

OSCAR LEESER
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
LARRY ROMERO, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHIEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
AUGUST 6, 2013
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:30 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Larry Romero, Emma Acosta, Carl Robinson, Michiel R. Noe, Lilia Limón, and Cortney Carlisle Niland. Late arrival: Eddie Holguin, Jr. at 8:47 a.m. 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.

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PLEDGE OF ALLEGIANCE

**MICHIEL NOE
MEGAN NOE**

MAYOR'S PROCLAMATIONS

- 1. NATIONAL NIGHT OUT**
- 2. PASO DEL NORTE SOCCER ASSOCIATION DAY**

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and 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, Romero, Acosta, Robinson, Noe, Limón and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Holguin
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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 30, 2013, and the Legislative Review Meeting of the Whole of July 29, 2013, the Special City Council Meeting of July 29, 2013 (Introduction of an Ordinance levying FY 2014 taxes), the Special City Council Meeting of July 24, 2013 (Budget Hearings for Parks and Recreation, Department of Public Health, Information Technology, Purchasing & Strategic Sourcing, Fire, Police, Sun Metro and Department of Transportation), and the Special City Council Meeting of July 25, 2013 (Budget Hearings for Tax, Human Resources, City Manager, City Attorney, Non-Departmental, Mayor and Council, Environmental Services, and International Bridges).

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3. FOR NOTATION

*Motion made, seconded, and unanimously carried to **APPROVE** for notation to accept the donation of \$500 from Evolve Federal Credit Union; \$800 from Castro Enterprises, Inc.; \$500 from Jobe Materials, L.P., for the District 3 Movies at the Park.

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4. NOTICE OF CAMPAIGN CONTRIBUTIONS

*Motion made, seconded, and unanimously carried to **APPROVE** for notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contributions by Mayor Oscar Leeser in the amount of \$500 from Tenet Healthcare Corp.(PAC) and \$500 from Benny Vanecek.

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5. INTRODUCTION

Motion made by Representative Acosta, seconded by Representative Romero, 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:

NOT PRESENT FOR THE VOTE: Representative Holguin

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.020F (Installation) to establish the days and times when parking meter fees shall apply, to allow the Director of the Department of Transportation to recommend exceptions and to add exceptions; the penalty being as provided in Section 12.84.010 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON AUGUST 20, 2013, FOR THE ITEM

NOT PRESENT FOR THE VOTE: Representative Holguin

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6A.

ORDINANCE 18050

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTION 16, BLOCK 79, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: SOUTH OF VISTA DEL SOL DRIVE AND WEST OF CITY LIMIT. PROPERTY OWNER: AMERICAS LOOP 375 JOINT VENTURE. PZRZ13-00002**

Mr. Victor Morrison-Vega, Deputy Director for Building Permits and Licenses, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Leeser commented.

Motion duly made by Representative Holguin, seconded by Mayor Pro Tempore Niland, 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, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
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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6B.

ORDINANCE 18051

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST13-00015, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED LOT WIDTH AND SIDE YARD SETBACK ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 1, BLOCK 2, TOWN AND COUNTRY VILLAGE 2ND REVISED MAP, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 5135 CHROMITE STREET. PROPERTY OWNER: E. PEINADO DEVELOPMENT CO. PZST13-00015**

Mr. Victor Morrison-Vega, Deputy Director for Building Permits and Licenses, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Motion duly made by Representative Lilly, seconded by Mayor Pro Tempore Niland, 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, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
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

6C.

ORDINANCE 18052

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF ELM STREET RIGHT-OF-WAY, ADJACENT TO BLOCK 126, HIGHLAND PARK ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS. SUBJECT PROPERTY: 2801 MEMPHIS AVENUE. PROPERTY OWNER: RAMON AND AURORA TARIN. SURW13-00001**

6D.

ORDINANCE 18053

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF ELM STREET RIGHT-OF-WAY, ADJACENT TO BLOCK 126, HIGHLAND PARK ADDITION, CITY OF EL PASO, EL**

PASO COUNTY, TEXAS. SUBJECT PROPERTY: 2800 NASHVILLE STREET. PROPERTY OWNER: CARLOS AND MARIA HERNANDEZ. SURW13-00002

6E.

