

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 20, 2010
9:00 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 9:03 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Emma Acosta, Carl Robinson, Rachel Quintana, Eddie Holguin, Jr., and Steve Ortega. Late arrival: Beto O'Rourke at 9:04 a.m. Early departures: Eddie Holguin Jr. at 2:13 p.m. and Mayor Cook at 3:01 p.m. The invocation was given by Police Chaplain Clift Barnes, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

- 1. PROBATION, PAROLE AND COMMUNITY SUPERVISION WEEK**
- 2. BOY SCOUTS OF AMERICA CONSTRUCTION INDUSTRY LUNCHEON WEEK**
- 3. LOWER DYER NEIGHBORHOOD REVITALIZATION STRATEGY AREA YOUTH DAY**

RECOGNITIONS

- 1. MAJOR GENERAL DANA J.H. PITTARD, COMMANDING GENERAL OF FORT BLISS - INTRODUCTION AND WELCOME TO EL PASO**
- 2. JOE OLVERA - CONQUISTADOR AWARD**

CALL TO THE PUBLIC – PUBLIC COMMENT

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

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp 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. James Perry
2. Ms. Lisa Turner
3. Mr. Jerry Thiedt
4. Mr. Jorge Artalejo
5. Mr. Manny Hinojosa
6. Ms. Esther Perez

CONSENT AGENDA

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

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

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of July 13, 2010 and the Special City Council Meeting of July 15, 2010 (Budget Hearings for Airport, International Bridges, Environmental Services, and Public Transit – Sun Metro).

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3A.

***RESOLUTION**

That the City Manager be authorized to sign an electrical transformer easement to the El Paso Electric Company for the purpose of providing electrical service for a proposed city park at 3186 Blue Dirt, El Paso, Texas. Said property being more particularly described as a portion of Tract 1, Section 46, Block 79, Township 2, T&P RR Survey, El Paso, El Paso County, Texas.

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3B.

***RESOLUTION**

That the City Manager be authorized to sign an Underground Electrical Easement to the El Paso Electric Company for the purpose of providing electrical service for the Ventanas Cove Park at 3186 Blue Dirt Circle, El Paso, Texas. Said property being more particularly described as a portion of Tract 1, Section 46, Block 79, Township 2, T&P RR Survey, El Paso, El Paso County, Texas.

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3C.

***RESOLUTION**

1ST MOTION

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 10:01 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

2ND MOTION

Motion made by Representative Robinson, seconded by Representative Lilly, and unanimously carried to **ADJOURN** the Executive Session at 10:10 a.m. and **RECONVENE** the meeting of the City Council.

3RD MOTION

*Motion made, seconded, and unanimously carried to **POSTPONE** one week a Resolution that all private requests for street light installation shall be made pursuant to the procedures established in this Resolution, and all accompanying Exhibits. That the cost of any street light and its installation as approved under this

Resolution shall be subject to payment by the applicant(s) of the request. Subject to availability, discretionary funds by the City Representative in whose district the street light is requested may be used or such other appropriate funding to fund all or a portion of the cost of the street light and its installation.

Representatives Robinson and Byrd commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Ted Marquez, Engineering Division Manager
- 3. Mr. Charlie McNabb, City Attorney, gave legal advice.

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3D.

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso City Code, entitled Abatement, BIC 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 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:

1081 Dona Beatriz Circle, more particularly described as Lot(s) 41 (16524.66 Sq Ft), Block 2, Spanish Pines #3 Subdivision, El Paso, El Paso County, Texas, Parcel #S559-999-0020-4100

to be \$348.83, 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 SEVENTY TWO AND 83/100 DOLLARS (\$372.83). The City Council finds that the work was completed on the 20th & 25th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED SEVENTY TWO AND 83/100 DOLLARS (\$372.83) 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, MODESTO BELTRAN, 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:

667 Jeanny Marie Court, more particularly described as Lot(s) 30 (13499.89 Sq Ft),
Block 8, River Run #2 Subdivision, El Paso, El Paso County, Texas, Parcel #R577-
999-0080-3000

to be \$194.04, 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 EIGHTEEN AND 04/100 DOLLARS (\$218.04). The City Council finds that the work was completed on the 26th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED EIGHTEEN AND 04/100 DOLLARS (\$218.04) 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, LADISLADA GUERRA, 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:

741 Kapriz Avenue, more particularly described as Lot(s) 70 (13838.00 Sq Ft),
Block 1, Upper Valley Place Subdivision, El Paso, El Paso County, Texas,
Parcel #U823-999-0010-0700

to be \$162.19, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED EIGHTY SIX AND 19/100 DOLLARS (\$186.19). The City Council finds that the work was completed on the 26th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED EIGHTY SIX AND 19/100 DOLLARS (\$186.19) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso City Code, entitled Abatement, MANUEL 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:

4021 Johnson Avenue, more particularly described as Lot(s) 12 & 13, Block 78, Morningside Heights Subdivision, El Paso, El Paso County, Texas, Parcel #M794-999-0780-3300

to be \$134.10, 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 EIGHT AND 10/100 DOLLARS (\$158.10). The City Council finds that the work was completed on the 6th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY EIGHT AND 10/100 DOLLARS (\$158.10) 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, JESUS JR & 2 ELIZONDO, 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:

3508 Pera Avenue, more particularly described as Lot(s) 27 & E 13 Ft of Lot 28 (5320 Sq Ft), Block 7, East El Paso Subdivision, El Paso, El Paso County, Texas, Parcel #E014-999-0070-6700

to be \$140.18, 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 SIXTY FOUR AND 18/100 DOLLARS (\$164.18). The City Council finds that the work was completed on the 27th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED SIXTY FOUR AND 18/100 DOLLARS (\$164.18) 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 F. PAIGE c/o MICHAEL D. PAIGE, 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:

10325 Bon Aire Drive, more particularly described as Lot(s) 6 (7285 Sq Ft), Block 10, Arlington Heights Replat Subdivision, El Paso, El Paso County, Texas, Parcel #A700-999-0100-1100

to be \$182.13, 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 SIX AND 13/100 DOLLARS (\$206.13). The City Council finds that the work was completed on the 15th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED SIX AND 13/100 DOLLARS (\$206.13) 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, RESORTVIEW HOMES I LTD, 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) 20 COS (4974.00 Sq Ft), Block 1, Sun Valley Ranch Replat A
Subdivision, City of El Paso, El Paso County, Texas, Parcel #S820-999-
0010-2010

to be \$85.28, 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 NINE AND 28/100 DOLLARS (\$109.28). The City Council finds that the work was completed on the 20th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED NINE AND 28/100 DOLLARS (\$109.28) 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, ALMANI 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 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:

10281 Dyer Street, more particularly described as NE 100 FT of Lot(s) 24 & 25 (30000 Sq Ft), Parkland Subdivision, El Paso, El Paso County, Texas, Parcel #P448-999-0020-1950

to be \$135.70, 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 NINE AND 70/100 DOLLARS (\$159.70). The City Council finds that the work was completed on the 5th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY NINE AND 70/100 DOLLARS (\$159.70) 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, LLOYD E. & JONI WRIGHT, 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:

4713 G T Powers Drive, more particularly described as Lot(s) 13 EXC W 1 Ft & W 1 Ft of Lot 12, Block 15, Castner Heights #1 Subdivision, El Paso, El Paso County, Texas, Parcel #C231-999-0150-2500

to be \$96.34, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED TWENTY AND 34/100 DOLLARS (\$120.34). The City Council finds that the work was completed on the 26th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY AND 34/100 DOLLARS (\$120.34) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso City Code, entitled Abatement, SP CONSTRUCTION, 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:

4048 Hacienda Roja Drive, more particularly described as Lot(s) 8 (11229.75 Sq Ft), Block 2, Haciendas San Miguel #1 Subdivision, El Paso, El Paso County, Texas, Parcel #H013-999-0020-0800

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 HUNDRED NINETY TWO AND 87/100 DOLLARS (\$192.87). The City Council finds that the work was completed on the 5th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED 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.

WHEREAS, in accordance with Section 9.04.380 of the El Paso City Code, entitled Abatement, JOHN A. III & SUDIE A. & THOMAS K. JENKS, 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:

8464 Roseway Drive, more particularly described as Tr 6 (EXC W 159.0 FT OF N 169.75 FT) 87512.04 SQ FT, Fruitvale Subdivision, El Paso, El Paso County, Texas, Parcel #F856-999-0010-2600

to be \$401.07, 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 FOUR HUNDRED TWENTY FIVE AND 07/100 DOLLARS (\$425.07). The City Council finds that the work was completed on the 2nd 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 FOUR HUNDRED TWENTY FIVE AND 07/100 DOLLARS (\$425.07) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso City Code, entitled Abatement, JOSEPH P. JR & DORA L. AUBIN, 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:

527 W Franklin Avenue, more particularly described as Lot(s) 28 & 29 (6759.00 SQ FT), Block C, Stevens Subdivision, El Paso, El Paso County, Texas, Parcel #S636-999-000C-5600

to be \$147.76, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY ONE AND 76/100 DOLLARS (\$171.76). The City Council finds that the work was completed on the 7th 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 ONE HUNDRED SEVENTY ONE AND 76/100 DOLLARS (\$171.76) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

2331 Myrtle Avenue, more particularly described as Lot(s) 28 to 32 (3492 Sq Ft), Block 45, Bassett Subdivision, El Paso, El Paso County, Texas, Parcel #B202-999-0450-9100

to be \$170.03, 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 FOUR AND 03/100 DOLLARS (\$194.03). The City Council finds that the work was completed on the 21st day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY FOUR AND 03/100 DOLLARS (\$194.03) 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, GENOVEVA M. MONTOYA, 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:

606 Val Verde Street, more particularly described as Lot(s) 7 & 8, Block 15, Val Verde Subdivision, El Paso, El Paso County, Texas, Parcel #V088-999-0150-0700

to be \$160.60, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED EIGHTY FOUR AND 60/100 DOLLARS (\$184.60). The City Council finds that the work was completed on the 6th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED EIGHTY FOUR AND 60/100 DOLLARS (\$184.60) 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, MARIA LOYA, 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:

212 Vaudeville Drive, more particularly described as Lot(s) 56 (7609 SQ FT),
Block 11, Fiesta Hills Replat Subdivision, El Paso, El Paso County, Texas,
Parcel #F315-999-0110-9700

to be \$136.81, 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 SIXTY AND 81/100 DOLLARS (\$160.81). The City Council finds that the work was completed on the 14th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED SIXTY AND 81/100 DOLLARS (\$160.81) 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.

.....
4A. BOARD APPOINTMENT

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

.....
4B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **DELETE** the appointment of Jane Thomas to the Zoning Board of Adjustment, as a regular member, by Representative Ann Morgan Lilly, District 1.

..... **5.**
DISCRETIONARY FUNDS

*Motion made, seconded, and unanimously carried to **APPROVE** that the expenditure of District 4 discretionary funds in the amount of \$1,000 to be used to offset city fees charged to children and other persons with intellectual disabilities and closely related developmental disabilities and those who actively assist them for participation in organized aquatics-related events and event preparation serves the important municipal purpose of providing assistance to intellectually disabled persons who participate in and benefit from such organized activities, and is authorized, and that the City Manager establish an appropriate process to ensure that the municipal purpose is carried out by the expenditures.

.....
6A. – 6F. 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:

- 6A.** An Ordinance amending Title 15 (Public Services) Chapter 15.08 (Street Rentals) Section 15.08.120 (Special Privilege Licenses), Subsection G, (Exceptions), of the El Paso City Code to add an exception for certain signs on the city’s parkway. The penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code.
- 6B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.041 (Schedule IVA - Parking Prohibited during certain hours- School Days Only) of the El Paso City Code by adding the area of No Parking on Missy Yvette Drive to include both sides from Pellicano Drive to Ben Proctor Drive. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code.
- 6C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.40 (Size, Weight and Class Restrictions), Section 12.40.020 (Transportation Committee - established authority to revise and establish truck routes) by eliminating the Transportation Committee and requiring the Traffic Engineer to establish and revise truck routes subject to approval by City Council. The penalty being as provided in Chapter 12.84 (Violations - Penalty) of the El Paso City Code.
- 6D.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.010 Schedule I (One Way Streets) of the El Paso City Code, by deleting Number 22, San Antonio Avenue from El Paso Street to Florence Street; deleting Number 75, Merchant Avenue between Hawkins Boulevard and Tony Lama Street; Adding Sheldon Court between Oregon Street and El Paso Street, westbound; and Amending Number 24, the alley between Oregon Street and El Paso Street from San Antonio Avenue to Sheldon Court from northbound to southbound. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code.
- 6E.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits) of the El Paso City Code by adding Lee Boulevard to Subsection F, thirty five miles per hour. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code.

6F. An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing and Parking Generally), Section 12.44.020 (Where no signs required) of the El Paso City Code by adding "Designated bike lanes, unless official signs allow such parking during specific times". The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON JULY 27, 2010, FOR ITEMS 6A – 6F

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7. FINANCIAL SERVICES

Motion made by Representative Quintana, seconded by Representative Byrd, and unanimously carried to **APPROVE** the award of Solicitation No. 2010-150 (Janitorial Service – Police Department Facilities) to The Eagle Janitorial Services for a total estimated award of \$869,609.16.

Department: General Services – Building Maintenance
Award to: The Eagle Janitorial Services
El Paso, TX
Items: All
Option: 2 Years
Annual Estimated Amount: \$289,869.72
Funding Source: General Funds
Total Estimated Award: \$869,609.16 (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 recommend award to The Eagle Janitorial Services, the vendor offering the best value bid.

.....
8A. PUBLIC HEARING – DEVELOPMENT SERVICES

*Motion made, seconded, and unanimously carried to **DELETE** an Ordinance changing the zoning of a portion of Section 30, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-3 (Commercial) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

8B. ORDINANCE 17355

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A TRACTS 11B1, 11B3B, AND 11B5, BLOCK 5, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH & FARM) TO R-2 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

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

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8C.

ORDINANCE 17356

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON10-00033, TO ALLOW FOR INFILL DEVELOPMENT AND A 100% PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 7 AND 8, BLOCK 32, FRANKLIN HEIGHTS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.070 PARKING REDUCTION AND 20.10.280 INFILL DEVELOPMENT 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 of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representative Ortega commented.

Mr. Dave Cooley, representing applicant.

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, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Byrd

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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8D.

ORDINANCE 17357

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING A CONDITION PLACED ON PROPERTY BY ORDINANCE NO. 011107 WHICH CHANGED THE ZONING OF TRACT 14G, BLOCK 51, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS AND WHICH IMPOSED A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

Representative Holguin commented.

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

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

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

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8E.

ORDINANCE 17358

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), SECTION 20.04.060 (PLANNING DIVISION, DEVELOPMENT SERVICES DEPARTMENT) OF THE EL PASO CITY CODE TO ADD REFERRALS TO THE OPEN SPACE ADVISORY BOARD. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

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ITEMS TAKEN TOGETHER

9.

ORDINANCE 17359

The City Clerk read an Ordinance entitled: **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.**

10A.

ORDINANCE 17360

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO AMEND TITLE 20 (ZONING), CHAPTERS 20.02 (GENERAL PROVISIONS AND DEFINITIONS) AND 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTIONS 20.02.414 AND 20.10.750 REGARDING YARD, GARAGE OR RUMMAGE SALES TO INCLUDE OUTDOOR SALES CONDUCTED IN CITY PARKS AND AT PLACES OF PUBLIC ASSEMBLY; TO ESTABLISH REQUIREMENTS FOR SUCH SALES; AND TO ADD SECTION 20.02.719 TO DEFINE PLACE OF PUBLIC ASSEMBLY; THE PENALTY BEING AS PROVIDED IN SECTION 20.24.020 OF THE EL PASO CITY CODE.**

10B.

ORDINANCE 17361

The City Clerk read an Ordinance entitled: **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.**

Mayor Cook and Representatives Holguin, Byrd and Robinson commented.

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

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

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

NAYS: None

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

.....

ITEMS TAKEN TOGETHER

11A. MAYOR AND COUNCIL:

Legislative Review Committee Report

- 1. For Notation: Formal Report of the Planning and Development Legislative Review Committee meeting held on June 28, 2010, as submitted by Ann Morgan Lilly, Chair; and,
- 2. Discussion pertaining specifically to any of the agenda items, as posted on the agenda of said Legislative Review Committee meeting, as follows
 - a. Discussion and action on an Ordinance adopting the 2009 Edition of the International Fire Code and amending Title 9 (Health & Safety), Chapter 9.52 (Fire Prevention Code) of the El Paso City Code to provide for local amendments.

- b. Discussion and action on an Ordinance adopting the 2009 Edition of the International Building Code and amending Title 18 (Building & Construction), Chapter 18.08 (Building Code) of the El Paso City Code to provide for local amendments.
- c. Discussion and action on an Ordinance adopting the 2009 Edition of the International Residential Code and amending Title 18 (Building & Construction), Chapter 18.10 (Residential Code) of the El Paso City Code to provide for local amendments.
- d. Discussion and action on an Ordinance adopting the 2009 Edition of the International Plumbing Code and amending Title 18 (Building & Construction), Chapter 18.20 (Plumbing Code) of the El Paso City Code to provide for local amendments.
- e. Discussion and action on an Ordinance adopting the 2009 Edition of the International Property Maintenance Code and amending Title 18 (Building & Construction), Chapter 18.50 (Property Maintenance Code) of the El Paso City Code to provide for local amendments.
- f. Discussion and action on an Ordinance adopting the 2009 Edition of the International Mechanical Code and amending Title 18 (Building & Construction), Chapter 18.12 (Mechanical Code) of the El Paso City Code to provide for local amendments.
- g. Discussion and action on an Ordinance adopting the 2009 Edition of the International Fuel Gas Code and amending Title 18 (Building & Construction), Chapter 18.24 (Gas Code) of the El Paso City Code to provide for local amendments.
- h. Discussion and action on an Ordinance adopting the 2009 Edition of the International Existing Building Code and amending Title 18 (Building & Construction), Chapter 18.28 (Building Code) of the El Paso City Code to provide for local amendments.
- i. Discussion and action on an Ordinance adopting the 2009 Edition of the International Energy Conservation Code and amending Title 18 (Building & Construction), to add Chapter 18.70 (Energy Conservation Code) to the El Paso City Code and providing for local amendments.
- j. Discussion and action on an Ordinance adoption the 2008 Edition of the National Electrical Code and amending Title 18 (Building & Construction), Chapter 18.16 (Electrical Code) of the El Paso City Code to provide for local amendments.
- k. Discussion and action on an Ordinance amending Title 18 (Building & Construction), Chapter 18.02 (Building and Construction Administrative Code) of the El Paso City Code, by repealing Chapter 18.02 in its entirety and adopting a new Chapter 18.02 in its place.
- l. Discussion and action on an Ordinance amending Title 18 (Building & Construction), by adding Chapter 18.40 (Vacant Buildings) to the El Paso City Code, by providing requirements, procedures and fees for the registration and inspection of vacant buildings in the City; to define terms; to provide defenses, an appeal process, and insurance requirements; to provide for the revocation of a certificate of occupancy; to requirement emergency information signage on vacant buildings; to provide for a severability clause; and to create a penalty.
- m. Discussion and action on an Ordinance amending Title 2 (Administration & Personnel), Chapter 2.38 (Building and Standards Commission) of the El Paso City Code to revise the

powers of the Commission to hear appeals filed pursuant to Chapter 18.40 relating to Vacant Building registration and requirements.

NO ACTION was taken on this item.

11B. DEVELOPMENT AND INFRASTRUCTURE

1st MOTION

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **DIRECT** the City Manager to initiate the following code changes to Titles 2 (Administration & Personnel), 9 (Health & Safety), and 18 (Building & Construction) of the City Code, as follows: to go forward with the 2009 International Building code, to do more extensive vetting with the industry on the issues raised today, to bring it back in three months with the options, and to have a three month effective period from the adoption of the code to allow the industry to catch up, and

2nd. MOTION

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to make a change to Chapter 18, to require that Building Permits not be authorized until the subdivision is built, or until there is a builder bond of 125 percent, and additionally to **DIRECT** staff to withhold conditional building permits under the discretion allowed them under the current code.

- a. An Ordinance adopting the 2009 Edition of the International Fire Code and amending Title 9 (Health & Safety), Chapter 9.52 (Fire Prevention Code) of the El Paso City Code to provide for local amendments.
- b. An Ordinance adopting the 2009 Edition of the International Building Code and amending Title 18 (Building & Construction), Chapter 18.08 (Building Code) of the El Paso City Code to provide for local amendments.
- c. An Ordinance adopting the 2009 Edition of the International Residential Code and amending Title 18 (Building & Construction), Chapter 18.10 (Residential Code) of the El Paso City Code to provide for local amendments.
- d. An Ordinance adopting the 2009 Edition of the International Plumbing Code and amending Title 18 (Building & Construction), Chapter 18.20 (Plumbing Code) of the El Paso City Code to provide for local amendments.
- e. An Ordinance adopting the 2009 Edition of the International Property Maintenance Code and amending Title 18 (Building & Construction), Chapter 18.50 (Property Maintenance Code) of the El Paso City Code to provide for local amendments.
- f. An Ordinance adopting the 2009 Edition of the International Mechanical Code and amending Title 18 (Building & Construction), Chapter 18.12 (Mechanical Code) of the El Paso City Code to provide for local amendments.
- g. An Ordinance adopting the 2009 Edition of the International Fuel Gas Code and amending Title 18 (Building & Construction), Chapter 18.24 (Gas Code) of the El Paso City Code to provide for local amendments

- h. An Ordinance adopting the 2009 Edition of the International Existing Building Code and amending Title 18 (Building & Construction), Chapter 18.28 (Building Code) of the El Paso City Code to provide for local amendments.
- i. An Ordinance adopting the 2009 Edition of the International Energy Conservation Code and amending Title 18 (Building & Construction), to add Chapter 18.70 (Energy Conservation Code) to the El Paso City Code and providing for local amendments.
- j. An Ordinance adopting the 2008 Edition of the National Electrical Code and amending Title 18 (Building & Construction), Chapter 18.16 (Electrical Code) of the El Paso City Code to provide for local amendments.
- k. An Ordinance amending Title 18 (Building & Construction), Chapter 18.02 (Building and Construction Administrative Code) of the El Paso City Code, by repealing Chapter 18.02 in its entirety and adopting a new Chapter 18.02 in its place.
- l. An Ordinance amending Title 18 (Building & Construction), by adding Chapter 18.40 (Vacant Buildings) to the El Paso City Code, by providing requirements, procedures and fees for the registration and inspection of vacant buildings in the City; to define terms; to provide defenses, an appeal process, and insurance requirements; to provide for the revocation of a certificate of occupancy; to require emergency information signage on vacant buildings; to provide for a severability clause; and to create a penalty.
- m. An Ordinance amending Title 2 (Administration & Personnel), Chapter 2.38 (Building and Standards Commission) of the El Paso City Code to revise the powers of the Commission to hear appeals filed pursuant to Chapter 18.40 relating to Vacant Building registration and requirements.

3rd MOTION

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

4th AND FINAL MOTION

Motion made by Representative O'Rourke, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **DIRECT** staff to bring back to Council within 60 days an Ordinance with recommendations for revisions to the vacant building Ordinance, to define geographical areas, and specifically (1) downtown (to include Secundo Barrio), (2) Chamizal, (3) Lower Dyer Street, and (4) the Empowerment Zone, and any properties that have been boarded and secured for two or more years, pursuant to a City order, which have a percent of being unoccupied of 60%, and any properties, City wide, that have been identified as board and secure.

Mr. Victor Morrison - Vega, Deputy Director of Development Services, Assistant Fire Chief, Orlando Arriola and Fire Chief, Otto Drozd, presented a PowerPoint presentation (on file in the City Clerk's office).

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

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Pat Adauto, Deputy City Manager of Development and Infrastructure
3. Mr. Alan Shubert, City Engineer

4. Mr. Charlie McNabb, City Attorney, gave legal advice.
5. Ms. Kathryn Dodson, Director of Economic Development
6. Ms. Marie Taylor, Assistant City Attorney, gave legal advice.
7. Mr. John Neal, Code Enforcement

The following members of the public commented:

1. Ms. Lisa Turner
2. Ms. Melissa Brandrup, El Paso Association of Architects
3. Mr. Kelly O’Leary, Desert View Homes
4. Mr. Randy O’Leary, El Paso Association of Home Builders – presented a PowerPoint presentation (on file in the City Clerk’s office).
5. Ms. Sharon Haddad, El Paso Association of Realtors
6. Mr. Scott Kesner, Greater El Paso Association Realtors Member
7. Ms. Candice Diaz, El Paso Hispanic Chamber of Commerce
8. Mr. Mike Breitingner, Central Business District
9. Mr. Doug Hamilton, Greater El Paso Association of Realtors
10. Mr. Eric Heller, Associated Properties Management Inc.
11. Mr. Dan Olivias, realtor
12. Mr. Richard Dayoub, Greater El Paso Chamber of Commerce
13. Mr. Robert Marvel, property owner
14. Mr. Jack MacGraf, Institute of Real Estate Manager, member

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 The City Council Meeting **RECESSED** at 2:13 p.m. and **RECONVENED** at 2:35 p.m.

12.

RESOLUTION

That the sections of the Community Development Citizen Participation Plan that relate to the Consolidated Plan and Section 108 Guaranteed Loan Funds; the Citizen Participation Process; and the Residential Anti-Displacement and Relocation Assistance Plan, be revised, as reflected in Attachments A, C and D respectively, to (1) align the documents with current federal requirements over the content of the Consolidated Plan; (2) revise and define substantial amendments to the Consolidated Plan and Annual Action Plan; (3) further define the Conflict of Interest provision and revise the Term of Office provision in the Citizen Participation Process; (4) revise and combine the Anti-Displacement Policy and Tenant Relocation Assistance Plan into one document; and (5) provide additional revisions recommended by Community Development staff that reflect updated terminology and current practices.

otion made by Representative O’Rourke, seconded by Representative Ortega, and unanimously carried to **APPROVE** the Resolution.

NOT PRESENT FOR THE VOTE: Representatives Lilly and Holguin

Representatives O’Rourke and Quintana commented.

Mr. William Lilly, Director of Community and Human Development, commented.
 Ms. Michelle Ellington, Grant Planner with Community and Human Development

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13.

RESOLUTION

RESOLUTION APPROVING THE CITY OF EL PASO POLICY AND GUIDELINES FOR ESTABLISHING A TAX INCREMENT REINVESTMENT ZONE (TIRZ)

WHEREAS, the Policy and Guidelines for Establishing a Tax Increment Reinvestment Zone (“Policy”) sets forth the parameters for establishing a TIRZ in El Paso; and

WHEREAS, the Policy is intended to be a tool to clarify requirements and create guidelines for future TIRZ projects; and

WHEREAS, the Policy is intended to assure the City’s tax base is not compromised, taking into account the overall economic benefits of the TIRZ, which are demonstrated to the reasonable satisfaction of the City of El Paso; and

WHEREAS, the final designation of a TIRZ will be considered on a case by case basis, and the decision to approve or deny incentives shall be at the discretion of the City Council;

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

That the City of El Paso Policy and Guidelines for Establishing a Tax Increment Reinvestment Zone attached hereto as Exhibit A are hereby adopted.

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **APPROVE AS REVISED** a Resolution on the creation of a TIRZ Policy to establish guidelines for the future creation of Tax Increment Reinvestment Zones within city limits and that all developments more than 50 acres would have to be rezoned for Smart Code.

NOT PRESENT FOR THE VOTE: Representative Holguin

Ms. Kathryn Dodson, Director of Economic Development, presented a PowerPoint presentation (on file in the City Clerk’s office).

Representatives Byrd, Quintana and O’Rourke commented.

14.

RESOLUTION

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

That the City Manager be authorized to sign a First Amendment to the Lease Agreement between the City of El Paso (“City”) and Insights El Paso Science Museum, Inc. (“Insights”) dated July 20, 2007 to extend the lease for an additional three (3) years; to provide that the parking facilities are open to the public after standard hours of museum operation; to provide for that building or parking lot improvements constructed during this extension; and to delete any and all references to the Challenge Grant.

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

NOT PRESENT FOR THE VOTE: Representative Holguin

Mayor Cook and Representatives O’Rourke and Quintana commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager

2. Ms. Carmen Arrieta-Candelaria, Chief Financial Officer of Financial Services
3. Mr. Charlie McNabb, City Attorney, gave legal advice.

Ms. Mandy Chew, Director of Insights Museum

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15. CITY MANAGER:

City Manager's report of current events and issues:

Presentation on the City's Reverse Notification Project.

Fire Lieutenant Ricardo Gonzalez presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Byrd, O'Rourke and Quintana commented.

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

NO ACTION was taken on this item.

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Motion made by Representative Robinson, seconded by Representative Lilly, and unanimously carried to
ADJOURN this meeting at 3:16 p.m.
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk