

**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  
SEPTEMBER 1, 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: Susannah M. Byrd, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Late arrivals: Emma Acosta at 8:35 a.m. during Executive Session deliberations and Ann Morgan Lilly and Carl Robinson at 8:37 a.m. during Executive Session deliberations, and Rachel Quintana at 8:53 a.m. during Executive Session deliberations. The invocation was given by Police, Fire, & CIMA Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

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**MAYOR'S PROCLAMATIONS**

1. **EMERGENCY PREPAREDNESS MONTH**
2. **FIESTA DE LAS FLORES WEEK**

**CALL TO THE PUBLIC – PUBLIC COMMENT**

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

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

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Ms. Lisa Turner
2. Mr. Manny Hinojosa

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Motion made by Representative Byrd, seconded by Representative O'Rourke, 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 item listed on the Agenda.

NOT PRESENT FOR THE VOTE: Representatives Lilly, Acosta, Robinson, and Quintana

Motion made by Representative Robinson, seconded by Representative Holguin, and unanimously carried to adjourn the Executive Session at 9:00 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Lilly

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**EX1.** Guadalupe Ramirez, et al. vs. the City of El Paso; Cause No. 2007-2568. (551.071)

**NO ACTION** was taken on the item.  
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**CONSENT AGENDA**

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

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

NAYS: None  
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**1. APPROVAL OF MINUTES**

\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of August 25, 2009, and the Special City Council meetings of August 24, 2009 (Annexation), and August 25, 2009 (EPPD Amendment to the Articles).  
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**2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS**

**NO ACTION** was taken on this item.  
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**3A.**

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 31<sup>st</sup> day of March, 2009, after due notice and hearing, issued an order to Marcelina Martinez, record Owner of the hereinafter described property that the main structure and accessory structure be secured within thirty days and to clean the premises of all weeds, trash, and debris all within thirty days, and the Owner and any mortgagee or lienholder having failed after due notice to comply with such Order, the Street Department of the City of El Paso has been ordered to proceed to secure and clean the premises of all weeds, trash, and debris.

**WHEREAS**, the Director for the Development 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. That the City Council determines the actual cost of securing the structure and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

All of Lot numbered 7, except the South 5 feet thereof in Block 76-B of Ward's Subdivision of Block 76 of Magoffin's Addition to the City of El Paso, in El Paso County, Texas, according to the map of Ward's Subdivision of record in the front of Book 423, Deed Records of El Paso County, Texas, municipally known and numbered as 208 Ward Avenue, El Paso, Texas,

to be \$4,051.85, performed by the Street Department of the City of El Paso, and \$1,367.79, performed by the City Clerk's Office and Development Services Department, making a total of \$5,417.64. The City Council finds that the work was completed on the 5<sup>th</sup> day of June, 2009, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of \$5,517.64 to be a lien on the above-described property.

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

4. That 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.

.....  
**3B.**

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, WDE 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) 14 (2015.17 SQ FT), Block 12, Mesa del Castillo #4 Subdivision, City of El Paso, El Paso County, Texas, Parcel #M327-999-0120-1400

to be \$190.68, 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 FOURTEEN AND 68/100 DOLLARS (\$214.68). The City Council finds that the work was completed on the 15th day(s) of January, 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 FOURTEEN AND 68/100 DOLLARS (\$214.68) 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, MARIO & ALICIA ESTRADA, 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:

2816 Altura Avenue, more particularly described as Lot(s) 22 & E 2/3 of Lot 23 (5000 SQ Ft), Block 107, Highland Park Subdivision, El Paso, El Paso County, Texas, Parcel #H453-999-1070-5700

to be \$253.28, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED SEVENTY SEVEN AND 28/100 DOLLARS (\$277.28). The City Council finds that the work was completed on the 2<sup>nd</sup> day(s) of March, 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 SEVEN AND 28/100 DOLLARS (\$277.28) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ENRIQUE & FERMINA MARTINEZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso 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:

2831 Frankfort Avenue, more particularly described as Lot(s) 4 & E 1/2 of Lot 5 (4500 Sq Ft), Block 119, Highland Park Subdivision, El Paso, El Paso County, Texas, Parcel #H453-999-1190-0900

to be \$288.49, 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 THREE HUNDRED TWELVE AND 49/100 DOLLARS (\$312.49). The City Council finds that the work was completed on the 17th day(s) of March, 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 TWELVE AND 49/100 DOLLARS (\$312.49) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JAIME R. GALLEGOS & RAFAEL & 1 FLORES, 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:

3726 Keltner Avenue, more particularly described as NE 1/4 of Tract 1 EXC  
N 25 FT, Block 73A, Logan Heights Subdivision, El Paso, El Paso County,  
Texas, Parcel #L447-999-073A-1700

to be \$482.80, 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 SIX AND 80/100 DOLLARS (\$506.80). The City Council finds that the work was completed on the 17th day(s) of March, 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 SIX AND 80/100 DOLLARS (\$506.80) 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, FRANK W. & BERNICE H. WOOD, 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:

3418 Louisville Avenue, more particularly described as Lot(s) 29 & E 1/2 of Lot 30 (4560 Sq Ft), Block 10, Altura Park Subdivision, El Paso, El Paso County, Texas, Parcel #A520-999-0100-8100

to be \$238.78, 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 TWO HUNDRED SIXTY TWO AND 78/100 DOLLARS (\$262.78). The City Council finds that the work was completed on the 2nd day(s) of March, 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 SIXTY TWO AND 78/100 DOLLARS (\$262.78) 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, GOLDEN ESCOBAR ENTERPRISES LLC, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso 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:

4705 Moonlight Avenue, more particularly described as Lot(s) E 70.00 Ft of Lot(s) 28 & S 25.00 Ft of E 70.00 Sq Ft of Lot 27 & Adj 10.00 Ft of Clsd Alley (7000.00 Sq Ft) Carried with Lot 27, Block 10, Del Norte Acres Subdivision, El Paso, El Paso County, Texas, Parcel #D361-999-0100-6600

to be \$269.36, 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 NINETY THREE AND 36/100 DOLLARS (\$293.36). The City Council finds that the work was completed on the 27th day(s) of March, 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 NINETY THREE AND 36/100 DOLLARS (\$293.36) 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 & JOSEFINA MILAN, 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) 6, Block 15, Sambrano Subdivision, City of El Paso, El Paso County,  
Texas, Parcel #S052-999-0150-2400

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 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 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, JOHN TRIEN, 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) 9 (EXC W 30 FT) (4.5295 AC), Block 4, Hueco View Acres  
Subdivision, City of El Paso, El Paso County, Texas, Parcel #H817-999-  
0040-2800.

to be \$310.68, 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 THIRTY FOUR AND 68/100 DOLLARS (\$334.68). The City Council finds that the work was completed on the 4th day(s) of March, 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 THIRTY FOUR AND 68/100 DOLLARS (\$334.68) 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, FEDERAL NATIONAL MORTGAGE ASSOC, 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:

11684 Kristy Weaver Drive, more particularly described as Lot(s) 16 (5760.13 SQ FT), Block 82, Vista Hills #23 Subdivision, El Paso, El Paso County, Texas, Parcel #V897-999-0820-1600

to be \$187.58, 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 58/100 DOLLARS (\$211.58). The City Council finds that the work was completed on the 24th day(s) of March, 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 58/100 DOLLARS (\$211.58) 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, SSRC 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:

11843 Quail Bush, more particularly described as Lot(s) 18 (8284.00 SQ FT), Block 1, Hueco Mountain Village Subdivision, El Paso, El Paso County, Texas, Parcel #H801-999-0010-0900

to be \$138.73, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SIXTY TWO AND 73/100 DOLLARS (\$162.73). The City Council finds that the work was completed on the 31st day(s) of December, 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 ONE HUNDRED SIXTY TWO AND 73/100 DOLLARS (\$162.73 ) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JOSEFA DURAN c/o ELODIA DELGADO, 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:

249 Apodaca Street, more particularly described as Tract 8-V (0.46 ACRE),  
Block 42, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel #Y805-  
999-042B-0817

to be \$593.21, 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 SIX HUNDRED SEVENTEEN AND 21/100 DOLLARS (\$617.21). The City Council finds that the work was completed on the 26st day(s) of March, 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 SIX HUNDRED SEVENTEEN AND 21/100 DOLLARS (\$617.21) 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, LUZ D. TORRES, 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:

160 Ceres Place, more particularly described as Lot(s) 66 (0.264 Acre), North  
Valumbrosa Subdivision, El Paso, El Paso County, Texas, Parcel #N515-999-  
0010-7200

to be \$352.90, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED SEVENTY SIX AND 90/100 DOLLARS (\$376.90). The City Council finds that the work was completed on the 31st day(s) of March, 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 SEVENTY SIX AND 90/100 DOLLARS (\$376.90) 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, ARMANDO & IRMA GOMEZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso 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:

