

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHIEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

**REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
September 11, 2012
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:35 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Emma Acosta, Carl Robinson, Michiel R. Noe, Eddie Holguin, Jr., Steve Ortega, and Cortney Carlisle Niland. Late arrival: Ann Lilly at 8:39 a.m. The invocation was given by CIMA Chaplain Carlos Clugy-Soto, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. **EL PASO DISASTER PREPAREDNESS MONTH**
2. **EL PASO MEDICARE EDUCATION WEEK**
3. **PATRIOT DAY**

RECOGNITIONS

AWARD FOR HEROISM

1. **ULISES PRADO**
2. **JOSÉ LUIS LUNA**
3. **HECTOR RODRIGUEZ**
4. **HUGO RODRIGUEZ**
5. **IRVIN TOVAR**
6. **MARIO BAÑUELOS-VALENZUELA**
7. **RICHARD TYNAN**
8. **CORONADO CROSS COUNTRY TEAM**
CHRIS HERNANDEZ
SHANAHAN VIGIL
TATIANA TARABULSKI
KARIME MARTINEZ
RACHEL SCHLINKE
ARYANA MARTINEZ

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

Requests to speak must be received by 8:30 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Ms. Merlyn Heyman
2. Mr. Oscar Morales
3. Mr. Xavier Miranda
4. Mr. Salvador Gomez
5. Ms. Marina Monsisvais
6. Mr. Stan Roberts
7. Ms. Lisa Turner
8. Mr. Manny Hinojosa
9. Mr. Richard Schecter
10. Ms. Mariana Chew
11. Mr. Raul Amaya
12. Ms. Ana L. Reza
13. Mr. Jerry Thiedt

Mayor Cook commented.

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Acosta, 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, Noe, Holguin, Ortega, and Niland
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 28, 2012 and the Special City/County Meeting of August 9, 2012.

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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, by Resolution dated August 21, 2012, the City Council of the City of El Paso created the Financial and Audit Oversight Committee ("FAOC");

WHEREAS, the FAOC shall be comprised of four (4) members of City Council; the Internal Auditor; and the City Manager or her designee; and

WHEREAS, the appointment of the four (4) City Council members shall be made by a majority vote of the entire City Council (including the Mayor) and shall be appointed no later than September 15, 2012.

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

That the City of El Paso hereby appoints the following City Council members to the Financial and Audit Oversight Committee, each of which shall take effect on September 11, 2012 and will expire September 10, 2013:

1. Susie Byrd, Representative District 2;
2. Emma Acosta, Representative District 3;
3. Eddie Holguin, Jr., Representative District 6; and
4. Steve Ortega, Representative District 7.

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3B.

1st MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR.**

R E S O L U T I O N

2nd MOTION

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

That the City Manager be authorized to sign the Fifth Amendment to the Agreement for Professional Services by and between the CITY OF EL PASO and IMAGE NETWORK, INC. D/B/A/ DOVER, KOHL & PARTNERS, a Florida Corporation, for a project known as "A New Plan for El Paso – A Rewrite of the City's Comprehensive Plan" to add additional design services in the amount of Twenty Six Thousand Two Hundred Thirty Five and No/00 Dollars (\$26,235.00) thereby extending the contract amount from \$2,881,120.00 to \$2,907,355.00; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of the agreement and its amendments.

Mayor Cook and Representatives Acosta and Robinson commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Carlos Gallinar, City Development, commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None
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3C.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, SEVERINO NAVARRO SR, 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 Chapter 9.04, the Environmental Services Department 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:

700 Imus Drive, more particularly described as Lot(s) 1 (7490 Sq Ft), Block 22, Regal Crest #5 Subdivision, El Paso, El Paso County, Texas, Parcel # R330-999-0220-0100

to be \$123.55, 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 SEVEN AND 55/100 DOLLARS (\$147.55). The City Council finds that the work was completed on the 1st day(s) of December , 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY SEVEN AND 55/100 DOLLARS (\$147.55) 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 Chapter 9.04 of the El Paso City Code, JAMES M & KIMBERLY C CAIN, 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 Chapter 9.04, the Environmental Services Department 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:

1247 Franklin Quail Place, more particularly described as Lot(s) 20 (9191.00 Sq Ft), Block 28, Franklin Hills #7 Subdivision, El Paso, El Paso County, Texas, Parcel # F609-999-0280-2000

to be \$111.09, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED THIRTY FIVE AND 09/100 DOLLARS (\$135.09). The City Council finds that the work was completed on the 16th day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED THIRTY FIVE AND 09/100 DOLLARS (\$135.09) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, THEODORE & ESPERANZA B VEGA, 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 Chapter 9.04, the Environmental Services Department 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:

3405 Mountain Avenue, more particularly described as Lot(s) 13 & 14 (6000 Sq Ft), Block 36, Grandview Subdivision, El Paso, El Paso County, Texas, Parcel # G686-999-0360-4100

to be \$192.41, 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 41/100 DOLLARS (\$216.41). The City Council finds that the work was completed on the 30th day(s) of April, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SIXTEEN AND 41/100 DOLLARS (\$216.41) 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.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, SEAN BRADY, 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 Chapter 9.04, the Environmental Services Department 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:

