

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL ROBINSON, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
August 31, 2010
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:42 a.m. Mayor Pro Tempore Emma Acosta present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Carl Robinson, Steve Ortega, and Beto O'Rourke. Late arrivals: Rachel Quintana and Eddie Holguin, Jr. at 8:58 a.m. during Executive Session deliberations. Absent: Mayor John F. Cook and Susannah M. Byrd requested to be excused. The invocation was given by Police Chaplain Clift Barnes, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. **FIESTA DE LAS FLORES WEEK IN EL PASO**
2. **NATIONAL PREPAREDNESS MONTH**

RECOGNITION

PATRICIA D. ADAUTO - STAR ON THE MOUNTAIN AWARD

PRESENTATION
9/11 TRIBUTE

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

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

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. Jerry Thiedt
2. Mr. James Perry

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Motion made by Representative Robinson, seconded by Representative O'Rourke, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:43 a.m. pursuant to Section 3.5A of the

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

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

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

NOT PRESENT FOR THE VOTE: Representatives Quintana, and Holguin

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Acosta, and unanimously carried to adjourn the Executive Session at 9:03 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

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EX1. Caples Land Company LLC and William D. Abraham vs. The City of El Paso, Texas; Cause No. 2010-1970 (551.071)

Motion made by Representative Quintana, seconded by Representative Ortega, and carried that the outside counsel for the City of El Paso be authorized to proceed with an Appeal in the case entitled Caples Land Company LLC and William D. Abraham v. The City of El Paso; Cause No. 2010-1970.

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

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CONSENT AGENDA

Motion made by Representative Ortega, seconded by Representative Robinson, 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, Acosta, Robinson, Quintana, and Holguin
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Ortega and O'Rourke
ABSENT: Representative Byrd

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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 24, 2010 and the Special City Council Meeting of August 24, 2010 (Ratification of Property Tax Increase).

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

*Motion made, seconded, and unanimously carried to **EXCUSE** Mayor John F. Cook and Representative Susannah M. Byrd from the Regular City Council meeting of August 31, 2010.

3A.

***RESOLUTION**

That the City Manager be authorized to sign a First Amendment to the General Aviation Commercial Lease by and between the City of El Paso and Ameristar Jet Charter, Inc. to extend the lease for two (2) years through August 31, 2012 under the same terms and conditions for the following described property:

All of Lot 2A, Block 4, El Paso International Airport Tract Unit 10, consisting of approximately 76,888 square feet and all of Lot 2B, Block 4, El Paso International Airport Tract Unit 10, consisting of approximately 72,027 square feet, for a total of approximately 148,915 square feet of real property and 14,481 square feet of improvements, City of El Paso, El Paso County, Texas, municipally known and numbered as 1820 American Drive, El Paso, Texas.

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3B.

***RESOLUTION**

That the City Manager be authorized to sign an Approval of Assignment by and among the City of El Paso, Midwest Car Corporation, and Independent Licensee of National Car Rental & Alamo Rent-A-Car and EAN Holdings, LLC d/b/a National Car Rental and Alamo Rent A Car. of the July 1, 2006 Vehicle Rental Concession Agreement.

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3C.

***RESOLUTION**

That the City Manager be authorized to sign a Lessor's Approval of Assignment of the Industrial Site Lease by and among the City of El Paso, Midwest Car Corporation, and EAN Holdings, LLC d/b/a National Car Rental and Alamo Rent A Car for the following described property:

Lots 1A and 1B, Block 1C, El Paso International Airport Tracts, City of El Paso, El Paso County, Texas.

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3D.

***RESOLUTION**

That the City Manager be authorized to sign a Lessor's Approval of Assignment of the Industrial Site Lease by and among the City of El Paso, Midwest Car Corporation, and EAN Holdings, LLC d/b/a National Car Rental and Alamo Rent A Car for the following described property:

Lot 1, Block 1B, El Paso International Airport Tracts, City of El Paso, El Paso County, Texas.

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3E.

***RESOLUTION**

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

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3F.

***RESOLUTION**

WHEREAS, O.P.E.P (hereinafter referred to as “Grantees”) are sponsoring an outdoor street festival for a Labor Day Block Party (hereinafter referred to as “Event”), on Sunday, September 5, 2010 to Monday, September 6, 2010; and

WHEREAS, the Grantees have received administrative approval for a Special Privilege License for the use and closure of City rights-of-way for less than twenty-four (24) hours on portions of Ochoa Street between First Avenue and Paisano Drive from 4:00 p.m. Sunday, September 5, 2010, to 4:00 a.m. Monday, September 6, 2010, in conjunction with the proposed Event; and

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

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

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

That the Grantees be authorized to provide for the sale and serving of alcoholic beverages at the outdoor block party in the closed portions of Ochoa Street between First Avenue and Paisano Drive from 7:00 p.m., Sunday, September 5, 2010 to 2:00 a.m., Monday, September 6, 2010.

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3G.

***RESOLUTION**

WHEREAS, the State of Texas, 75th Legislature, enacted legislation providing for adjustment to the usual matching fund requirements for Texas Department of Transportation (TXDOT) transportation projects for Economically Disadvantaged Counties; and,

WHEREAS, TXDOT identifies the counties that qualify for Economically Disadvantaged Counties status from data obtained from the Texas Comptroller of Public Accounts on an annual basis; and,

WHEREAS, El Paso County has been identified by TXDOT as an Economically Disadvantaged County; and,

WHEREAS, TXDOT requires that the principal elected official for the applicant transportation project of the EDC must submit an Affidavit with each application;

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

The Mayor is hereby authorized to sign affidavits required for the Texas Department of Transportation matching fund adjustment for economically disadvantaged counties for TXDOT Transportation Project applications for 2010 through 2013.

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3H.

***RESOLUTION**

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

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

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

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

Lot(s) 57 (5990.70 Sq Ft), Block 2, Cumbre Estates (Amending Plat)
Subdivision, City of El Paso, El Paso County, Texas, Parcel #C979-999-0020-5700

to be \$115.70, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED THIRTY NINE AND 70/100 DOLLARS (\$139.70). The City Council finds that the work was completed on the 5th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED THIRTY NINE AND 70/100 DOLLARS (\$139.70) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

118 Northwind Drive, more particularly described as ELY PT OF LOT(S) 8 & 9 (149.73' ON SLY - 230.86' ON WLY - IRREG ON NLY & ELY) & 2-P-5-A-1 A F MILLER SURV 212, Block 1, Alto Mesa #1 Subdivision, El Paso, El Paso County, Texas, Parcel #A491-999-0010-2900

to be \$130.44, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FIFTY FOUR AND 44/100 DOLLARS (\$154.44). The City Council finds that the work was completed on the 14th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY FOUR AND 44/100 DOLLARS (\$154.44) to be a lien on the

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

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

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

***RESOLUTION**

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

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

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

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

216 Placida Road, more particularly described as Lot(s) 1 (5461 Sq Ft), Block 7, Borderland Heights Subdivision, El Paso, El Paso County, Texas, Parcel #B690-999-0007-0001

to be \$130.85, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FIFTY FOUR AND 85/100 DOLLARS (\$154.85). The City Council finds that the work was completed on the 24th day(s) of February, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY FOUR AND 85/100 DOLLARS (\$154.85) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

3100 Altura Avenue, more particularly described as Lot(s) 31 & 32 (6000 Sq Ft), Block 26, Altura Park Subdivision, El Paso, El Paso County, Texas, Parcel #A520-999-0260-9100

to be \$184.71, 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 EIGHT AND 71/100 DOLLARS (\$208.71). The City Council finds that the work was completed on the 1st day(s) of February, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED EIGHT AND 71/100 DOLLARS (\$208.71) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

6700 El Paso Drive, more particularly described as Lot(s) 29 (10486.00 Sq Ft), Block 10, Sambrano Subdivision, El Paso, El Paso County, Texas, Parcel #S052-999-0100-8100

to be \$142.85, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SIXTY SIX AND 85/100 DOLLARS (\$166.85). The City Council finds that the work was completed on the 8th day(s) of February, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED SIXTY SIX AND 85/100 DOLLARS (\$166.85) to be a lien on the above

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

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

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

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso City Code, entitled Abatement, GLORIA E. & 3 ORTIZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

7427 Kingman Drive, more particularly described as Lot(s) 1 (7000 Sq Ft),
Block 37, Ranchland Hills #5 Subdivision, El Paso, El Paso County, Texas,
Parcel #R221-999-0370-0100

to be \$115.70, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED THIRTY NINE AND 70/100 DOLLARS (\$139.70). The City Council finds that the work was completed on the 5th day(s) of February, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED THIRTY NINE AND 70/100 DOLLARS (\$139.70) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

6244 Impala Avenue, more particularly described as Lot(s) 12, Block 8,
Bellewood #2 Subdivision, El Paso, El Paso County, Texas, Parcel #B351-
999-0080-1200

to be \$119.66, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY THREE AND 66/100 DOLLARS (\$143.66). The City Council finds that the work was completed on the 8th day(s) of February, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY THREE AND 66/100 DOLLARS (\$143.66) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

10001 Oakwood Drive, more particularly described as Lot(s) 13 (7000 Sq Ft),
Block 3, Terrace Hills Subdivision, El Paso, El Paso County, Texas, Parcel
#T172-999-0030-6100

to be \$91.74, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FIFTEEN AND 74/100 DOLLARS (\$115.74). The City Council finds that the work was completed on the 15th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTEEN AND 74/100 DOLLARS (\$115.74) to be a lien on the above

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

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

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

***RESOLUTION**

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

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

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

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

11316 Lake Nemi Drive B, more particularly described as Pt of Lot 19 & 20 Beg 50.50 Ft W of Sec of Lot 20 (44 Ft on St 105.03 on E 30.34 Ft on S Irreg on W), Block 1, Sandy Creek #1 Subdivision, El Paso, El Paso County, Texas, Parcel #S127-999-0010-3800

to be \$102.19, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED TWENTY SIX AND 19/100 DOLLARS (\$126.19). The City Council finds that the work was completed on the 5th day(s) of February, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY SIX AND 19/100 DOLLARS (\$126.19) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

CONFIDENTIAL, more particularly described as Lot(s) 26 (3000 Sq Ft), Block 39, Bassett Subdivision, El Paso, El Paso County, Texas, Parcel # B202-999-0390-8100

to be \$114.07, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED THIRTY EIGHT AND 07/100 DOLLARS (\$138.07). The City Council finds that the work was completed on the 7th day(s) of January, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED THIRTY EIGHT AND 07/100 DOLLARS (\$138.07) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

4025 Boy Scout Lane, more particularly described as Lot(s) 3 (9152.10 Sq Ft), Block 3, Haciendas San Miguel #1 Subdivision, El Paso, El Paso County, Texas, Parcel #H013-999-0030-0300

to be \$191.31, 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 FIFTEEN AND 31/100 DOLLARS (\$215.31). The City Council finds that the work was completed on the 25th day(s) of February, 2010, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED FIFTEEN AND 31/100 DOLLARS (\$215.31) 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.

Representatives Acosta and Quintana commented.

Ms. Ellen Smyth, Director of Environmental Services commented.

Ms. Lisa Turner, citizen, commented.

.....
3I.

***RESOLUTION**

That the Mayor be authorized to sign a contract, between the CITY OF EL PASO, TEXAS (“City”), TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER at El Paso (“University”) and the EL PASO COUNTY HOSPITAL DISTRICT d/b/a UNIVERSITY MEDICAL CENTER OF EL PASO (“UMCEP”), whereby University agrees to provide medical control to the City’s EMS System (“EMSS”), as well as related services, for an annual estimated amount of \$110,000 for three (3) years, which total contract amount shall not exceed \$330,000, and whereby UMCEP agrees to the use of part of its facility as the Base Station for EMSS. Said contract to have an effective date of September 1, 2010 and a termination date of August 31, 2013, with the option, at the City’s sole discretion, to extend the contract on a month-to-month basis for a maximum of six (6) months.

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3J.

***RESOLUTION**

That the City of El Paso Museums and Cultural Affairs Department’s Cultural Funding Guidelines, which were approved on February 16, 2010, be amended as attached (see Exhibit “A”), as recommended by the Cultural Affairs Advisory Board and Museums and the Museums and Cultural Affairs Staff.

Representative Ortega commented.

Mr. Sean McGlynn, Director of Museums and Cultural Affairs, commented.

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3K.

***RESOLUTION**

That the City Manager be authorized to sign an Memorandum of Agreement between the City of El Paso and the Texas Health and Human Services Commission – Office of Inspector General, regarding the provision of services by a State Supported Living Center.

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3L.

***RESOLUTION**

That the Mayor be authorized to sign an Interlocal Government Agreement between the City of El Paso and the County of El Paso/District Attorney, 34th Judicial District of the State of Texas, for services to the City and its Police Department relating to arrests and prosecution of cases in connection with the

District Attorney's Information Management System and program from September 1, 2010 through August 31, 2011, in an amount not to exceed \$208,500.00.

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3M. SUN METRO

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks a Resolution authorizing the City Manager to sign the Mission Valley Visitor's Center Operating Agreement by and between the City of El Paso and the El Paso Mission Trail Association for the management and operation of the Mission Valley Transfer Center Visitor's Center, at no cost to the City.

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4. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Stephanie L. Fernandez to the Historic Landmark Commission by Mayor John F. Cook.

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5A. – 5D. INTRODUCTIONS

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

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

ABSENT: Representative Byrd

5A. An Ordinance granting a special privilege permitting Big Boy Ice Cream, Inc. to encroach onto a portion of various public rights-of-way with food-vending concessions in the downtown area.

5B. An Ordinance authorizing the City Manager to terminate all special privilege licenses issued pursuant Ordinance 16013 to food vendors licensed to operate in the public right-of-way in the downtown area.

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 14, 2010, FOR ITEMS 5A – 5B

5C. An Ordinance changing the zoning of Tract 8, Section 16, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to M-1 (Light Manufacturing), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: west of Dyer Street and north of Mesquite Flor Drive. Applicant: Jobe Materials, LP. ZON10-00045

5D. An Ordinance changing the zoning of Parcel A – A 1.451 acre portion of Tract 1B4, Nellie D. Mundy Survey 242, City of El Paso, El Paso County, Texas (Zone C-1/C, Parcel 5 in Ordinance 15672); Parcel B – 2.158 acre portion of Tract 1B4, Nellie D. Mundy Survey 242, City of El Paso, El Paso County, Texas (Zone C-3/C Parcel 6 in Ordinance 15672); Parcel C – An 11.283-acre portion of Tract 1B4, Nellie D. Mundy Survey 242, City of El Paso, El Paso County, Texas (Zone R-3A/C, Parcel 7 in Ordinance 15672) from C-1/C (Commercial/Conditions, C-3/C (Commercial/Conditions) and R-3A/C (Residential/Conditions) to A-O/C (Apartment-Office/Conditions) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: south of Northern Pass and north of Paseo Del Norte Drive. Applicant: Cimarron Hunt Communities, LLC. ZON10-00048.

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 21, 2010, FOR ITEMS 5C – 5D

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6. ENGINEERING

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to **APPROVE** the award of Solicitation No. 2010-255, CSJ 0924-06-310 for the Traffic Signal Upgrades 9 Locations to Medlock Commercial Contractors, LLC for a total estimated amount of \$1,562,223.45.

ABSENT: Representative Byrd

Department: Engineering
Award to: Medlock Commercial Contractors, LLC
Base Bid: \$1,562,223.45
Total Estimated Award: \$1,562,223.45
Funding Source: TxDOT Surface Transportation Program (STP)

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a low bid, unit-price contract. The Engineering Department recommends award as indicated to the lowest responsible bidder.

Mr. Johanes Makahaube, Engineering Division Manager, presented a PowerPoint presentation (on file in the City Clerk's office).

Representative Robinson commented.

Mr. Alan Shubert, City Engineer, commented.

Ms. Lisa Turner, citizen, commented.

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7A. DEVELOPMENT SERVICES

*Motion made, seconded, and unanimously carried to **POSTPONE** six weeks the Public hearing on an Ordinance changing the zoning of all of Lots 43-49, Block 4, Eastside Industrial District, Unit One, City of El Paso, El Paso County, Texas from M-1 (Light Manufacturing) to M-2 (Heavy Manufacturing), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

7B.

ORDINANCE 17400

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 2, BLOCK 37, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-O/C (APARTMENT-OFFICE/CONDITION) TO C-1/C (COMMERCIAL/CONDITION), AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

Representative Ortega commented.

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7C.

ORDINANCE 17401

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE 2025 PROPOSED THOROUGHFARE SYSTEM AS DETAILED IN THE MAP ATLAS OF THE PLAN FOR EL PASO AND ITS RELATED DOCUMENTS AS ORIGINALLY APPROVED BY EL PASO CITY COUNCIL IN 1999, AND AS SUBSEQUENTLY AMENDED, TO DOWNGRADE EMERALD PARK DRIVE, FROM A MINOR ARTERIAL TO A COLLECTOR ARTERIAL, NORTH OF THE PROPOSED EXTENSION OF MARK TWAIN AVENUE AND SOUTH OF EASTLAKE BOULEVARD.**

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

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

Mr. Mathew McElroy, Deputy Director of Planning, commented

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8. **ENGINEERING**

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the Public hearing on an Ordinance amending Ordinance NO. 012393 which granted a special privilege to the El Paso Electric Company, owner, and El Paso Parking Inc., lessee, to permit off-street parking within a portion of Rim Road right-of-way, by extending the term ten years, and revising the consideration, notification and indemnification provisions.

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

9.

ORDINANCE 17402

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING CHAPTER 13.24 (CITY PARKS AND RECREATION AREAS) SECTION 13.24.200 PARK AND RECREATION FACILITY USE AND FEE AUTHORIZATION, SUBSECTION (D)(6) (MULTIPLE CHILD DISCOUNT) OF THE EL PASO CITY CODE AND ADDING SUBSECTION (E) (NEEDS ASSESSMENT SCHOLARSHIP PROGRAM) TO THE EL PASO CITY CODE TO BROADEN THE APPLICABILITY OF THE MULTIPLE CHILD DISCOUNT AND TO PROVIDE AUTHORIZATION FOR A NEEDS ASSESSMENT SCHOLARSHIP PROGRAM.**

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

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

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

Representative Robinson commented.

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

10. **MAYOR AND COUNCIL:**

10A. Legislative Review Committee Report

1. For notation: Formal report of the Planning and Development Legislative Review Committee meeting held on August 23, 2010, as submitted by Ann Morgan Lilly, Chair; and,
2. Discussion pertaining specifically to any of the agenda items, as posted on the agenda of said Legislative Review Committee meeting, as follows:
 - a. Discussion and action on amending the historic tax exemption incentive program to provide up to 100% exemption for City property taxes for eligible properties.
 - b. Discussion and action on El Paso City Code requirements for installation of bike racks for new, additions, enlargements, or changes in use of all buildings or facilities; and

recommendations to amend Title 20 (Zoning), Section 20.14.090 (Bicycle Parking Required) of the El Paso City Code to exempt certain commercial businesses along high traffic corridors and streets, and revisions to address application and enforcement of such requirements.

- c. Discussion and action on El Paso City Code requirements permitting dual park-pond areas; and recommendations to amend Title 19 (Subdivisions), Chapter 19.20 (Parks & Open Space) of the El Paso City Code.

NO ACTION was taken on the item.

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10B. MAYOR AND COUNCIL

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the item regarding notation of appointments of City Representatives to existing and newly created Legislative Review Committees as a result of the reorganization of City Departments as approved by Council on August 24, 2010.

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11.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, that the City Manager be authorized to sign a Grant Agreement between the City of El Paso and Project ARRIBA Advanced Retraining and Redevelopment Initiative in Border Areas, Inc. ("Grantee"), a 501(c)3 tax exempt, non-profit Texas corporation for the purpose of creating a permanent and sustainable source of local nurses, teachers and information technologists to address severe shortages in the City of El Paso.

Ms. Kathryn Dodson, Director of Economic Development, commented.

Motion made by Representative O'Rourke, seconded by Representative Lilly, and carried to **APPROVE** the Resolution.

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

NAYS: Representatives Quintana and Holguin

ABSENT: Representative Byrd

..... **12.**

RESOLUTION

That the City Manager be authorized to sign the Agreement for Professional Engineering Services by and between the City of El Paso and Moreno Cardenas, Inc., a Texas Corporation, for a project known as "McCombs Landfill MSW-729A Cell Construction and Site Development Improvements" in the amount of Seven Hundred Forty Nine Thousand Seven Hundred Ninety Four and 66/100 dollars (\$749,794.66) and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for to a total of contract amount not to exceed seven hundred ninety nine thousand seven hundred ninety four and 66/100 dollars (\$799,794.66).

Representative Robinson commented.

The following City staff members commented:

1. Mr. Sam Rodriguez, Engineering Division Manager
2. Ms. Ellen Smyth, Director of Environmental Services

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

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

NAYS: Representative Robinson

ABSENT: Representative Byrd

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The City Council Meeting was **RECESSED** at 10:22 a.m. and was **RECONVENED** at 10:37 a.m.
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13. CITY MANAGER:

City Manager's report of current events and issues:

Motion made by Representative Lilly, seconded by Representative Robinson, and unanimously carried to **APPROVE** the El Paso County 911 District FY 2011 Budget to be presented by Mary Kozak, Director.

ABSENT: Representative Byrd

Ms. Mary Kozak, 911 Director, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives O'Rourke, Lilly, Robinson, and Holguin commented

Mr. William Studer, Deputy City Manager of Financial and Administrative Services, commented.
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1A. ADDITION TO THE AGENDA

RESOLUTION

WHEREAS, by Resolution of March 13, 2007, the City Council of the City of El Paso created the Camino Real Regional Mobility Authority (CRRMA) and named its initial Board;

WHEREAS, in accordance with Section 370.251 of the Texas Transportation Code and the City of El Paso's Petition and Request for Authorization to Form the CRRMA, as approved by the Texas Transportation Commission, the terms for three (3) City-appointed CRRMA Board positions expire on February 1 of each year;

WHEREAS, Tanny Berg was appointed to Position 2 through a City Council Resolution dated September 22, 2009, but Mr. Berg later resigned as a member of the CRRMA thereby creating a vacancy at Position 2;

WHEREAS, Scott McLaughlin was appointed to Position 3 through a City Council Resolution dated January 29, 2008, but on August 23, 2010, Governor Rick Perry appointed Mr. McLaughlin to serve as CRRMA Chairman thereby creating a vacancy at Position 3;

WHEREAS, the City Council Resolution creating the CRRMA and the Petition of the City of El Paso for Authorization to Form the CRRMA both specify that the El Paso City Council shall, by majority vote, appoint a board member for each of the City's six board positions from one of three names submitted to the Council for each open position by the Mayor of the City of El Paso;

WHEREAS, the City Council finds that the nomination and appointment process as outlined in the City Council Resolution creating the CRRMA and the Petition of the City of El Paso for Authorization to Form the CRRMA is not efficient and creates delays in the nomination and appointment of board members;

WHEREAS, the City Council of the City of El Paso desires to fill the vacancies at Positions 2 and 3 for a complete CRRMA Board of Directors and also desires to amend the nomination and appointment process to become more efficient in advance of future appointments or reappointments; and

WHEREAS, the terms for positions 1 and 5 are currently expired and Mr. David Marcus and Mr. Ralph Adame currently occupy those positions as holdover members until such time as they are either re-appointed or new members are appointed in their place under the revised nomination and appointment process.

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

1. **Appointment for Vacant Positions 2 and 3.** The City of El Paso hereby appoints the following board members to the Camino Real Regional Mobility Authority Board for the positions identified below, each of which shall take effect on September 1, 2010:
 - A. F. JAMES VOLK for Position 2 which will expire on February 1, 2011; and
 - B. ROSARIO HOLGUIN for Position 3 which will expire on February 1, 2012.

2. **Revision of Nomination and Appointment Process.** The City Council requests that the Executive Director of the CRRMA confer with the appropriate parties at the Texas Department of Transportation and the Texas Transportation Commission to determine the procedure for amending the nomination and appointment process for CRRMA Board members to eliminate the requirement that the Mayor of the City of El Paso submit the names of three (3) nominees for each position on the CRRMA Board and that he work with the City Attorney to submit a Resolution for City Council consideration providing that:
 - A. In the event of a vacancy, Board member nominations shall be solicited by the Mayor from City Council representatives by written notice for a period of not less than two (2) weeks. The Mayor may also request recommendations from the public within said period. Upon completion of the referenced two (2) week period, the Mayor shall review all received recommendations and those identified by the Mayor as well. At such time, the Mayor shall make one (1) nomination for each open position via presentation to the City Council at a City Council meeting. By majority vote, the City Council shall appoint a member for each open position, evidenced by City Council Resolution. In the event the City Council rejects a nominee by majority vote, the Mayor shall submit a new nominee for review and action of the Council as soon as reasonably possible. Future vacancies in the Board shall be filled in like manner.
 - B. For reappointments of existing Board members, the Mayor may submit the incumbent's name for consideration of reappointment, without the requirement for the solicitation of names and associated timelines. In the event the reappointment is not approved by the City Council, the Mayor shall follow the process outlined for vacancies to fill the vacancy.

3. **Holdover Board Members.** CRRMA Board members David Marcus and Ralph Adame will continue as holdover members of the Board until such time as they are either re-appointed or replaced under the revised nomination and appointment process.

Representatives Quintana and Acosta commented.

Ms. Laura Gordon, Assistant City Attorney, gave legal advice.

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

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

NAYS: Representative Robinson

ABSTAIN: Representative Holguin

ABSENT: Representative Byrd

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Motion made by Representative O'Rourke, seconded by Representative Ortega, and unanimously carried to **ADJOURN** this meeting at 10:51 a.m.
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk