

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 13, 2010
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:35 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Emma Acosta, Carl Robinson, Rachel Quintana, Steve Ortega, and Beto O'Rourke. Absent: Eddie Holguin, Jr. requested to be excused. The invocation was given by Police, Fire, & CIMA Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

- 1. CHILDHOOD OBESITY PREVENTION WEEK**
- 2. CHILD CRISIS CENTER OF EL PASO DAY**
- 3. MAGNOLIA COURT NO. 28, HEROINES OF JERICHO DAY**

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

Requests to speak must be received by 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. Bill Addington
2. Mr. Jerry Thiedt
3. Ms. Lisa Turner
4. Ms. Maria R. Perez
5. Mr. Dennis Borel
6. Mr. Neil Wilson
7. Mr. Raul Castaneda
8. Mr. Manny Hinojosa
9. Mr. Jorge Artalejo

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

ABSENT: Representative Holguin

- 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.

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Lilly, and unanimously carried to adjourn the Executive Session at 9:25 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Robinson, Quintana and Ortega
ABSENT: Representative Holguin

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EX1. Friendly House, et al. vs. Michael B. Whiting, et al., Cause No. CV 10-1061-PHX-JWS (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried that the City of El Paso be authorized to join in the filing of an Amicus Curiae Brief in the lawsuit entitled Friendly House, et al. v. Michael B. Whiting, et al., Cause No. CV 10-1061-PHX-JWS, in the United States District Court for The District of Arizona.

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

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EX2. Discussion and action on economic development related negotiations and possible incentives for business prospect PAL-0510. (551.087)

NO ACTION was taken on this item.

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1. DEVELOPMENT AND INFRASTRUCTURE

A special presentation and final report by the joint City of El Paso and El Paso County Complete Count Committee, U.S Census Bureau, and recognition of the contributions by the Complete Count Committee Members.

Mayor Cook commented.

The following members of the public commented:

- 1. Mr. Jesse Acosta, Chairman of the Complete Count Committee
- 2. Ms. Marisela Rosales, Texas partnership coordinator for the U.S. Census Bureau

NO ACTION was taken on the item.

CONSENT AGENDA

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Robinson, 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, Ortega, and O'Rourke

NAYS: None

ABSENT: Representative Holguin

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2. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of July 6, 2010 and the Special City Council Meeting of July 7, 2010 (Budget Hearings for Municipal Clerk, Tax, Department of Transportation, Department of Public Health, Engineering, and Planning & Economic Development).

..... **3.**
REQUEST TO EXCUSE CITY COUNCIL MEMBERS

*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Eddie Holguin, Jr. from the Regular City Council meeting of July 13, 2010.

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4A.

***RESOLUTION**

That the City Manager be authorized to sign a Lessor's Approval of Assignment of the Industrial Site Lease by and between the City of El Paso ("Lessor"), Opportunity Center for the Homeless ("Assignor") and West Texas Non-Profit Developments ("Assignee") for the following described property:

Lots 4, 5 and 6, Block 2A, El Paso International Airport Tracts, Unit 4, City of El Paso, El Paso County, Texas, municipally known and numbered as 6501 Boeing, El Paso, Texas.

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4B.

***RESOLUTION**

That the City Manager be authorized to sign an Estoppel and Consent Agreement by and between the City of El Paso ("Landlord"); CP El Paso, LTD ("Existing Subtenant"); Clearview El Paso Airway, LLC ("Subtenant Assignee"), and Clearview El Paso Airway Lessee, LLC ("TRS Lessee") for the following property:

A portion of Tract 4A25, Block 2, Ascarate Grant, El Paso, El Paso County, Texas, compromising approximately 376,586.841 sq. ft., and municipally known and numbered as 1600 Airway Blvd., El Paso, Texas.

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4C.

***RESOLUTION**

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

Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

5716 Kingsfield Avenue, more particularly described as Lot(s) 14 (20700 Sq Ft),
Block 3, Mesa Hills Replat Subdivision, El Paso, El Paso County, Texas, Parcel
#M344-999-0030-3100

to be \$223.13, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED FORTY SEVEN AND 13/100 DOLLARS (\$247.13). The City Council finds that the work was completed on the 24th day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED FORTY SEVEN AND 13/100 DOLLARS (\$247.13) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

Lot(s) 6, Block 1, Romer Ray Estates Subdivision, City of El Paso, El Paso
County, Texas, Parcel #R701-999-0010-2100

to be \$811.33, 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 EIGHT HUNDRED THIRTY FIVE AND 33/100 DOLLARS (\$835.33). The City Council finds that the work was completed on the 7th, 8th, & 9th day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount EIGHT HUNDRED THIRTY FIVE AND 33/100 DOLLARS (\$835.33) to be a lien on the

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

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

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

***RESOLUTION**

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

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

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

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

3322 Idalia Avenue, more particularly described as E 20 Ft of Lot(s) 21 &
W 20 Ft of Lot 20 (4800 Sq Ft), Block 29, Grandview Subdivision, El
Paso, El Paso County, Texas, Parcel #G686-999-0290-5100

to be \$148.44, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY TWO AND 44/100 DOLLARS (\$172.44). The City Council finds that the work was completed on the 22nd day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY TWO AND 44/100 DOLLARS (\$172.44) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

8812 Mount Capote Drive, more particularly described as Lot(s) 1318, Block 53, Mountain View Subdivision, El Paso, El Paso County, Texas, Parcel #M851-999-0530-5100

to be \$249.52, 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 THREE AND 52/100 DOLLARS (\$273.52). The City Council finds that the work was completed on the 26th day(s) of October, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED SEVENTY THREE AND 52/100 DOLLARS (\$273.52) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

9817 La Morenita Circle, more particularly described as Lot(s) 16 (5827.50 Sq Ft), Block 1, Mission Pass Subdivision, El Paso, El Paso County, Texas, Parcel #M579-999-0010-1600

to be \$119.49, 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 FORTY THREE AND 49/100 DOLLARS (\$143.49). The City Council finds that the work was completed on the 21st day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY THREE AND 49/100 DOLLARS (\$143.49) 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 City Code, entitled Abatement, JOE L. & MANUELA GUZMAN, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

8009 Bowen Road, more particularly described as Tract 18-E (0.43 Acre),
Block 29, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel #Y805-
999-0290-1830

to be \$245.73, 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 NINE AND 73/100 DOLLARS (\$269.73). The City Council finds that the work was completed on the 22nd day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED SIXTY NINE AND 73/100 DOLLARS (\$269.73) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

E 41.5 Ft & W 50 Ft of N 83 Ft of Lot(s) 30 (12575 Sq Ft), Block 2, Mesa Vista #2 Subdivision, El Paso, El Paso County, Texas, Parcel #M386-999-0020-8300

to be \$115.61, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED THIRTY NINE AND 61/100 DOLLARS (\$139.61). The City Council finds that the work was completed on the 31st day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED THIRTY NINE AND 61/100 DOLLARS (\$139.61) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

272 Link Drive, more particularly described as Lot(s) 19 & Pt of Lot 22 Adj on S (9289 Sq Ft), Block 1, San Carlos Subdivision, El Paso, El Paso County, Texas, Parcel #S065-999-0010-3700

to be \$277.82, 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 ONE AND 82/100 DOLLARS (\$301.82). The City Council finds that the work was completed on the 3rd and 7th day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount THREE HUNDRED ONE AND 82/100 DOLLARS (\$301.82) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

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

to be \$224.61, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED FORTY EIGHT AND 61/100 DOLLARS (\$248.61). The City Council finds that the work was completed on the 17th day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED FORTY EIGHT AND 61/100 DOLLARS (\$248.61) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

ELY Pt of Lot(s) 3 (0.700 Acre) Lot 1 of Unrecorded Map, Block 6, Christy Subdivision, El Paso, El Paso County, Texas, Parcel #C454-999-0060-2100

to be \$168.87, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE

HUNDRE NINETY TWO AND 87/100 DOLLARS (\$192.87). The City Council finds that the work was completed on the 21st day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY TWO AND 87/100 DOLLARS (\$192.87) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

4500 Honey Willow Way, more particularly described as Lot(s) 12 (25683.00 Sq Ft), Block 9, Willow Bend #4 Subdivision, El Paso, El Paso County, Texas, Parcel #W418-999-0090-1200

to be \$487.40, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of FIVE HUNDRED ELEVEN AND 40/100 DOLLARS (\$511.40). The City Council finds that the work was completed on the 7th day(s) of December, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount FIVE HUNDRED ELEVEN AND 40/100 DOLLARS (\$511.40) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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5A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the appointment of Belinda Mendez-Acosta to the Civil Service Commission by Representative Emma Acosta, District 3.

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5B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Anibal Olague to the Building and Standards Commission by Mayor John F. Cook.

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5C. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **DELETE** the appointment of Marcia Turner to the Building and Standards Commission by Representative Ann Morgan Lilly, District 1.

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5D. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Matt Bohannon to the Building and Standards Commission as a Community Affairs Representative by Representative Ann Morgan Lilly, District 1.

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5E. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Ben Bohannon to the Building and Standards Commission, as an alternate, by Representative Ann Morgan Lilly, District 1.

..... **6.**
REQUEST TO ISSUE PURCHASE ORDER, ETC.

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager of Financial Services, Purchasing Division, to issue a Purchase Order to ESI Companies, Inc., a contractor under Cooperative Purchasing Program GSA Contract, Schedule 84, GS-07F-0185U, SIN 426-4S in the estimated amount of \$480,090 for the purchase of six vehicle mounted SkyCop License Plate Readers (LPRs) and six SkyCop LPR Trailers for the El Paso Police Department.

Department: Police
Funding Source: Operation Border Security Grant and Auto Burglary Theft Prevention Authority (ABTPA) FY10
Total Estimated Amount: \$480,090
Reference No.: 2010-253

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7. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **APPROVE** the award of Solicitation No. 2010-026 (Trane HVAC System Units, Proprietary Parts and Service) to Trane US, Inc. for a total estimated award of \$480,000.

Department: General Services – Facilities Division
Award to: Trane US, Inc.
El Paso, TX
Item(s): All
Option: 2 Years
Annual Estimated Amount: \$160,000
Funding Source: General Fund
Total Estimated Award: \$480,000 (3 Years)

This is a thirty-six month requirements type 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 General Services – Facilities Division recommend award as indicated to the sole responsive, responsible bidder.

.....
8A. BID

*Motion made, seconded, and unanimously carried to **APPROVE** the award of Solicitation No. 2010-135 (Wheel and Axle Alignment and Suspension Parts and Service) to Dalton Brake and Wheel and Stanley Spring and Suspension for a total estimated award of \$255,000.

Department: General Services – Fleet Division
Award to: Vendor 1: Dalton Brake and Wheel
El Paso, TX
Item(s): Part A, Group I
Part B, Group I
Option: 1 Year
Annual Estimated Amount: \$35,000

Award to: Vendor 2: Stanley Spring and Suspension
El Paso, TX
Item(s): Part A, Group II
Part B, Group II
Option: 2 Years
Annual Estimated Amount: \$50,000
Funding Source: Internal Service Fund
Total Estimated Award: \$255,000 (3 Years)

This is a thirty-six (36) month requirements type 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 General Services – Fleet Division recommend award as indicated to the lowest responsive, responsible bidder.

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8B. BID

*Motion made, seconded, and unanimously carried to **APPROVE** the award of Solicitation No. 2010-197 for the Coates Drive Parkway Improvements to G Contek, LLC for a total estimated amount of \$92,488.

Department: Engineering
Award to: G Contek, LLC
Base Bid: \$92,488
Total Estimated Award: \$92,488
Funding Source: Community Development Block Grant (2009-2010)
35th Year

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

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

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a low bid, unit-price contract. The Engineering and Community Development Departments recommend award as indicated to the lowest responsible bidder.

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9A. – 9C. INTRODUCTIONS

Motion made by Representative Ortega, 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:

ABSENT: Representative Holguin

9A. An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Sections 13.24.010 B (Sales of Goods and Services) and 13.24.200 B 4 (Parks and Recreation Facility Use and Fee Authorization), of the El Paso City Code, to authorize the conduct of rummage sales at the senior centers; the penalty being as provided in Sections 1.08.010 – 1.08.030 of the El Paso City Code.

9B. An Ordinance to amend Title 13 (Streets, Sidewalks and Public Places), to amend Section 13.20.040 C (Selling Merchandise Prohibited on and near the Public Right-of-Way) to delete an inapplicable provision regarding newspaper stands, and to clarify that the exemption for yard, garage and rummage sales applies to all such sales as permitted under the zoning code: the penalty being as provided in Sections 1.08.010 – 1.08.030 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON JULY 20, 2010, FOR ITEMS 9A – 9B

9C. An Ordinance changing the zoning of Parcel 1: Lot 1, Block 1, Montecillo Unit One, City of El Paso, El Paso County, Texas from C-3/C (Commercial/Conditions) and C-3 (Commercial) to G-MU/C (General Mixed Use/Conditions) and G-MU (General Mixed Use); and, Parcel 2: Lot 1, Block 2, Montecillo Unit Two, City of El Paso, El Paso County, Texas from C-3/C (Commercial/Conditions) to G-MU/C (General Mixed Use/Conditions). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON AUGUST 3, 2010, FOR ITEM 9C
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10. ORDINANCE 17346

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF EL PASO, TEXAS, WATER AND SEWER REVENUE BONDS, TAXABLE SERIES 2010 (DIRECT**

SUBSIDY - BUILD AMERICA BONDS)” IN AN AMOUNT OF \$15,000,000; AND RESOLVE MATTERS WHICH ARE NECESSARY TO EFFECTUATE SAID ISSUANCE.

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

Ms. Marcela Navarrete, Chief Financial Officer of El Paso Water Utilities and Mr. John Balliew, Vice President of Operations of El Paso Water Utilities, presented a PowerPoint presentation (on file in the City Clerk's office).

The following members of the public commented:

- 1. Ms. Maria Urbina, First Southwest
- 2. Ms. Heather McMurray
- 3. Mr. Bill Addington

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

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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11A.

ORDINANCE 17347

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON10-00017, TO PERMIT AN ASSISTED LIVING FACILITY AND A CONVALESCENT HOME, ON THE PROPERTY DESCRIBED AS LOTS 17, 18, AND 19, RANGERS REST SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Representative Ortega commented.

Mr. Mathew McElroy, Deputy Director of Planning, commented.

Mr. Jose Lopez, Alvidrez Architectures, read into the record.

Motion duly made by Representative Ortega, 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, Ortega and O'Rourke
 NAYS: None
 ABSENT: Representative Holguin

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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11B.

ORDINANCE 17348

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTION 22, BLOCK 81, TOWNSHIP 1, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3A (RESIDENTIAL) TO R-5 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

.....
TAKEN WITH ITEM 14

11C.

ORDINANCE 17349

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS) OF THE EL PASO CITY CODE TO AMEND THE PROCEDURAL REQUIREMENTS OF CHAPTER 19.24 (MOUNTAIN DEVELOPMENT AREA (MDA) STANDARDS) AND TO ADD CHAPTER 19.27 (HILLSIDE DEVELOPMENT AREA) WHICH ESTABLISHES THE HILLSIDE DEVELOPMENT AREA AND THE PROCEDURAL REQUIREMENTS FOR THE AREA. THE PENALTY IS AS PROVIDED FOR IN SECTION 19.42 OF THE EL PASO CITY CODE.**

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

Representative Robinson commented.

Mr. Charlie Wakeem, citizen, commented.

Motion duly made by Representative O'Rourke, 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, Ortega and O'Rourke
NAYS: None
ABSENT: Representative Holguin

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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11D.

ORDINANCE 17350

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A UTILITY EASEMENT MEASURING 10.10 FEET IN WIDTH, LOCATED WITHIN A PORTION OF LOTS 1 AND 2, BLOCK 16A, SCOTSDALE UNIT 2A, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

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

Representative Acosta commented.

Motion duly made by Mayor Pro Tempore Acosta, 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, Ortega and O'Rourke

NAYS: None

ABSENT: Representative Holguin

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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12. PUBLIC HEARING – ENVIRONMENTAL SERVICES

Motion duly made by Representative Lilly, seconded by Mayor Pro Tempore Acosta, and carried to **POSTPONE** four weeks the public hearing on an Ordinance amending Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management) in its entirety related to Commercial Recyclables (9.04.190); to amend Construction or Demolition Waste (9.04.200), to clarify Waste Haulers Requirements; add Emergency Powers (9.04.400); add Flow Control for Municipal Solid Waste in Article VII; Clarify Fee (9.04.410); Clarify Enforcement in 9.04.0480. The penalty being as provided in Section 9.04.510 of the El Paso City Code.

Mayor Cook and Representative Byrd commented.

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

NAYS: None

ABSENT: Representative Holguin

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13.

ORDINANCE 17351

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY OF EL PASO TO SELL THE PROPERTY MUNICIPALLY KNOWN AND NUMBERED AS 800 S. PIEDRAS AKA 2914 E. PAISANO TO INTERNATIONAL COMMUNICATIONS OF EL PASO, INC.**

Ms. Liza Ramirez-Tobias, Capital Assets Manager, presented a PowerPoint presentation (on file in the City Clerk's office).

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

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Mathew McElroy, Deputy Director of Planning

The following members of the public commented:

1. Mr. Ray Mancera, representing applicant
2. Mr. Jose Miguel Rivas
3. Mr. Bill Addington
4. Ms. Heather McMurray
5. Ms. Sylvia Sillas
6. Ms. Stephanie Duran

Motion duly made by Representative O'Rourke, seconded by Mayor Pro Tempore Acosta, 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, Ortega and O'Rourke

NAYS: None

ABSENT: Representative Holguin

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

.....
TAKEN WITH ITEM 11C

14.

ORDINANCE 17352

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.22 (OPEN SPACE ADVISORY BOARD), SECTION 2.22.050 (BOARD DUTIES) OF THE EL PASO CITY CODE TO CLARIFY THE DUTIES OF THE OPEN SPACE ADVISORY BOARD.**

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

Representative Robinson commented.

Ms. Nanette Smejkal, Director of Parks and Recreation, commented.

Mr. Charlie Wakeem, citizen, commented.

Motion duly made by Representative O'Rourke, 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, Ortega and O'Rourke

NAYS: None

ABSENT: Representative Holguin

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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15. PUBLIC HEARING – PUBLIC HEALTH

1ST MOTION

Motion made by Representative Quintana, seconded by Representative Ortega, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Ms. Roxanne Flores an additional minute to address the Council.

2ND AND FINAL MOTION

Motion duly made by Representative Quintana, seconded Representative Robinson, and unanimously carried to **DELETE** the public hearing on an Ordinance amending Title 7 (Animals), Chapter 7.04 (Definitions), regarding the established fees in the Title; Chapter 7.12 (Dogs and Cats), Section 7.12.020 (Registration and Microchips Required - Application - Procedure - Fees - City-Sponsored Rabies Vaccination and Registration Clinics), relating to the fees charged for spayed, neutered, unspayed and unneutered dogs and cats; Chapter 7.24 (Livestock and Animal Breeding), Section 7.24.060 (Animal Establishments – Shows and Exhibitions - Permit Required - Recordkeeping) to add modified registration for dogs and cats under four months of age; and Section 7.24.080 (Animal Litter Permit) to require that a litter permit number be displayed in any advertisement to sell or transfer puppies and kittens; and to create Section 7.24.085 (Sale of Certain Puppies and Kittens Prohibited), to prohibit the sale of animals younger than eight weeks of age; the penalty being as provided in Section 7.04.080 of the El Paso City Code.

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

NAYS: None

ABSENT: Representative Holguin

Mr. Michael Hill, Director of Public Health, presented a PowerPoint presentation (on file in the City Clerk's office).

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

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Elaine Hengen, Senior City Attorney, gave legal advice.
- 3. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 4. Mr. Andy Castro, Director of Animal Services

The following members of the public commented:

- 1. Ms. Barbara Valencia-Fierro
- 2. Mr. Richard Schecter
- 3. Mr. James Perry
- 4. Ms. Rebecca Rojas, Animal Welfare Advisory Committee
- 5. Ms. Brandy Gardes
- 6. Mr. Charles Hooten
- 7. Ms. Roxanne Flores, Vice President – AKC Kennel Club

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16A.

ORDINANCE 17353

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM (TAX RESALE) DEED CONVEYING ALL RIGHT, TITLE AND INTEREST IN REAL PROPERTY DESCRIBED AS LOTS 3, 4, AND 5 IN BLOCK 92 OF THE GRANDVIEW ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, TO JORGE M. SANCHEZ, IN ACCORDANCE WITH SECTION 34.05(H) OF THE TAX CODE.**

Ms. Carmen Perez, Delgado, Acosta, Spencer, Linebarger, and Perez, LLP, commented.

Motion duly made by Representative Byrd, 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, Ortega and O'Rourke
NAYS: None
ABSENT: Representative Holguin

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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16B.

ORDINANCE 17354

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM (TAX RESALE) DEED CONVEYING ALL RIGHT, TITLE AND INTEREST IN REAL PROPERTY LOCATED AT 3418 LOUISVILLE AVE. TO GENERAL INTERIORS, IN ACCORDANCE WITH SECTION 34.05(H) OF THE TAX CODE.**

Ms. Carmen Perez, Delgado, Acosta, Spencer, Linebarger, and Perez, LLP, commented.

Motion duly made by Representative Byrd, 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, Ortega and O'Rourke
NAYS: None
ABSENT: Representative Holguin

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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17A. MAYOR AND COUNCIL:

Motion made by Representative Ortega, seconded by Representative Byrd, and carried to **MAINTAIN AND ENFORCE** the current sign policy of "feather signs" for advertising purposes.

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

Mayor Cook and Representatives Lilly, Acosta, Quintana, and Ortega commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Mathew McElroy, Deputy Director of Planning
- 3. Mr. John Neal, Mr. John Neal, Code Enforcement

Mr. Gamaliel Gurrola, business owner, commented.

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17B. MAYOR AND COUNCIL:

*Motion made, seconded, and unanimously carried to **DELETE** the item for discussion and action concerning (1) Raising the current cap on GAP financing administered by the Housing Program Division of the Department of Community and Human Development for the development of rental housing from \$100,000 to not less than \$350,000 and (2) directing the Housing Program Division to complete the evaluation of Investment Builders, Inc. (IBI's) application for GAP financing in the amount of \$613,200 on or before August 18, 2010 so that if the application is approved, the City Council can consider making the award on August 24, 2010.

Representative Ortega commented.

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18.

RESOLUTION

Motion made by Representative Quintana, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **APPROVE** a Resolution authorizing the City Manager to sign the Agreement for Professional Engineering Services by and between the City of El Paso and Brock & Bustillos, Inc., a Texas Corporation, for a project known as "Montwood Street and Drainage Improvements" in the amount \$610,857.38 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total of contract amount not to exceed \$660,857.38.

Representatives Quintana and Ortega commented.

Mr. Alan Shubert, City Engineer, commented.

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ADDITION TO THE AGENDA

EX1. Discussion and action on legal issues relating to the contract between the City of El Paso and Waste Connections, Inc, passed and approved on April 27, 2004, Our File No. 10-C-105. (551.071)

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Acosta, and carried to **POSTPONE** four weeks the discussion and action on legal issues relating to the contract between the City of El Paso and Waste Connections, Inc, passed and approved on April 27, 2004, Our File No. 10-C-105. (551.071)

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Motion made by Representative Robinson, seconded by Representative Ortega, and unanimously carried to **ADJOURN** this meeting at 1:51 p.m.

NOT PRESENT FOR THE VOTE: Representative Quintana
ABSENT: Representative Holguin

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk