,

to be \$ 217.58 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total two hundred forty one and 58/100 dollars (\$241.58). The City Council finds that the work was completed on the 26th day of October, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount two hundred forty one and 58/100 dollars (\$241.58) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

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

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

Tract 16-C (0.23 ACRE), Block 8, Ysleta Subdivision, City of El Paso, El Paso County, Texas, Parcel #Y805-999-0080-1608,

to be \$ 239.23 performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total two hundred sixty three and 23/100 dollars (\$263.23). The City Council finds that the work was completed on the 13th day of November, 2006, and approves the costs described herein.

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

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

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

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3L.

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

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

That the City Manager be authorized to sign a City Landfill Litter Control Contract among the City of El Paso and Texas Industries for the Blind and Handicapped, Inc. ("TIBH"), and Border TM Industries, Inc., to provide litter control services for the City's Environmental Services Department.

Representative Steve Ortega commented.

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3M.

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

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

WHEREAS, on January 23, 2007, the City Council authorized the City Manager to sign a Memorandum of Agreement between the City of El Paso, in its capacity as the Metropolitan Planning Organization (MPO), and the Ysleta Independent School District (YISD), by which the YISD will provide videotape services at a cost of \$1,000.00 per meeting for the Transportation Policy Board meetings; and

WHEREAS, changes were made to the Memorandum of Agreement by the YISD Board after the approval of the City Council;

WHEREAS, the suggested changes are acceptable to the City of El Paso and the MPO;

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

That the action taken by the City Council on January 23, 2007, authorizing the City Manager to sign a Memorandum of Agreement between the City of El Paso, in its capacity as the Metropolitan Planning Organization (MPO), and the Ysleta Independent School District (YISD), by which the YISD will provide videotape services at a cost of \$1,000.00 per meeting for the Transportation Policy Board meetings is hereby rescinded and attached revised Memorandum of Agreement is hereby approved and the City Manager is authorized to sign the Memorandum of Agreement attached.

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3N.

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

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

WHEREAS, the El Paso City Council finds it in the best interest of the citizens of El Paso that the Auto Theft Task Force be operated for the September 1, 2007 to August 31, 2008 year; and

WHEREAS, the El Paso City Council agrees to provide applicable matching funds for the said project as required by the Auto Theft Prevention Agency grant application; and

WHEREAS, the El Paso City Council agrees that in the event of loss or misuse of the Texas Auto Theft Prevention Agency funds, the El Paso City Council assures that the funds will be returned to the Texas Auto Theft Prevention Agency in full.

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

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

1. That the El Paso City Council approves submission of the grant application for the Auto Theft Task Force project to the Texas Auto Theft Prevention Agency.
2. The City Manager be authorized to sign the grant application including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant in the

amount of \$1,150,717.00, from the City of El Paso Police Department to the Texas Auto Theft Prevention Agency, for the purpose of continuing the efforts of the Police Department's Auto Theft Task Force.

- 3. The City of El Paso agrees to provide cash matching funds in the amount of \$231,515.00 and in-kind match of \$964,108.00.
- 4. The El Paso City Council agrees that the existence of an award will not be used to offset or decrease total salaries, expenses and allowances that the City receives or provides to its Police Department at or after the time the grant is awarded.
- 5. That the City Manager be authorized to request and accept an extension of the award ending date for the grant.
- 6. That grant officials be as designated in the agreement.

Mayor Cook commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Richard Schechter, citizen, commented.

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30.

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

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

WHEREAS, the Public Service Board of El Paso (PSB) is a governing board of trustees duly formed in accordance with Texas law, entrusted with the complete management and control of the City of El Paso water and wastewater system and required by its enabling city ordinance to effectively manage water resources; and

WHEREAS, the PSB's Water Conservation Education Department strives to increase water consciousness throughout the community by educating people to understand how crucial it is to work collectively as a region to address the critical water issues; and

WHEREAS, the PSB's intent is to deliver the message of Water Conservation in a meaningful and understanding way for all age groups; and

WHEREAS, participation by the PSB in the construction of this project at the El Paso Zoo will provide a ready outlet for the delivery of Water Conservation education and awareness, as well as world wildlife habitats and Chihuahuan Desert flora and fauna conservation, to a large number of persons within the City of El Paso; and

WHEREAS, the El Paso Zoological Society has approached the City and the PSB about participation in the creation of a Discovery Education Center at the entrance to the El Paso Zoo property; and

WHEREAS, the El Paso Zoological Society is an important catalyst and partner in the process of the fundraising for the construction of this building and some of the exhibits that will be included therein; and

WHEREAS, the City has committed to working with the El Paso Zoological Society regarding additional fundraising needed for the construction of this facility; and

WHEREAS, the El Paso Zoo is in the process of being improved, pursuant to a quality of life bond, voted on and approved by the citizens of El Paso; and

WHEREAS, based on the contributions being made to and the function this facility will serve, it is appropriate that the facility be named as the El Paso Water Utilities Discovery Education Center.

NOW THEREFORE BE IT RESOLVED BY THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD AND THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. The findings and recitations set out in the preamble to this Joint Resolution are found to be true and correct, and are hereby adopted by the PSB and the City Council and made a part of this Joint Resolution for all purposes.

Section 2. The PSB hereby determines that the transfer of funds to be used for the construction by the City of the Discovery Education Center at the El Paso Zoo will substantially contribute to Water Conservation education, is in the best interests of the bondholders of the PSB, and will benefit the operation of the Utility and its management of water resources.

Section 3. The PSB shall, after the effective date of this Joint Resolution, transfer funding to the City of El Paso in the amount of \$750,000.00 to the appropriate account for the Zoo Western Expansion Project to be used for the construction of the Discovery Education Center. The PSB shall transfer said funds in the amounts and at the times specified:

\$175,000 Upon issuance of City's initial Education/Discovery Building Change Order

\$175,000 Six months from date of City's Education/Discovery Building Change Order

\$175,000 Twelve months from date of City's Education/Discovery Building Change Order

\$175,000 Eighteen months from date of City's Education/Discovery Building Change Order

\$ 50,000 Upon completion and issuance of Certificate of Occupancy for the Education/Discovery Building

Section 4. That the City will construct the Discovery Education Center facility in an area of the Zoo located at the new Plaza entry, in conjunction with other ongoing improvements at the Zoo, and such facility shall provide space to house a classroom, interactive exhibits, and a computer and technology center.

Section 5. That upon completion of construction, the City will operate the facility as part of its Zoo operations in conformity with funds budgeted and appropriated for such purpose and as determined appropriate by City staff.

Section 6. That City staff shall collaborate with PSB staff regarding the appropriate programming and exhibits for the portion of the facility devoted to Water Conservation education.

Section 7. That the City shall collaborate with the El Paso Zoological Society regarding the raising of the remaining funds and services necessary to complete the construction and provide for some of the initial exhibits fabrication supplies, equipment and graphics in the facility.

Section 8. That the facility shall be named the El Paso Water Utilities Discovery Education Center.

Section 9. That for any and all purposes connected with the construction and operation of the Discovery Education Center, the City and the PSB are performing governmental functions.

Section 10. That for the City, the City Manager is hereby authorized to make all necessary budget transfers to carry out the intent of this Joint Resolution and the construction of the project.

Section 11. This resolution shall become effective from and after its adoption, as allowed by law.

Mayor Cook and Representative Castro commented.

Ms. Joyce Wilson, City Manager, and Mr. Scott Gilliland, Zoo Parks Operations Manager, commented.

Mr. Richard Schecter and Mr. Ray Gilbert, citizens, commented.

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3P.

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

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

That the City Manager be authorized to sign a donation agreement between the City and the Zoological Society, Inc. to provide donated design services, construction documents and funding for construction of the Discovery Education in the proposed Western Expansion area of the Zoo.

Representative Castro commented.

Ms. Joyce Wilson, City Manager, and Mr. Scott Gilliland, Zoo Parks Operations Manager, commented.

Mr. Ray Gilbert, citizen, commented.

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4. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Michael Breitinger to the International Bridge Commission by Representative Steve Ortega, District 7.

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5A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** John P. Eger to the City of El Paso Accessibility Advisory Committee by Representative Jose Alexandro Lozano, District 3.

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5B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** John R. Karr to the Historic Landmark Commission by Representative Jose Alexandro Lozano, District 3.

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5C. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Alma Oaxaca to the Art Museum Advisory Board to fill an unexpired term by Representative Presi Ortega, Jr., District 5.

6. APPLICATIONS FOR TAX REFUND

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

- A. LandAmerica Lawyers Title of El Paso in the amount of \$13,116.00 overpayment of 2006 taxes. (PID #A462-999-2080-1100).
- B. Wells Real Estate Tax Services in the amount of \$3,510.98 overpayment of 2006 taxes. (PID #A670-999-0020-1800).
- C. Homecomings Financial in the amount of \$3,117.93 overpayment of 2006 taxes. (PID #A670-999-0020-4200).
- D. Juan Ulloa in the amount of \$4,817.11 overpayment of 2006 taxes. (PID #C102-000-0030-1000).
- E. Wells Fargo Real Estate Tax Services, LLC in the amount of \$2,836.62 overpayment of 2006 taxes. (PID #C214-999-0020-6200).
- F. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,800.38 overpayment of 2006 taxes. (PID #C340-999-0320-1700).
- G. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,887.09 overpayment of 2006 taxes. (PID #C340-999-1280-1300).
- H. Cynthia L. Moore in the amount of \$6,430.43 overpayment of 2006 taxes. (PID #C340-999-1370-2000).
- I. Citi Mortgage in the amount of \$4,794.10 overpayment of 2006 taxes. (PID # C340-999-1770-1200).
- J. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,292.98 overpayment of 2006 taxes. (PID #C742-999-0010-1600).
- K. Charter Bank in the amount of \$2,785.40 overpayment of 2006 taxes. (PID #C742-999-0010-3100).
- L. Select Portfolio Servicing, in the amount of \$11,303.20 overpayment of 2006 taxes. (PID #C840-999-0150-9300).
- M. Wells Fargo Real Estate Tax Services, LLC in the amount of \$2,570.62 overpayment of 2006 taxes. (PID #E049-999-0040-1600).
- N. Wells Fargo Real Estate Tax Services, LLC in the amount of \$4,378.08 overpayment of 2006 taxes. (PID #E075-000-0050-3100).
- O. Westlake Settlement Services in the amount of \$3,884.56 overpayment of 2006 taxes. (PID #F607-999-0830-0100).

- P. Wells Fargo Real Estate Tax Services, LLC in the amount of \$9,085.02 overpayment of 2006 taxes. (PID #F609-999-0130-1600)
- Q. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,339.46 overpayment of 2006 taxes. (PID #F634-999-0020-0700).
- R. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,497.75 overpayment of 2006 taxes. (PID #H782-000-0110-1300).
- S. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,014.90 overpayment of 2006 taxes. (PID #R460-999-0390-3000)
- T. Wells Fargo Real Estate Tax Services, LLC in the amount of \$4,117.80 overpayment of 2006 taxes. (PID #H801-999-0010-3575).
- U. Wells Fargo Real Estate Tax Services, LLC in the amount of \$2,810.92 overpayment of 2006 taxes. (PID #H801-999-0020-1235).
- V. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,948.38 overpayment of 2006 taxes. (PID #H801-999-0040-6725).
- W. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,675.01 overpayment of 2006 taxes. (PID #H801-999-0090-0900).
- X. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,808.74 overpayment of 2006 taxes. (PID #H801-999-0090-1800).
- Y. Wells Fargo Real Estate Tax Services, LLC in the amount of \$2,709.33 overpayment of 2006 taxes. (PID #L478-999-0120-0200).
- Z. Chase Home Finance LLC in the amount of \$2,916.35 overpayment of 2006 taxes. (PID #M327-999-0090-3300).
- AA. Wells Fargo Real Estate Tax Services, LLC in the amount of \$4,203.44 overpayment of 2006 taxes. (PID #M327-999-0090-5400).
- BB. LandAmerica c/o Charter Bank in the amount of \$2,896.41 overpayment of 2006 taxes. (PID #M765-999-0040-0500).
- CC. Wells Fargo Real Estate Tax Services, LLC in the amount of \$4,060.79 overpayment of 2006 taxes. (PID #M895-999-0050-1900).
- DD. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,222.07 overpayment of 2006 taxes. (PID#N425-999-0020-2900).
- EE. Wells Fargo Real Estate Tax Services, LLC in the amount of \$4,151.48 overpayment of 2006 taxes. (PID #N425-999-0070-3300).
- FF. Wells Fargo Real Estate Tax Services, LLC in the amount of \$2,934.19 overpayment of 2006 taxes. (PID #N425-999-0170-0600).

- GG. Wells Fargo Real Estate Tax Services, LLC in the amount of \$2,907.97 overpayment of 2006 taxes. (PID #P481-999-0230-2100).
- HH. Wells Fargo Real Estate Tax Services, LLC in the amount of \$2,681.25 overpayment of 2006 taxes. (PID #R038-999-0010-0800).
- II. Chase Home Finance in the amount of \$6,696.55 overpayment of 2006 taxes. (PID #R460-999-0080-1800).
- JJ. Auto Loan Services in the amount of \$6,174.44 overpayment of 2006 taxes. (PID #R460-999-0100-2700).
- KK. Wells Fargo Real Estate Tax Services, LLC in the amount of \$2,813.40 overpayment of 2006 taxes. (PID #S533-000-0140-15L0).
- LL. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,361.27 overpayment of 2006 taxes. (PID #S543-000-0030-2700).
- MM. Victor & Angelina Guillen in the amount of \$3,335.31 overpayment of 2005 taxes. (PID #S700-999-0080-1900).
- NN. Wells Fargo Real Estate Tax Services, LLC in the amount of \$4,723.07 overpayment of 2006 taxes. (PID #S812-999-0050-0200).
- OO. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,686.89 overpayment of 2006 taxes. (PID #S812-999-0370-0200).
- PP. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,964.12 overpayment of 2006 taxes. (PID #S812-999-0410-1900).
- QQ. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,968.72 overpayment of 2006 taxes. (PID #S814-999-0080-1700).
- RR. Mortgage Service Center in the amount of \$3,814.66 overpayment of 2006 taxes. (PID #S814-999-0080-5300).
- SS. Chase Home Finance LLC in the amount of \$3,015.49 overpayment of 2006 taxes. (PID #T287-999-0360-3100).
- TT. Wells Fargo Real Estate Tax Services, LLC in the amount of \$2,736.26 overpayment of 2006 taxes. (PID #T287-999-0530-3800).
- UU. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,212.16 overpayment of 2006 taxes. (PID #V893-999-5310-2750).
- VV. Aurora Loan Service in the amount of \$2,519.84 overpayment of 2006 taxes. (PID #V897-999-0800-0500).
- WW. Patricia P. Hicks in the amount of \$2,753.42 overpayment of 2006 taxes. (PID #V927-999-0330-3500).

XX. Alma Delgado in the amount of \$3,584.02 overpayment of 2006 taxes.
(PID #V927-999-0500-6500).

YY. Wells Fargo Real Estate Tax Services, LLC in the amount of \$2,561.78 overpayment of 2006 taxes.
(PID #W145-999-0320-0200).

ZZ. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,668.59 overpayment of 2006 taxes.
(PID #W145-999-0740-2700).

AAA. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,020.28 overpayment of 2006 taxes.
(PID #W564-999-0040-1900).

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7. DEVELOPMENT AND INFRASTRUCTURE SERVICES

*Motion made, seconded, and carried to **APPROVE** the Council Ratification of the following Storm 2006 professional services contract: AIA Consultants, LTD. for work on Carnegie Street and Drainage Improvements and other Storm 2006 projects. The original agreement is being amended to increase the capacity of the contract not to exceed \$400,000.

Representative Lozano commented.

Ms. Joyce Wilson, City Manager, and Mr. Alan Shubert, Director of Development Services, commented.
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8. FINANCIAL SERVICES

*Motion made, seconded, and carried to **REJECT** Solicitation No. 2007-152, Display Lighting for El Paso Museum of History (Furnish & Install), as recommended by Financial Services - Purchasing Division and the Department of Museums and Cultural Affairs due to the fact that the funds remaining in the project budget are not sufficient to cover the bid amount.

Ms. Yolanda Alameda, Director of Museums and Cultural Affairs, commented.

Mr. Richard Schecter, citizen, commented.
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9. BEST VALUE PROCUREMENT

*Motion made, seconded, and carried to **POSTPONE** for one week the award of Solicitation No. 2007-093 (Traffic Signal Priority Control System, Infrared Activated, Data-Encoded) to Tri-State Electric, Ltd. for a total estimated award of \$95,789.07.

Department: Fire
Award to: Tri-State Electric, Ltd.
El Paso, Texas
Items: 1 through 27
Option: Vendor offers the City the option to extend the term of the contract at the same unit price for an additional two year period if the option is exercised within two years from the date of award.
Account No.: 71150069 – 07863 - 508027 – 22000 - G7132CD0018
Funding Source: CDBG Capital Projects Renovation
Total Estimated Award: \$95,789.07

This is a requirements type contract with an initial term of two years.

The Departments of Financial Services and Fire recommend award as indicated to the vendor offering the best value bid.

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10A. BID

*Motion made, seconded, and carried to **AWARD** Solicitation No. 2007-068 (Paperback Books, Mass Market-El Paso Public Library) to Ingram Library Services Inc. for a total estimated award of \$150,000.00.

Department: El Paso Public Library
Award to: Ingram Library Services Inc.
La Vergne, TN
Item(s): All
Option: Vendor offers the City the option to extend the term of the contract at the same unit prices for two additional years if the option is exercised within one year from the date of the award.
Account No.: 53010201 – 503101 - 01101
Funding Source: Public Library General Operating Fund
Total Estimated Award: \$150,000.00

This is a requirements type contract with an initial term of thirty-six months.

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

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10B. BID

Motion made, seconded, and carried to **AWARD** Solicitation No. 2007-117 (Hendrickson Suspension Parts & Service) to Stanley Spring & Suspension for a total estimated award of \$450,000.00.

Department: General Services-Fleet
Award to: Stanley Spring & Suspension
El Paso, Texas
Items: Part A: #1, Part B: #1a, 1b, 1c, #2a, 2b, 2c
Option: Vendor offers the City the option to extend the term of the contract at the same unit prices for two additional years if the option is exercised within two years from the date of the award.
Annual Estimated Amount: \$150,000.00
Account No.: 37370510 – 503121 – 503125 - 45202
Funding Source: General Services-Fleet Division Internal Service Fund
Total Estimated Award: \$450,000.00

This is a requirements type contract with an initial term of thirty-six (36) months.

The Departments of Financial Services and General Services-Fleet Division recommend award as indicated to the lowest responsive, responsible bidder.

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10C. BID

Motion made, seconded, and carried to **AWARD** Solicitation No. 2007-128 (Structural & Proximity Fire Fighting Clothing) for a total estimated award of \$295,938.00.

Department: Fire
Award to: Vendor 1 Quest Enterprises, Inc.
Walsenburg, CO
Items: 1 and 2
Amount: \$217,600.00

Award to: Vendor 2 First In, Inc.
El Paso, TX
Items: 3 and 4
Amount: \$11,960.00

Award to: Vendor 3 W.S. Darley & Co.
Melrose Park, IL
Items: 5 and 7
Amount: \$34,175.00

Award to: Vendor 4 Ferrara Fire Apparatus
Silverton, TX
Items: 6 and 9
Amount: \$16,425.00

Award to: Vendor 5 Bazaar Uniforms & Men's Store
El Paso, TX
Item: 8
Amount: \$15,778.00

Option: Vendors 1, 2, 3, 4 and 5 offer the City the option to extend the term of the contract at the same unit prices for one additional year if the option is exercised within one year from the date of the award.

Account No.: 22010319 - 503123 - (FY07-08) - 01101 and
62620010 - 503123 - (FY07-08) - 01101

Funding Source: Fire Department General Operating Fund-Safety Gear
Total Estimated Award: \$295,938.00

This is a requirements type contract with an initial term of twelve months.

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

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10D. BID

Motion made, seconded, and carried to **AWARD** Solicitation No. 2007-131 (Thermoplastic Material) to The Sherwin Williams Company, dba DOBCO, for a total estimated award of \$293,145.00.

Department:	Streets
Award to:	The Sherwin-Williams Company dba DOBCO Manchester, GA
Item:	1
Option:	Vendor offers the City the option to extend the term of the contract at the same unit prices for one or two additional years if the option is exercised within one or two years from the date of the award.
Annual Estimated Amount:	\$146,572.50
Account No.:	99331117 – 508027 – 27263 - PCP06ST019
Funding Source:	FY06 CO's - Lane Markings
Total Estimated Award:	\$293,145.00

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

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

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11A. – 11G. INTRODUCTIONS

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

- A.** An Ordinance annexing Tract 2-A, 2A-1, and Tract 3-A, Section 4, Block 79, Township 3, Texas & Pacific Railroad Company Surveys, El Paso County, Texas, to the City of El Paso, Texas. Subject Property: East of Zaragoza Road and North and South of Montwood Dr. Applicant: JNC Properties, Public Service Board. SUB06-00136
- B.** An Ordinance annexing Tracts 9C, 9D, 9D1, and 10, Block 13, Upper Valley Surveys, El Paso County, Texas, to the City of El Paso, Texas. Subject Property: Northeast corner of Borderland Road and Westside Drive. Applicants: B.A.R. Construction, Inc.; El Paso Jamas, L.T.D. AN07002
- C.** An Ordinance annexing a portion of Tract 8, Nellie D. Mundy Survey No. 239, El Paso County, Texas, to the City of El Paso, Texas. Subject Property: 7051 S. Desert Blvd. Applicant: El Paso Outlet Center, LLC. AN07001
- D.** An Ordinance changing the zoning of the following real property described as: Parcel 1: Tract 3A, Section 4, Block 79, Township 3, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-5 (Residential); and Parcel 2: Tract 2A, Section 4, Block 79, Township 3, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-3A (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: South and North of Montwood Drive, East of Zaragoza Road. Applicants: JNC Development LP and Public Service Board. ZON06-00145

- E. An Ordinance granting Special Permit No. ZON06-00146 to allow for a Planned Residential Development on the following real property described as: Parcel 1: Tract 3A, Section 4, Block 79, Township 3, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.040 of the El Paso City Code; and Parcel 2: Tract 2A, Section 4, Block 79, Township 3, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, pursuant to Section 20.12.040 of the El Paso City Code. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: South and North of Montwood Drive, East of Zaragoza Road. Applicants: JNC Development LP and Public Service Board. ZON06-00146

- F. An Ordinance changing the zoning of Tracts 9C, 9D, 9D1, and 10, Block 13, Upper Valley Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to P-R 1 (Planned Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Borderland Road and East of Westside Drive. Applicants: BAR Construction Inc, and El Paso Jamas, LTD. ZON07-00017

- G. An Ordinance changing the zoning of a portion of Tract 8, Nellie D. Mundy Survey No. 239, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-4 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 7051 South Desert Boulevard. Applicant: El Paso Outlet Center, LLC. ZON07-00011

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

12A.

ORDINANCE 16614

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOTS 1-3, BLOCK 21, EAST EL PASO SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-3 (APARTMENT) TO C-4 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.**

Representative O'Rourke commented.

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

Motion duly made by Representative O'Rourke, seconded by Representative Steve 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, Holguin, Steve Ortega, and O'Rourke

NAYS: None

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

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

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12B.

ORDINANCE 16615

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF COPIA STREET RIGHT-OF-WAY BETWEEN BLOCK 89-A AND BLOCK 88-D, FIRST REVISED PLAT OF LOGAN HEIGHTS, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

Representative Byrd commented.

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

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

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

NAYS: None

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

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

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12C. PUBLIC HEARING – DEVELOPMENT SERVICES

An Ordinance authorizing the City Manager to sign a Conservation Easement Agreement with the Frontera Land Alliance for a portion of Tract 1-E, H.G. Foster Survey No. 259, El Paso County, Texas, according to the map on file in the Office of the Central Appraisal District, El Paso County, Texas.

Ms. Joyce Wilson, City Manager, commented.

1ST MOTION

Motion made by Representative Steve Ortega, seconded by Representative Byrd, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 11:32 a.m.

NOT PRESENT FOR THE VOTE: Representative Holguin

2ND MOTION

Motion made by Mayor Pro Tempore Presi Ortega, Jr., seconded by Representative Lozano, and unanimously carried to **ADJOURN** the Executive Session at 12:00 p.m. and **RECONVENE** the meeting of the City Council.

NOT PRESENT FOR THE VOTE: Representative Holguin

3RD AND FINAL MOTION

Motion made by Representative Steve Ortega, seconded by Representative Lilly, and unanimously carried to **POSTPONE** the Public Hearing for one week.

NOT PRESENT FOR THE VOTE: Representative Holguin
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13A.

ORDINANCE 16616

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 ADD A NEW LOCATION ON RAYNOLDS STREET BETWEEN MONTANA AVENUE AND LA LUZ AVENUE, EAST SIDE ONLY. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO CITY CODE.**

Representative Byrd commented.

Mr. Ted Marquez, Engineering Division Manager, commented.

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

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

NAYS: None

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

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

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13B.

ORDINANCE 16617

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.041 (SCHEDULE IV(A) - PARKING PROHIBITED DURING CERTAIN HOURS, SCHOOL DAYS ONLY), PARAGRAPH A, (NO PARKING 7:00 A.M. TO 4:00 P.M.) OF THE EL PASO CITY CODE BY ADDING TIERRA AZTECA DRIVE BETWEEN TIERRA ESTE ROAD AND TIERRA MECA DRIVE; TIERRA PLATA DRIVE BETWEEN TIERRA AZTECA DRIVE AND TIERRA COBRE DRIVE; AND TIERRA REAL WAY. THE PENALTY BEING AS PROVIDED IN SECTION 12.85.110 (VIOLATION - PENALTY) OF THE EL PASO CITY CODE.**

Representative Presi Ortega, Jr. commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Castro and Holguin

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

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14.

ORDINANCE 16618

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY) OF THE EL PASO CITY CODE BY AMENDING CHAPTER 9.04 (SOLID WASTE MANAGEMENT) IN ORDER TO ALLOW FOR QUALIFIED RESIDENTS TO RECEIVE BOTH A CURBSIDE EXEMPTION AND THE SENIOR AND DISABLED CITIZENS DISCOUNT. THE PENALTY BEING AS PROVIDED IN SECTION 9.04.390 OF THE EL PASO CITY CODE.**

Representatives Steve Ortega and Byrd commented.

Ms. Ellen Smyth, Director of Environmental Services, commented.

Mr. Matthew Carroll and Mr. Richard Schecter, citizens, commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Holguin

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

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15A. PUBLIC HEARING – FINANCIAL SERVICES

An Ordinance authorizing the City of El Paso to sell the South 20.5 feet of Lot 20, Block 41, Magoffin Addition, more commonly known as 820 Tays St., El Paso, El Paso County, Texas, to Olga Cisneros.

Mayor Cook and Representatives O'Rourke and Byrd commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Gonzalo Cedillos, Capital Assets Manager
- 3. Ms. Terri Cullen-Garney, Deputy City Attorney, gave legal advice.

Motion made by Representative O'Rourke, seconded by Representative Steve Ortega, and unanimously carried to **POSTPONE** the Public Hearing for one week.

NOT PRESENT FOR THE VOTE: Representatives Castro and Holguin

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15B.

ORDINANCE 16619

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2, CHAPTER 64 (CITY EMPLOYEES' PENSION FUND) TO: (I) INCREASE EMPLOYER AND EMPLOYEE CONTRIBUTIONS TO THE FUND; (II) CHANGE THE METHOD OF CONTRIBUTING TO THE FUND FROM POST-TAX BASIS**

TO PRE-TAX BASIS; (III) REVISE THE VOTING PROCEDURES FOR THE ELECTION OF BOARD OF TRUSTEES OF THE FUND; AND (IV) ALLOW FOR INVESTING IN NEW ASSET CLASSES.

Mayor Cook and Representatives Steve Ortega, Byrd, and Presi Ortega, Jr. commented.

Mr. Robert Ash, Pension Administrator of the City Employees' Pension Fund, and Mr. Juan Sandoval, Chair of the City Employees' Pension Fund, commented.

Mr. Rick Mackesey, Buck Consultants, commented.

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Holguin

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

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16A.

R E S O L U T I O N

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

WHEREAS, Title 2, Chapter 2.64 (City Employees Pension Fund) of the El Paso City Code (the "Code"), establishes the creation of a pension fund (the "Fund") for all non-uniformed employees of the City of El Paso (the "City");

WHEREAS, the Fund recently received an actuarial valuation, which stated that the Fund's current contribution rates are not sufficient to keep the Fund actuarially sound over a reasonable period of time;

WHEREAS, the Fund currently does not comply with the funding guidelines prescribed by GASB 25, which requires that the unfunded actuarial accrued liability be amortizable over a 30-year period;

WHEREAS, increasing employee and employer contributions to the Fund will improve the financial and actuarial positions of the Fund and will cause the Fund to become compliant with current GASB funding guidelines;

WHEREAS, the last increase in contributions by either the City or the employees occurred over twenty (20) years ago on September 1, 1984;

WHEREAS, beginning with the first full pay period after May 1, 2007, contributions to the Fund by the employees shall increase from 6.75 percent to 7.75 percent of his/her salary or wages. Also, beginning with the first full pay period following May 1, 2007, contributions to the Fund by the City and all its departments and divisions of a proprietary nature, and all other employers whose employees are permitted to participate in the Fund, shall increase from 10.25 percent to 11.65 percent of the salary or wages of their respective employees who contribute to the Fund;

WHEREAS, the City employee contributions to the Fund are currently made on a post -tax basis;

WHEREAS, changing contributions to the Fund from a post-tax basis to a pre-tax basis shall mitigate the negative financial impact on the employee resulting from an increase in the employee contribution rate;

WHEREAS, the City finds that it would be in the collective best interest of the City, the Fund, and the Fund's participants and beneficiaries that contributions to the Fund be made on a pre-tax basis; and

WHEREAS, the current rules and regulations promulgated by the Internal Revenue Service require that the City adopt a resolution regarding changing the method of employees contributing to the Fund from a post-tax basis to pre-tax basis.

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

1. That, the City, pursuant to the provisions of Section 414(h)(2) of the Internal Revenue Code of 1986, as amended (the "IRC") shall pick-up the employee contributions required by Section 2.64.190 of the Code for all compensation that is earned by participating employees of the Fund on or after the effective date (as defined in paragraph 3 below). The contributions so picked-up shall be treated as employer contributions for purposes of determining the amounts of federal income taxes to withhold from the employee's compensation. Employee contributions picked-up as provided by this Resolution are in lieu of deductions of employee contributions from paychecks and shall be paid by the City to the Fund from the same source of funds that is used in paying compensation to the employees.

2. That, employee contributions picked-up pursuant to this Resolution shall be deposited to the credit of the individual account of each affected employee and shall be treated for all other purposes of Chapter 2.64 of the Code as if the contributions had been deducted from the compensation of employees. Picked-up contributions are not includable in a computation of contribution rates of the City.

3. That prior to the Effective Date (as defined herein below) the City shall file with the Board of Trustees of the Fund a notice stating that the United States Internal Revenue Service has issued a favorable determination stating that:

(i) The mandatory employee contributions to the Fund, which are picked-up for those employees who participate in the Fund, will be treated as employer contributions picked-up by the City within the meaning of Section 414(h)(2) of the IRC, and that the amounts picked-up will not be included in the employee's gross income in the year of the contribution, but will instead be included in the employee's gross income at the time such amounts are distributed to the employee;

(ii) The picked-up contributions will not constitute wages under Section 3401(a)(12)(A) of the IRC, for federal income tax withholding purposes; and

(iii) The picked-up contributions will not be treated as "annual additions" for purposes of Section 415(c) of the IRC.

4. That, the City's pick-up of employee contributions shall take effect on the first full pay period following May 1, 2007 ("Effective Date").

5. That, the contributions, although designated as employee contributions, shall be paid by the City and shall not be includable in the gross income of the employee until such amounts are distributed or made available to the employee or the employee's beneficiary.

6. That, the employee shall not have the option to receive the contributed amounts directly instead of having them paid by the City to the Fund.

7. That, a pick-up of the employee contributions by the City is terminated on January 1 of the year following the year in which:

(a) said termination has been approved by a two-thirds vote of the participating employees of the Fund at an election by secret ballot at which at least fifty percent (50%) of the participating employees vote; and

(b) the City Council has repealed this Resolution and ordinance that adopted the pick-up of employee contributions.

8. That, unless the pick-up of employee contributions by the City is terminated as provided in paragraph 7 hereinabove, the provisions of this Resolution shall remain in full force and effect so long as the Fund covering employees of the City is a "qualified plan" under Section 401(a) of the IRC and its related trust is tax exempt under Section 501(a) of the IRC.

Mayor Cook commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Richard Schecter, citizen, commented.

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

NOT PRESENT FOR THE VOTE: Representative Holguin

16B. FINANCIAL SERVICES

Discussion and action on the request that the Purchasing Manager of Financial Services be authorized to issue a purchase order to SHI-Government Solution, a Department of Information Resources (DIR) contractor under DIR State Contract DIR-SDD-198, for Microsoft software. Participation by the City of El Paso in the DIR Program was approved by Mayor and Council on March 6, 2007.

Department: Information Services
Award amount: \$501,361.00
Funds: 39010351 – 01101 - 502202
Funds Available: Information Services, Operating Account and Data Processing Software Contracts
Reference No.: 2007-170

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

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Terrence Freiburg, Purchasing Manager
3. Mr. Gerald Gordier, Chief Information Officer and Information Technology Director

Mr. Richard Schecter, citizen, commented.

1ST MOTION

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

NOT PRESENT FOR THE VOTE: Representative Holguin

2ND MOTION

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

NOT PRESENT FOR THE VOTE: Representative Holguin

3RD AND FINAL MOTION

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

NOT PRESENT FOR THE VOTE: Representative Holguin

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17. MAYOR AND COUNCIL

Discussion regarding the support from the City of El Paso, the County of El Paso, and the Tigua Indian Reservation to join hands and call on East Texas and West Texas to show the support of the opening of the Casino.

Mayor Cook and Representative Lozano commented.

Mr. Matthew Carroll and Ms. Lisa Turner, citizens, commented.

Motion made by Representative Lozano, seconded by Representative Byrd, and unanimously carried to **APPROVE** the item.

NOT PRESENT FOR THE VOTE: Representative Holguin

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18. COMMUNITY AND HUMAN DEVELOPMENT

Discussion and action on a Resolution authorizing a contract between the City of El Paso and Centro Del Obrero Fronterizo, Inc., d/b/a La Mujer, in an amount not to exceed \$100,000 in order to determine the economic feasibility and proposed impact of the Plan Mayachen with emphasis on the Plaza Mayachen.

Mayor Cook and Representative Presi Ortega, Jr. commented.

Ms. Joyce Wilson, City Manager, commented.

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

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19. CITY MANAGER

City Manager's report of current events and issues:

Discussion and action on issues related to Storm 2006.

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

Representatives Steve Ortega, Byrd, and Lilly commented.

Ms. Joyce Wilson, City Manager, commented.

NO ACTION was taken on the item.

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ADDITION TO THE AGENDA

1. BOARD APPOINTMENT

*Motion made, seconded, and carried to **APPOINT** Rebecca Rojas to the City-County Animal Shelter Advisory Committee by Representative Eddie Holguin, Jr., District 6.

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Motion made by Representative Lilly, seconded by Representative Steve Ortega, and unanimously carried to **ADJOURN** this meeting at 12:04 p.m.

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

Richarda Duffy Momsen, City Clerk