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

to be \$228.95, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED FIFTY TWO AND 95/100 DOLLARS (\$252.95). The City Council finds that the work was completed on the 4th day(s) of March, 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 FIFTY TWO AND 95/100 DOLLARS (\$252.95) 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, MANUEL O. GALLEGOS, 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:

9277 Leonardo Avenue, more particularly described as Tract 87 (0.23 Acre),  
North Valumbrosa #2 Subdivision, El Paso, El Paso County, Texas, Parcel  
#N525-999-0010-0800

to be \$311.76, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED THIRTY FIVE AND 76/100 DOLLARS (\$335.76). The City Council finds that the work was completed on the 20th day(s) of March, 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 THIRTY FIVE AND 76/100 DOLLARS (\$335.76) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JOE GUTIERREZ, 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:

324 Singh Street, more particularly described as Lot(s) 42, Singh  
Subdivision, El Paso, El Paso County, Texas, Parcel #S445-999-  
0010-4200

to be \$153.99, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY SEVEN AND 99/100 DOLLARS (\$177.99). The City Council finds that the work was completed on the 3rd day(s) of March, 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 SEVENTY SEVEN AND 99/100 DOLLARS (\$177.99) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JESUS M. & MARTHA H. KOMIYAMA, 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:

Tract 11-B (0.188 Acre), Block 47, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel #Y805-999-0470-1107

to be \$186.73, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED TEN AND 73/100 DOLLARS (\$210.73). The City Council finds that the work was completed on the 4th day(s) of March, 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 TEN AND 73/100 DOLLARS (\$210.73) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ANGELINA T. WATSON (LT LE), 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:

9305 Socorro Road, more particularly described as Tract 2 (6650 SQ FT),  
Candelaria Subdivision, El Paso, El Paso County, Texas, Parcel #C080-999-0010-0500

to be \$415.14, 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 NINE AND 14/100 DOLLARS (\$439.14). The City Council finds that the work was completed on the 30th day(s) of March, 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 NINE AND 14/100 DOLLARS (\$439.14) 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, THE ALDERETE FAMILY 1990 TRUST, 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:

Tract 12-D (0.5724 AC), Block 49, Ysleta Subdivision, City of El Paso, El Paso County, Texas, Parcel #Y805-999-0490-1210

to be \$303.37, 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 SEVEN AND 37/100 DOLLARS (\$327.37). The City Council finds that the work was completed on the 18<sup>th</sup> day(s) of March, 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 SEVEN AND 37/100 DOLLARS (\$327.37) 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, HUMBERTO 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:

Tract 7-L-1 (0.833 Acre) & Tract 7-K-1 (0.325 Acre) & Tract 7-L-1-B (0.009 Acre), Block 35, Ysleta Subdivision, City of El Paso, El Paso County, Texas, Parcel #Y805-999-035D-0748

to be \$352.08, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED SEVENTY SIX AND 08/100 DOLLARS (\$376.08). The City Council finds that the work was completed on the 12<sup>th</sup> day(s) of March, 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 SEVENTY SIX AND 08/100 DOLLARS (\$376.08) 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, DAVID C. ESTRADA, 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:

432 Cinecue Way, more particularly described as Pts of (51, 52, 53) Beg 92.85'  
SW of NWC of Lot(s) 53 (Irreg on N - 55.15' on E - 236.93' on S - 91.0' on W),  
Cinecue Park Subdivision, El Paso, El Paso County, Texas, Parcel #C572-999-  
0010-0657

to be \$241.40, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED SIXTY FIVE AND 40/100 DOLLARS (\$265.40). The City Council finds that the work was completed on the 11th day(s) of March, 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 SIXTY FIVE AND 40/100 DOLLARS (\$265.40) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ELVIRA F. CHABARRIA, 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:

551 Cora Place, more particularly described as Lot(s) 13 Tract 13, Block C,  
Christy Subdivision, El Paso, El Paso County, Texas, Parcel #C454-999-  
000C-5600

to be \$192.06, 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 SIXTEEN AND 06/100 DOLLARS (\$216.06). The City Council finds that the work was completed on the 13th day(s) of March, 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 SIXTEEN AND 06/100 DOLLARS (\$216.06) 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, CROSSROADS VALLEY APARTMENTS LLC, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso 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:

8911 Gateway, more particularly described as Lot(s) N 83 Ft of E 122 Ft of Lot(s) 366, Sunrise Acres #1 Subdivision, El Paso, El Paso County, Texas, Parcel #S912-999-001M-5200

to be \$154.80, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY EIGHT AND 80/100 DOLLARS (\$178.80). The City Council finds that the work was completed on the 2nd 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 SEVENTY EIGHT AND 80/100 DOLLARS (\$178.80) 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, MARCELO GOMEZ & JUAN G. REYES, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso 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:

1251 Lee Trevino Drive, more particularly described as Lot(s) 6 (53017.65 SQ FT), Block 1, The Village at Eastpointe Subdivision, El Paso, El Paso County, Texas, Parcel #T223-999-0010-0600

to be \$281.45, 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 FIVE AND 45/100 DOLLARS (\$305.45). The City Council finds that the work was completed on the 4th day(s) of March, 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 FIVE AND 45/100 DOLLARS (\$305.45) 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, HARANN INVESTMENTS 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:

223 N Luna Street, more particularly described as Lot(s) 17 & 18 (7000 Sq Ft), Block 28, East El Paso Subdivision, El Paso, El Paso County, Texas, Parcel #E014-999-0280-4100

to be \$224.16, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED FORTY EIGHT AND 16/100 DOLLARS (\$248.16). The City Council finds that the work was completed on the 27th day(s) of March, 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 FORTY EIGHT AND 16/100 DOLLARS (\$248.16) 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, ELVIA G. HERNANDEZ, 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:

18 San Marcos Drive, more particularly described as Lot(s) 18 (14418 SQ FT), La Calavera Settlement Subdivision, El Paso, El Paso County, Texas, Parcel #L011-999-0000-5200

to be \$113.39, 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 39/100 DOLLARS (\$137.39). The City Council finds that the work was completed on the 23rd day(s) of March, 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 39/100 DOLLARS (\$137.39) 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, JUAN J. & JULIETA URIBE, 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:

19 San Marcos Drive, more particularly described as Lot(s) 19 (9409 SQ FT), La Calavera Settlement Subdivision, El Paso, El Paso County, Texas, Parcel #L011-999-0000-5500

to be \$155.45, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY NINE AND 45/100 DOLLARS (\$179.45). The City Council finds that the work was completed on the 23rd day(s) of March, 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 SEVENTY NINE AND 45/100 DOLLARS (\$179.45) 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, THOMAS CARREON, 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:

133 Atlantic Road, more particularly described as Lot(s) 12 (6937.27 SQ FT, Block 4, Pacific Park Subdivision, El Paso, El Paso County, Texas, Parcel #P013-999-0040-9700

to be \$289.03, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED THIRTEEN AND 03/100 DOLLARS (\$313.03). The City Council finds that the work was completed on the 2nd day(s) of March, 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 THIRTEEN AND 03/100 DOLLARS (\$313.03) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

3C.

**\*RESOLUTION**

That the City Manager be authorized to sign a License Agreement by and between the City of El Paso and the New Mexico Department of Transportation for the use of City property located at 400 West San Antonio Street, El Paso, Texas 79901 (the Union Plaza Transit Terminal), 601 Santa Fe Street, El Paso, Texas 79901 (the Bert Williams Downtown Santa Fe Transfer Center) and 7535 Remcon Circle, El Paso, Texas 79912 (the Westside Transfer Center), as bus stops for the New Mexico Park and Ride Bus Service connecting El Paso County, Texas, and Doña Ana County, New Mexico. The initial term of the License Agreement is two years with an option to renew on a year-by-year basis by mutual written consent of both parties.

Representative Robinson commented.

Ms. Joyce Wilson, City Manager, commented.

**4. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** John R. Schatzman, Jr. to the Construction Board of Appeals (Home Builder Category) by Representative Beto O’Rourke, District 8.

**5A. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Charles S. Wakeem to the Public Service Board Selection Committee by Representative Beto O’Rourke, District 8.

**5B. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Ted Houghton to the Public Service Board Selection Committee by Representative Steve Ortega, District 7.

**5C. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Shaun Lewis to the Complete Count Committee by Representative Carl Robinson, District 4.

**5D. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Gerald Miller to the Public Service Board Selection Committee by Representative Rachel Quintana, District 5.

**6. DISCRETIONARY FUNDS**

\*Motion made, seconded, and unanimously carried to **APPROVE** the request to allocate District 7 discretionary funds in the amount of \$2,500 to provide the additional funding as provided in the contract

authorized by the City Council on June 9, 2009, to support the Global Public Policy Forum: The U.S. War on Drugs 1969 - 2009, to be held on September 20 - 22, 2009.

.....  
**7. APPLICATIONS FOR TAX REFUNDS**

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

- A. Select Portfolio Servicing Inc., in the amount of \$7,015.56 overpayment of 2008 taxes. (PID #C834-999-0030-3100).
- B. Thomas L. Dunigan in the amount of \$5,252.82 overpayment of 2008 taxes. (PID #E014-999-0810-0600).
- C. GMAC Mortgage, LLC in the amount of \$2,595.87 overpayment of 2007 taxes. (PID #I256-999-0110-1700).
- D. CMS c/o LPS Tax Services in the amount of \$3,523.94 overpayment of 2008 taxes. (PID #M090-999-0050-0200).
- E. Jose M. & Sylvia A. Anaya in the amount of \$6,452.97 overpayment of 2008 taxes. (PID #P654-999-0630-1900).
- F. CMS c/o LPS Tax Services in the amount of \$2,820.67 overpayment of 2008 taxes. (PID #U819-000-017E-001A).

.....  
**8. PURCHASING REQUEST TO ISSUE PURCHASER ORDER, ETC.**

\*Motion made, seconded, and unanimously carried to **REJECT** Solicitation No. 2009-218 (Building Space Rental – Socorro WIC Health Clinic) to change the building and IT specifications as recommended by Financial Services Department, Purchasing Division, and Department of Public Health.

Representative Quintana commented.

Ms. Joyce Wilson, City Manager, and Mr. Terrence Freiburg, Purchasing Manager, commented.

.....  
**9. BID**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2009-229 (GMC/Chevrolet Proprietary Parts & Service) to Rudolph Chevrolet, LLC for a total estimated award of \$222,000.

|                          |  |
|--------------------------|--|
| Department:              | General Services                             |
| Award to:                | Rudolph Chevrolet, LLC                       |
|                          | EI Paso, TX                                  |
| Items:                   | All items: A and B                           |
| Option:                  | Two years                                    |
| Annual Estimated Amount: | \$ 74,000                                    |
| Account No.:             | 37370510 – 503121 – 45202                    |
|                          | 62620003 – 503121 – 40101                    |
| Funding Source:          | General Services Dept, Internal Service Fund |
|                          | Airport Cost Centers                         |
| Total Estimated Award:   | \$222,000 (3 years)                          |

This is a thirty-six month requirements type contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

The Departments of Financial Services, Purchasing Division, and General Services recommend award as indicated to the lowest responsive, responsible bidder.

Mr. Stuart Ed, Director of General Services, commented.

Ms. Lisa Turner, citizen, commented.

.....  
**10A. INTRODUCTION**

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

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

**10A.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.08 (Building Code), Section 18.08.170 (Accessibility for People with Physical Disabilities), of the El Paso City Code by deleting the prior adoption of Sections 5 through 13 of the Texas Accessibility Standards; deleting the City Of El Paso amendments to the Texas Accessibility Standards, Sections 4.1.3 (5) through 13.4.1; adopting and amending the 2003 International Building Code, Chapter 11, Section 1101; deleting the City Of El Paso amendments to the International Building Code, Chapter 11, Sections 1102 through 1114; reducing the amount of required Type A units from five percent to two percent; the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON SEPTEMBER 8, 2009, FOR ITEM 10A**  
.....

**10B. - 10F. INTRODUCTIONS**

Motion made by Representative Byrd, seconded by Representative Ortega, 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:

**10B.** An Ordinance making Chapter 2.92 of the El Paso City Code applicable to the members of the El Paso Water Utilities Public Service Board and resolving matters incident and related thereto; the penalty being as provided in Section 2.92.150 of The El Paso City Code

**PUBLIC HEARING WILL BE HELD ON SEPTEMBER 8, 2009, FOR ITEM 10B**

**10C.** An Ordinance annexing Tract 71, Section 3, Block 79, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas.

- 10D. An Ordinance changing the zoning of Tract 71, Section 3, Block 79, Township 3, Texas and Pacific Railways Company Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 10E. An Ordinance granting Special Permit No. ZON08-00060 to allow for a planned residential development with reduced setbacks and reduced lot width on Tract 71, Section 3, Block 79, Township 3, Texas and Pacific Railways Company Surveys, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.270 (Zoning) of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 10F. An Ordinance granting Special Permit No. ZON09-00044 to allow for Infill Development on all of Lot 1, Block 1, Falvey Estates, City of El Paso, El Paso County, Texas, pursuant to Sections 20.04.260 and 20.10.280 of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON SEPTEMBER 22, 2009, FOR ITEMS 10C – 10F**

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 11.

**ORDINANCE 17184**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 16013 TO EXTEND THE TERM OF ORDINANCE 16013 WHICH GRANTED A SPECIAL PRIVILEGE TO MARIO HERNANDEZ, HECTOR COBOS, JR., EBER MARTINEZ, MARIA COBOS, MARGARITA COBOS, JUAN TORRES, PEDRO ORONA, HECTOR COBOS, MARIA PRIETO, MARIA GRADO, JACK KELLOG, JESUS HERNANDEZ, EUSEBIO CORONEL, VICTOR OCHOA, CARMEN COX, MARIA CHAVEZ, EUNISE MORALES, MARIA BARRAZA, SANTIAGO AGUILAR, AND BRANDON PALMA TO ENCROACH ONTO A PORTION OF VARIOUS PUBLIC RIGHTS-OF-WAY WITH A FOOD-VENDING CONCESSION IN THE DOWNTOWN AREA.**

Mayor Cook and Representatives O'Rourke, Holguin, and Ortega commented.

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

Motion duly made by Representative O'Rourke, 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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12.

**ORDINANCE 17185**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.18 (SIGN REGULATIONS), SECTION 20.18.020 (APPLICABILITY); SECTION 20.18.030 (PURPOSE); SECTION 20.18.100 (PERMIT REQUIRED); SECTION 20.18.130 (REMOVAL OF SIGNS); SECTION 20.18.140 (PROHIBITED SIGNS); SECTION 20.18.400 (GENERAL); SECTION 20.18.410 (A) (HOME OCCUPATION SIGNS); SECTION 20.18.480 (HISTORIC OVERLAY ZONES, HISTORIC DISTRICTS AND DESIGNATED SIGNIFICANT LANDMARKS); SECTION 20.18.490 (ADDITIONAL ON-PREMISE SIGNS); SECTION 20.18.510 (NON-COMMERCIAL SIGNS) OF THE EL PASO CITY CODE TO EXTEND THE SIGN REGULATION TO THE CITY’S EXTRATERRITORIAL JURISDICTION; TO AMEND PERMITTING REQUIREMENTS; TO ADD DEFINITIONS; AND TO ADDRESS NON-COMMERCIAL SIGNS. THE PENALTY IS AS PROVIDED IN SECTION 20.24 OF THE EL PASO CITY CODE.**

Representative O’Rourke commented.

Ms. Lupe Cuellar, Assistant City Attorney, and Mr. Charlie McNabb, City Attorney, gave legal advice.

Motion duly made by Representative Byrd, seconded by Representative Lilly, 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**.

.....  
13A.

**ORDINANCE 17186**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.010 SCHEDULE I (ONE WAY STREETS), OF THE EL PASO CITY CODE BY DELETING NUMBER 8, ANTHONY STREET BETWEEN SAN ANTONIO AVENUE AND PAISANO DRIVE; THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 (VIOLATION - PENALTY) OF THE EL PASO CITY CODE.**

Motion duly made by Representative O’Rourke, 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**.

.....

13B.

**ORDINANCE 17187**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.010 SCHEDULE I (ONE-WAY STREETS), OF THE EL PASO CITY CODE BY CHANGING NUMBER 35, FRANKLIN AVENUE EASTBOUND FROM DURANGO STREET TO CAMPBELL STREET TO FRANKLIN AVENUE EASTBOUND FROM OREGON STREET TO CAMPBELL STREET; THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 (VIOLATION - PENALTY) OF THE EL PASO CITY CODE.**

Representative O'Rourke commented.

Ms. Joyce Wilson, City Manager, and Mr. Ted Marquez, Engineering Division Manager, commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, 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**.

.....  
**14A. MAYOR AND COUNCIL**

Motion made by Representative Lilly, seconded by Representative Ortega, and unanimously carried to **ACCEPT**, for notation, the formal report of the Planning and Development Legislative Review Committee meeting held on August 20, 2009, as submitted by City Representative Ann Morgan Lilly as Chair for notation.

Representatives Quintana, O'Rourke, Acosta, and Lilly commented.

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

.....  
**14B. MAYOR AND COUNCIL**

Motion made by Representative Ortega, seconded by Representative Quintana, and unanimously carried to **DIRECT** City staff to bring forth an Ordinance that will allow American flags to be placed on City right-of-ways.

Mayor Cook and Representatives Ortega and Acosta commented.

The following City staff members commented:

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

Mr. Norman Brown, Vista Hills Rotary Club, commented.

## 15A. DEVELOPMENT AND INFRASTRUCTURE

### 1<sup>ST</sup> MOTION

Motion made by Representative Quintana, seconded by Representative Holguin, to ensure the 28 projects recommended by staff during Round 1 are funded prior to moving on to Round 2 in the Neighborhood Traffic Management Program. **THE MOTION FAILED.**

AYES: Representatives Quintana and Holguin

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

### 2<sup>ND</sup> MOTION AND FINAL MOTION

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **DIRECT** that the City Manager reprogram prior year Certificates of Obligation to Street, Information Technology, and City Facility critical priorities as shown below, including Round 3 rankings and to approve reordering of District 5 projects as requested by Representative Quintana.

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

NAYS: Representative O'Rourke

#### FROM:

| <u>Source</u>      | <u>Project</u>              | <u>Reprogramming Total</u> |
|--------------------|-----------------------------|----------------------------|
| 2006 CO's          | Overwidth Paving            | \$ 248,684                 |
| 2008 Reprogramming | Bridges & Overpasses Master | \$ 1,472,816               |
| 2009 CO's          | Glory Road Transfer Center  | \$ 7,000,000               |
| 2009 CO's          | Westside Transfer Center    | \$ 750,000                 |
| 2009 CO's          | TxDOT Match (Hawkins)       | \$ 1,028,500               |
| Total              |                             | \$10,500,000               |

#### TO:

|                    |   |              |
|--------------------|---|--------------|
| 2009 Reprogramming | Traffic Signals &<br>School/Pedestrian Flashers | \$ 2,500,000 |
| 2009 Reprogramming | Neighborhood Traffic<br>Management Program      | \$ 1,000,000 |
| 2009 Reprogramming | Fiber Interconnect                              | \$ 4,000,000 |
| 2009 Reprogramming | IT Telephone Upgrade                            | \$ 1,500,000 |
| 2009 Reprogramming | Facility Rehabilitation                         | \$ 1,150,000 |
| 2009 Reprogramming | Cielo Vista Library                             | \$ 350,000   |
| Total              |   | \$10,500,000 |

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

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Kimberly Forsyth, Engineering Lead Planner
- 3. Mr. Ted Marquez, Engineering Division Manager
- 4. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 5. Ms. Lupe Cuellar, Assistant City Attorney, gave legal advice.
- 6. Mr. John Neal, City Manager's Office

Ms. Lisa Turner, citizen, commented.

.....  
**15B.**

**RESOLUTION**

That the City Council approves the expenditure of additional available funding in the amount of \$234,537 to Byers Construction Inc. for additional construction costs of the Cielo Vista Branch Library, Contract Number 2009-100. This is the first change order. This change order increases floor space by an additional 1,334 square feet to incorporate a multi-purpose room and storage room, a coffee shop and additional parking lot area. The new contract sum is \$2,274,537.

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

Ms. Joyce Wilson, City Manager, and Ms. Carol Brey-Casiano, Library Director, commented.

Ms. Lisa Turner, citizen, commented.

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

.....  
**16. CITY MANAGER**

City Manager's report of current events and issues:

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **DIRECT** the issue relating to Title 20 (Zoning), Chapter 20.14 (Off-Street Parking); Article 1 (Vehicular Parking), of the El Paso City Code to specify minimum requirements for off-street parking of motor vehicles to the Planning and Development Legislative Review Committee.

Mayor Cook and Representative Byrd commented.

Ms. Joyce Wilson, City Manager, and Mr. Victor Torres, Director of Development Services, commented.

.....  
**ADDITION TO THE AGENDA**

**1.**

**RESOLUTION**

**WHEREAS**, the El Paso Water Utilities Public Service Board, Trustees (PSB) has the jurisdiction and control of approximately 1,042.12 acres of land, more particularly described herein below; and,

**WHEREAS**, the City of El Paso (City) has requested the PSB transfer control and jurisdiction of the identified property to the City's real property inventory to provide an opportunity for the development of a

large manufacturing facility; and,

**WHEREAS**, the PSB has agreed to this initiative which will allow the City to compete and be in an advantageous situation to accommodate potential manufacturing growth and development in the southwest region; and,

**WHEREAS**, the PSB hereby determines and finds that the identified parcel of land is inexpedient to the water and wastewater system as defined by Ordinance No. 752 and may be transferred and conveyed to the jurisdiction and control of the City for economic development opportunities; and,

**WHEREAS**, the City has agreed to pay an amount to the PSB for the land transfer which amount will be the original cost of the land to the PSB, plus interest at three per cent per annum, plus any specific cost which has been incurred by the PSB in improving the property; and

**WHEREAS**, should the identified land have not been sold or leased by the City or if any planning, design or construction needed to provide water and sewer service, drainage, road or other infrastructure structure needed to prepare the identified land for development has not begun within five years of the date of the final approval of this Joint Resolution, and, if, after five years from the date of the final approval of this Joint Resolution, the PSB should determine and advise the City that the identified land is then needed for the water and wastewater system, City shall transfer the identified land to the PSB's real property inventory upon the PSB's payment to the City of the amount of money paid by the City to the PSB for the identified land.

**NOW, THEREFORE, BE IT RESOLVED BY THE PUBLIC SERVICE BOARD OF THE CITY OF EL PASO, TEXAS AND THE CITY OF EL PASO, TEXAS:**

Section 1. That the findings and recitations set out in the preamble to this Joint Resolution are true and correct and are hereby adopted by the Public Service Board (PSB) and the City of El Paso (City); and are made a part of this Joint Resolution for all purposes.

Section 2. The PSB has the jurisdiction and control of that certain parcel of land consisting of 1,042.12 acres of land, more particularly described as:

1042.0157 acres, more or less, being a portion of Tract 3, Section 3 and Tract 1, Section 4, Block 80, Township 1, Texas and Pacific Railroad Surveys, El Paso, El Paso County, Texas, and being more particularly described in Exhibit "A" which is attached hereto and made a part hereof for all purposes.

Section 3. The City has requested the PSB transfer control and jurisdiction of the hereinabove describe parcel of land to the City to provide an opportunity for the development of a large manufacturing facility.

Section 4. The PSB finds that the parcel of land the subject of this Joint Resolution is inexpedient to the water and wastewater system as defined by Ordinance No. 752. The PSB hereby transfers and conveys the control and jurisdiction of the parcel of land the subject of this Joint Resolution to the City. The PSB shall retain the water rights, if any, for this parcel.

Section 5. The City shall pay an amount to the PSB for the land transfer which amount which will be the original cost of the land to the PSB, plus interest at three per cent per annum, plus any specific cost which has been incurred by the PSB in improving the land.

Section 6. Both the PSB and the City agree that nothing in this resolution will obligate the PSB to provide and pay for the planning, design and construction costs for water and sewer service, drainage, road or other infrastructure structures necessary to prepare the identified land for development, unless impact fees are collected in connection with the development of the land in which case applicable ordinances and regulations will govern.

Section 7. Anytime after the expiration of five (5) years from the date of final approval of this Joint Resolution, if the identified land has not been developed, sold or leased by the City for an economic development project, or if any planning, design or construction needed to provide water and sewer service, drainage, road or other infrastructure structures needed to prepare the identified land for development has not begun and, if the PSB should determine that the identified land is then needed for the water and wastewater system, the City shall transfer the identified land to the PSB's real property inventory upon receipt of: written notice that the land is needed by PSB and payment in full to the City of an amount equal to that paid by the City to the PSB for the identified land.

Section 8. The PSB hereby directs that an original of this Joint Resolution be forwarded to the City Clerk of the City of El Paso for presentment to the City Council for its action.

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

The following City staff members commented:

1. Ms. Kathryn Dodson, Director of Economic Development
2. Mr. Charlie McNabb, City Attorney, gave legal advice.
3. Mr. Edward Archuleta, President/Chief Executive Officer of El Paso Water Utilities

Mr. Bob Cook, President of the Regional Economic Development Company, commented.

Ms. Lisa Turner, citizen, commented.

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

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Motion made by Representative Robinson, seconded by Representative Byrd, and unanimously carried to **ADJOURN** this meeting at 11:40 a.m.  
.....

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk