

**JOHN F. COOK**  
MAYOR



**JOYCE WILSON**  
CITY MANAGER

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

**REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
JULY 19, 2011  
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:34 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Carl Robinson, Michiel R. Noe, Steve Ortega, and Cortney Carlisle Niland. Late arrivals: Susie Byrd, at 8:34 a.m. during Executive Session deliberations, and Eddie Holguin, Jr. at 8:38 a.m. during Executive Session deliberations. Absent: Emma Acosta. The invocation was given by Police, Fire and CIMA Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

**MAYOR'S PROCLAMATIONS**

- 1. EL PASO NEIGHBORHOOD ASSOCIATION'S DAY**
- 2. RETT SYNDROME AWARENESS DAY-HONORING JULIANA BROOKS**

**RECOGNITION**

**BOY SCOUTS FROM AUSTRALIA AND TROOP 4**

**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. Robert Pickens
2. Mr. Miguel Juarez
3. Mr. Timothy West
4. Mr. Salvador Gomez
5. Ms. Elizabeth Branham
6. Ms. Celeste Herget
7. Mr. Manny Hinojosa
8. Ms. Lisa Turner

Motion made by Representative Holguin, seconded by Representative Niland, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Robert Pickens an additional two minutes to address the Council after the signup period.

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

Mayor Cook and Representatives Noe, Lilly, Ortega, and Byrd, commented.

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Motion made by Representative Robinson, seconded by Mayor Pro Tempore Lilly, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:34 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:

AYES: Representatives, Lilly, Robinson, Noe, Ortega, and Niland  
NAYS: None  
NOT PRESENT FOR THE VOTE: Representatives Byrd and Holguin  
ABSENT: Representative Acosta

- 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 Representative Ortega, seconded by Representative Byrd, and unanimously carried to adjourn the Executive Session at 9:07 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

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**EX1.** Discussion and action on requested negotiations, including a payout plan, tax payout plan, and default period extension, on the ground leases for the following properties:

- a. 5 Zane Grey Blvd., El Paso, Texas
- b. 9 Butterfield Trail Blvd., El Paso, Texas;
- c. 19 Leigh Fisher Blvd., El Paso, Texas;
- d. 7 Zane Grey Blvd., El Paso, Texas;
- e. 12 Zane Grey Blvd. and 14 Butterfield Trail Blvd., El Paso, Texas; and
- f. 24 Zane Grey Blvd., El Paso, Texas.

Mr. Charlie McNabb, City Attorney, and Ms. Theresa Cullen, Deputy City Attorney, gave legal advice.

Mayor Cook and Representative Robinson commented.

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

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**EX2.** Petition of El Paso Electric Company for Authority to Revise Fixed Fuel Factor before the Public Utility Commission of Texas. Docket No. 39599 (551.071)

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and carried to grant the authority to the City Attorney to file a Motion in Intervention on behalf of the City regarding the Petition of El Paso Electric Company for Authority to Revise Fixed Fuel Factor before the Public Utility Commission of Texas, Docket No. 39599.

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

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**EX3.** Waste Connections, Inc., et. al. v. City of El Paso, et. al.; Cause No. 201-4476. (551.071)

Mr. Kenneth Krohn, Assistant City Attorney, gave legal advice.

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

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**CONSENT AGENDA**

Motion made by Mayor Pro Tempore Lilly, 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, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

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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 July 12, 2011 and the Special City Council Meeting of July 13, 2011 (Budget Hearings for Tax, Municipal Clerk, Police, Fire, and the Presentation and discussion on the analysis recommendations and findings of the MGT Study of Police Department Patrol Staffing and organizational structure) and the Special City Council Meeting of July 14, 2011 (Budget Hearings for Department of Public Health, Engineering and Construction Management, Planning and Economic Development, Information Technology, and Financial Services).

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

\*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Emma Acosta from the Regular City Council meeting of July 19, 2011

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**3A.**

**\*RESOLUTION**

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

**WHEREAS**, St. Ignatius Parish (hereinafter referred to as "Grantee") is sponsoring an outdoor bazaar/kermes festival (hereinafter referred to as "Event"), from Friday, July 29, 2011 to Sunday, August 1, 2011; and

**WHEREAS**, the Grantee have received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for more than twenty-four (24) hours on Third Street between Park Street and Nino Aguilera Street from 9:00 a.m. Friday, July 29, 2011, to 12:00 p.m. (noon) Monday, August 1, 2011, in conjunction with the proposed Event; and

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

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

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

That the Grantee be authorized to provide for the sale and service of alcoholic beverages at the outdoor bazaar/kermes festival in the closed portion of Third Street between Park Street and Nino Aguilera Street from 5 p.m. Friday, July 29, 2011 to 2 a.m. Saturday, July 30, 2011; from 5 p.m. Saturday, July 30, 2011 to 2:00 a.m. Sunday, July 31, 2011; and from 5:00 p.m. Sunday, July 31, 2011 to 11:00 p.m. Sunday, July 31, 2011.

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**3B.**

**\*RESOLUTION**

**WHEREAS**, for FY2010, the City received a Texas Commission on Environmental Quality ("TCEQ") Local Air Program grant under Contract Number 582-10-90258, for \$321,074, which required a cash match from the City in the amount of \$158,140, which match was approved by City Council for the City of El Paso, to conduct compliance investigations on behalf of TCEQ; and

**WHEREAS**, for FY2011, the City Council approved Amendment #1 to extend the term of TCEQ Contract No. 582-10-90258 to cover the period of September 1, 2010 through August 31, 2011, in an amount of \$321,074, with a cash match from the City in the amount of \$158,140, resulting in a total of \$479,214; and

**WHEREAS**, for FY2012, TCEQ seeks the approval of Amendment #1 to extend the term of TCEQ Contract No. 582-10-90258 to cover the period of September 1, 2011 through August 31, 2012, in an amount of \$321,074, with a cash match from the City in the amount of \$158,140; and

**WHEREAS**, Amendment #2 to Contract No. 582-10-90258, indicates the total of the FY2010 (\$321,074), FY2011 (\$321,074) and FY2012 contract amount as being \$963,222; and

**WHEREAS**, as Amendment #2 to Contract No. 582-10-90258 calls for matching funds, in accordance with Ordinance No. 16016, the document requires City Council approval.

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

**THAT** the City Manager be authorized to sign Amendment #2 of the Local Air Program grant contract No. 582-10-90258 (the "Amendment") by and between the City of El Paso and the Texas Commission of Environmental Quality ("TCEQ"), in the amount of \$321,074.00 to allow for services to continue for the period of September 1, 2011 through August 31, 2012, to conduct compliance investigations on behalf of TCEQ at permitted air sources including, but not limited to, gasoline stations, paint shops, auto body shops and cabinet

shops. City matching funds are required in the amount of \$158,140. The City Manager is authorized to approve necessary budget transfers to designate the required matching funds.

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**3C.**

**\*RESOLUTION**

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

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

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

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

5417 Buckley Drive, more particularly described as Lot(s) 1 (20007.20 Sq Ft), Block 1, Festiva Hills Addition Subdivision, El Paso, El Paso County, Texas, Parcel # F282-999-0010-0100

to be \$91.99, 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 ONE HUNDRED FIFTEEN AND 99/100 DOLLARS (\$115.99). The City Council finds that the work was completed on the 17th day(s) of November, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTEEN AND 99/100 DOLLARS (\$115.99) 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 Chapter 9.04 of the El Paso City Code, NANCY A W MOSHIER, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

6289 Camino Alegre Drive, more particularly described as Lot(s) 30 (9938 Sq Ft), Block 98, Chaparral Park #20 Subdivision, El Paso, El Paso County, Texas, Parcel # C340-999-0980-5900

to be \$130.27, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FIFTY FOUR AND 27/100 DOLLARS (\$154.27). The City Council finds that the work was completed on the 22nd day(s) of November, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY FOUR AND 27/100 DOLLARS (\$154.27) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

7616 Medano Drive, more particularly described as Lot(s) 43 (6780.80 Sq Ft), Block 44, West Hills #16 Subdivision, El Paso, El Paso County, Texas, Parcel # W145-999-0440-4300

to be \$114.86, 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 EIGHT AND 86/100 DOLLARS (\$138.86). The City Council finds that the work was completed on the 20th day(s) of October, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED THIRTY EIGHT AND 86/100 DOLLARS (\$138.86) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, RAYMUND A & ALMA L VIERITZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

1262 Trail Ridge Drive, more particularly described as Lot(s) 22 (9686.00 Sq Ft), Block 7, Highlands North #3 Subdivision, El Paso, El Paso County, Texas, Parcel # H454-999-0070-2200

to be \$118.07, 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 ONE HUNDRED FORTY TWO AND 07/100 DOLLARS (\$142.07). The City Council finds that the work was completed on the 30th day(s) of November, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY TWO AND 07/100 DOLLARS (\$142.07) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, ABER INVESTMENTS 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

6317 Via Serena Drive, more particularly described as Lot(s) 31 (7749.78 Sq Ft), Block 11, Park Hills #6 (Amending) Subdivision, El Paso, El Paso County, Texas, Parcel # P327-999-0110-3100

to be \$229.22, 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 FIFTY THREE AND 22/100 DOLLARS (\$253.22). The City Council finds that the work was completed on the 28<sup>th</sup> & 29<sup>th</sup> day(s) of October, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED FIFTY THREE AND 22/100 DOLLARS (\$253.22) 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.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, PADILLA INVESTMENTS 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

6248 Viale Del Sol Avenue, more particularly described as Lot(s) 2 (8021.00 Sq Ft), Block 2, Alta Valle Del Sol Ests Amend Subdivision, El Paso, El Paso County, Texas, Parcel # A492-999-0020-0250

to be \$167.25, 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 NINETY ONE AND 25/100 DOLLARS (\$191.25). The City Council finds that the work was completed on the 16th day(s) of November, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY ONE AND 25/100 DOLLARS (\$191.25) 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 Chapter 9.04 of the El Paso City Code, ROMERO CONTRACTORS 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

4717 Moonlight Avenue, more particularly described as Lot(s) E 70.00 Ft of Lot 1 & S 25.00 Ft of E 70.00 Ft of Lot 2 (6914.16 Sq Ft), Block 10, Del Norte Acres Subdivision, El Paso, El Paso County, Texas, Parcel # D361-999-0100-0100

to be \$149.53, 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 THREE AND 53/100 DOLLARS (\$173.53). The City Council finds that the work was completed on the 20th day(s) of October, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY THREE AND 53/100 DOLLARS (\$173.53) to be a lien on the above

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

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

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

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

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

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

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

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

7360 Alameda Avenue, more particularly described as PT of Lot 2 (101.16' on N Irreg on E 147.10' on S 467.0' on W) 1.6652 AC TR 10-B & 10-C of Blk 26 Ysleta, Block 40, Cedar Grove Park #5 Subdivision, El Paso, El Paso County, Texas, Parcel # C301-999-0400-0300

to be \$826.38, 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 FIFTY AND 38/100 DOLLARS (\$850.38). The City Council finds that the work was completed on the 12<sup>th</sup> & 15<sup>th</sup> day(s) of November, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount EIGHT HUNDRED FIFTY AND 38/100 DOLLARS (\$850.38) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, MENCER HOMES INC, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said

property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

3227 Destiny Point Drive, more particularly described as Lot(s) 37 (5863.21 Sq Ft), Block 178, Tierra Del Este #49 Subdivision, El Paso, El Paso County, Texas, Parcel # T287-999-1780-3700

to be \$102.84, 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 84/100 DOLLARS (\$126.84). The City Council finds that the work was completed on the 4th day(s) of October, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY SIX AND 84/100 DOLLARS (\$126.84) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

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

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

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

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

12409 Tierra Balsa Court, more particularly described as Lot(s) 3 (4839.11 Sq Ft), Block 77, Tierra Del Este Unit #14 Subdivision, El Paso, El Paso County, Texas, Parcel # T287-999-0770-0300

to be \$87.26, 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 HUNDRED ELEVEN AND 26/100 DOLLARS (\$111.26). The City Council finds that the work was completed on the 28th day(s) of October, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED ELEVEN AND 26/100 DOLLARS (\$111.26) 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 Chapter 9.04 of the El Paso City Code, JSJR & ASSOCIATES, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:  
9431 Corralitos Avenue, more particularly described as Lot(s) 187, Singh #3 Subdivision, El Paso, El Paso County, Texas, Parcel # S455-999-001A-7500

to be \$167.25, 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 NINETY ONE AND 25/100 DOLLARS (\$191.25). The City Council finds that the work was completed on the 18th day(s) of November, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY ONE AND 25/100 DOLLARS (\$191.25) 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 Chapter 9.04 of the El Paso City Code, CESAR M. CASTRO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

9731 Galilee Drive, more particularly described as Lot(s) 17 (12794 Sq Ft), Block 14, Vista Del Prado #3 Subdivision, El Paso, El Paso County, Texas, Parcel #V887-999-0140-3300

to be \$151.30, 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 SEVENTY FIVE AND 30/100 DOLLARS (\$175.30). The City Council finds that the work was completed on the 13th day(s) of October, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY FIVE AND 30/100 DOLLARS (\$175.30) 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 Chapter 9.04 of the El Paso City Code, CESAR M. CASTRO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

9736 Galilee Drive, more particularly described as Lot(s) 16 (11361 Sq Ft), Block 14, Vista Del Prado #3 Subdivision, El Paso, El Paso County, Texas, Parcel #V887-999-0140-3100

to be \$172.01, 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 ONE HUNDRED NINETY SIX AND 01/100 DOLLARS (\$196.01). The City Council finds that the work was completed on the 6th day(s) of October, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY SIX AND 01/100 DOLLARS (\$196.01) 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.

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

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

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

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

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

212 Pendale Road, more particularly described as Tract 4 (0.259 Acre), Sunland Gardens Subdivision, El Paso, El Paso County, Texas, Parcel #S850-999-0010-0700

to be \$99.54, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED TWENTY THREE AND 54/100 DOLLARS (\$123.54). The City Council finds that the work was completed on the 20th day(s) of September, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY THREE AND 54/100 DOLLARS (\$123.54) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, JAIR CUSTOM HOMES 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

4044 Boy Scout Lane, more particularly described as Lot(s) 20 (9415.31 Sq Ft), Block 5, Haciendas San Miguel #1 Subdivision, El Paso, El Paso County, Texas, Parcel # H013-999-0050-2000

to be \$216.26, 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 TWO HUNDRED FORTY AND 26/100 DOLLARS (\$240.26). The City Council finds that the work was completed on the 21st day(s) of October, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED FORTY AND 26/100 DOLLARS (\$240.26) 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 Chapter 9.04 of the El Paso City Code, MARCELINA MARTINEZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

208 Ward Street, more particularly described as Lot(s) 7 (3537 Sq Ft), Block 76-B, Magoffin Subdivision, El Paso, El Paso County, Texas, Parcel # M028-999-076B-4300

to be \$133.75, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FIFTY SEVEN AND 75/100 DOLLARS (\$157.75). The City Council finds that the work was completed on the 10th day(s) of November, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY SEVEN AND 75/100 DOLLARS (\$157.75) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

1919 E. Yandell Drive, more particularly described as Lot(s) 14 & E 2.5 Ft of Lot 13 & W 1/2 of Lot 15 (4800 Sq Ft), Block 13, Cotton Subdivision, El Paso, El Paso County, Texas, Parcel # C849-999-0130-4300

to be \$69.42, 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 THREE AND 42/100 DOLLARS (\$93.42). The City Council finds that the work was completed on the 9th day(s) of November, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount NINETY THREE AND 42/100 DOLLARS (\$93.42) 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.

**3D. FINANCIAL SERVICES**

\*Motion made, seconded, and unanimously carried to **APPROVE** a Resolution authorizing the City Manager to approve the First Amendment to the Appraisal and Collection Technologies Computer System License and Maintenance Agreement between the City of El Paso and Appraisal and Collection Technologies, the commercial software division of Linebarger, Goggan, Blair and Sampson, LLP, for the purpose of amending the contract to permit the use of ACT software for the tracking of environmental, demolition and miscellaneous property liens. The total amount of the amendment shall not exceed \$10,000.

**3E.**

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

**WHEREAS**, on May 12, 2007 a General Election and City Charter Amendment Election was held and all fourteen of the proposed Charter Amendments were approved by the voters and duly declared adopted by the City Council of the City of El Paso, Texas; and

**WHEREAS**, Section 3.5 of the City Charter has been amended to allow the City Council, by resolution, to cancel one or more regular meetings, not to exceed three meetings during each calendar year, provided that such canceled meetings are not consecutive.

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

That in accordance with Section 3.5 of the City Charter, as revised, the regular City Council meetings for the following days are hereby canceled:

- September 6, 2011
- November 22, 2011
- December 27, 2011

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

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Robert G. Melson to the Animal Shelter Advisory Committee by Representative Carl Robinson, (District 4).

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

\*Motion made, seconded, and unanimously carried to **APPOINT** Cortney Carlisle Niland to the City Employees Pension Fund Board of Trustees by Mayor John F. Cook.

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

\*Motion made, seconded, and unanimously carried to **APPOINT** Dr. Michiel R. Noe to the City Employees Pension Fund Board of Trustees by Mayor John F. Cook.

.....  
**6. APPLICATIONS FOR TAX REFUNDS**

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

- A. Sylvia Holguin in the amount of \$5,178.43 overpayment of 2010 taxes. (PID #C102-000-0070-1100).
- B. New Millennium Title Group in the amount of \$2,874.69 overpayment of 2009 taxes. (PID #C102-000-0080-0900).
- C. Carrington Mortgage c/o LPS Property Tax /Solutions the amount of \$2,721.08 overpayment of 2010 taxes. (PID #M090-999-0050-0200).
- D. Flagstar Bank in the amount of \$5,691.65 overpayment of 2010 taxes. (PID #R460-999-0120-1800).

- E. Chase in the amount of \$3,482.76 overpayment of 2010 taxes. (PID #S137-999-0050-2500).
- F. Ana Maria Palacios in the amount of \$3,227.75 overpayment of 2010 taxes. (PID #S533-000-0120-031A).
- G. Carrington Mortgage c/o LPS Property Tax in the amount of \$3,079.48 overpayment of 2010 taxes. (PID #S541-999-0100-2500).
- H. Citimortgage in the amount of \$3,932.52 overpayment of 2010 taxes. (PID #W145-999-0060-2300).
- I. Horizon Communities Improvement Association in the amount of \$6,312.94 overpayment of 2010 taxes. (PID #X578-000-3310-1100).

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**7. REQUEST FOR PROPOSAL**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2011-203R (Foreclosure Management and Consulting Services) to Firth Johnston Martinez for an initial term estimated award of \$150,000.

|                               |  |
|-------------------------------|--|
| Department:                   | Community and Human Development  |
| Award to:                     | Firth Johnston Martinez<br>El Paso, TX                                 |
| Items:                        | All  |
| Initial Term:                 | 2 years  |
| Option:                       | Two 2-year Options   |
| Annual Estimated Award:       | \$ 75,000  |
| Initial Term Estimated Award: | \$150,000  |
| Total Estimated Award:        | \$450,000 (6 years)  |
| Funding Source:               | CDBG Revolving Loan Fund/Home Entitlement Grant–External Legal Counsel |

This is a Request for Qualifications service 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 Financial Services - Purchasing Division and Community and Human Development recommend award as indicated to Firth Johnston Martinez, the sole qualifier based on evaluation factors established for this procurement.

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**8. INTRODUCTIONS**

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

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega, and Niland  
 NAYS: None

ABSENT: Representative Acosta

An Ordinance amending Title 13 (Streets Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.050 (Use of Athletic Fields), to broaden the scope to include other types of athletic fields and to allow for designation by City Council of applicable athletic fields, and to create section 13.24.210 (Enforcement). The penalty as provided in City Code Section 13.24.050(c) of the City Code.

**PUBLIC HEARING WILL BE HELD ON JULY 26, 2011, FOR ITEM 8**

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9.

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

**WHEREAS**, the City Council of the City of El Paso, Texas, has determined that certificates of obligation should be issued under and pursuant to the provisions of V.T.C.A., Local Government Code, Subchapter C of Chapter 271, for the purpose of paying contractual obligations to be incurred for the construction of public works as specified below; and

**WHEREAS**, prior to the issuance of such certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the certificates are to be issued and (iv) the manner in which the City Council proposes to pay the certificates;

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

The City Clerk is hereby authorized and directed to cause notice to be published of the City Council's intention to issue certificates of obligation, in one or more series, in a principal amount not to exceed \$37 million for the purpose of paying contractual obligations to be incurred for (i) the construction of public works, to wit: (a) constructing, resurfacing and improving various streets, roads, bridges, thoroughfares, sidewalks, pathways and related municipal facilities within the City, including lane markings, ADA accessibility, traffic signals, loop detectors, lighting and landscaping related thereto and the acquisition of necessary rights-of-way and land in connection therewith, (b) design, construction and installation of flood control, storm water, drainage improvements, ponding area improvements and related municipal facilities within the City, including the acquisition of rights-of-way, real property and any related demolition necessary in connection therewith, (c) renovating, improving and equipping existing municipal facilities, including fiber optic connectivity, IT facility improvements, ADA improvements, roofing system rehabilitation and replacement, air circulation and lighting projects, (d) acquisition, construction and improvement of municipally owned public art projects, (e) design, construction and improvements to transportation and terminal facilities, including the acquisition of necessary rights of way and land therefor, and (f) the purchase of capital equipment, including motor vehicles, for the City fire department; and (ii) professional services rendered in connection therewith, such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's water and sewer system. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

The City Clerk shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by V.T.C.A., Government Code, Chapter 551, as amended.

This Resolution shall be in force and effect from and after its passage on the date shown below.

Mayor Cook and Representatives Holguin and Niland, commented.

Ms. Carmen Arrieta-Candelaria, Chief Financial Officer of Financial Services, commented.

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

AYES: Representatives Lilly, Byrd, Robinson, Noe, Ortega, and Niland  
NAYS: Representative Holguin  
ABSENT: Representative Acosta

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**10. INTERNATIONAL BRIDGES**

Motion made by Representative Niland, seconded by Representative Ortega, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to The Revenue Markets, Inc., the sole developer, manufacturer and provider of application software and related equipment for the toll collection systems at the International Bridges.

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

Department: International Bridges  
Award to: The Revenue Markets, Inc.  
Accord, NY  
One Time Amount: \$1,772,698.27  
Funding Source: SIB Loan – Data Processing Equipment  
Account Number: 32000080 – 508010 – 43019 – PCP10IB001F  
Sole Source No.: 2011-303

This is a Sole Source Unit-Price contract.

Mr. Said Larbi-Cherif, Director, International Bridges, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Mayor Cook and Representatives Byrd, Robinson, Niland, Ortega, and Noe, commented.

Ms. Joyce Wilson, City Manager, commented.

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**11A. PLANNING AND ECONOMIC DEVELOPMENT**

**1ST MOTION**

Motion made by Representative Ortega, seconded by Representative Byrd to **SUSPEND THE RULES OF ORDER** to allow for additional speakers to address the Council after the signup period.

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

**2ND AND FINAL MOTION**

Motion made by Representative Noe, seconded by Representative Ortega, to **POSTPONE** two weeks the public hearing on an Ordinance changing the zoning of all of Lot 8, Block 3, Hueco View Acres, City of El Paso, El Paso County, Texas from R-3 (Residential) to A-O (Apartment-Office) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

Mr. Mathew McElroy, Deputy Director, Planning and Economic Development, presented a PowerPoint presentation, (copy on file in City Clerk’s office).

Mayor Cook and Representatives Ortega and Noe commented.

Mr. Rolando Mena, citizen, commented.

.....  
**11B. PLANNING AND ECONOMIC DEVELOPMENT**

Motion made by Representative Ortega, seconded by Representative Byrd, to **POSTPONE** two weeks the public hearing on an Ordinance changing the zoning of all of Tract 26 and south half of Tract 25, Rangers Rest Subdivision, City of El Paso, El Paso County, Texas from R-4 (Residential) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

Mr. Mathew McElroy, Deputy Director, Planning and Economic Development, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Representatives Ortega, Byrd, and Holguin, commented.

Ms. Anessa Anchondo-Rivera, citizen, commented.

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**11C.**

**ORDINANCE 17600**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON10-00046, TO ALLOW A PROFESSIONAL OFFICE, INFILL DEVELOPMENT WITH REDUCED SETBACKS AND A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOT 28, AND THE EAST 15 FEET OF LOT 27, BLOCK 82, FRANKLIN HEIGHTS, 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 FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Deputy Director, Planning and Economic Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representative Niland commented.

Motion duly made by Representative Niland, 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, Noe, Holguin, Ortega, and Niland  
NAYS: None  
NOT PRESENT FOR THE VOTE: Representative Robinson  
ABSENT: Representative Acosta

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 17601**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PARCEL OF LAND OUT OF TRACT 1, BLOCK 6, CHRISTY TRACT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH & FARM) TO R-3 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Deputy Director, Planning and Economic Development, presented a PowerPoint presentation, (copy on file in City Clerk's office).

Representative Ortega commented.

Motion duly made by Representative Ortega, 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, Noe, Holguin, Ortega, and Niland  
NAYS: None  
NOT PRESENT FOR THE VOTE: Representative Robinson  
ABSENT: Representative Acosta

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

.....  
**11E.**

**ORDINANCE 17602**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 19, OF EL CANUTILLO ACREAGE TRACTS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-2 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Deputy Director, Planning and Economic Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Lilly commented.

Motion duly made by Mayor Pro Tempore Lilly, 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, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

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

.....  
**ITEMS 11F. and 11G. TAKEN TOGETHER.**

**11F. PLANNING AND ECONOMIC DEVELOPMENT**

The City Clerk read an Ordinance entitled: **AN ORDINANCE ZONING PARCEL 1: A PORTION OF SECTION 37, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS, TO C-2 (COMMERCIAL), PARCEL 2: A PORTION OF SECTION 37, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS TO R-5 (RESIDENTIAL) AND PARCEL 3: A PORTION OF SECTION 48, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS TO C-2 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: NORTH OF PEBBLE HILLS BOULEVARD AND EAST OF JOHN HAYES BOULEVARD. APPLICANT: RANCHOS REAL IV, LTD. ZON10-00106**

**11G. PLANNING AND ECONOMIC DEVELOPMENT**

The City Clerk read an Ordinance entitled:**AN ORDINANCE ANNEXING THE FOLLOWING REAL PROPERTY DESCRIBED AS A PORTION OF SECTIONS 37 AND 48, BLOCK 79, SECTIONS 7 AND 18, BLOCK 78, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS. PROPERTY OWNER: RANCHOS REAL IV, LTD. AN10-003 (ZON10-00075)**

**1ST MOTION**

Motion made by Representative Noe, seconded by Representative Ortega, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 11:00 a.m.

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

**2ND MOTION**

Motion made by Representative Robinson, seconded by Mayor Pro Tempore Lilly, and unanimously carried to adjourn the Executive Session at 11:23 a.m. and **RECONVENE** the meeting of the City Council.

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega, and Niland

NAYS: None

**3RD AND FINAL MOTION**

Motion made by Representative Noe, seconded by Representative Ortega, to **POSTPONE** two weeks the public hearing on the Ordinances.

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega, and Niland

NAYS: None

ABSENT: Representative Acosta

.....  
**11H. PLANNING AND ECONOMIC DEVELOPMENT**

\*Motion made, seconded, and unanimously carried to **POSTPONE** one week the public hearing on an Ordinance changing the zoning of all of Lots 16, 17, 18 and 19, Block 2, Hughes Subdivision, City of El Paso, El Paso County, Texas from R-5 (Residential) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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**11I. PLANNING AND ECONOMIC DEVELOPMENT**

\*Motion made, seconded, and unanimously carried to **POSTPONE** one week the public hearing on an Ordinance granting Special Permit No. PZST11-00005, to allow for infill development for lot width and lot size reduction on the property described as Lot 39, Block 1, Alexander Addition to Ysleta, 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 for in Chapter 20.24 of the El Paso City Code.

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**12A.**

**ORDINANCE 17603**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 017519, TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.04 (SOLID WASTE MANAGEMENT) TO AMEND THE EFFECTIVE DATE OF THE FLOW CONTROL REQUIREMENTS; THE PENALTY BEING AS PROVIDED IN SECTION 9.04.630 OF THE EL PASO CITY CODE.**

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

Motion duly made by Representative Byrd, 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, Robinson, Noe, Holguin, Ortega, and Niland

NAYS: None

ABSENT: Representative Acosta

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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**12B.**

**ORDINANCE 17604**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDMENT RELATED TO TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.04 (SOLID WASTE MANAGEMENT) AMENDING 9.04.020 (DEFINITIONS); AMENDING 9.04.070 (COLLECTION PROVIDER) TO INCLUDE TRIPLEX AND QUADRIplex; AND TO CLARIFY THAT ARTICLE VIII ONLY REFERENCES DESIGNATED MUNICIPAL SOLID WASTE FACILITY; THE PENALTY BEING AS PROVIDED IN SECTION 9.04.630 OF THE EL PASO CITY CODE.**

Representatives Noe, Ortega, and Niland, commented.

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Ellen Smith, Director of Environmental Services

Motion duly made by Representative Ortega, seconded by Mayor Pro Tempore 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, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

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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**13.**

**ORDINANCE 17605**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE LICENSE TO MANAGEMENT AND ENGINEERING TECHNOLOGIES INTERNATIONAL, INC. FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND REPAIR OF 70 LINEAR FEET OF SUBSURFACE FIBER OPTIC CONDUIT AND CABLES WITHIN PORTIONS OF CITY RIGHT-OF-WAY BENEATH MACA STREET BETWEEN BOEING DRIVE AND LOCKHEED STREET FOR A TERM OF FIVE YEARS WITH TWO RENEWABLE FIVE YEAR TERMS.**

Ms. Mirian Spencer, Planner for Department of Transportation, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Holguin commented.

Motion duly made by Representative Robinson, seconded by Mayor Pro Tempore 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, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

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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**14. MAYOR AND COUNCIL**

\*Motion made, seconded, and unanimously carried to **POSTPONE** one week the appointment of Carl Robinson or Susie Byrd to the Transportation Policy Board of the Metropolitan Planning Organization to fill the seat for an elected official vacated by Beto O'Rourke.

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**15.**

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

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

That the City Council declares that the expenditure of District 7 discretionary funds in an amount not to exceed \$500.00 and District 8 discretionary funds in an amount not to exceed \$250.00 to pay towards the costs of uniforms, equipment and other related items necessary for the proper participation the Segundo Barrio Futbol Club's soccer camp that will also serve to create a team to play in the City leagues and programs, serves the municipal purposes of furthering organized athletics in south El Paso, an area with a large number of disadvantaged children who benefit from City organized activities, which benefits the community and instills community pride, and is authorized; and

That the City Attorney be authorized to negotiate and the City Manager be authorized to sign an appropriate contract to ensure that the funds are properly expended for the municipal purpose.

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

- AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

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**16.**

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

**WHEREAS**, on July 19, 2005, the City Council for the City of El Paso adopted a five-year (2005-2010) Consolidated Plan that serves as a comprehensive housing affordability strategy, community development plan, and submission for funding programs that address homelessness and homelessness prevention such as the Emergency Shelter Program and Community Development Block Grant Public Services homeless programs which were submitted to the U.S. Department of Housing and Urban Development (HUD); and

**WHEREAS**, on May 5, 2009, the City Council for the City of El Paso amended the 2005-2010 Consolidated Plan by adding a Homelessness Prevention and Rapid Re-Housing Program (HPRP) component, with Homeless Needs addressed by HPRP activities being rated as "high priority needs" in the Homeless Needs Table for Individuals and Families in the 2005-2010 Consolidated Plan, and amended the Annual Action Plan (2008-2009) by adding specific HPRP-funded activities; and

**WHEREAS**, on September 9, 2009, the City Council for the City of El Paso approved funding awards for the 2009-2012 HPRP related to the implementation and performance of the activities contained in the Annual Action Plan (2008-2009) and corresponding programs; and

**WHEREAS**, on January 11, 2011, the City Council amended the Annual Action Plan (2008-2009) and the 2009-2012 HPRP Budget by redistributing HPRP funds to enable the City to expend its \$3,492,976 grant in a more logical and efficient manner based on higher areas of need; and

**WHEREAS**, the City Council, based upon a recommendation of the Director of Community and Human Development, now desires a second amendment to the Annual Action Plan (2008-2009) and the 2009-2012 HPRP Budget to once again redistribute HPRP funds to greater areas of need to enable the City to expend its entire \$3,492,976 grant before the August 2012 grant deadline; and

**WHEREAS**, on July 5, 2011, the City of El Paso published in the El Paso Times and El Diario newspapers public notice and allowed a 12-day public comment period regarding the proposed amendment to the Annual Action Plan (2008-2009) and 2009-2012 HPRP Budget and City Council has duly considered public comment, if any.

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

1. That the Annual Action Plan (2008-2009) and the 2009-2012 HPRP Budget is hereby amended as follows:

Decrease the County of El Paso – Central/Northwest Target Area total budget for the provision of homelessness prevention assistance in the Central/Northwest Area by \$161,245, from \$943,325 to \$782,080, which will lower the Financial Assistance component by \$153,953; increase the Relocation & Stabilization component by \$4,800; and decrease Administrative costs by \$12,092;

Decrease the County of El Paso – Northeast/East Target Area total budget for the provision of homelessness prevention assistance in the Northeast/East Area by \$245,940, from \$1,006,000 to \$760,060, which will lower the Financial Assistance component by \$225,277; reduce the Relocation & Stabilization component by \$8,450; and decrease Administrative costs by \$12,213;

Decrease the County of El Paso – Lower Valley Target Area total budget for the provision of homelessness prevention assistance in the Lower Valley Area by \$6,760, from \$300,000 to \$293,240, which will increase the Financial Assistance component by \$4,502; increase the Relocation & Stabilization component by \$2,930; and decrease Administrative costs by \$14,192;

Increase TVP Non-Profit Corporation's total budget for the provision of rapid re-housing services by \$398,945, from \$1,103,651 to \$1,502,596, which will increase the Financial Assistance component by \$286,900; increase the Relocation & Stabilization component by \$97,823; and increase Administration costs by \$14,222;  
Increase the total budget for the provision of data collection and evaluation by \$12,000, from \$100,000 to \$112,000;

Increase the City of El Paso's HPRP administration budget by \$3,000, from \$40,000 to \$43,000. **(All Districts);** and

2. That the City Manager be authorized to take any actions necessary to accomplish the intent of this resolution, including contract amendments with all HPRP-funded agencies, upon approval by the City Attorney's Office and Director of Community and Human Development Department.

Representatives Robinson and Ortega, commented

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

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

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega, and Niland  
NAYS: None  
ABSENT: Representative Acosta

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**17. CITY ATTORNEY’S OFFICE**

**1ST MOTION**

Motion made by Representative Niland, seconded by Representative Holguin to **POSTPONE** one week the item regarding the requested negotiations, including a payout plan, tax payout plan, and default period extension, on the ground leases for the following properties.

**THE MOTION FAILED.**

AYES: Representatives Noe, Holguin, and Niland  
NAYS: Representatives Lilly, Byrd, Robinson, and Ortega  
ABSENT: Representative Acosta

**2ND AND FINAL MOTION**

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **APPROVE AS REVISED** the requested negotiations, including a payout plan, tax payout plan, and default period extension, on the ground leases for the following properties:

- a. 5 Zane Grey Blvd., El Paso, Texas;
- b. 9 Butterfield Trail Blvd., El Paso, Texas;
- c. 19 Leigh Fisher Blvd., El Paso, Texas;
- d. 7 Zane Grey Blvd., El Paso, Texas;
- e. 12 Zane Grey Blvd. and 14 Butterfield Trail Blvd., El Paso, Texas; and
- f. 24 Zane Grey Blvd., El Paso, Texas.

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, and Ortega  
NAYS: Representative Niland  
ABSENT: Representative Acosta

Representatives Byrd, Robinson, Holguin, and Niland, commented.

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Charlie McNabb, City Attorney, gave legal advice
- 3. Ms. Theresa Cullen, Deputy City Attorney, gave legal advice

Mr. Mike Hutson, representing the applicant, commented.

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Motion made by Representative Robinson, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **ADJOURN** this meeting at 11:36 a.m.  
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APPROVED AS TO CONTENT:

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Richarda Duffy Momsen, City Clerk