

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
AUGUST 18, 2009
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:34 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Emma Acosta, Carl Robinson, Rachel Quintana, Steve Ortega, and Beto O'Rourke. Late arrival: Eddie Holguin, Jr. at 8:35 a.m. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

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RECOGNITIONS

- 1. Bert Williams - Star On The Mountain Award**
- 2. Strategic Management Course – UTEP**

**Melanie Thomas
Malu Picard
Nahum Avila
Norma J. Castillo**

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. Jerry Thiedt
2. Mr. Larry Bach
3. Mr. Van English
4. Mr. Randy Graham
5. Rabbi Elliot Haff
6. Mr. Barney Field
7. Mr. Manny Hinojosa

- 8. Mr. Darrell Parker
- 9. Mr. Isaac Perez
- 10. Mr. Barry Martin
- 11. Pastor Michael Grady
- 12. Mr. James Coulter
- 13. Ms. Cristina Rivera
- 14. Mr. Alejandra Acuna
- 15. Mr. Rick Walther
- 16. Mr. Matthew Montoya
- 17. Mr. William Ward
- 18. Mr. Gilbert Gallegos
- 19. Mr. Robert McGregor
- 20. Ms. Yolanda Carrasco
- 21. Dr. Brenda Risch
- 22. Mr. Jesus Smith
- 23. Ms. Anna Marie Walsh

1ST MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Ortega, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Thiedt an additional 30 seconds to address the Council.

NOT PRESENT FOR THE VOTE: Representatives Holguin and O'Rourke

2ND AND FINAL MOTION

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Ms. Rivera an additional 30 seconds to address the Council.

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

Ms. Joyce Wilson, City Manager, commented.

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 Motion made by Mayor Pro Tempore Acosta, seconded by Representative Lilly, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:34 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

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

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

NOT PRESENT FOR THE VOTE: Representative Holguin

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Lilly, and unanimously carried to adjourn the Executive Session at 9:04 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Byrd, Robinson, Quintana, and Ortega

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EX1. Discussion and action regarding legal issues relating to the AB Fall Mansion lawsuit. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried that authorizes the City Attorney’s Office to **INCREASE THE CONTRACTUAL LIMIT** on the contract with outside counsel in the prosecution and defense of all matters relating to the AB Fall Mansion, including but not limited to the lawsuit entitled City of El Paso vs. Joseph “Sib” Abraham; Cause No. 2006-2480.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin, Ortega, and O’Rourke
NAYS; None
ABSTAIN: Representative Quintana

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EX2. Rickey and Paula Bell vs. City of El Paso, et al; Cause No. EP-08-CV-0332-FM. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and unanimously carried that the City Attorney’s Office be authorized to **REJECT** Plaintiffs’ settlement demand in the lawsuit styled Rickey and Paula Bell vs. the City of El Paso, et al., Cause No.: EP-08-CV-0331-FM

AYES: Representatives Lilly, Byrd, Acosta, Quintana, Holguin, Ortega, and O’Rourke
NAYS; None
ABSTAIN: Representative Robinson

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EX3. Discussion and action regarding 2630 Richmond. (551.072)

NO ACTION was taken on the item.

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1. REGIONAL 911 BOARD

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **APPROVE** the El Paso County 911 District FY2010 budget.

NOT PRESENT FOR THE VOTE: Representative O’Rourke

Mayor Cook and Representatives Acosta and Holguin commented.

Ms. Mary Kozak, Director of El Paso County 911 District, commented.

Mr. Michael Wendt, El Paso County 911 District Board of Managers, commented.

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CONSENT AGENDA

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

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

2. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of August 11, 2009.

3. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

4A.

***RESOLUTION**

That the Director of Aviation be authorized to sign and submit grant applications and related documentation to the Federal Aviation Administration (FAA), and be designated the official representative of the City of El Paso to act in connection with the application process for the Airport Improvement Program (AIP), Project No. 3-48-0077-27-09; and

That upon approval and issuance of such grant by the FAA, the City Manager be authorized to accept and sign the grant agreement, and other necessary documents when the form and substance of those documents has been reviewed and approved by the City Attorney's Office; provided that such authorization shall include the ability to accept and sign multiple agreements and documents, as the FAA grant may be issued in various disbursements; and

That the City Manager be authorized to approve and sign any budget transfers needed to establish appropriations in connection with this grant; and

That the total grant amount shall include a federal share of \$1,309,612.00 and a local share of \$68,927.00, and will be utilized for the following projects:

- Extension of Rwy 8R-26L: This project will extend Rwy 8R-26L by 1,100 feet on the eastern end, alleviating FAR Part 77 surface penetration issues in the area of the terminal ramp and Concourse B gates west of the runway. It will include the extension of its parallel Taxiway "L".
- Simulator: Equipment will provide effective and efficient training with high learning value by offering realistic, interactive, and dynamic virtual reality simulation of Incident Command and Vehicle Operations.
- ARFF Equipment: Equipment will include self-contained breathing apparatus, proximity gear, pressure rescue bags and thermal imaging cameras to provide a safer operating environment.
- Lighted "X": Will provide a better visual aid for safety purposes and operations to airfield operations and maintenance when runway closures are required.

4B.

***RESOLUTION**

WHEREAS, O.P.E.P. (hereinafter referred to as "Grantees") are sponsoring an outdoor street festival for a Labor Day Block Party (hereinafter referred to as "Event"), from Sunday, September 6, 2009 to Monday, September 7, 2009; and

WHEREAS, the Grantees have received administrative approval for a Special Privilege License for a street closure of less than twenty-four (24) hours for the use and closure of public rights-of-way for a portion of Ochoa Street, between First Avenue and Paisano Drive from 4:00 p.m. Sunday, September 6, 2009, to 4:00 a.m. Monday, September 7, 2009, in conjunction with the proposed Event; and

WHEREAS, the City is not a sponsor of the Event and the Grantees assume full responsibility for the planning, coordination, management, and production of the Event; and

WHEREAS, the Grantees desire to provide for the sale and service of alcoholic beverages on public rights-of-way during the Event;

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

That the Grantees be authorized to provide for the sale and service of alcoholic beverages at the outdoor street festival in the closed portion of Ochoa Street between First Avenue and Paisano Drive from 9:00 p.m. Sunday, September 6, 2009, to 2:00 a.m. Monday, September 7, 2009.

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4C.

***RESOLUTION**

That the City Engineer be authorized to sign the Second Amendment to the Agreement for Architectural Services by and between the City of El Paso and Aguilar & Mesta, Inc. d/b/a Perspectiva for a project known as "Westside Transit Terminal" in the amount of \$22,016 thereby extending the contract amount from \$152,230 to a total of \$174,246.

Representative Quintana commented.

Ms. Joyce Wilson, City Manager, commented

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4D.

***RESOLUTION**

That the City Manager be authorized to sign the Agreement for Professional Engineering Services by and between the City of El Paso and AIA Engineers, Ltd., for a project known as "Bus Stop Enhancements" in the amount of \$184,829.03 and that the City Engineer be authorized to approve up to \$50,000 in additional services for to a total of contract amount not to exceed \$234,829.03.

Representative Quintana commented.

Ms. Joyce Wilson, City Manager, and Mr. Johanes Makahaube, Engineering Division Manager, commented.

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4E.

***RESOLUTION**

That the City Manager be authorized to sign a Contract of Sale between the City of El Paso and Irma Bedolla aka Irma Bedolla Flores, Bertha Perez aka Bertha Alicia Flores Contreras, Edith Carrillo, Milton A. Flores Rios, Perla Jazmin Flores Holguin, Jaime Salvador Flores Nunez And Luis Alfredo Flores Nunez for the purchase of the following property for \$7,600:

The east 38 feet of the west 83 feet of Lots 1 and 2, Block 24, Lincoln Park Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 13, Page 63, Plat Records of El Paso County, Texas, commonly known as 4605 Durazno Ave., El Paso, El Paso County, Texas.

Representative Acosta commented.

Mr. Robert Ramirez, Consumer Affairs Administrator, commented.

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4F.

***RESOLUTION**

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

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

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

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

Lot(s) 19 & 20 (6312.00 Sq Ft), Block A, Montoya Subdivision, City of El Paso,
El Paso County, Texas, Parcel #M760-999-001A-0019

to be \$508.78, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of FIVE HUNDRED THIRTY TWO AND 78/100 DOLLARS (\$532.78). The City Council finds that the work was completed on the 12th & 17th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FIVE HUNDRED THIRTY TWO AND 78/100 DOLLARS (\$532.78) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

738 Hempstead Drive, more particularly described as Lot(s) 9 (5634.34 SQ FT), Block 18, West Hills #4 Subdivision, El Paso, El Paso County, Texas, Parcel #W145-999-0180-0900

to be \$298.53, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED TWENTY TWO AND 53/100 DOLLARS (\$322.53). The City Council finds that the work was completed on the 11th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED TWENTY TWO AND 53/100 DOLLARS (\$322.53) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

E Pt of Lot 26 (50.05 Ft of W, 91.58 Ft on N, 37.04 Ft on E, 91.39 Ft on S)
(0.092 Acre), Park Side Subdivision , El Paso, El Paso County, Texas, Parcel
#P376-999-0000-7700

to be \$240.04, 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 SIXTY-FOUR AND 04/100 DOLLARS (\$264.04). The City Council finds that the work was completed on the 19th day(s) of November, 2008, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED SIXTY-FOUR AND 04/100 DOLLARS (\$264.04) 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 Municipal Code, entitled Abatement, MARIA S. ARANDA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

6140 Cleveland Avenue, more particularly described as Lot(s) 9, Block 8,
Womble Subdivision, El Paso, El Paso County, Texas, Parcel #W813-999-
0080-1100

to be \$179.42, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED THREE AND 42/100 DOLLARS (\$203.42). The City Council finds that the work was completed on the 4th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED THREE AND 42/100 DOLLARS (\$203.42) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

11332 Ardelle Avenue, more particularly described as Lot(s) 9, Block 10,
Kimberly Heights Subdivision, El Paso, El Paso County, Texas, Parcel #K383-
999-0100-0900

to be \$139.21, 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 THREE AND 21/100 DOLLARS (\$163.21). The City Council finds that the work was completed on the 16th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED SIXTY THREE AND 21/100 DOLLARS (\$163.21) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

Lot(s) PT OF NW COR (BEG 190 FT S & 150.03 FT E OF NW COR) (49962.88 SQ FT), Ysleta Industrial Dist #2 RPL Subdivision, City of El Paso, El Paso County, Texas, Parcel #Y848-999-0000-1550

to be \$990.22, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE THOUSAND FOURTEEN AND 22/100 DOLLARS (\$1,014.22). The City Council finds that the work was completed on the 6th & 9th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE THOUSAND FOURTEEN AND 22/100 DOLLARS (\$1,014.22) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, NATIONAL CENTER FOR EMPLOYMENT OF THE DISABLED, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted

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

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

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

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

12105 Esther Lama, more particularly described as WLY PT OF LOT(S) 1 (248.31' ON S - 1201.5' ON W - 386.27; ON N - 1209.28' ON E) (7.5740 AC), Block 371, Vista del Sol #83 Subdivision, El Paso, El Paso County, Texas, Parcel #V893-999-3710-0300

to be \$955.93, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of NINE HUNDRED SEVENTY NINE AND 93/100 DOLLARS (\$979.93). The City Council finds that the work was completed on the 24th & 26th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount NINE HUNDRED SEVENTY NINE AND 93/100 DOLLARS (\$979.93) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

9858 Isaac Drive, more particularly described as Lot(s) 4 (10695.00 SQ FT), Block 5, Vista del Prado #2 Subdivision, El Paso, El Paso County, Texas, Parcel #V887-999-0050-0700

to be \$408.10, 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 FOUR

HUNDRED THIRTY TWO AND 10/100 DOLLARS (\$432.10). The City Council finds that the work was completed on the 10th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FOUR HUNDRED THIRTY TWO AND 10/100 DOLLARS (\$432.10) 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 Municipal Code, entitled Abatement, GUADALUPE N. PORRAS, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

9741 La Morenita, more particularly described as Lot(s) 16 (5565.00 SQ FT), Block 4, Mission Pass Subdivision, El Paso, El Paso County, Texas, Parcel #M579-999-0040-1600

to be \$167.09, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY ONE AND 09/100 DOLLARS (\$191.09). The City Council finds that the work was completed on the 5th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED NINETY ONE AND 09/100 DOLLARS (\$191.09) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

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

9853 La Morenita, more particularly described as Lot(s) 7 (5833.85 Sq Ft), Block 1, Mission Pass Subdivision, El Paso, El Paso County, Texas, Parcel #M579-999-0010-0700

to be \$187.84, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED ELEVEN AND 84/100 DOLLARS (\$211.84). The City Council finds that the work was completed on the 5th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED ELEVEN AND 84/100 DOLLARS (\$211.84) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

9912 La Morenita, more particularly described as Lot(s) 9 (5565.00 Sq Ft), Block 2, Mission Pass Subdivision, El Paso, El Paso County, Texas, Parcel #M579-999-0020-0900

to be \$248.98, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED SEVENTY TWO AND 98/100 DOLLARS (\$272.98). The City Council finds that the work was completed on the 5th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED SEVENTY TWO AND 98/100 DOLLARS (\$272.98) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

Lot(s) 16 (84336.59 Sq Ft), Block 4, Quail Run Subdivision, City of El Paso, El Paso County, Texas, Parcel #Q550-999-0040-1600

to be \$328.02, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED FIFTY TWO AND 02/100 DOLLARS (\$352.02). The City Council finds that the work was completed on the 27th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED FIFTY TWO AND 02/100 DOLLARS (\$352.02) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

945 Cornelius Drive, more particularly described as NLY PT OF LOT(S) 227 (183.44 FT ON ST-207.41 FT ON NLY - 169.98 FT ON WLY - 138.39 FT ON SLY), Loma Terrace #5 Subdivision, El Paso, El Paso County, Texas, Parcel #L541-999-001B-8300

to be \$299.85, 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 TWENTY THREE AND 85/100 DOLLARS (\$323.85). The City Council finds that the work was completed on the 20th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED TWENTY THREE AND 85/100 DOLLARS (\$323.85) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

N 20 FT OF LOT(S) 5 & E 80 FT OF S 6 FT OF LOT(S) 5 & E 80 FT OF N
11 FT OF LOT(S) 4 (3760 SQ FT), Block 256, Campbell Subdivision, City of
El Paso, El Paso County, Texas, Parcel #C050-999-2560-2500

to be \$247.89, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED SEVENTY ONE AND 89/100 DOLLARS (\$271.89). The City Council finds that the work was completed on the 5th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED SEVENTY ONE AND 89/100 DOLLARS (\$271.89) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

606 Val Verde, 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 \$215.69, 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 THIRTY NINE AND 69/100 DOLLARS (\$239.69). The City Council finds that the work was completed on the 4th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED THIRTY NINE AND 69/100 DOLLARS (\$239.69) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

Lot(s) 13 & 14 (8400.00 SQ FT), Block 11, Mundy Heights Subdivision, City of El Paso, El Paso County, Texas, Parcel #M946-999-0110-6600

to be \$113.49, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED THIRTY SEVEN AND 49/100 DOLLARS (\$137.49). The City Council finds that the work was completed on the 6th day(s) of February, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED THIRTY SEVEN AND 49/100 DOLLARS (\$137.49) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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4G.

***RESOLUTION**

That the Mayor be authorized to sign the Binational Hazardous Materials Emergency Plan Modification (the “Agreement”) among the City of El Paso, Texas, the City of Sunland Park, New Mexico, the Municipality of Juarez, Chihuahua, Mexico, and Ysleta del Sur Pueblo, (collectively the “Parties”), which includes the Memorandum of Understanding on Cross Border Communications and Emergency Response Strategies for the Parties.

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4H.

***RESOLUTION**

That the City Manager be authorized to sign a First Amendment to Interlocal Governmental Agreement between the City of El Paso (“City”) and New Mexico State University (“NMSU”) whereby the City shall pay an amount not to exceed \$39,522.55 to NMSU for NMSU staff to provide evaluation services for the City’s “CHOICES Two Should Know” program, which services shall end on December 31, 2009.

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4I.

***RESOLUTION**

That the City Manager be authorized to sign a Service Agreement by and between the City of El Paso and Enrique Carbajal (“Artist”), to design, fabricate, and provide instructions and consultation for public art to be known as the Paso Del Norte International Bridge Public Art Project in the amount of \$300,000.

Mayor Cook and Representative Ortega commented.

Mr. Sean McGlynn, Director of Museums and Cultural Affairs, and Mr. Said Larbi-Cherif, Director of International Bridges, commented.

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4J.

***RESOLUTION**

WHEREAS, the City of El Paso (the “City”) may participate cooperative purchasing agreements with other governmental entities pursuant to the authority granted in the State of Texas Statutes Government Code, Title 7, Chapter 791 Interlocal Cooperation Contracts, Subchapter B and Subchapter C, and Local Government Code, Title 8, Chapter 271, Subchapter F, Section 271.101 and Section 271.102;

WHEREAS, City staff has recommended that the City participate in the Harris County Department of Education Municipality Master Service Interlocal Contract for the purpose of fulfilling and executing its respective governmental purposes, goals objectives, programs and functions;

WHEREAS, the City seeks to utilize the contracts offered through Harris County Department of Education Municipality Master Service Interlocal Contract to obtain substantial savings for the City through volume purchasing; and

WHEREAS, the City has reviewed the benefits of participating in this program and based on this review has concluded that the program will benefit City of El Paso taxpayers through anticipated procurement savings.

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

That the City Manager is hereby authorized to sign the Harris County Department of Education Municipality Master Service Interlocal Contract in order to participate in their cooperative purchasing program.

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5. APPLICATION FOR TAX REFUNDS

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

- A. Select Portfolio Servicing Inc., in the amount of \$2,823.03 overpayment of 2008 taxes. (PID #C340-999-013A-6100).
- B. Chase Home Finance LLC in the amount of \$5,678.79 overpayment of 2007 taxes. (PID #C834-999-0050-3700).
- C. LPS ion behalf of SPS in the amount of \$3,052.21 overpayment of 2008 taxes. (PID #D047-999-0120-0900).

- D. First American Real Estate Tax Service in the amount of \$10,282.49 overpayment of 2008 taxes. (PID #F609-999-0190-0300).
- E. Select Portfolio Servicing in the amount of \$3,835.84 overpayment of 2008 taxes. (PID #H782-000-0080-1200).
- F. CitiMortgage in the amount of \$3,992.48 overpayment of 2008 taxes. (PID #H791-005-0050-0990).
- G. Suntrust Mortgage in the amount of \$5,693.30 overpayment of 2008 taxes. (PID #M085-999-0010-0100).
- H. Joe Lozano and Elizabeth Lozano in the amount of \$6,235.51 overpayment of 2008 taxes. (PID #S658-999-0060-3400).
- I. Green Tree Servicing in the amount of \$3,026.20 overpayment of 2008 taxes. (PID #T287-999-1430-5800).
- J. First American c/o Homeselect in the amount of \$2,872.55 overpayment of 2008 taxes. (PID #V893-999-3500-3000).
- K. Select Portfolio Servicing, Inc., in the amount of \$5,386.19 overpayment of 2008 taxes. (PID #V897-999-0790-0100).
- L. American Home Mortgage in the amount of \$3,194.70 overpayment of 2008 taxes. (PID #Y902-001-0004-0001).

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6. PURCHASING REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a purchase order to Oracle USA Inc., a State Department of Information Resources (DIR) contractor under DIR State Contract DIR-VPC-03-018, for the upgrade of Oracle PeopleSoft Enterprise Human Capital Management software in the amount of \$305,437. Participation by the City of El Paso in the DIR Program was approved by Mayor and Council on February 27, 2007.

Department: Information Technology
 Account No.: 31136001 – 508010 – 27136 – PIT09001
 Funding Source: FY 2009 IT Action Plan Funds
 Total Estimated Award: \$305,437
 Reference No.: 2009-300

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7A. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2009-217 (Security – Police Impound Lot) to Ruiz Protective Service, Inc., for a total estimated award of \$200,972.19.

Department: El Paso Police
 Award to: Ruiz Protective Service, Inc.
 El Paso, TX
 Items: All

Option: Two years
Account No.: 21150064 – 502212 – 16413 – P500235
Funding Source: Abandoned Auto Restricted Fund
Total Estimated Award: \$200,972.19 (36 months)

This is a thirty-six month requirements type contract.

The cost under this requirements contract is only an estimated value. The actual cost of this contract may be higher or lower than the total estimated 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 El Paso Police recommend award to Ruiz Protective Service, Inc., the vendor offering the best value bid.

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7B. BEST VALUE PROCUREMENT

Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2009-286 (Vehicles – Environmental Services) to Rudolph Chevrolet, LLC, and Casa Ford, Inc. for a total award of \$346,310.50.

Department: Environmental Services
Award to: Vendor 1: Rudolph Chevrolet, LLC
El Paso, TX
Items: 1
Amount: \$248,115.00

Award to: Vendor 2: Casa Ford, Inc.
El Paso, TX
Items: 2
Amount: \$98,195.50

Account No.: 34010289 – 508006 – 40403
Funding Source: Vehicular Equipment
Total Award: \$346,310.50

This is a single (one-time) purchase type contract for Vehicles for Environmental Services Department.

The Departments of Financial Services Departments, Purchasing Division, and General Services recommend award to Rudolph Chevrolet, LLC, and Casa Ford, Inc., the vendors offering the best value bid.

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8. REQUEST FOR PROPOSAL

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2009-052R (Health Information Management System) to Advanced Business Software, LLC, for a total estimated award of \$499,050.

Department: Public Health
Award to: Advanced Business Software, LLC
Lakeside, CA
Items: All
Option: Five years
Estimated Amount: \$499,050
Account No.: 41010162 – 502215 – 01101

Funding Source: Department of Public Health, Outside Contracts
Total Estimated Award: \$499,050 (5-year total)

This is a five year contract.

The Departments of Financial Services, Purchasing Division, and Public Health recommend award as indicated. The review committee based on evaluation factors established for this procurement, recommend award to the highest ranked proposer as indicated.

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9A. – 9F. INTRODUCTIONS

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

- 9A.** An Ordinance extending the term of a Special Privilege License granted to Shell Oil Company by Ordinance 12055, which permitted the encroachment onto a portion of a drainage easement located in Tract 1A5, Block 4, Ascarate Grant, City of El Paso, El Paso County, Texas, with a multi-product pipeline and approving the assignment of the license to Magellan Pipeline Company L.P.
- 9B.** An Ordinance amending Ordinance No. 016874 granting a Special Privilege to ONIHC, L.L.C. permitting the encroachment onto public right-of-way with a sidewalk café located at 504 West San Antonio Avenue by adding the sale and service of alcoholic beverages as a permissible activity in the public right-of-way described in Ordinance 016874 and extending the term of the Special Privilege License to ten years.
- 9C.** An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privileges), of the El Paso City Code to amend the procedures for use of public right of way granted by special privilege license and permits, the penalty as provided for in Section 15.08.125 of the El Paso City Code.
- 9D.** An Ordinance amending Ordinance 8064 (Classification and Compensation Plan) to amend Section 3.4 (f), Demotion or Reassignment to Lower Grade and 4.6, Legal Holidays.
- 9E.** An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, amending various rules and regulations contained therein, as applicable to the Civil Service System of the City of El Paso and City Employees.
- 9F.** An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.200, Park and Recreation facility use and fee authorization, of the El Paso City Code to revise and clarify the provisions relating to the types of user fees authorized to be charged by the department, to clarify the authorization for the development of programming in the parks; to require background checks for league coaches, and to amend the definitions used herein and on the fee schedule.

PUBLIC HEARING WILL BE HELD ON AUGUST 25, 2009, FOR ITEMS 9A – 9F

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10. FINANCIAL SERVICES

Motion made by Representative Lilly, seconded by Representative Robinson, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to exercise the City's option to extend current Contract 2009-086 (Ambulances) with LFG El Paso Truck Services, LP, for three additional ambulances pursuant to the provisions to the award approved by City Council on March 17, 2009.

Department: General Services Department – Fleet Division
Account No.: 37150068 – 508006 – 27265 – PFLESVC01
Funding Source: Equipment Replacement
Total Estimated Award: \$697,167 (Total for 3 Ambulances)

Mr. Terrence Freiburg, Purchasing Manager, commented.

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11A.

ORDINANCE 17168

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON09-00025 TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 1 THROUGH 10, BLOCK 9, COTTON ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.070 (PARKING REDUCTION) OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

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11B.

ORDINANCE 17169

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 1 THROUGH 25, BLOCK 25, SANDSTONE RANCH UNIT FOUR, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH AND FARM) TO R-3A (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

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11C.

ORDINANCE 17170

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOTS 51, 52, AND 53, CINECUE PARK SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY,**

TEXAS, FROM R-F (RANCH AND FARM) TO R-3 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

Representative Ortega commented.

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

AYES: Representatives Lilly, Byrd, 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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11D.

ORDINANCE 17171

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY DESCRIBED AS: TRACT 5, BLOCK 6, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY TEXAS, FROM R-F (RANCH AND FARM) TO R-3A (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mayor Cook and Representative Ortega commented.

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

The following members of the public commented:

- 1. Mr. James Montgomery
- 2. Ms. Kristie Taylor
- 3. Mr. James Schmidt
- 4. Mr. Mario Mendoza presented a PowerPoint presentation (on file in the City Clerk’s office).

Motion duly made by Representative Ortega, seconded by Representative O’Rourke, that the Ordinance be **DENIED**. 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 against the Ordinance, the same be and the same are hereby **DENIED**.

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11E.

ORDINANCE 17172

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.18 (OUTDOOR LIGHTING CODE), OF THE EL PASO CITY CODE BY ADDING EXEMPTIONS FOR DOWNTOWN, ENTERTAINMENT DISTRICTS, STATUES, AND SCULPTURES DISPLAYED FOR PUBLIC VIEWING, SEASONAL DECORATIONS, NEW DEFINITIONS AND REQUIREMENTS FOR INTERIOR HIGH INTENSITY DISCHARGE LIGHTS; CLARIFYING SHIELDING REQUIREMENTS, TOTAL OUTDOOR LIGHT OUTPUT STANDARDS AND NONCONFORMANCE; REQUIRING A PERMIT FOR USE OF LASER SOURCE LIGHT AND SEARCHLIGHTS AND LIMITING USE; PROHIBITING ADJUSTABLE LIGHT FIXTURES; ALLOWING TEMPORARY EXEMPTIONS AND REQUIRING A PERMIT FOR TEMPORARY EVENTS AND CONSTRUCTION IN CERTAIN CIRCUMSTANCES; THE PENALTY BEING AS PROVIDED IN SECTION 18.02.107 (VIOLATIONS AND PENALTIES) OF THE EL PASO CITY CODE.**

Mr. Victor Torres, Director of Development Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Acosta, Holguin, Byrd, and Quintana commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Pat Aduino, Deputy City Manager of Development and Infrastructure
- 3. Ms. Ellen Smyth, Director of Environmental Services
- 4. Mr. Alan Shubert, City Engineer

Mr. Brian Morris, President of RBM Engineering, presented a PowerPoint presentation (on file in the City Clerk's office).

Motion duly made by Representative Byrd, seconded by Representative Ortega, that the Ordinance be **ADOPTED, AS REVISED**. 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, AS REVISED**.

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11F.

ORDINANCE 17173

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.02 (BUILDING AND CONSTRUCTION ADMINISTRATIVE CODE), OF THE EL PASO CITY CODE TO PROVIDE FOR REVISED BUILDING PERMIT FEES, A NON-BUSINESS HOURS INSPECTION FEE, ANNUAL CONTRACTOR REGISTRATION REQUIREMENTS AND REGISTRATION FEE, AND A HOME IMPROVEMENT CONTRACTORS REGISTRATION FEE; THE PENALTY BEING AS PROVIDED IN SECTION 18.02.107 (VIOLATIONS AND PENALTIES) OF THE EL PASO CITY CODE.**

Representative Robinson commented.

Mr. Victor Torres, Director of Development Services, commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, 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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11G.

ORDINANCE 17174

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING TO PUBLIC VEHICULAR TRAFFIC A PORTION OF A TWENTY-FOOT ALLEY LOCATED BETWEEN ANTHONY STREET AND DURANGO STREET, 0.119 ACRES OF LAND, WITHIN BLOCK 160, CAMPBELL'S ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS. LOCATION: EAST OF ANTHONY STREET AND NORTH OF OVERLAND STREET.**

Mr. Gilbert Guillen, Union Plaza Property Association, commented.

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

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

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

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11H.

ORDINANCE 17175

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE LICENSE TO PLAZA DE MONTANA PARTNERS, L.P. PERMITTING THE ENCROACHMENT OF THREE AWNINGS AND THREE SIGNS OVER PORTIONS OF PUBLIC RIGHT-OF-WAY LOCATED ON A PORTION OF LOT 1, BLOCK 38, MILLS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, MORE COMMONLY KNOWN AS 116 SOUTH STANTON STREET.**

Representative O'Rourke commented.

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

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

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

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

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12.

ORDINANCE 17176

The City Clerk read an Ordinance entitled: **AN ORDINANCE IMPOSING A MORATORIUM FOR A PERIOD OF NINETY DAYS, UNLESS OTHERWISE EXTENDED, ON THE ACCEPTANCE OF APPLICATIONS FOR PERMITS AND ISSUANCE OF PERMITS FOR THE ERECTION, CONSTRUCTION, OR MODIFICATION OF OFF PREMISE SIGNS OR BILLBOARDS, INCLUDING BUT NOT LIMITED TO, CONVERSION TO DIGITAL DISPLAY.**

Representatives Byrd, Lilly, and Quintana commented.

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

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

AYES: Representatives Lilly, Byrd, 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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13.

ORDINANCE 17177

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.78 (INTERNATIONAL BRIDGES), SECTION 12.78.010 (TOLLS FOR INTERNATIONAL BRIDGES), OF THE EL PASO CITY CODE TO INCORPORATE STANDARD LANGUAGE FOR FEES AND TO CREATE SECTION 12.78.030 TO ALLOW FOR UP TO SEVEN NO FEE DAYS FOR PEDESTRIANS ANNUALLY; THE PENALTY AS PROVIDED FOR IN 12.84.010 OF THE CITY CODE.**

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

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Said Larbi-Cherif, Director of International Bridges

Mr. Alonso Flores, Director of Operations of the Downtown District, commented.

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

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

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

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14. OFFICE OF MANAGEMENT AND BUDGET

Motion made by Representative Quintana, seconded by Representative Ortega, and unanimously carried to **CLOSE** the second public hearing on the City of El Paso's proposed FY2010 property tax rate increase.

Representatives Lilly and Ortega commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. David Almonte, Director of Office of Management and Budget
3. Mr. Charlie McNabb, City Attorney, gave legal advice.
4. Ms. Bertha Ontiveros, Assistant City Attorney, gave legal advice.

Mr. Richard Schechter, citizen, commented.

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15A.

RESOLUTION

WHEREAS, the Ecotourism Committee of El Paso is a group of stakeholders whose mission is to market and preserve our natural assets in the Paso Del Norte region; and

WHEREAS, the Rio Grande plays an important role in our region's splendor; and

WHEREAS, cities such as Albuquerque, New Mexico have utilized the natural and native vegetation and ecology along the Rio Grande to create a forest along the river that provides significant eco-tourism and quality of life enhancing opportunities, and a considerable economic benefit to the local economy, and

WHEREAS, current practices by the International Water and Boundary Commission (IBWC) continue to mow stretches of the Rio Grande; and

WHEREAS, the Ecotourism Committee of El Paso supports the de-mowing of certain stretches along the Rio Grande floodway for ecological restoration purposes in support of sustainable, responsible, multifaceted nature preservation; and

WHEREAS, a restored floodway would support riparian habitat for native birds and other flora and fauna; and

WHEREAS, the no-mow policy would have the potential for rapid recovery of native cottonwood and tornillo without requiring active re-vegetation efforts.

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

That the Mayor and the City Council of El Paso propose a two-phase, passive management (no-mow) regime, with the consent and guidance of the IBWC, along the Texas portion of both sides of the

floodway between the New Mexico State line and Country Club Road, and the small section in Texas south of Country Club Road where River Elms Court dead ends off Sunset Road.

Mr. Kevin Von Finger, member of the Ecotourism Committee of El Paso, presented a PowerPoint presentation (on file in the City Clerk's office).

Representative Byrd commented.

Mr. Bill Addington, representing the Sierra Club, commented.

Motion made by Representative Byrd, seconded by Representative Quintana, and unanimously carried to **APPROVE** the Resolution and request that the Mayor send the Resolution to the County Commissioners asking for their support.

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15B.

RESOLUTION

WHEREAS, since 1944 Big Bend National Park in West Texas has been a region of great tourist interest for many reasons, including its breath-taking scenery, and

WHEREAS, a similar region of unparalleled beauty exists immediately across the Rio Grande in the Mexican States of Coahuila and Chihuahua, and

WHEREAS, it was proposed as early as 1935 by Senator Morris Shepherd of Texas, with support from both President Roosevelt and President Truman of the United States and President Manuel Avila Camacho of Mexico, that the Big Bend area and adjacent region in Mexico be established as an International Park and a monument to the friendship and good will that exists between the peoples of both the United States and Mexico, and

WHEREAS, the adjacent region in Mexico contains ecological systems, in particular high elevation sky island mesic forest which is important to the survival of species whose habitat will be negatively affected by climate change, that will function as refuge for such species and corridors for repopulation of adjacent lands in the Big Bend region of the United States, and

WHEREAS, there is renewed interest on the part of government officials in both countries that recognizes the need to preserve the ecology and environment of the entire area and promote tourism that will enable the peoples of both countries to more fully appreciate the natural beauty and shared cultures of this region of both Mexico and the United States, and

WHEREAS, the Ecotourism Committee of El Paso supports this endeavor.

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

That the Mayor and City Council of El Paso encourage officials of both the United States and Mexican governments, as well as appropriate officials of Coahuila, Chihuahua and Texas, and the private sectors of both nations, to persuade President Obama's administration and President Calderon's administration to establish an international commission to help promote this laudable project through to completion.

Representatives Byrd and Robinson commented.

Mr. Rick LoBello, member of the Ecotourism Committee of El Paso, presented a PowerPoint presentation (on file in the City Clerk's office).

Mr. Bill Addington, representing the Sierra Club, commented.

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

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

NAYS; None

ABSTAIN: Representative Robinson

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16.

***RESOLUTION**

WHEREAS, the City, through its Community and Human Development Department, has established a Neighborhood Stabilization Program (NSP) to be supported through funding received from the Texas Department of Housing and Community Affairs (TDHCA) and federal funds received under the Economic Recovery Act of 2008 (HERA) for the purpose of mitigating the negative impact of the nation's economic decline and housing market collapse by stabilizing and revitalizing the distressed communities/areas through the purchase and rehabilitation of abandoned or foreclosed homes, redevelopment of demolished or vacant properties, demolition of blighted structures, and financing mechanisms to homebuyers and developers; and

WHEREAS, on April 6, 2009, the City Manager executed the Grant Agreement for NSP funds with the Department of Housing and Urban Development (HUD) in the amount of \$3,032,465.00 as authorized and appropriated under the Housing and Economic Recovery Act of 2008; and

WHEREAS, on July 16, 2009, the Board of the Texas Department of Housing and Community Affairs approved the City of El Paso's application for the Texas Neighborhood Stabilization Program in the amount of \$1,731,066.00; and

WHEREAS, the Director of Community and Human Development recommends that the NSP Manual for the Program be approved by City Council and that certain authorizations be established to ensure effective administration of the Program and to meet the required expedited use of the funds which have been appropriated for the City.

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

1. That the City Council approves the NSP Manual, as recommended by the Director of Community and Human Development.
2. That the City Manager or the Director of Community and Human Development, when acting as her designee, be authorized to acquire qualified properties under the Neighborhood Stabilization Program provided that: the properties meet the acquisition criteria established in the NSP Manual (e.g., are within the maximum purchase price, satisfy the minimum purchase discount requirement, and are located in targeted Census Tracts); and there are unencumbered NSP funds available to adequately fund the acquisition, rehabilitation, and administrative costs related to the particular

acquisition. This authorization includes authorization to negotiate the purchase price (offer or counteroffer) and execute on behalf of the City the purchase and sale agreements/contracts of sale and any other documents related to the acquisition, upon review and approval of the City Attorney's Office.

- 3. That the City Manager or the Director of the Community and Human Development, when acting as her designee, be authorized to approve or deny homebuyer loan applications and loans for homebuyer financing under the Program, in accordance with the lending criteria and requirements in the NSP Manual.

Ms. Andrea Tirres, Affordable Housing Finance Coordinator, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Robinson and Byrd commented.

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

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

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17A.

RESOLUTION

WHEREAS, the Mayor and City Council accept the recommendation from the Parks and Recreation Advisory Board to name the Park located at 2085 Shreya, El Paso, Texas, more specifically known as Sun Ridge #15, City of El Paso, El Paso County, Texas, as the Frank "Francis" T. Hourigan Park.

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

That the recreation facility located at 2085 Shreya, El Paso, Texas, more specifically known as Sun Ridge #15, City of El Paso, El Paso County, Texas, shall henceforth be named and known as the Frank "Francis" T. Hourigan Park; and,

That JNC Development, Inc. is the group requesting this specific name and the group shall incur the customary costs associated with the naming or renaming of a park or park facility, such as installing or replacing signs with the park name or any other signs posted or affixed for a facility. Any proposed signs shall be acceptable to both the Parks and Recreation Department and the individual(s) or group making the request.

Representative Quintana commented.

1ST MOTION

*Motion made, seconded, and unanimously carried to **POSTPONE** the item for two weeks.

2ND MOTION

Motion made by Representative Holguin, seconded by Representative Byrd, and unanimously carried to **RECONSIDER** the item.

3RD AND FINAL MOTION

Motion made by Representative Holguin, seconded by Representative Byrd, and unanimously carried to **APPROVE** the Resolution.
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17B.

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

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on or before July 21, 2006, owners of real property located within El Paso Public Improvement District No. 1 (Thunder Canyon) delivered to the City of El Paso, Texas (the "City") a Petition (the "Petition") to create El Paso Public Improvement District No. 1 (Thunder Canyon) (the "District"); and

WHEREAS, after providing notices required by Section 372.009 of the Act, the City Council on January 16, 2007, conducted a public hearing on the advisability of the improvements and the creation of the District; and

WHEREAS, on January 16, 2007, the City Council passed a Resolution which modified the property included in the District, authorized and approved the creation of the District; and

WHEREAS, the authorization of the District took effect when notice of the passage of the Resolution was published in a newspaper of general circulation in the City; and

WHEREAS, after statutory notice was provided, on April 17, 2007, the El Paso City Council approved Ordinance No. 016603 which approved the Service and Assessment Plan and the levying of assessments for the District; and

WHEREAS, the Act requires an annual review and update of the service plan for the purpose of determining the annual budget for improvements; and

WHEREAS, the City staff has reviewed the April 17, 2007 Service and Assessment Plan and has recommended that no changes or revisions are needed to the April 17, 2007 Service and Assessment Plan.

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

That the Service and Assessment Plan for the El Paso Public Improvement District No. 1 (Thunder Canyon) approved on April 17, 2007, as described in Ordinance No. 016603, has been reviewed annually as required by Chapter 372 of the Texas Local Government Code, and the City Council finds that there is no need to revise the adopted Service and Assessment Plan, and, as a result, there is no need to update the annual budget and all assessments shall remain the same as described in Ordinance No. 016603.

Ms. Shamori Whitt, Open Space, Trails, and Parks Coordinator, presented a PowerPoint presentation (on file in the City Clerk's office).

Representative Holguin commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Brian Morris, President of RBM Engineering, commented.

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ADDITION TO THE AGENDA

1. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Richard Castro to the PSB Selection Committee by Representative Emma Acosta, District 3.

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Motion made by Representative Lilly, seconded by Representative Holguin, and unanimously carried to **ADJOURN** this meeting at 12:17 p.m.
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk