

JOHN F. COOK  
MAYOR



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
EMMA ACOSTA, DISTRICT 3  
CARL ROBINSON, DISTRICT 4  
RACHEL QUINTANA, DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

JOYCE WILSON  
CITY MANAGER

REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
JUNE 1, 2010  
9:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 9:07 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Emma Acosta, Carl Robinson, Rachel Quintana, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Early departure: Steve Ortega at approximately 2:18 p.m. The invocation was given by Police Chaplain Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

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**MAYOR'S PROCLAMATIONS**  
**COLUMBIAN SQUIRES WEEK**

**RECOGNITION**  
**PEDRO VILLAGRANA - STAR ON THE MOUNTAIN AWARD**

**CALL TO THE PUBLIC – PUBLIC COMMENT**

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

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

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. Richard Schecter

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**CONSENT AGENDA**

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

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

NAYS: None  
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**1. APPROVAL OF MINUTES**

\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of May 25, 2010 and the Special City Council meeting of May 19, 2010 (in conjunction with the Transportation Committee of The Greater El Paso Chamber of Commerce meeting).

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

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

**3A.**

**\*RESOLUTION**

**WHEREAS**, On January 31, 2007, the City purchased from Maria Elena Garcia 6212 Fiesta Drive, El Paso, Texas, more particularly described by metes and bounds in Exhibit "A", attached hereto (the "property"); and

**WHEREAS**, The deed to the property contained "Grantee's Restrictive Covenants" based upon a mistaken understanding that Federal Emergency Management Agency (FEMA) or other federal funds were used or were going to be used for the acquisition of the property; and

**WHEREAS**, The sole purpose of placing the Grantee's Restrictive Covenants in the deed was to make the purchase of the property eligible for federal funding, and

**WHEREAS**, No federal funds of any nature were used for any costs related to the purchase of the property; and

**WHEREAS**, Maria Elena Garcia has agreed to the removal of the Grantee's Restrictive Covenants in the "Release of Restrictive Covenants", attached as Exhibit "A".

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

That the City That the City Manager be authorized to sign the "Release of Restrictive Covenants" for property purchased by the City located at 6212 Fiesta Drive, El Paso, Texas.

**3B.**

**\*RESOLUTION**

That the City Manager is authorized to sign the Overpass Modification Agreement for the reconstruction of the existing Yarbrough Drive Overpass grade separation crossing with the Texas Department of Transportation and the Union Pacific Railroad Company providing for a license and permission to enter the Railroad's right of way for construction and future maintenance. Under this agreement TxDOT reimburses the railroad for the work it performs.

**3C.**

**\*RESOLUTION**

That the City Manager be authorized to sign a Contract of Sale between the City of El Paso and D & L Land Partnership, L.P. for the purchase of the following property for the Roseway Street Drainage Improvement Project for ONE HUNDRED THIRTY THOUSAND and 00/100 DOLLARS **(\$130,000.00)**:

Parcel 3: A portion of Tract 12T, Block 46, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, according to the resurveyed of said YSLETA GRANT made by El Paso County Texas for tax purposes and being more particularly described by metes and bounds in Exhibit "A-1" attached hereto and made a part hereof for all purposes; and

Parcel 4: A portion of Tract 12A, Block 46, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, according to the resurveyed of said YSLETA GRANT made by El Paso County Texas for tax purposes and being more particularly described by metes and bounds in Exhibit "A-2" attached hereto and made a part hereof for all purposes

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3D.

**\*RESOLUTION**

**WHEREAS**, PFLAG/El Paso Sun City Pride Organization (hereinafter referred to as "Grantees") are sponsoring an outdoor street festival for the Third Annual Sun City Pride Parade and Festival (hereinafter referred to as "Event"), on Saturday, June 5, 2009 to Sunday, June 6, 2010; and

**WHEREAS**, Grantees have received administrative approval for a Special Privilege Permit for a street closure of more than twenty-four (24) hours to temporarily close portions of public right-of-way on Stanton Street between Franklin Street and Missouri Street from 4:00 am Saturday, June 5, 2010, to 7:00 am Sunday, June 6, 2010, in conjunction with the proposed Event; and

**WHEREAS**, the City is not a sponsor of the Event and the Grantees assume full responsibility for the planning, coordination, management and production of the Event; and

**WHEREAS**, the Grantees desire to provide for the sale and serving of alcoholic beverages on public rights-of-way during the Event;

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

That the Grantees be authorized to provide for the sale and serving of alcoholic beverages at the outdoor street festival in the closed portions of public right-of-way on Stanton Street between Franklin Street and Missouri Street from 12:00 pm, Saturday, June 5, 2010 to 2:00 am, Sunday, June 6, 2010.

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3E.

**\*RESOLUTION**

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

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

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

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

208 Placida Drive, more particularly described as Lot(s) 13 (5458 SQ FT), Block 6, Borderland Heights Subdivision, El Paso, El Paso County, Texas, Parcel #B690-999-0006-0013

to be \$193.23, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO

HUNDRED SEVENTEEN AND 23/100 DOLLARS (\$217.23). The City Council finds that the work was completed on the 1st day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED SEVENTEEN AND 23/100 DOLLARS (\$217.23) 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.

### **\*RESOLUTION**

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

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

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

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

668 White Cliffs Drive, more particularly described as Lot(s) 12, Block 1, West Hills #1 Subdivision, El Paso, El Paso County, Texas, Parcel #W145-999-0010-1200

to be \$157.77, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED EIGHTY ONE AND 77/100 DOLLARS (\$181.77). The City Council finds that the work was completed on the 31st day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED EIGHTY ONE AND 77/100 DOLLARS (\$181.77) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso City Code, entitled Abatement, JOSE GUTIERREZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso

City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

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

to be \$202.16, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED TWENTY SIX AND 16/100 DOLLARS (\$226.16). The City Council finds that the work was completed on the 2nd day(s) of November, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED TWENTY SIX AND 16/100 DOLLARS (\$226.16) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

7555 Adobe Drive, more particularly described as Lot(s) 35 (8915 SQ FT), Block 2, Hacienda Heights Subdivision, El Paso, El Paso County, Texas, Parcel #H012-999-0020-6500

to be \$178.32, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED TWO AND 32/100 DOLLARS (\$202.32). The City Council finds that the work was completed on the 28th day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED TWO AND 32/100 DOLLARS (\$202.32) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

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

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

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

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

11949 Banner Crest Drive, more particularly described as Lot(s) 24 (5596.50 SQ FT), Block 23, Vista Real #2 Subdivision, El Paso, El Paso County, Texas, Parcel #V927-999-0230-2400

to be \$167.79, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY ONE AND 79/100 DOLLARS (\$191.79). The City Council finds that the work was completed on the 18th day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY ONE AND 79/100 DOLLARS (\$191.79) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

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

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

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

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

11273 Skipper Drive, more particularly described as Lot(s) 3, Block 58, East Glen Subdivision, El Paso, El Paso County, Texas, Parcel #E054-999-0580-0500

to be \$122.05, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY SIX AND 05/100 DOLLARS (\$146.05). The City Council finds that the work was completed on the 18th day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY SIX AND 05/100 DOLLARS (\$146.05) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

8757 Plains Drive, more particularly described as Lot(s) 9, Block 4, Penrose Subdivision, El Paso, El Paso County, Texas, Parcel #P682-999-0040-1700

to be \$211.36, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED THIRTY FIVE AND 36/100 DOLLARS (\$235.36). The City Council finds that the work was completed on the 14th day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED THIRTY FIVE AND 36/100 DOLLARS (\$235.36) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

5300 Pete Payan Drive, more particularly described as Lot(s) 1  
(4062.58 SQ FT), Block 8, Rubin Heights #2 Rpl A (Amend Plat)  
Subdivision, El Paso, El Paso County, Texas, Parcel #R874-999-0080-  
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to be \$148.09, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY TWO AND 09/100 DOLLARS (\$172.09). The City Council finds that the work was completed on the 30th day(s) of December 2009 and 4th day(s) of Janaury, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY TWO AND 09/100 DOLLARS (\$172.09) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso City Code, entitled Abatement, PETRA V. & 5 SOTO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

516 S Walnut Street, more particularly described as Lot(s) 111, Block 1, Bischoff Subdivision, El Paso, El Paso County, Texas, Parcel #B497-999-0010-7100

to be \$133.54, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FIFTY SEVEN AND 54/100 DOLLARS (\$157.54). The City Council finds that the work was completed on the 3rd day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY SEVEN AND 54/100 DOLLARS (\$157.54) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

1419 E Yandell Drive, more particularly described as Lot(s) 28 & 29 (6000 SQ FT), Block 61, Franklin Heights Subdivision, El Paso, El Paso County, Texas, Parcel #F607-999-0610-8100

to be \$252.74, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED SEVENTY SIX AND 74/100 DOLLARS (\$276.74). The City Council finds that the work was completed on the 1st day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED SEVENTY SIX AND 74/100 DOLLARS (\$276.74) 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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**3F.**

**\*RESOLUTION**

That the Mayor be authorized to sign an Affiliation Agreement (the "Agreement") by and between the City of El Paso (the "City") and the El Paso County Hospital District, D/B/A University Medical Center of El Paso ("Hospital"), for the Fire Department Training Academy accredited EMT-Basic course clinical training for the Fire Department employees.

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**4. SPECIAL APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Tiffany A. Quindt as Chief Prosecutor effective June 21, 2010.

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**5. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Seam Chow to the Construction Board of Appeals by Representative Susie Byrd, District 2.

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**6. APPLICATIONS FOR TAX REFUNDS**

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

- A. Hart & Cooley, in the amount of \$33,212.90 overpayment of 2009 taxes. (PID #006R-000-0000-0010).
- B. Chase Home Finance LLC in the amount of \$7,652.05 overpayment of 2009 taxes. (PID #B742-999-0020-3400).
- C. Mayela Serrano in the amount of \$3,003.18 overpayment of 2007 taxes. (PID #C518-999-1440-3100).
- D. Citimortgage in the amount of \$6,129.03 overpayment of 2009 taxes. (PID #N425-999-0320-5600).
- E. First American Real Estate Tax Service in the amount of \$2,778.22 overpayment of 2009 taxes. (PID #P863-999-0140-5510).
- F. Chase Home Finance, LLC in the amount of \$2,946.70 overpayment of 2009 taxes. (PID #P585-000-0100-1900).
- G. XIN MA in the amount of \$11,884.40 overpayment of 2009 taxes. (PID #R460-999-0390-4600).
- H. Carmen Leano in the amount of \$3,827.15 overpayment of 2009 taxes. (PID #S075-000-0090-04B4).

- I. Chase Home Finance in the amount of \$3,445.56 overpayment of 2009 taxes. (PID #V897-999-0540-2900).

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**7A. REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager of Financial Services, Purchasing Division, to issue a Purchase Order to M&S Technologies, a State Department of Information Resources (DIR) contractor under DIR Contract DIR-SDD-488 for Fortinet web appliance software that blocks access to harmful, inappropriate, and dangerous websites in the amount of \$112,180.25.

The participation by the City of El Paso in the Department of Information Resources (DIR) was approved by the Mayor and City Council on February 27, 2007.

Department: Information Technology  
Funding Source IT Capitol Acquisitions  
Total Estimated Amount: \$112,180.25  
Reference No.; 2010-222

Representatives Quintana and O'Rourke commented.

Ms. Joyce Wilson, City Manager and Mr. Art Armas, Director of Information Technology, commented.

.....  
**7B. REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager of Financial Services, Purchasing Division, to issue a Purchase Order to INX, Inc. a State Department of Information Resources (DIR) contractor under Contract Number DIR-SDD-239 to expand existing wireless coverage at City Hall and deploy wireless communications at the El Paso Art Museum (Downtown) and the El Paso History Museum, Richard Burges, Esperanza Acosta Moreno, Dorris Van Doren Libraries, and Mission Valley and Northeast Regional Command Centers in the estimated amount of \$89,186.13.

The participation by the City of El Paso in the Department of Information Resources (DIR) was approved by the Mayor and City Council on February 27, 2007.

Department: Information Technology  
Funding Source FY09 Action Plan Funds  
Total Estimated Amount: \$89,186.13  
Reference No.; 2010-220

Representatives Acosta, Holguin and O'Rourke commented.

Mr. Art Armas, Director of Information Technology, commented.

.....  
**7C. REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager of Financial Services, Purchasing Division, to issue a Purchase Order to INX, Inc. under the Department of Information Resources (DIR) Contract Number DIR-SDD-239 for the purchase of Cisco switches for replacements, upgrades, and additions in the estimated amount of \$58,901.65.

The participation by the City of El Paso in the Department of Information Resources (DIR) was approved by the Mayor and City Council on February 27, 2007.

Department: Information Technology  
Funding Source: FY09 Action Plan Funds  
Total Estimated Amount: \$58,901.65  
Reference No.: 2010-221

.....  
**8. INTRODUCTION**

Motion made by Representative Ortega, seconded by Representative Robinson, 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:

An Ordinance changing the zoning of a portion of Lots 2 and 3, Block 2, Pan American Center for Industry Unit One, City of El Paso, El Paso County, Texas from M-1/SC/SP (Light Manufacturing/Special Contract/Special Permit) to C-3/SC/SP (Commercial/Special Contract/Special Permit). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON JUNE 22, 2010, FOR THE ITEM**  
.....

**9A. ENGINEERING**

Motion made by Representative Quintana, seconded by Representative Robinson, and unanimously carried to **APPROVE** the award of Solicitation No. 2010-112 for the ITS Expansion Phase I to Tri-State Electric, LTD., for Base Bid 1 with Alternate 1 \$261,731.25; Base Bid 2 with Alternate 2 \$316,712.50; Base Bid 3 with Alternate 3 \$912,340.65; Bid Option 1 \$18,990.00; Bid Option 2 \$ 70,610.50 and Bid Option 3 plus Alternate to Bid Option 3 \$392,578.50 for a total estimated amount of \$1,972,963.40.

Department: Engineering  
Award to: Tri-State Electric, Ltd.  
Base Bid 1 with Alternate 1 \$261,731.25  
Base Bid 2 with Alternate 2 \$316,712.50  
Base Bid 3 with Alternate 3 \$912,340.65  
Bid Option 1 \$ 18,990.00  
Bid Option 2 \$ 70,610.50  
Bid Option 3 plus Alternate Bid Option 3 \$392,578.50  
Funding Source: Congestion Mitigation and Air Quality (CMAQ - TXDOT)  
Total Award: \$1,972,963.40

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

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the

work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a low bid, unit-price contract. The Engineering Department recommends award as indicated to the lowest responsible bidder.

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

Representatives Quintana, O'Rourke and Byrd commented.

Mr. Ted Marquez, Engineering Division Manager, commented.

.....  
**9B. ENGINEERING**

Motion made by Representative O'Rourke, seconded by Representative Ortega, and unanimously carried to **APPROVE** that the City be authorized to enter into negotiations with Urban Associates, Inc., who submitted the highest ranked proposal for the International Bridges – Stanton Toll Facility and Paso del Norte Facility Improvements project, as per recommendations from the International Bridges and Engineering Department. This project was bid as a Competitive Sealed Proposal and the statute allows contract negotiations regarding the scope and price of a project with the selected offeror.

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

Mayor Cook and Representatives O'Rourke and Robinson commented.

Mr. Alan Shubert, City Engineer, commented.

.....  
**10A.**

**ORDINANCE 17335**

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO RELEASE THE SPECIAL CONTRACT IMPOSED ON PROPERTY BY ORDINANCE NO. 8888 WHICH CHANGED THE ZONING OF TRACTS 1R AND 1S, BLOCK 5, ASCARATE GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

Mayor Cook commented.

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

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

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

10B.

**ORDINANCE 17336**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON10-00007, TO PERMIT AN ASSISTED LIVING FACILITY, ON THE PROPERTY DESCRIBED AS LOT 1, BLOCK 1, LAS TRES MARIAS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, and Ortega

NAYS: None

NOT PRESENT FOR THE VOTE: Representative O’Rourke

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

.....  
11.

**ORDINANCE 17337**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A LEASE AGREEMENT BETWEEN THE CITY OF EL PASO AND WOODWORKERS CLUB OF EL PASO, TEXAS, INC., FOR THE LEASE OF THE PROPERTY AT 3228 SACRAMENTO AVENUE, EL PASO, TEXAS, FOR A TERM OF TWENTY (20) YEARS, WITH ONE RENEWAL OPTION FOR AN ADDITIONAL TEN (10) YEARS.**

Ms. Liza Ramirez-Tobias, Capital Assets 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, Acosta, Robinson, Quintana, Holguin, and Ortega

NAYS: None

NOT PRESENT FOR THE VOTE: Representative O’Rourke

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

.....  
ITEMS TAKEN TOGETHER

12A.

**ORDINANCE 17338**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING EL PASO CITY CODE, TO UNIFORMLY DEFINE AND USE THE TERMS "LEGAL HOLIDAY" AND "CITY OBSERVED HOLIDAY" WITHIN THE CITY CODE, TO DEFINE THE TERMS BY AMENDING TITLE 1 (GENERAL PROVISIONS), SECTION 1.40.030 (DEFINITIONS AND RULES OF CONSTRUCTION); TO CHANGE THE WORD "HOLIDAYS" TO "LEGAL HOLIDAYS" BY AMENDING TITLE 5 (BUSINESS TAXES, LICENSES AND REGULATIONS) SECTION 5.44.040 (REGISTRATION – FORM – FILING), TITLE 9 (HEALTH AND SAFETY) SECTION 9.40.120 (EXEMPTIONS), TITLE 12 (VEHICLES AND TRAFFIC) SECTIONS 12.52.060 (STOPPING, STANDING OR PARKING PROHIBITED DURING CERTAIN HOURS ON ANY DAY), 12.88.170 (SCHEDULE XVI-PARKING LIMITED ON CERTAIN STREETS ON ALL DAYS), 12.88.180 (NO STOPPING OR STANDING-TOW-AWAY ZONE), AND 12.88.190 (NO STOPPING OR STANDING AT ANY TIME), TITLE 14 (AIRCRAFT AND AIRPORTS) SECTION 14.20.250 (METERS), AND TITLE 18 (BUILDING AND CONSTRUCTION) SECTION 18.02.103.1.1.8 (EMERGENCY WORK); TO CHANGE THE WORD "HOLIDAYS" TO "CITY OBSERVED HOLIDAYS" BY AMENDING TITLE 18, SECTION 18.02.109.1.1.5 (NON-BUSINESS HOURS INSPECTION FEE); AND TO ELIMINATE OTHER SEPARATE DEFINITIONS OF "LEGAL HOLIDAY" BY AMENDING TITLE 12, SECTION 12.44.170 AND TITLE 13 (STREETS, SIDEWALKS AND PUBLIC PLACES) SECTIONS 13.28.010 AND 13.36.010.**

12B.

**ORDINANCE 17339**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (CLASSIFICATION AND COMPENSATION PLAN) TO AMEND SECTION 4.6 LEGAL HOLIDAYS, CLARIFYING THE HOLIDAYS OBSERVED BY THE CITY, AND THE MANNER IN WHICH HOLIDAYS OBSERVED BY THE CITY ARE ADMINISTERED FOR ACCRUAL AND PAYMENT TO CITY EMPLOYEES.**

12C.

**ORDINANCE 17340**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8065, CIVIL SERVICE RULES AND REGULATIONS, AMENDING RULE 1, (CIVIL SERVICE COMMISSION) SECTION 5, TO PROVIDE FOR SELECTION OF THE CHAIR OF COMMITTEES APPOINTED BY THE CIVIL SERVICE COMMISSION; AMENDING RULE 4 (CLASSIFICATION) SECTION 4, CHANGING "AN" TO "A"; AMENDING RULE 6 (CERTIFICATION) DECREASING THE NUMBER OF WAIVERS FROM 5 TO 3; AMENDING RULE 13 (LEAVE OF ABSENCE, RESIGNATION, SICK LEAVE AND VACATIONS) TO PROVIDE FOR SPECIAL LEAVE BASED ON OPERATIONAL NECESSITY, AS DETERMINED BY THE CITY MANAGER, AND TO PROVIDE FOR REQUIRED TESTING OF UNIFORMED EMPLOYEES REQUESTING REINSTATEMENT TO THE POLICE DEPARTMENT; AND AMENDING RULE 25 (DRIVER SAFETY STANDARDS) SECTION 3, TO ADD THE REQUIREMENT TO REPORT AN OUTSTANDING TRAFFIC WARRANT BY EMPLOYEES WITH DRIVING DUTIES; AS APPLICABLE TO THE CIVIL SERVICE SYSTEM OF THE CITY OF EL PASO AND CITY EMPLOYEES.**

The following City staff members commented:

1. Ms. Elaine Hengen, Senior City Attorney gave legal advice.
2. Ms. Linda Ball Thomas, Director of Human Resources

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, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke  
NAYS: None

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

13.

**RESOLUTION**

**WHEREAS**, on June 23, 2009, the City Council for the City of El Paso adopted a Final Action Plan for 2009-2010 for the Consolidated Plan 2005-2010, including the 35th Year (2009-2010) Community Development Block Grant (CDBG) Program, and on the same date authorized the City Manager to sign and submit to the United States Department of Housing and Urban Development (HUD) the Annual Action Plan (2009-2010) and all certifications contained therein; and

**WHEREAS**, the City Council, based on the recommendation of the Director of the Community and Human Development Department and Department staff, now desires to amend the Annual Action Plan (2009-2010) and 35th Year (2009-2010) CDBG Program Budget by adding one planning activity; and

**WHEREAS**, on April 26, 2010, the City of El Paso published in the El Paso Times and El Diario newspapers public notice and allowed a 30-day public comment period regarding the proposed amendment to the Annual Action Plan (2009-2010) and 35th Year (2009-2010) CDBG Program Budget and City Council has duly considered public comment, if any; and

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

- 1. That the Annual Action Plan (2009-2010) and 35th Year (2009-2010) CDBG Program Budget is hereby amended as follows:

The new planning activity, Analysis of Impediments to Fair Housing Choice - \$50,000 **(All Districts)** is added; to provide funding for a study, in which the final product will be an assessment of how laws, government policies, real estate practices and local conditions affect the location, availability and accessibility of housing in El Paso. The analysis will include impediments and barriers to fair housing choice on the basis of race, color, religion, sex, disability, familial status or national origin; and

- 2. That the City Manager be authorized to take any actions necessary to accomplish the intent of this resolution upon approval by the City Attorney's Office and Director of Community and Human Development Department.

Mayor Cook and Representatives O'Rourke, Robinson and Quintana commented.

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

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

**14. DEVELOPMENT SERVICES**

\*Motion made, seconded, and unanimously carried to **POSTPONE** four weeks the Historic Landmark Commission's request that the City Council initiate the rezoning of the property located at 500 S. Hills Street

from A-3 (Apartment) to A-3/H (Apartment/Historic) and that the necessary funds be allocated and documents prepared to process such rezoning application pursuant to city code section 20.20.040.

15.

**RESOLUTION**

**WHEREAS**, The City Council passed a resolution on November 9, 1999 adopting an apprenticeship program for city building construction projects (the “1999 Resolution”); and

**WHEREAS**, The purpose of the apprenticeship program is to require that only journeyman and apprentices registered in an apprentice program certified by the United States Department of Labor (DOL) perform work on applicable city construction projects in order to ensure both quality construction work as well as providing training opportunities; and

**WHEREAS**, A DOL certified apprenticeship program requirement is consistent with the state prevailing wage rate law.

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

That the following apprenticeship program is adopted, replacing the apprentice program adopted in the 1999 resolution:

1. City construction contracts shall require that the construction contractors performing work for the City and their sub-contractors for such contract shall participate in a DOL certified apprenticeship program when the work required under the contract includes work that must be performed by apprenticeable occupations and the work involving such apprenticeable occupation has a value of fifty thousand dollars or more. The apprenticeable occupations are those listed in exhibit “A” attached to this resolution.
2. When applicable, the contractor must hire registered apprentices enrolled in a DOL certified apprenticeship program.
3. The contractor shall not substitute unregistered apprentices to perform apprentice level work in place of registered apprentices.
4. The contractor shall pay wage rates and benefits for apprentices at the rate determined by the DOL apprenticeship program.
5. The contractor shall comply with the DOL requirements governing the ratio of apprentices to journeymen.
6. The City Engineer may evaluate the availability of DOL certified apprentices as necessary and adjust the schedule of apprenticeable occupations listed in exhibit “A” as such apprenticeable occupations are available within the community.
7. Construction contracts shall provide that noncompliance of the contract provisions concerning the apprenticeship participation may be a basis to terminate the construction contract, which shall be referred to the City Council for determination.
8. Prior to the start of the work of the applicable apprenticeable occupations listed in Exhibit “A” the contractor or the applicable subcontractor shall provide written certification to the city that it is a sponsor or participant in a DOL approved apprenticeship program.

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

Representatives Ortega and Robinson commented.

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

Mr. John Ruiz, representing the construction industry, commented.

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

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

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

Motion made by Representative Ortega, seconded by Representative Robinson, and unanimously carried to **APPROVE AS REVISED** a Resolution to update the City of El Paso Apprenticeship program policies and that all findings of non-compliance are brought back to City Council.

.....  
The City Council Meeting **RECESSED** at 10:27 a.m. and **RECONVENED** at 12:03 p.m.  
.....

**16. CITY MANAGER:**

City Manager’s report of current events and issues:

Discussion and action on proposed amendments to the Solid Waste Management Regulations in Title 9.04 incorporating flow control, franchise fees and other related issues.

Ms. Ellen Smyth, Director of Environmental Services and Mr. Scott Pasternak, RW Beck Consultants, presented a PowerPoint presentation (on file in the City Clerk’s office).

Mr. Lee Wilson and Mr. John Fields, El Paso Disposal and Camino Real Environmental Center, presented a PowerPoint presentation (on file in the City Clerk’s office).

Mayor Cook and Representatives Byrd, Acosta, Robinson, Ortega and O’Rourke commented.

The following City staff members commented:

- 1. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 2. Mr. Marty Howell, Sustainability Manager

The following members of the public commented:

- 1. Mr. Richard Dayoub, President & CEO of the Greater El Paso Chamber of Commerce
- 2. Mr. Bill Addington, Sierra Club
- 3. Mr. Phil Kowalski, Shaw Environmental
- 4. Ms. Bonnie Dominguez, El Paso Restaurant Association, Moe’s Restaurant owner
- 5. Mr. Rick Soto, President of El Paso Apartment Association
- 6. Mr. Robert Cornell, owner Bagel Shop
- 7. Mr. Larry Trejo, Executive Director, Association of General Contractors
- 8. Mr. Ray Baca, Monterrey Asset Management
- 9. Mr. George Wayne, Waste Connections
- 10. Mr. Ralph Padilla, Socorro Independent School District
- 11. Ms. Bea Heist, Heist Disposal
- 12. Ms. Heather McMurray, Sunland Park Grassroots Environmental Group and Sierra Club

13. Ms. Marina Chew, Sunland Park Grassroots Environmental Group

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

Motion made by Representative Lilly, seconded by Representative Byrd, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 12:55 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

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

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to **ADJOURN** the Executive Session at 1:07 p.m. and **RECONVENE** the meeting of the City Council.

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

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Motion made by Representative Robinson, seconded by Representative Holguin, and unanimously carried to **ADJOURN** this meeting at 2:48 p.m.

NOT PRESENT FOR THE VOTE: Representative Ortega

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APPROVED AS TO CONTENT:

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Richarda Duffy Momsen, City Clerk