ORDINANCE 18054

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF ELM STREET RIGHT-OF-WAY, ADJACENT TO BLOCK 126, HIGHLAND PARK ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS. SUBJECT PROPERTY: 2604 ELM STREET. PROPERTY OWNER: BLANCA V. DUARTE. SURW13-00005**

6F.

ORDINANCE 18055

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF ELM STREET RIGHT-OF-WAY, ADJACENT TO BLOCK 126, HIGHLAND PARK ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS. SUBJECT PROPERTY: 2608 ELM STREET. PROPERTY OWNER: SALVADOR AND BLANCA V. DUARTE. SURW13-00006**

Mr. Victor Morrison-Vega, Deputy Director for Building Permits and Licenses, City Development, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Motion duly made by Representative Romero, seconded by Mayor Pro Tempore Niland, 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, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
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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6G.

ORDINANCE 18056

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.01 (PROVISIONS APPLICABLE TO ALL PLATTING PROCEDURES), TO MODIFY AND ADD EXEMPTIONS, AND AMEND THE TIME FOR DECISION ON PLATS AND LAND STUDIES; CHAPTER 19.02 (LAND STUDIES), TO AMEND THE CRITERIA FOR APPROVAL AND CRITERIA FOR REVISIONS FOLLOWING APPROVAL OF A LAND STUDY; CHAPTER 19.03 (PRELIMINARY PLAT), TO AMEND THE EFFECT OF APPROVAL OF A PRELIMINARY PLAT, AND THE TIME FOR EXPIRATION AND EXTENSION OF THE PRELIMINARY PLAT; CHAPTER 19.04 (FINAL PLAT), TO AMEND THE TIME FOR EXPIRATION AND EXTENSION OF A FINAL PLAT, AND THE PLAT RECORDATION PROCEDURE; CHAPTER 19.08 (CONSTRUCTION PLANS AND MANAGEMENT), TO AMEND THE REQUIREMENTS OF SUBDIVISION IMPROVEMENT PLANS, THE TIMING OF PUBLIC IMPROVEMENTS AND PERMIT ISSUANCE TO ALLOW GRADING PERMITS WITHOUT REQUIRING A SUBDIVISION, AND TO AMEND THE SECURITY FOR COMPLETION OF IMPROVEMENTS; CHAPTER 19.10 (DEDICATION, CONSTRUCTION REQUIREMENTS AND CITY PARTICIPATION), TO CLARIFY ROADWAY PARTICIPATION POLICIES AND DEVELOPER’S PROPORTIONATE SHARE; CHAPTER 19.15 (ROADWAYS), TO AMEND THE STREET/THOROUGHFARE ESCROW POLICIES AND**

PROCEDURES; CHAPTER 19.21 (SIDEWALKS), TO AMEND SIDEWALK REQUIREMENTS FOR NEW STREETS; CHAPTER 19.41 (EXPIRATION, EXTENSION AND REINSTATEMENT), TO AMEND THE TIME OF EXPIRATION OF A PLAT APPLICATION; AND CHAPTER 19.46 (PROPORTIONALITY APPEAL), TO AMEND THE APPEAL REQUIREMENTS. THE PENALTY BEING AS PROVIDED IN CHAPTER 19.42 OF THE CITY OF EL PASO CITY CODE.

Ms. Kimberly Forsyth, Lead Planner, City Development, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Mayor Leeser and Representatives Noe, Niland, Robinson, Lilly, and Acosta commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Mathew McElroy, Director of City Development
- 3. Ms. Sylvia Firth, City Attorney, gave legal advice.
- 4. Ms. Lauren Ferris, Assistant City Attorney, gave legal advice.

The following members of the public commented:

- 1. Ms. Lisa Turner
- 2. Ms. Ana Duenez
- 3. Ms. Jackie Butler, Great El Paso Chamber of Commerce

1ST MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Noe, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the signup period.

2ND MOTION

Motion duly made by Representative Noe, seconded by Mayor Pro Tempore Niland, that the Ordinance be **ADOPTED, AS REVISED** to remove Item 10 and ask the City Attorney to research the interest requirement and to exempt both public and private schools. 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, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland

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, AS REVISED**.

3RD AND FINAL MOTION

Motion made by Representative Noe, seconded by Mayor Pro Tempore Niland, and unanimously carried to **DIRECT** staff regarding the electric utility to disclose to the developer, and the developer to disclose to the homebuyer future plans for utility installations and the City Attorney will research.

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland

NAYS: None

7A.

ORDINANCE 18057

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.180 (NO STOPPING OR STANDING - TOW AWAY ZONE), OF THE EL PASO CITY CODE TO DELETE AN OBSOLETE PROVISION AND PROVIDE MORE PARKING ON CAMPBELL STREET, THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO CITY CODE.**

Mr. Rudy Pino, Department of Transportation, commented.

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative Romero, 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, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
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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7B.

ORDINANCE 18058

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV - SPEED LIMITS) PARAGRAPH F (THIRTY-FIVE MILES PER HOURS AND PARAGRAPH G (FORTY MILES PER HOUR), OF THE EL PASO CITY CODE, TO ADD NEW LOCATIONS, THE PENALTY BEING AS PROVIDED IN CHAPTER 1.08 (GENERAL PENALTY) OF THE EL PASO CITY CODE.**

Representative Lilly commented.

Mr. Rudy Pino, Department of Transportation, commented.

Motion duly made by Representative Lilly, seconded by Mayor Pro Tempore Niland, 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, Romero, Acosta, Robinson, Noe, Holguin, Limón and Niland
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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8.

ORDINANCE 18059

The City Clerk read an Ordinance entitled: **AN ORDINANCE RESCINDING ORDINANCE NOS. 10739, 12141, 15006, AND 15167 AND AUTHORIZING THE EL PASO PUBLIC LIBRARY TO ESTABLISH FEES BY THE BUDGET RESOLUTION FOR USE OF LIBRARY SYSTEM FOR NON-RESIDENTS OF THE CITY OF EL PASO; REPLACEMENT FEES FOR LOST OR DESTROYED CARDS; FEES FOR OVERDUE, DAMAGED, OR LOST BOOKS AND OTHER MATERIALS; FEES FOR SERVICES**

INCLUDING BUT NOT LIMITED TO COPYING, PRINTING, FAXING, SCANNING, AND MEETING ROOM USE; AND COLLECTION FEES. THE ORDINANCE ALSO AUTHORIZES CITY COUNCIL TO DECLARE LIMITED PERIODS OF "AMNESTY" BY APPROPRIATELY ADOPTED RESOLUTION.

Ms. Dionne Mack, Director of Libraries, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Leeser and Representatives Niland, Holguin, Limón, Acosta, Noe and Robinson commented.

Ms. Joyce Wilson, City Manager, commented.

County Commissioner Vincent Perez commented.

1ST MOTION

Motion duly made by Representative Noe, seconded by Mayor Pro Tempore Niland, that the Ordinance be **ADOPTED**, allowing payment in 6 months division. 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, Romero, Acosta, Robinson, Noe, and Niland

NAYS: Representatives Holguin and Limón

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

2ND AND FINAL MOTION

Motion made by Representative Noe, seconded by Mayor Pro Tempore Niland, and carried to **DIRECT** City staff to develop a more palatable method of providing library services to County residents, and if the County contributes to the City the dollars to offset the costs of providing library services to the County, the fee established in the ordinance will be adjusted.

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Limón and Niland

NAYS: Representative Holguin

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9. CITY MANAGER'S OFFICE

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried to **CLOSE** the First Public Hearing on the City of El Paso's proposed Fiscal Year 2014 Property Tax Increase.

Ms. Lynly Leeper, Chief Budget Officer presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Niland commented.

The following members of the public commented:

- 1. Mr. Richard Schecter
- 2. Ms. Lisa Turner
- 3. Ms. Debbie Price

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10.

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 Manager be authorized to send notice to Murray, Montgomery and O'Donnell of the City's intent to exercise its third option to extend the Professional Services Agreement dated March 30, 2010 for one additional year commencing September 1, 2013 and terminating on August 31, 2014. Compensation for this option to renew shall not exceed \$118,200.00.

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

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin and Limón
NAYS: Representative Niland

Mr. John O'Donnell, Murray, Montgomery and O'Donnell, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Lilly, Robinson, and Niland commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Sylvia Firth, City Attorney, gave legal advice.
- 3. Ms. Taylor Moreno, Mayor's Office

Mr. Jorge Artalejo, citizen, commented.

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11. MAYOR AND COUNCIL

Discussion of the international bridge proposed on the Yarbrough area.

Mayor Leeser and Representatives Noe, Limón, and Niland commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Sylvia Firth, City Attorney, gave legal advice.
- 3. Mr. Mike Medina, El Paso Metropolitan Planning Organization, Interim Executive Director

The following members of the public commented:

- 1. Ms. Lisa Turner
- 2. Mr. Salvador Gomez
- 3. Ms. Ana Duenez

NO ACTION taken on this item.

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Motion made by Representative Robinson, seconded by Mayor Pro Tempore Niland, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 11:39 a.m. pursuant to Section 3.5A of the

El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

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

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

Motion made by Representative Robinson, seconded by Mayor Pro Tempore Niland, and unanimously carried to adjourn the Executive Session at 12:15 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

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Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 12:41 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

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

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

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried to adjourn the Executive Session at 1:52 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

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EX1. Collection claim against Gloria Minjares, Our Matter No. 09-1026-005 (551.071)

Motion made Mayor Pro Tempore Niland, seconded by Representative Romero and unanimously carried that the City Attorney's Office be authorized to take any and all action to protect the City's interest and position, including filing a lawsuit against **GLORIA MINJARES** and all responsible parties, for restitution of property damages caused to City property and all other appropriate damages under Texas Law. This motion further grants the City Attorney's Office settlement authority and to sign all necessary documents to resolve this collection claim. Our Matter No. 09-1026-005.

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EX2. Collection claim against Kyrha Gutierrez, Our Matter No. 09-1026-014 (551.071)

Motion made Mayor Pro Tempore Niland, seconded by Representative Romero and unanimously carried that the City Attorney's Office be authorized to take any and all action to protect the City's interest and position, including filing a lawsuit against **KYRHA GUTIERREZ and OSCAR GUTIERREZ**, and all responsible parties, for restitution of property damages caused to City property and all other appropriate damages under Texas Law. This motion further grants the City Attorney's Office settlement authority and to sign all necessary documents to resolve this collection claim. Our Matter No. 09-1026-014.

EX3. Collection claim against Marissa P. Martinez, Our Matter No. 12-1026-1896.001 (551.071)

Motion made Mayor Pro Tempore Niland, seconded by Representative Romero and unanimously carried that the City Attorney’s Office be authorized to take any and all action to protect the City’s interest and position, including filing a lawsuit against **MARISSA P. MARTINEZ** and all responsible parties, for restitution of property damages caused to City property and all other appropriate damages under Texas Law. This motion further grants the City Attorney’s Office settlement authority and to sign all necessary documents to resolve this collection claim. Our Matter No. 12-1026-1896.001.

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EX4. Collection claim against Mariah Burrola and Ismael Burrola, Our Matter No. 11-1026-099 (551.071)

Motion made Mayor Pro Tempore Niland, seconded by Representative Romero and unanimously carried that the City Attorney’s Office be authorized to take any and all action to protect the City’s interest and position, including filing a lawsuit against **MARIAH BURROLA and ISMAEL BURROLA**, and all responsible parties, for restitution of property damages caused to City property and all other appropriate damages under Texas Law. This motion further grants the City Attorney’s Office settlement authority and to sign all necessary documents to resolve this collection claim. Our Matter No. 11-1026-099.

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EX5. City of El Paso, Texas vs. Greg Abbott, Attorney General, Cause No. D-1-GN-12-003879, our file 12-1001-034. (551.071)

Motion made Mayor Pro Tempore Niland, seconded by Representative Romero and unanimously carried that the City Attorney be directed to prepare and present to City Council, a Resolution addressing the management of any electronic communication created, transmitted, received or maintained on any device if the communication is in connection with the transaction of official business, including any e-mail, internet posting, text message, instant message, or other electronic communication in the custody or control of City elected officials, employees and volunteers with City email addresses at the City Council meeting of August 13, 2013.

Mayor Leeser commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. David Ochoa
2. Ms. Lisa Turner

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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 8:30 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. Ms. Wally Cech
2. Mr. Rene Rodela
3. Ms. Lisa Turner
4. Mr. Jorge Artalejo
5. Mr. Salvador Gomez
6. Mr. Guillermo Glenn
7. Mr. Steven Strumer

Mayor Leeser and Representative Niland commented.

Ms. Joyce Wilson, City Manager, commented.

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Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried to **ADJOURN** this meeting at 2:02 p.m.
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk