

**JOHN F. COOK**  
MAYOR



**JOYCE WILSON**  
CITY MANAGER

**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

**REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
JULY 7, 2009  
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:37 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Emma Acosta, Carl Robinson, Rachel Quintana, Steve Ortega, and Beto O'Rourke. Late arrivals: Eddie Holguin, Jr. at 8:39 a.m. during Executive Session deliberations and Ann Morgan Lilly at 8:45 a.m. during Executive Session deliberations. The invocation was given by Reverend Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

**MAYOR'S PROCLAMATIONS**

- 1. NATIONAL PARKS AND RECREATION MONTH**
- 2. TOM LEA MONTH**
- 3. TEAM ALCHEMY KARATE WEEK**

**RECOGNITIONS**

- 1. Gretchen Trominski - Texas Library Association "Outstanding Services to Libraries" Award**
- 2. Keep El Paso Beautiful - 2009 Governor's Community Achievement Award**
- 3. El Paso Municipal Court - 2009 Traffic Safety Initiatives Award from Texas Department of Public Safety and the Texas Municipal Courts Education Center**
- 4. Gabriela Valle - 2009 Texas Municipal Court Support Personnel of the Year Award from the Texas Municipal Courts Association**
- 5. Justin Churchman (Mayor's Top 100 Teens) - Distinguished Finalist in the Prudential Spirit Community Award, President's Volunteer Service Award and the All American Service Team 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. Matt Carroll
- 2. Mr. Steven Strumer
- 3. Ms. Esther Perez

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 Motion made by Representative Quintana, seconded by Representative Byrd, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:37 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

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

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

NOT PRESENT FOR THE VOTE: Representatives Lilly and Holguin

Motion made by Representative Robinson, seconded by Representative Byrd, and unanimously carried to adjourn the Executive Session at 9:00 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Lilly, Acosta, and Holguin

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**EX1.** City of El Paso vs. Joseph "Sib" Abraham; Cause No. 2006-2480. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Robinson, and carried to authorize the City Manager to **SIGN AN AGREEMENT**, approved as to form by the City Attorney's Office, extending the closing date for the sale of Lot 7, Block 6, Northgate Replat "C", an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 62, Page 45, Real Property Records, El Paso, El Paso County, Texas.

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

NAYS: None

ABSTAIN: Representative Byrd

NOT PRESENT FOR THE VOTE: Representative O'Rourke

Mayor Cook and Representatives Byrd, Holguin, Robinson, and Quintana commented.

Ms. Joyce Wilson, City Manager, commented and Ms. Theresa Cullen, Deputy City Attorney, gave legal advice.

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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 June 23, 2009.

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

**NO ACTION** was taken on this item.  
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**3A.**

**\*RESOLUTION**

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

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

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

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

1401 Desierto Rico, more particularly described as Lot(s) 11 (6999.17 Sq Ft), Block 73, West Hills #19 Subdivision, El Paso, El Paso County, Texas, Parcel #W145-999-0730-1100

to be \$253.31, 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 SEVEN AND 31/100 DOLLARS (\$277.31). The City Council finds that the work was completed on the 16th day(s) of January, 2009, 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 SEVEN AND 31/100 DOLLARS (\$277.31) 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.

**\*RESOLUTION**

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

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

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

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

216 Placida Street, more particularly described as Lot(s) 1 (5461 Sq Ft), Block 7, Borderland Heights Subdivision, El Paso, El Paso County, Texas, Parcel #B690-999-0007-0001

to be \$473.05, 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 FOUR HUNDRED NINETY SEVEN AND 05/100 DOLLARS (\$497.05). The City Council finds that the work was completed on the 27th day(s) of January, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FOUR HUNDRED NINETY SEVEN AND 05/100 DOLLARS (\$497.05) 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 Municipal Code, entitled Abatement, MARIA E. MATA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

5517 Woodfield, more particularly described as Lot(s) 17 (20124.00 Sq Ft), Block 1, Emerald Valley Estates Replat A Subdivision, El Paso, El Paso County, Texas, Parcel #E750-999-0010-1700

to be \$252.22, 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 22/100 DOLLARS (\$276.22). The City Council finds that the work was completed on the 25th day(s) of January, 2009, 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 SIX AND 22/100 DOLLARS (\$276.22) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

3804 Edgar Park, more particularly described as W 35 Ft of Lot 4 & E 30 Ft of Lot 5, Huntington Park Subdivision, El Paso, El Paso County, Texas, Parcel #H931-999-0000-3300

to be \$441.12, 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 FOUR HUNDRED SIXTY FIVE AND 12/100 DOLLARS (\$465.12). The City Council finds that the work was completed on the 15th day(s) of January, 2009, 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 FIVE AND 12/100 DOLLARS (\$465.12) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

3509 Kemp Avenue, more particularly described as Lot(s) 11 & 12 (6000 Sq Ft),  
Block 84-B, Logan Heights Subdivision, El Paso, El Paso County, Texas, Parcel  
#L447-999-084B-4600

to be \$168.00, 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 TWO AND 00/100 DOLLARS (\$192.00). The City Council finds that the work was completed on the 6th day(s) of January, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED NINETY TWO AND 00/100 DOLLARS (\$192.00) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

#### **\*RESOLUTION**

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

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

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

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

132 - 134 Champie, more particularly described as Tract 18-E-8 (.281 ACRE),  
Block 24, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel #Y805-  
999-024B-1858

to be \$340.99, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED SIXTY FOUR AND 99/100 DOLLARS (\$364.99). The City Council finds that the work was completed on the 28<sup>th</sup> and 29<sup>th</sup> day(s) of October, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED SIXTY FOUR AND 99/100 DOLLARS (\$364.99) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

7705 Phoenix, more particularly described as Tract 1-R (0.241 Acre) &  
Tract 1-S (0.241 Acre) (0.482 Acre), Block 5, Ascarate Subdivision, El  
Paso, El Paso County, Texas, Parcel #A765-999-005F-0162

to be \$248.43, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED SEVENTY TWO AND 43/100 DOLLARS (\$272.43). The City Council finds that the work was completed on the 28th day(s) of January, 2009, 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 TWO AND 43/100 DOLLARS (\$272.43) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

Lot(s) 31, Block 6, Womble Subdivision, City of El Paso, El Paso County, Texas, Parcel #W813-999-0060-6100.

to be \$237.07, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED SIXTY ONE AND 07/100 DOLLARS (\$261.07). The City Council finds that the work was completed on the 21st day(s) of January, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED SIXTY ONE AND 07/100 DOLLARS (\$261.07) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

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

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

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

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

9301 Dyer, more particularly described as Pt of Lot 3 Beg 301.72' SW of  
NEC (303.13' on St-173.00' on SWLY 303.13' on NWLY-173.00' on  
NELY (52442.00 Sq Ft), Block 5, Castner Range Subdivision, El Paso, El  
Paso County, Texas, Parcel #C232-999-0050-4050

to be \$1,239.26, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE THOUSAND TWO HUNDRED SIXTY THREE AND 26/100 DOLLARS (\$1,263.26). The City Council finds that the work was completed on the 12th & 15th day(s) of December, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE THOUSAND TWO HUNDRED SIXTY THREE AND 26/100 DOLLARS (\$1,263.26) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

10073 Foothill Drive, more particularly described as Lot(s) 20 (7000 SQ FT),  
Block 5, Mystic Heights Subdivision, El Paso, El Paso County, Texas, Parcel  
#M996-999-0050-3900

to be \$159.49, 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 THREE AND 49/100 DOLLARS (\$183.49). The City Council finds that the work was completed on the 15th day(s) of January, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED EIGHTY THREE AND 49/100 DOLLARS (\$183.49) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

6041 Morning Glory, more particularly described as ELY 35.80 Ft OF WLY  
101.10 Ft of Lot(s) 4, Block 2, Summer Field Subdivision, El Paso, El Paso  
County, Texas, Parcel #S775-999-0020-0390

to be \$76.25, 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 AND 25/100 DOLLARS (\$100.25). The City Council finds that the work was completed on the 15th day(s) of December, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED AND 25/100 DOLLARS (\$100.25) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

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

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

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

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

5713 Sanders, more particularly described as Lot(s) 9, Block 14, Skyview  
Subdivision, El Paso, El Paso County, Texas, Parcel #S502-999-0140-  
3300

to be \$330.16, 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 THREE HUNDRED FIFTY FOUR AND 16/100 DOLLARS (\$354.16). The City Council finds that the work was completed on the 30th day(s) of January, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED FIFTY FOUR AND 16/100 DOLLARS (\$354.16) 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 Municipal Code, entitled Abatement, GEORGE G. & HILDA D. MEAD, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the

accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

10217 Sherwin Way, more particularly described as Lot(s) 262, Block 10,  
Yucca Village Subdivision, El Paso, El Paso County, Texas, Parcel #Y906-  
999-0100-1600

to be \$319.34, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED FORTY THREE AND 34/100 DOLLARS (\$343.34). The City Council finds that the work was completed on the 30th day(s) of January, 2009, 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 FORTY THREE AND 34/100 DOLLARS (\$343.34) 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.

**\*RESOLUTION**

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

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

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

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

3537 Dragon Crest, more particularly described as Lot(s) 23 (5881.60 Sq  
Ft), Block 46, Vista Real #4 Subdivision, El Paso, El Paso County, Texas,  
Parcel #V927-999-0460-2300

to be \$70.09, 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 NINETY FOUR AND 09/100 DOLLARS (\$94.09). The City Council finds that the work was completed on the 5th day(s) of January, 2009, 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 NINETY FOUR AND 09/100 DOLLARS (\$94.09) 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 Municipal Code, entitled Abatement, BENJAMIN & LUPE VEGA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

11441 Lindenwood Avenue, more particularly described as Lot(s) 22, Block 5,  
Kimberly Heights Subdivision, El Paso, El Paso County, Texas, Parcel #K383-  
999-0050-2200

to be \$163.46, 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 SEVEN AND 46/100 DOLLARS (\$187.46). The City Council finds that the work was completed on the 21st day(s) of January, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED EIGHTY SEVEN AND 46/100 DOLLARS (\$187.46) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

#### **\*RESOLUTION**

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

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

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

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

324 Milton Road #C, more particularly described as Lot(s) S 90 Ft of Lot 7, Block 2, North Loop Gardens #2 Subdivision, El Paso, El Paso County, Texas, Parcel #N446-999-0020-2300

to be \$202.76, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED TWENTY SIX AND 76/100 DOLLARS (\$226.76). The City Council finds that the work was completed on the 26th day(s) of January, 2009, 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 SIX AND 76/100 DOLLARS (\$226.76) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

Tract 11-A (5.00 Acres), Block 7, Ysleta Subdivision, City of El Paso, El Paso County, Texas, Parcel #Y805-999-0070-1050.

to be \$897.39, 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 NINE HUNDRED TWENTY ONE AND 39/100 DOLLARS (\$921.39). The City Council finds that the work was completed on the 20<sup>th</sup> & 22<sup>nd</sup> day(s) of January, 2009, 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 TWENTY ONE AND 39/100 DOLLARS (\$921.39) 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.

**\*RESOLUTION**

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

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

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

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

Tract 1-B-23-A (2.3244 AC), Block 6, Ascarate Subdivision, City of El Paso, El Paso County, Texas, Parcel #A765-999-006B-0159.

to be \$490.37, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of FIVE HUNDRED FOURTEEN AND 37/100 DOLLARS (\$514.37). The City Council finds that the work was completed on the 13th day(s) of January, 2009, and approves the costs described herein.

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

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, EDEL & MARIA 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 Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

Pt of Tract 100 (Irreg on ELY-99.74 Ft on SLY-251.97 FT on NWLY-Irreg on NLY) (15941.73 SQ FT), Cinecue Park Subdivision, City of El Paso, El Paso County, Texas, Parcel #C572-999-0010-1350.

to be \$166.30, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY AND 30/100 DOLLARS (\$190.30). The City Council finds that the work was completed on the 21st day(s) of January, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED NINETY AND 30/100 DOLLARS (\$190.30) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

#### **\*RESOLUTION**

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

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

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

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

NLY PT OF LOT 1 (175.54 ON W, 143.42 ON NW, 316.56 ON NE, 85.79 FT ON SE, 150 ON S) (41172.93 SQ FT), Block 1, Yarbrough Village Subdivision, City of El Paso, El Paso County, Texas, Parcel #Y700-999-0010-0100.

to be \$98.02, 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 TWENTY TWO AND 02/100 DOLLARS (\$122.02). The City Council finds that the work was completed on the 23rd day(s) of January, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED TWENTY TWO AND 02/100 DOLLARS (\$122.02) 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.

**\*RESOLUTION**

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

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

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

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

Lot(s) 5 Pt of Lot(s) 1 (150' on N - 392.10' & 9.15' on W - 261.58'on S - 205' & 68.81' on E) (62427.83 SQ FT), Block 2, Yarbrough Village Subdivision, City of El Paso, El Paso County, Texas, Parcel #Y700-999-0020-0110

to be \$102.57, 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 TWENTY SIX AND 57/100 DOLLARS (\$126.57). The City Council finds that the work was completed on the 23rd day(s) of January, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED TWENTY SIX AND 57/100 DOLLARS (\$126.57) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

Tract 10-C (1.8739 AC), Block 6, Ysleta Subdivision, City of El Paso, El Paso County, Texas, Parcel #Y805-999-0060-1020.

to be \$726.36, 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 SEVEN HUNDRED FIFTY AND 36/100 DOLLARS (\$750.36). The City Council finds that the work was completed on the 6th day(s) of January, 2009, 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 SEVEN HUNDRED FIFTY AND 36/100 DOLLARS (\$750.36) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

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

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

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

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

Tract 23-G (5.8672 AC), Block 54, Ysleta Subdivision, City of El Paso, El Paso County, Texas, Parcel #Y805-999-054E-2360.

to be \$1,803.32, 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 ONE THOUSAND EIGHT HUNDRED TWENTY SEVEN AND 32/100 DOLLARS (\$1,827.32). The City Council finds that the work was completed on the 12<sup>th</sup>, 14<sup>th</sup> & 16<sup>th</sup> day(s) of January, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE THOUSAND EIGHT HUNDRED TWENTY SEVEN AND 32/100 DOLLARS (\$1,827.32) 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 Municipal Code, entitled Abatement, ANTONIO ESPINOZA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

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

to be \$315.01, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED THIRTY NINE AND 01/100 DOLLARS (\$339.01). The City Council finds that the work was completed on the 31st day(s) of December, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED THIRTY NINE AND 01/100 DOLLARS (\$339.01) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

644 Frontera, more particularly described as Lot(s) 10 (10287.69 SQ FT), Block 1, Haciendas San Miguel #1 Subdivision, El Paso, El Paso County, Texas, Parcel #H013-999-0010-1000

to be \$328.00, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED FIFTY TWO AND 00/100 DOLLARS (\$352.00). The City Council finds that the work was completed on the 27th day(s) of January, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED FIFTY TWO AND 00/100 DOLLARS (\$352.00) to be a lien on the above-described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

3530 - 3536 Pera, more particularly described as Lot(s) 17 & 18 (7000 Sq Ft),  
Block 7, East El Paso Subdivision, El Paso, El Paso County, Texas, Parcel  
#E014-999-0070-4100

to be \$174.91, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY EIGHT AND 91/100 DOLLARS (\$198.91). The City Council finds that the work was completed on the 15th day(s) of January, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED NINETY EIGHT AND 91/100 DOLLARS (\$198.91) 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.

.....

**3B.**

**\*RESOLUTION**

That the Mayor be authorized to sign an Interlocal Service Agreement between the City of El Paso, on behalf of the El Paso Public Library, and the Ysleta del Sur Pueblo, Tribal Empowerment Department (“Provider”), to provide an Intern at any branch of the El Paso Public Library through the Provider’s involvement in the Workforce Investment Act of 1998, at no cost to the City.

.....  
**4A. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Rene Jamis to the City Accessibility Advisory Committee by Representative Ann Morgan Lilly, District 1.

.....  
**4B. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Santos Gutierrez, Jr. to the City Accessibility Advisory Committee by Representative Emma Acosta, District 3.

.....  
**5A. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Federico Soforo to the Cultural Affairs Advisory Board by Representative Rachel Quintana, District 5.

.....  
**5B. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Gabriel Martinez to the Information Technology Advisory Board by Representative Beto O’Rourke, District 8.

.....  
**5C. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Mary Elizabeth (Betty) Hoover to the Animal Shelter Advisory Committee by Representative Beto O’Rourke, District 8.

.....  
**5D. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Mary Elizabeth (Betty) Hoover to the Animal Welfare Advisory Committee by Representative Beto O’Rourke, District 8.

.....  
**5E. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Nestor A. Valencia to the History Museum Advisory Board by Representative Emma Acosta, District 3.

.....  
**5F. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Thomas M. Fullerton, Jr. to the Committee on Border Relations by Representative Emma Acosta, District 3.

.....  
**5G. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Loretta Hyde to the Animal Welfare Advisory Committee by Representative Ann Morgan Lilly, District 1.  
.....

**5H. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Loretta Hyde to the Animal Shelter Advisory Committee by Representative Ann Morgan Lilly, District 1.

**5I. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Lois Anne Balin to the Open Space Advisory Board by Representative Carl Robinson, District 4.

**5J. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** James H. Tolbert to the Open Space Advisory Board by Representative Susie Byrd, District 2.

**5K. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Richard L. Thomas to the Open Space Advisory Board by Representative Emma Acosta, District 3.

**6. DISCRETIONARY FUNDS**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** to allocate the use of District 1 discretionary funds in the amount of \$5,000 and District 2 discretionary funds in the amount of \$2,500 to provide additional funding for the contract authorized by the City Council on June 9, 2009, to support the Global Public Policy Forum: The U.S. War on Drugs 1969-2009, to be held on September 20-22, 2009.

**7. APPLICATIONS FOR TAX REFUND**

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

- A. GMAC Mortgage in the amount of \$8,611.24 overpayment of 2006 taxes. (PID #T287-999-0070-1900).
- B. Christopher Alonso in the amount of \$4,280.85 overpayment of 2007 taxes. (PID #T287-999-0410-6400).
- C. American Home Mortgage in the amount of \$2,799.36 overpayment of 2008 taxes. (PID #V225-000-0040-0700).
- D. First American R/E Tax Service in the amount of \$2,600.10 overpayment of 2008 taxes. (PID #V927-999-0120-2700).

.....  
**8A. PURCHASING REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a purchase order to Chastang’s Bayou City Autocar, a Texas Association of School Boards (TASB) BuyBoard contractor under Contract No. 281-07, for two Rear Loader Refuse Trucks in the estimated amount of \$244,402 and to Heil of Texas, a TASB BuyBoard contractor under Contract No. 280-07, for the purchase of two 25-Yard Containers in the estimated amount of \$123,998 for a total estimated amount of \$368,400. The participation by the City of El Paso in the TASB BuyBoard was approved by Mayor and City Council on August 21, 2007.

Department: Environmental Services  
Award to: TASB Contract No. 281-07 – Chastang’s Bayou City Autocar  
(\$244,402 – Chassis and Assembly)  
TASB Contract No. 280-07 – Heil of Texas  
(\$123,998 – 25-Yard Containers)  
Account No.: 34010289 – 508006 - 40403  
Funding Source: Vehicular Equipment  
Total Est. Award: \$368,400  
Reference No.: 2009-272

Representative Robinson commented.

Ms. Joyce Wilson, City Manager, and Mr. Terrence Freiburg, Purchasing Manager, commented.

.....  
**8B. PURCHASING REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a purchase order to El Paso County District Hospital d/b/a Thomason Hospital to purchase medical supplies in the amount of \$75,000, pursuant to the ongoing Interlocal Agreement dated April 30, 1989, between the City of El Paso and the El Paso County Hospital District (R.E. Thomason General Hospital)

Department: Fire  
Account No.: 22010320 – 503112 – 01101  
Funding Source: Clinical/Medical Supplies

Total Estimated Award: \$75,000  
Reference No.: 2000-153

Mayor Cook and Representatives Robinson and Quintana commented.

Ms. Joyce Wilson, City Manager, and Mr. Terrence Freiburg, Purchasing Manager, commented.

.....  
**9A. – 9D. INTRODUCTIONS**

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

- 9A.** An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses), Subsection C (Exceptions), of the El Paso City Code to add an exception for certain signs on the City’s parkway. The penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code.
- 9B.** An Ordinance vacating a portion of Depot Street, Block 45, Ysleta Grant, City of El Paso, El Paso County, Texas. Location: west of Zaragoza Road and north of Alameda Avenue. Property owner: City of El Paso.
- 9C.** An Ordinance amending Title 12 (Vehicles and Traffic) to amend Chapter 12.08 (Administration and Enforcement), Section 12.08.220 (Impounding Vehicles), of the El Paso City Code by adding Subsection 12.08.220 A.21, authorizing a police officer to impound a motor vehicle stopped for a traffic law violation if the vehicle’s owner or operator fails to show evidence of financial responsibility.
- 9D.** An Ordinance authorizing the City Manager to execute a deed without warranty conveying all right, title and interest in Lot 4, Block 1; Lot 1, Block 2, and Lot 3, Block 2, Las Quintas, El Paso County, Texas, to MJ Real Properties, Inc. in accordance with Section 253.008, Subsections (A) and (B) of the Texas Local Government Code.

**PUBLIC HEARING WILL BE HELD ON JULY 14, 2009, FOR ITEMS 9A – 9D**

.....  
**10. FINANCIAL SERVICES**

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **AWARD** Solicitation No. 2009-192 (Lease of Unmarked Police Vehicles) to Enterprise Leasing Company West and Acme Auto Leasing LLC for a total estimated amount of \$1,464,252.

Department:	Police
Award to:	Enterprise Leasing Company West Albuquerque, NM
Items:	Group I: Automobiles, Items 2-3 Group II: Trucks, Item 2 Group III: Vans, Item 1 Group IV: Special Purpose Vehicles, Items 1 and 3-4 Optional Equipment: Items 1-4 Miscellaneous: Items 1-3
Estimated Annual Amount:	\$420,284
Award to:	Acme Auto Leasing LLC

Items: North Haven, CT  
 Group II: Trucks, Item 4  
 Group IV: Special Purpose Vehicles, Item 2  
 Optional Equipment: Items 1-4  
 Miscellaneous: Items 1-3  
 Option: 1 and 2 year option  
 Estimated Annual Amount: \$67,800  
 Account No.: 21150040 – 502408 – 05446 – G210955  
 21150040 – 502408 – 05447 – G210956  
 21150040 – 502408 – 05448 – G210957  
 21150040 – 502408 – 05449 – G210958  
 21150040 – 502408 – 05450 – G210959  
 21150040 – 502408 – 05451 – G210960  
 21150040 – 502408 – 05452 – G210961  
 21150002 – 502408 – 05948 – G210902  
 Funding Source: High Intensity Drug Trafficking Area (HIDTA) Grant and  
 Auto Burglary and Theft Prevention Authority (ABTPA) Grant  
 Total Estimated Award: \$1,464,252 (3 year total)

This is a thirty-six month contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

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

Representatives Robinson, O'Rourke, and Ortega commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Terrence Freiburg
3. Assistant Police Chief Eric Shelton

Mr. Marcus Taylor, Enterprise Leasing Company West, commented.

.....  
**11A.**

**ORDINANCE 17132**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 1 THROUGH 4, BLOCK 1, PONCE ESTATES, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3/SC (RESIDENTIAL/SPECIAL CONTRACT) TO R-5/SC (RESIDENTIAL/SPECIAL CONTRACT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Representative Ortega commented.

Motion duly made by Representative Ortega, seconded by Representative Quintana, 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**.

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

Motion made by Representative Holguin, seconded by Representative Quintana, and unanimously carried to **POSTPONE** two weeks the public hearing on an Ordinance granting Special Permit No. ZON09-00007 to allow for the construction of a ground-mounted personal wireless telecommunication facility and equipment shelter on the property described as a portion of Lot 1, Block 441, Vista Del Sol Unit Eighty Four, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.455 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).

Mayor Cook and Representative Holguin commented.

Mr. Lester Gutierrez, Verizon Wireless, commented.

.....  
**11C.**

**ORDINANCE 17133**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 8A, BOOTHVILLE SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH AND FARM) TO R-3 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Representative Ortega commented.

Motion duly made by Representative Ortega, seconded by Representative Quintana, 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**.

11D.

**ORDINANCE 17135**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 7D, FIRST SUPPLEMENTAL MAP OF PARKLAND ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-4 (RESIDENTIAL) TO A-1 (APARTMENT) AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

Mayor Cook and Representatives Robinson, Holguin, and Byrd commented.

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

Mr. Carlos Jimenez, representing the applicant, commented.

The following members of the public commented:

- 1. Ms. Kathleen Whelen
- 2. Mr. Joshua Ditlevson
- 3. Ms. Laura Ditlevson
- 4. Mr. Benjamin Ditlevson

Motion duly made by Representative Robinson, seconded by Representative Byrd, that the Ordinance be **ADOPTED, WITH CONDITIONS**. 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, WITH CONDITIONS**.

.....  
11E.

**ORDINANCE 17136**

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF A 20' WIDE ALLEY, BLOCK 1, MILLS MAP, CITY OF EL PASO, EL PASO COUNTY, TEXAS. LOCATION: EAST OF EL PASO STREET AND NORTH OF MAIN STREET.**

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

AYES: Representatives Lilly, Byrd, 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**.

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11F.

**RESOLUTION**

**WHEREAS**, Barth Family, Ltd., (the "Applicant") has applied for approval of a detailed site development plan pursuant to a zoning condition, which requires City Plan Commission and City Council approval, to permit the construction and development of a retail building, with a 15-foot setback along the northerly property line and a height limitation to one-story structures; and

**WHEREAS**, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

**WHEREAS**, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

**WHEREAS**, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code;

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

1. Pursuant to requirements imposed by a zoning condition, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of a retail building, with a 15-foot setback along the northerly property line and a height limitation to one-story structures, on the following described property which is located in a C-1/SC (Commercial/Special Contract) District:

Lot 1, Block 35, Colonia Verde Unit Six, City of El Paso, El Paso County, Texas

A copy of the approved detailed site development plan, signed by the Applicant, the City Manager, and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-1/SC (Commercial/Special Contract) District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-1/SC (Commercial/Special Contract) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

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

Representative Robinson commented.

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

.....

12A.

**ORDINANCE 17137**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY OF EL PASO TO SELL THE EAST 11.91 FEET OF THE WEST 48.60 OF LOTS 19 AND 20, BLOCK 106, CAMPBELL**

**ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, TO CENTRO DE SALUD FAMILIAR LA FE, INC.**

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  
ABSTAIN: 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**.

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

**ORDINANCE 17138**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY OF EL PASO TO SELL LOTS 1 AND 2, BLOCK 54, GRANDVIEW ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, TO KYRIACOS LOULOUPIDES.**

Ms. Liza Ramirez-Tobias, Capital Assets Manager, commented.

Representatives Byrd and Robinson commented.

Motion duly made by Representative Byrd, seconded by Representative Lilly, that the Ordinance be **ADOPTED, WITH CONDITIONS**. 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, WITH CONDITIONS**.

.....  
**13. PUBLIC HEARING – DEVELOPMENT SERVICES - ANNEXATIONS**

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

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

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

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried **CLOSE THE PUBLIC HEARING**.

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

\*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the public hearing on an Ordinance repealing Ordinance 8397 which established procedures for annexation and amending Title 20 (Zoning), Chapter 20.06 (Zoning Districts and Maps), of the El Paso City Code to establish annexation procedures.

Mayor Cook and Representatives Lilly and Byrd commented.

Ms. Joyce Wilson, City Manager, commented and Mr. Charlie McNabb, City Attorney, gave legal advice. The following members of the public commented:

- 1. Mr. Richard Dayoub, President and Chief Executive Officer of The Greater El Paso Chamber of Commerce
- 2. Ms. Suzy Shewmaker-Hicks, President of the Greater El Paso Association of Realtors
- 3. Mr. Dan Olivas, Dan Olivas and Associates

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**14A. DEVELOPMENT SERVICES – ANNEXATIONS**

\*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the item on discussion and action on a Resolution adopting an Annexation Policy setting out the criteria in which future lands will be considered for annexation into the City of El Paso corporate limits.

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

.....  
**14B.**

**RESOLUTION**

**WHEREAS**, Walnut Creek, LLC is the property owner of 4.96 of real property described in Exhibit "A" that is attached and incorporated for all purposes and which property is not within the corporate limits of any municipality but is contiguous to the corporate limits of the City; and

**WHEREAS**, Property Owner desires that the Property be annexed to the City in order to provide adequate and efficient improvements and facilities; and

**WHEREAS**, the City has determined that if the Property is annexed, such annexation should be subject to certain terms and conditions which will require the Property Owner to assist in bearing the costs for municipal infrastructure costs and costs for providing municipal services to the annexed area; and,

**WHEREAS**, Property Owner, after full consideration, accepts the terms and conditions cited in this Agreement due to the advantages and benefits resulting from the annexation of the Property; and

**WHEREAS**, the City, after due and careful consideration, has concluded that should the City decide to annex the Property the annexation should be under the terms and conditions hereinafter set forth and that such terms and conditions are in the best interest of the City to protect and provide for the public health, safety, morals and general welfare.

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

That the City Manager be authorized to sign an Annexation Agreement between the City and Walnut Creek, LLC, for 4.96 acres of real property located East of Shreya Street and Northeast of Windermere

Avenue which will specify the terms and conditions in which the property will be annexed should the City annex the property.

Mayor Cook and Representatives Byrd and Ortega commented.

Ms. Joyce Wilson, City Manager, and Mr. Mathew McElroy, Deputy Director of Planning, commented.

Mr. Conrad Conde, representing the applicant, commented.

Motion made by Representative Holguin, seconded by Representative Quintana, and unanimously carried to **APPROVE** the Resolution.

.....  
**14C. DEVELOPMENT SERVICES - ANNEXATIONS**

\*Motion made, seconded, and unanimously carried to **DELETE** the item on discussion and action on status of the following annexation agreements and guidance from City Council on provisions and terms to be included in the following annexation agreements.

- River Oaks Properties, Ltd, for 7.161 acres at southeast corner of Zaragoza Road and Gambusino Drive
- River Oaks Properties, Ltd., for 110.253 acres at Joe Battle Boulevard and Vista Del Sol Drive
- River Oaks Properties, Ltd., for 7.256 acres at southeast corner of Joe Battle Boulevard and Windermere Avenue
- River Oaks Properties, Ltd., for 8.070 acres at southwest corner of Montana Avenue and Zaragoza Road
- River Oaks Properties, Ltd., for 10.701 acres at Montana Avenue west of Zaragoza Road
- River Oaks Properties, Ltd., for 2.054 acres at Zaragoza Road and Edgemere Boulevard
- Genagra, LP, for 21.3709 acres at Zaragoza Road south of Pebble Hills Boulevard

Mayor Cook and Representatives Byrd and O'Rourke commented.

Ms. Joyce Wilson, City Manager, commented.

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**15. ENGINEERING**

Discussion and action concerning the list of eligible applications for the Neighborhood Traffic Management Program.

Ms. Kimberly Forsyth, Engineering Lead Planner, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Quintana, Byrd, Ortega, Robinson, and Acosta commented.

Ms. Joyce Wilson, City Manager, and Mr. Ted Marquez, Engineering Division Manager, commented.

Mr. Richard Schechter, citizen, commented.

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

16A.

**RESOLUTION**

**WHEREAS**, pursuant to the provisions of Tax Code Section 6.06, the chief appraiser for the Central Appraisal District of El Paso ("CAD") is required to propose a budget for the following tax year and submit it to the CAD Board of Directors before June 15 of each year; and

**WHEREAS**, the CAD budget for fiscal year 2009-2010 was prepared and submitted to the CAD Board of Directors and the budget was approved by the Board on June 12, 2009; and

**WHEREAS**, the City Council has reviewed the adopted CAD budget for fiscal year 2009-2010 and determined that, pursuant to Tax Code Section 6.06(b), the City desires to disapprove the adopted CAD budget within 30 days of its adoption.

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

That the City Council hereby disapproves the adopted 2009-2010 budget of the Central Appraisal District of El Paso pursuant to Tax Code Section 6.06(b), and directs the City Manager to file this Resolution with the secretary of the Board of Directors of the Central Appraisal District on or before July 11, 2009.

Mayor Cook and Representatives Lilly, Holguin, Byrd, O'Rourke, Robinson, Acosta, and Ortega commented.

Mr. Charlie McNabb, City Attorney, gave legal advice and Mr. David Almonte, Director of the Office of Management and Budget commented.

Mr. David Stone, Director of Information Systems at the Central Appraisal District, commented.

Mr. Richard Schechter and Ms. Iasia Clarke, citizens, commented.

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

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

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

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

.....  
**16B. MAYOR AND COUNCIL**

\*Motion made, seconded, and unanimously carried to **DELETE** the item on discussion and action on allowing seniors to play loteria with pennies at senior centers, pursuant to state law that allows exceptions to gambling laws for non profits hosting bingo.

Representatives Holguin and Byrd commented.

.....  
**16C. MAYOR AND COUNCIL**

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

Motion made by Representative O'Rourke, seconded by Representative Lilly, to **DENY** the request to allow windmills as a permitted structure for signs or to change the permitted areas in 20.10.200.B of Title 20 (Zoning), Chapter 20.18 (Sign Regulations), to allow wind-driven generators in the front yard in addition to the rear yard. **THE MOTION FAILED.**

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

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

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

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

Motion made by Representative O'Rourke, seconded by Representative Lilly, to **DENY** the request to allow windmills as a permitted structure for signs or to change the permitted areas in 20.10.200.B of Title 20 (Zoning), Chapter 20.18 (Sign Regulations), to allow wind-driven generators in the front yard in addition to the rear yard. **THE MOTION FAILED.**

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

Mayor Cook broke the tie, voting nay.

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

Motion made by Representative Ortega, seconded by Representative Quintana, and carried to **DIRECT STAFF** concerning property signs that are shaped like windmills to take into consideration the proposals brought to Council to take into account the aesthetics, the height, the noise, and energy harvesting potential and bring back that recommendation back to Council for further consideration.

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

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

Mayor Cook and Representatives Holguin, Byrd, Acosta, Robinson, Quintana, Ortega, and O'Rourke commented.

Mr. Ray Mancera, representing the applicant, presented a PowerPoint presentation (on file in the City Clerk's office).

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**17. BUDGET TRANSFERS**

Motion made by Representative Lilly, seconded by Representative Ortega, and unanimously carried to **APPROVE** a budget transfer establishing appropriations in Capital Outlay fund for Information Technology (IT); to meet resource needs based on the Strategic IT Plan.

Decrease	Contracts NOC	\$20,395.86
Decrease	Compressor/Trailer/Mow	\$2,616
Decrease	PS Equipment	\$13,552.18
Decrease	FF&E	\$48,441
Decrease	Street/Traffic Lights	\$100,000
Decrease	Architecture/Design	\$15,505
Increase	Fund Balance	\$750,000
Increase	Data Processing	\$950,510.04

Mr. David Almonte, Director of the Office of Management and Budget, commented.

.....  
**18A. CITY MANAGER**

City Manager's report of current events and issues:

Discussion and action on Quarterly Financial Report: 3<sup>rd</sup> Quarter Financial Report for Fiscal Year 2009.

Mr. William Studer, Deputy City Manager for Financial and Administrative Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Council asked questions of the City staff.

Ms. Nanette Smejkal, Director of Parks and Recreation, and Assistant Police Chief Eric Shelton commented.

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

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**18B. CITY MANAGER**

City Manager's report of current events and issues:

Presentation of FY2010 Proposed Budget Operations and Maintenance Recommendations.

Mr. David Almonte, Director of the Office of Management and Budget, presented a PowerPoint presentation (on file in the City Clerk's office).

Council asked questions of the City staff.

Ms. Joyce Wilson, City Manager, commented.

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

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Motion made by Representative Quintana, seconded by Representative Lilly, and unanimously carried to **ADJOURN** this meeting at 2:59 p.m.

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**APPROVED AS TO CONTENT:**

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Richarda Duffy Momsen, City Clerk