11741 Autumn Wheat Drive, more particularly described as Lot(s) 1 (5510.44 Sq Ft), Block 21, Mesquite Hills #2 Subdivision, El Paso, El Paso County, Texas, Parcel # M395-999-0210-0100

to be \$80.25, 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 FOUR AND 25/100 DOLLARS (\$104.25). The City Council finds that the work was completed on the 15th day(s) of February, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FOUR AND 25/100 DOLLARS (\$104.25) 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 Chapter 9.04 of the El Paso City Code, RAMON V & GLORIA A RODRIGUEZ, 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 Chapter 9.04, the Environmental Services Department 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:

11312 Charles Reynolds Lane, more particularly described as Lot(s) 24 (6950.72 Sq Ft), Block 1, Sandstone Ranch Estates #2 Subdivision, El Paso, El Paso County, Texas, Parcel # S138-999-0010-0240

to be \$97.15, 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 ONE AND 15/100 DOLLARS (\$121.15). The City Council finds that the work was completed on the 16th day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY ONE AND 15/100 DOLLARS (\$121.15) 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 Chapter 9.04 of the El Paso City Code, JAMES A & RUTH G VANDINE, 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 Chapter 9.04, the Environmental Services Department 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:

3800 Edgar Park Avenue, more particularly described as Block 70 Ft of Lot 5, Huntington Park W Subdivision, El Paso, El Paso County, Texas, Parcel # H931-999-0000-3500

to be \$163.87, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED EIGHTY SEVEN AND 87/100 DOLLARS (\$187.87). The City Council finds that the work was completed on the 10th day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED EIGHTY SEVEN AND 87/100 DOLLARS (\$187.87) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, KAREN MAGERS, 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 Chapter 9.04, the Environmental Services Department 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:

9443 Gschwind Street, more particularly described as Lot(s) 13, Block 6, Milagro Hills Subdivision, El Paso, El Paso County, Texas, Parcel # M425-999-0060-8500

to be \$142.08, 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 ONE HUNDRED SIXTY SIX AND 08/100 DOLLARS (\$166.08). The City Council finds that the work was completed on the 21st day(s) of March, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SIXTY SIX AND 08/100 DOLLARS (\$166.08) 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.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, LA POSTA PROPERTIES LTD, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

6209 London Bridge Drive, more particularly described as Lot(s) 26 (4516.30 Sq Ft), Block 5, Stonebridge Addition Subdivision, El Paso, El Paso County, Texas, Parcel # S670-999-0050-0260

to be \$227.33, 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 ONE AND 33/100 DOLLARS (\$251.33). The City Council finds that the work was completed on the 3rd day(s) of February, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED FIFTY ONE AND 33/100 DOLLARS (\$251.33) 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 Chapter 9.04 of the El Paso City Code, EL PASO LMP LLC, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

11977 Mesquite Rock Drive, more particularly described as Lot(s) 16 (5299.60 Sq Ft), Block 7, Mesquite Hills Subdivision, El Paso, El Paso County, Texas, Parcel # M395-999-0070-1600

to be \$67.66, 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 NINETY ONE AND 66/100 DOLLARS (\$91.66). The City Council finds that the work was completed on the 18th day(s) of January, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount NINETY ONE AND 66/100 DOLLARS (\$91.66) 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 Chapter 9.04 of the El Paso City Code, ROGELIO M SAPIEN, 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 Chapter 9.04, the Environmental Services Department 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:

2941 Doug Ford Drive, more particularly described as Lot(s) 22, Block 101, Vista Del Sol #19 Subdivision, El Paso, El Paso County, Texas, Parcel # V893-999-1010-4300

to be \$159.67, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED EIGHTY THREE AND 67/100 DOLLARS (\$183.67). The City Council finds that the work was completed on the 9th day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED EIGHTY THREE AND 67/100 DOLLARS (\$183.67) 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 Chapter 9.04 of the El Paso City Code, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

9275 Leonardo Avenue, more particularly described as Tract 88 (0.23 Acres), North Valumbrosa #2 Subdivision, El Paso, El Paso County, Texas, Parcel # N525-999-0010-0900

to be \$124.09, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY EIGHT AND 09/100 DOLLARS (\$148.09). The City Council finds that the work was completed on the 20th day(s) of March, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY EIGHT AND 09/100 DOLLARS (\$148.09) to be a lien on the above

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

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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 \$124.09, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY EIGHT AND 09/100 DOLLARS (\$148.09). The City Council finds that the work was completed on the 30th day(s) of March, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY EIGHT AND 09/100 DOLLARS (\$148.09) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

3024 Oak Point Place, more particularly described as Lot(s) 18 (7219.11 Sq Ft, Block 203, Tierra Del Este #52 Subdivision, El Paso, El Paso County, Texas, Parcel # T287-999-2030-1800

to be \$195.66, 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 TWO HUNDRED NINETEEN AND 66/100 DOLLARS (\$219.66). The City Council finds that the work was completed on the 30th day(s) of April, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED NINETEEN AND 66/100 DOLLARS (\$219.66) 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.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, GUADALUPE ADAME, 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 Chapter 9.04, the Environmental Services Department 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 10-B (1.6216 AC) & Tract 10-B-2-C (0.244 AC) (1.6460 AC), Block 2, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel # Y805-999-0020-1010

to be \$174.15, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY EIGHT AND 15/100 DOLLARS (\$198.15). The City Council finds that the work was completed on the 17th day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY EIGHT AND 15/100 DOLLARS (\$198.15) 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 Chapter 9.04 of the El Paso City Code, MON-TEX JOINT VENTURE, 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 Chapter 9.04, the Environmental Services Department 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) 3 (5.018 AC), Block 1, Las Palmas #2 Subdivision, El Paso, El Paso County, Texas, Parcel # L203-999-0010-0300

to be \$606.74, 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 SIX HUNDRED THIRTY AND 74/100 DOLLARS (\$630.74). The City Council finds that the work was completed on the 16th day(s) of March, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount SIX HUNDRED THIRTY AND 74/100 DOLLARS (\$630.74) 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.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, VILLARREAL FAMILY LIMITED PAR, 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 Chapter 9.04, the Environmental Services Department 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) 1 (EXC NELY & SWLY PT) (86904.00 Sq Ft), Block 443, Vista Del Sol #85 Subdivision, El Paso, El Paso County, Texas, Parcel # V893-999-4430-0125

to be \$325.83, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED FORTY NINE AND 83/100 DOLLARS (\$349.83). The City Council finds that the work was completed on the 16th day(s) of March, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FORTY NINE AND 83/100 DOLLARS (\$349.83) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, KEITH M GONZALEZ, 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 Chapter 9.04, the Environmental Services Department 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:

711 Agave Circle, more particularly described as Lot(s) 9, Block Block 5, Pima Village Subdivision, El Paso, El Paso County, Texas, Parcel # P858-999-0050-8900

to be \$197.29, 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 TWENTY ONE AND 29/100 DOLLARS (\$221.29). The City Council finds that the work was completed on the 26th day(s) of April, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED TWENTY ONE AND 29/100 DOLLARS (\$221.29) 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.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, RODOLFO L & NORMA BOETA, 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 Chapter 9.04, the Environmental Services Department 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:

1141 Caper Road, more particularly described as Lot(s) 1 (8000 Sq Ft), Block 11, Eastwood Subdivision, El Paso, El Paso County, Texas, Parcel # E207-999-0110-0100

to be \$168.33, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY TWO AND 33/100 DOLLARS (\$192.33). The City Council finds that the work was completed on the 24th day(s) of April, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY TWO AND 33/100 DOLLARS (\$192.33) 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 Chapter 9.04 of the El Paso City Code, DIETER MOB LAND LP, 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 Chapter 9.04, the Environmental Services Department 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) 28 (EXC NLY PTS) (5.3350 AC), Block 22A, Vista Granada #2 Replat B Subdivision, City of El Paso, El Paso County, Texas, Parcel # V894-999-022A-2800.

to be \$1,251.37, 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 ONE THOUSAND TWO HUNDRED SEVENTY FIVE AND 37/100 DOLLARS (\$1,275.37). The City Council finds that the work was completed on the 8th day(s) of February, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE THOUSAND TWO HUNDRED SEVENTY FIVE AND 37/100 DOLLARS (\$1,275.37) 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.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, MARIA S 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 City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department 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:

469 Myra Street, more particularly described as S 100 Ft of N 200 Ft of 43 (EXC WLY PT) (8500.00 Sq Ft), Linda Vista Subdivision, El Paso, El Paso County, Texas, Parcel # L356-999-0010-6100

to be \$97.02, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED TWENTY ONE AND 02/100 DOLLARS (\$121.02). The City Council finds that the work was completed on the 22nd day(s) of March, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY ONE AND 02/100 DOLLARS (\$121.02) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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3D.

1st MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR.**

R E S O L U T I O N

2nd MOTION

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

That the City Manager be authorized to sign First Amendment to Sun Metro Mass Transit Agreement for Lift Paratransit Services with MV Contract Transportation, Inc, dated May 15, 2012, by and between the City of El Paso (“Sun Metro”) and MV Contract Transportation, Inc. to provide labor hours as needed for LIFT coach operators, supervisors, call center dispatchers, and mechanics during the Transition Period starting September 24, 2012 through November 10, 2012 to perform corresponding duties at the LIFT for an amount not to exceed \$140,034.00 during the Transition Period of the Agreement, and that the special allowance of \$2,530,693 be reduced by \$140,034.00 which will be allocated to these additional services as needed; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this agreement.

Mayor Cook and Representatives Acosta, and Robinson, commented.

Ms. Joyce Wilson, City Manager, commented.

Ms. Jane Shang, Deputy City Manager, commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Ortega and Niland

NAYS: Representative Holguin

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3E.

1st MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR.**

R E S O L U T I O N

2nd MOTION

WHEREAS, on or about April 13, 1993, the Lessor and Lessee entered into a Microwave Site Lease to permit the Lessee to use certain facilities for microwave radio communications, which lease has expired; and

WHEREAS, the Lessor and Lessee desire to enter into a new lease for such microwave radio communications.

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

That the City Manager be authorized to sign a Microwave Site Agreement with Tenet Hospitals Limited (d/b/a "Providence Memorial Hospital") and the City of El Paso (the "City") to permit the use of certain hospital facilities for microwave radio communications for a 15 year term. There is no cost to the City but the City will allow one station in the communications center be used for hospital emergency room use.

Representative Acosta commented.

Mr. Miguel Gamino, Director, Information Technology, commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Ortega and Niland

NAYS: Representative Holguin

.....
3F.

***RESOLUTION**

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

That the City Manager be authorized to sign an amended Interlocal Cooperation Contract with the Texas Department of Public Safety ("TDPS") providing for implementation of an automated ("FTA system") whereby information regarding violators, subject to the provisions of the Texas Transportation Code Chapter 706, may be accurately stored and accessed by TDPS for possible denial of renewal of a driver's license. Identified violators will be assessed an administrative fee of \$30.00 for each qualifying citation. Fees to TDPS and the vendor will continue to be paid from collected administrative fees.

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3G.

1st MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR.**

RESOLUTION

2nd MOTION

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

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, 2012 through August 31, 2013, in an amount not to exceed \$226,082.00

Mayor Cook and Representative Noe commented.

Assistant Chief Robert Feidner, Police, commented.

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

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

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3H.

***RESOLUTION**

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

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THAT the City Manager or designee be authorized to sign and submit Contract No. #2013-042395-001 for its CHS – TITLE V – CHILD HEALTH SERVICES program, in the amount of \$291,280.00, to provide child health and/or dental services, laboratory services and appropriate referrals; and that the City Manager or designee be authorized to sign any amendments thereto to extend the project for up to twelve months, to make adjustments to the contract program budget that do not change the contract amount, and to sign all related certifications.
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4A. SPECIAL APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Sergio Estrada as an Assistant City Attorney effective September 17, 2012.
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4B. SPECIAL APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Wendi Vineyard as an Assistant City Attorney effective September 25, 2012.
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5. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Ruben Ponce to the Construction board of Appeals.
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6. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Michael Schwartz, as Alternate to the Zoning board of Adjustment.
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7. NOTICE OF CAMPAIGN CONTRIBUTIONS

*Motion made, seconded, and unanimously carried to **APPROVE** for notation only pursuant to Section 2.92.110 of the City Code: receipt of campaign contribution by Representative Emma Acosta from Margarita Licon \$1000.
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8. REQUEST TO ISSUE PURCHASE ORDER

1ST MOTION

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City’s option to extend current Contract 2010-009 Rental of Portable Restrooms with El Paso Sanitation Systems Inc. dba Sarabia’s Portable Jons & Blue Sanitation for one

additional year pursuant to the provisions of an award approved by the City Council on December 8, 2009. The extended contract period will be from December 9, 2012 to December 8, 2013.

Department: General Services
Award to: El Paso Sanitation Systems Inc. dba
Sarabia's Portable Jons & Blue Sanitation
El Paso, TX
Option: One [of One]
Annual Estimated Amount: \$192,645
Total Estimated Amount: \$192,645 (1 year)
Account No.: 31010359 – 502411 – 01101
Funding Source: General Services Department – General Fund

This is a Best Value, service contract.

2ND MOTION

Motion made by Representative Holguin, seconded by Representative Ortega, and unanimously carried to **RECONSIDER**.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

3RD AND FINAL MOTION

Motion made by Representative Ortega, seconded by Representative Acosta, and carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City's option to extend current Contract 2010-009 Rental of Portable Restrooms with El Paso Sanitation Systems Inc. dba Sarabia's Portable Jons & Blue Sanitation for one additional year pursuant to the provisions of an award approved by the City Council on December 8, 2009. The extended contract period will be from December 9, 2012 to December 8, 2013.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Ortega and Niland
NAYS: None
ABSTAIN: Representative Holguin

9. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-269 (Spanish Language Library Materials [Re-Bid]) to Brodart Co., for an initial term estimated award of \$375,000.

Department: Libraries
Award to: Brodart Company
Williamsport, PA
Items: All
Option: Two Years
Annual Estimated Award: \$125,000
Initial Term Estimated Award: \$375,000 (3 Years)
Total Estimated Award: \$625,000 (5 Years)
Account: 53010202 – 503103 – 01101
Funding Source: Library Materials – General Fund

This is a Best Value, supply contract.

The Financial Services - Purchasing Division and Libraries recommend award as indicated to Brodart Company, the bidder offering the best value bid.

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ITEMS 10A- 10H TAKEN TOGETHER

10. INTRODUCTIONS

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, 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, Acosta, Robinson, Noe, Ortega, and Niland

NAYS: Representative Holguin

- 10A.** An Ordinance amending Title 12 (Vehicle and Traffic), Chapter 12.21 (Photographic Traffic Signal Enforcement System), of the El Paso City Code by amending Sections 12.21.010 (Definitions) and 12.21.070 (Effect of Liability; Exclusion of Civil Remedy; Enforcement), to provide that an unpaid civil penalty may be enforced by refusing to allow the registration of the vehicle; the penalty is as provided in Section 12.21.020 of the City Code.
- 10B.** An Ordinance amending Title 12 (Vehicles and Traffic) and Chapter 12.08 (Administration and Enforcement) to create Section 12.08.191 (Refusal to Register Motor Vehicles Due to Outstanding Warrants Fee) of the El Paso City Code, to provide that due to the County Tax Assessor Collector's ability to refuse motor vehicle registration due to outstanding warrants for failure to appear or failure to pay a fine on a complaint that involves the violation of a traffic law, the City of El Paso is establishing a fee to payable by the owner of that motor vehicle that will be forwarded to the County Tax Assessor Collector for their administrative costs.
- 10C.** An Ordinance Amending Title 13 (Streets, Sidewalks and Public Places) Chapter 13.04 (Street and Sidewalk Construction and Maintenance), Section 13.04.070 (Installation of Sidewalk on Property on which Building Permit Issued) of the El Paso City Code to amend the requirements for installation of sidewalks. The penalty being as provided in Section 13.08.140 of the El Paso City Code.
- 10D.** An Ordinance amending Title 3 (Revenue and Finance) of the El Paso Municipal Code, Chapter 3.04 (Property Taxes) by amending Section 3.04.040 (Exemption – Residence Homestead) to increase the ad valorem property tax exemption for individuals who qualify under the current code.
- 10E.** An Ordinance authorizing the City Manager to sign a Lease by and between the City of El Paso as Lessor and Mountain Star Sports Group, LLC – El Paso Baseball Club Series and Mountain Star Sports Group, LLC as Tenant covering Lots 1 through 10 and Lots 11 through 40, and a portion of the T-Alley, Block B, Stevens Addition and a Portion of Block 28 and 48, Mills Map Addition and a Portion of Franklin Street, El Paso, El Paso County, Texas containing 4.8274 acres of land more or less; a portion of Lots 30 through 42, Block C, Stevens Addition, El Paso, El Paso County, Texas containing 0.9521 acres of land more or less; and a portion of the Union Pacific Company right of way out of Blocks 28 and 48, Mills Map Addition, El Paso, El Paso County, Texas containing 0.1994 acres of land more or less ("City Hall Site").
- 10F.** An Ordinance amending Ordinance No. 017850 for the purpose of clarifying the ballot language regarding the Venue Project and Hotel Occupancy Tax Proposition and resolving other matters related thereto.

- 10G.** An Ordinance authorizing the City Manager to sign a Special Warranty Deed to convey 0.69 acres of city land under the jurisdiction of the El Paso Water Utilities Public Service Board, and consisting of a portion of Tennis West Estates, Block 2, Lot 35 and Upper Valley Surveys, Block 8, Tract 4B2, City of El Paso, El Paso County, Texas, near Westside Road and Lee Shannon Street to Lamar Skarda and spouse Connie Skarda, the sole responsive bidders, and authorizing the City Manager to sign any and all necessary documents to complete the conveyance and providing an effective date.
- 10H.** An Ordinance repealing a Resolution approved by City Council on June 26, 2012 Styled Under – Regular Agenda – Other Business 12. City Manager: 3. Discussion and action on a Resolution that the City Manager be authorized to sign the Term Sheet as agreed upon by the City of El Paso and Mountain Star Sports Group, LLC, in order to signal the creation of the public/private partnership and the intent of the City Council to construct a public sports facility (“Ballpark”) in the event the investors are able to purchase a Triple-A Minor League Baseball Franchise and relocate it to El Paso; that the City Council intends to locate the Ballpark on the site currently occupied by City Hall, Insights Museum, the Community Garden and the supporting parking area fronting on Franklin Street and authorizes the City Manager to take measures to complete the planning for the redevelopment of such site and to take steps to make the site available for the construction, including termination of leasehold interests, and to move forward to formulate long term and short term execution plans for the relocation of City operations from the City Hall site to other locations in the downtown area for the construction of the Ballpark; that the City Manager be authorized to proceed with proposed financing plan to include the possible use of (i) a venue hotel occupancy tax if approved by the voters at a duly-called election; (ii) lease revenue bonds issued by a local government corporation formed by the city; and/or (iii) other debt obligations issued by or on behalf of the City for the construction and development of the Ballpark; and that the City Manager or her designee be authorized to negotiate a contract containing the terms and conditions set forth in the term sheet for the construction and future operations and maintenance of the Ballpark and to present it to City Council for consideration upon completion of the negotiations.

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 18, 2012, FOR ITEMS 10A – 10H

11.

RESOLUTION

Motion made by Representative Ortega, seconded by Representative Byrd, and carried to **APPROVE** a Resolution approving and authorizing the publication of notice of intention to issue certificates of obligation in an amount not to exceed \$63 million.

Ms. Carmen Arrieta-Candelaria, Director, Financial Services, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Mayor Cook and Representatives Byrd, Acosta, Robinson, Noe, Holguin, and Niland commented.

Mr. Richard Schecter, citizen, commented.

Ms. Lisa Turner, citizen, commented.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Ortega, and Niland
 NAYS: Representative Holguin

12A. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Robinson, seconded by Representative Byrd, and unanimously carried to **AWARD** Solicitation No. 2012-249 for Northeast Regional Park Parking Lot Expansion to Blair-Hall Company, Inc., for a total estimated amount of \$602,225.65.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None

Department:	Parks and Recreation
Award to:	Blair-Hall Company, Inc.
Base Bid:	\$602,225.65
Total Estimated Award:	\$602,225.65
Time for Completion:	150 Consecutive Calendar Days
Account No.:	31130500-508027-26251
	31130500-508027-26261
	31130500-508027-26268
	31130500-508027-26272
	31130500-508027-60031
	31130500-508027-60137
	31130500-508027-60144
	31130500-508027-60167
	31130500-508027-60176
Project No.:	PPW0046004
Funding Source:	2000 Quality of Life

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of 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 and Construction Management Department and Parks and Recreation Department recommend award as indicated to the lowest responsible bidder.

Mr. Javier Reyes, Engineering and Construction Management, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Mayor Cook and Representatives Byrd and Robinson commented.

Ms. Joyce Wilson, City Manager, commented.

Ms. Irene Ramirez, Engineering and Construction Management, commented.

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12B. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **AWARD** Solicitation No. 2012-184 for Butterfield Trail Industrial Park Street and Landscaping Improvements to J.A.R Construction, Inc., for a total estimated amount of \$9,923,841.99.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

Department:	El Paso International Airport
Award to:	J.A.R. Construction, Inc. El Paso, TX
Base Bid:	\$6,925,480.40
Option No. 1	\$ 295,161.85
Option No. 2	\$ 545,676.60
Option No. 3	\$ 476,002.64
Option No. 4	\$ 443,722.00
Option No. 5	\$ 449,693.20
Option No. 6	\$ 401,685.20
Option No. 7	\$ 386,420.10
Total Estimated Award:	\$9,923,841.99
Time for Completion:	690 Days
Account No.:	62620025-508027-41096
Project No.:	PAP0056
Funding Source:	EPIA Enterprise Fund

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of 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 and Construction Management Department recommends award as indicated to the lowest responsive and responsible bidder.

Mr. Sam Rodriguez, Engineering Division Manager, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Representatives Byrd and Ortega commented.

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13A. DEPARTMENT OF TRANSPORTATION

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City's option to extend current Contract 2009-291 (Mast Arm Poles) with Reliapole Solutions, Inc. for two additional years pursuant to the provisions of an award approved by the City Council on October 13, 2009. The extended contract period will be from October 14, 2012 to October 13, 2014.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

Department:	Department of Transportation
Award to:	Reliapole Solutions, Inc. Magnolia, TX
Option:	2 Years
Annual Estimated Amount:	\$333,638
Total Estimated Amount:	\$667,276 (2 years)
Account No.:	32010288 – 503203 – 01101 99331117 – 508027 – 27263 – PCP06ST013
Funding Source:	General Fund – Public Access Maintenance and Repairs, 2006 Certificate of Obligations – Signal/Flasher Installation-New Signals

This is a Low Bid, unit price contract.

Mr. Bruce Collins, Financial Services, commented.

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13B. DEPARTMENT OF TRANSPORTATION

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **AWARD** Solicitation No. 2012-116 (Traffic Sign Materials) to 3M Company and to Osburn Associates, Inc. for an initial term estimated award of \$600,000.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

Department:	Department of Transportation
Award to: Vendor 1	3M Company St. Paul, MN
Items:	1-6
Initial Terms:	3 Years
Option to Extend:	None
Annual Estimated Award:	\$180,000
Initial Term Estimated Award:	\$540,000 (3 Years)
Award to: Vendor 2	Osburn Associates, Inc. Logan, OH
Items:	7
Initial Term:	3 Years
Option to Extend:	2 Years
Annual Estimated Award:	\$ 20,000
Initial Term Estimated Award:	\$ 60,000 (3 Years)

Total Estimated Award: \$100,000 (5 Years)
 Annual Estimated Award: \$200,000
 Initial Term Estimated Award: \$600,000.(3 Years)
 Total Estimated Award: \$640,000 (5 Years)
 Account No.: 32010287 – 503203 – 01101
 14400500 – 508027 – 27051
 Funding Source: Maintenance Supplies-General Fund
 Construction-Capital Fund

This is a Low Bid, unit price contract.

The Financial Services - Purchasing Division and Department of Transportation recommends award as indicated to 3M Company and Osburn Associates, Inc., the lowest responsive, responsible bidders.

Mayor Cook and Representatives Byrd and Robinson commented.

Mr. Bruce Collins, Financial Services, commented.

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14.

ORDINANCE 17864

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO CORRECT AN ERROR IN ORDINANCE NO. 017768 WHICH CHANGED THE ZONING FROM R-F (RANCH AND FARM) TO C-2 (COMMERCIAL) AND IMPOSED A CONDITION ON A PORTION OF TRACT 3, BLOCK 10, BOOTHVILLE SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 8623 NORTH LOOP DRIVE. APPLICANT: ASEO, INC. PZRZ11-00059**

Representative Ortega commented.

Mr. Carlos Gallinar, City Development, commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
 NAYS: None

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

15A.

ORDINANCE 17865

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.180 (NO STOPPING OR STANDING - TOW AWAY ZONE), OF THE EL PASO CITY CODE, TO DELETE PARAGRAPH 112 THEREBY ALLOWING PARKING ON FATHER RAHM AVENUE BETWEEN EL PASO STREET AND THE FIRST ALLEY TO THE WEST OF EL PASO STREET, SOUTH SIDE ONLY, THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO CITY CODE.**

Mr. Ted Marquez, Department of Transportation, commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Noe, Holguin, Ortega and Niland
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Robinson

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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15B.

ORDINANCE 17866

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO ADD WEST DRIVE FROM A POINT 300 FEET SOUTHWEST OF GARDEN PLACE TO A POINT 70 FEET NORTHEAST, BOTH SIDES, THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 AND CHAPTER 12.85 OF THE EL PASO CITY CODE.**

Mr. Ted Marquez, Department of Transportation, commented.

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

AYES: Representatives Byrd, Acosta, Noe, Holguin, Ortega and Niland
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Lilly and Robinson

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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16.

RESOLUTION

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

That the Director of Aviation be authorized to sign and submit a grant application and related documentation to the Federal Aviation Administration (FAA) and be designated the official representative of the City of El Paso to act in connection with the application process for the Airport Improvement Program (AIP) Project No. 3-48-0077-032-2012;

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

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

That the total grant amount shall include a federal share of \$5,128,781.00 and a local share of \$549,854.00, and will be utilized for the following project(s):

- 1. Wildlife Hazard Assessment – Reimbursable
- 2. RWY 4-22 Reconstruction and TWY System – Design
- 3. Mill and replace RWY 8L-26R, TWY "U", "V", and new parallel TWY – Design
- 4. Pavement Rehabilitation of TWY "A", "C", "D" and "F" - Construction
- 5. ARFF Safety Equipment
- 6. Airport Security Equipment
- 7. Airfield Perimeter Roads – Design

Representative Byrd commented.

Ms. Monica Lombrana, Director, Airport, commented.

Motion made by Representative Ortega, seconded by Representative Acosta, and unanimously carried to **APPROVE, AS REVISED** a Resolution.

AYES: Representatives Byrd, Acosta, Robinson, Noe, Holguin, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Lilly and Ortega

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ITEMS 17.1 THROUGH 17.3 TAKEN TOGETHER

17-1. ENGINEERING AND CONSTRUCTION MANAGEMENT

1ST MOTION

Motion made by Representative Ortega, seconded by Representative Niland, and carried to **SELECT** PCC vehicle as the preferred alternative.

AYES: Representatives Lilly, Byrd, Acosta, Noe, Ortega and Niland
NAYS: Representatives Robinson and Holguin

2ND MOTION

Motion made by Representative Ortega, seconded by Representative Niland, and **CARRIED** to terminus at the northern end to be at Glory road terminal.

AYES: Representatives Lilly, Byrd, Acosta, Noe, Ortega and Niland
NAYS: Representatives Robinson and Holguin

3RD MOTION

Motion made by Representative Ortega, seconded by Representative Niland, and carried to **USE** cost savings from reduction in the route for pedestrian amenities and purchase of the PCC's, with an adequate sidewalk five to six feet wide.

AYES: Representatives Lilly, Byrd, Acosta, Noe, Ortega and Niland
NAYS: Representatives Robinson and Holguin

4TH MOTION

Motion made by Representative Ortega, seconded by Representative Niland, and carried to **DIRECT** Ms. Shang to prepare a cost benefit analysis of using the car barn at Cotton and Olive.

AYES: Representatives Lilly, Byrd, Acosta, Noe, Ortega and Niland
NAYS: Representatives Robinson and Holguin

5TH AND FINAL MOTION

Motion made by Representative Niland, seconded by Representative Ortega, and carried to **GIVE DIRECTION** to City staff that if we restore the PCC's that they be restored to the most authentic restoration.

AYES: Representatives Lilly, Byrd, Acosta, Noe, Ortega and Niland
NAYS: Representatives Robinson and Holguin

Mr. Rick Nannenga, URS, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Lilly, Byrd, Robinson, Noe, Ortega, and Niland commented.

Ms. Joyce Wilson, City Manager, commented.

Ms. Irene Ramirez, Engineering and Construction Management, commented.

Ms. Jane Shang, Deputy City Manager, commented.

Mr. Mathew McElroy, Director, City Development, commented.

The following members of the public commented:

1. Mr. Ron Dawson
2. Mr. Peter Svarzbien, presented a video
3. Mr. Prince McKenzie, Director of Trains and Railroad Museum
4. Mr. Arnesto Valenzuela

5. Ms. Lisa Turner

1ST MOTION

Motion made by Representative Byrd, seconded by Representative Acosta and unanimously carried to **SUSPEND THE RULES** of Council to allow for additional speakers after the sign up period.

17.2

R E S O L U T I O N

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

That the City Manager be authorized to sign the First Amendment to the Agreement for Professional Services by and between the CITY OF EL PASO and URS CORPORATION, a Nevada Corporation, for a project known as “El Paso Streetcar Preliminary Engineering and Environmental Assessment” to add additional professional services for the Pre-Final, Final Design, Bidding and Construction Phases of the El Paso Streetcar Project, in the amount of Three Million Four Hundred Forty Two Thousand One Hundred Five and No/00 Dollars (\$3,442,105.00) thereby extending the contract amount from \$1,250,000.00 to \$4,692,105.00; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this agreement.

Ms. Joyce Wilson, City Manager, commented.

Mr. Mathew McElroy, Director, City Development, commented.

Ms. Irene Ramirez, Engineering and Construction Management, commented.

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

AYES: Representatives Lilly Byrd, Acosta, Noe, Ortega, and Niland

NAYS: Representatives Robinson and Holguin

17.3

R E S O L U T I O N

WHEREAS, the El Paso City Council approved its revised Debt Management Policy on February 14, 2012 and amended on June 26, 2012 which sets forth the parameters for issuing new debt for the City of El Paso; and

WHEREAS, the Debt Management Policy establishes the type of bonds that may be used to fund capital improvement projects at the lowest costs possible and states that Certificates of Obligation are an appropriate debt instrument for infrastructure related capital projects (and non-quality of Life projects); and

WHEREAS, the El Paso City Council has directed that issuances for proposed capital projects and utilizing Certificates of Obligation be brought forward annually starting in 2010 and thereafter; and

WHEREAS, on November 2, 2010, the Mass Transit Board affirmed a Mass Transit Department (Sun Metro) Capital Plan for Fiscal Years 2011 through 2017 for which the City would need to issue long term debt and, on February 14, 2012, revised said Capital Improvement Plan to amend the Operations Facility Funding; and

WHEREAS, City Staff recommends the Mass Transit Department (Sun Metro) Capital Plan (“Capital Program”) as adopted on November 2, 2010 be amended to add a new project known as the El Paso Street Car Planning and Design Project and adding \$5,000,000 as this project’s total budget and to authorize the use of a combination of Certificates of Obligation, revenue bonds, or other sources for the Capital Program pursuant to the City’s Debt management Policy.

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

- A) The Mass Transit Department (Sun Metro) Capital Plan (“Capital Program”) as adopted on November 2, 2010 and amended February 14, 2012 is hereby amended to add a new project known as the El Paso Street Car Planning and Design Project and adding \$5,000,000 for this project’s total budget;
- B) The use of a combination of Certificates of Obligation, revenue bonds, or other sources for the Capital Program pursuant to the City’s Debt Management Policy is authorized; and
- C) That City Manager is directed to take such actions and execute any and all documents for the execution of this project, subject to annual budgeting requirements and final Council approvals.

Motion made by Representative Niland, seconded by Representative Ortega, and carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Ortega and Niland

NAYS: Representatives Robinson, Noe and Holguin

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18.

RESOLUTION

WHEREAS, the Mayor and City Council accept the recommendation from the Parks and Recreation Advisory Board to rename the Riverbend Linear Trail located between Little Lane and Montoya lateral out of Los Paseos Addition Replat “A”, City of El Paso, El Paso County Texas, as **COACH JACK D. QUARLES PARK**.

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

That the trail located between Little Lane and Montoya lateral out of Los Paseos Addition Replat “A”, El Paso, Texas, shall henceforth be renamed and known as **COACH JACK D. QUARLES PARK**; and, **THAT** the Quarles Family (“Applicant”) shall incur the customary costs associated with the renaming of a park, such as installing or replacing signs with the park name or any other signs posted or affixed to a facility. Any proposed signs shall be acceptable to both the Parks and Recreation Department and Applicant. (District 8)

Ms. Marci Tuck, Parks and Recreation, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Representative Niland commented.

Ms. Eugenia Karam, citizen, commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

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The City Council Meeting was **RECESSED** at 12:59 p.m. in order to convene the Mass Transit Department Board Meeting.

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The City Council Meeting was **RECONVENED** at 1:03 p.m.

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19A. MAYOR AND COUNCIL

Discussion and action on the status of the city’s Economic Development Team and Economic Development Advisory Board. **(All Districts)**

Mr. Mathew McElroy, Director, City Development, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Mayor Cook and Representatives Lilly, Byrd, Noe and Niland commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Richard Dayoub, CEO, Greater El Paso Chamber of Commerce, commented.

NO ACTION was taken on this item.

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19B AND 19C TAKEN TOGETHER

19B. MAYOR AND COUNCIL

Motion made by Representative Acosta, seconded by Representative Ortega, and unanimously carried to **POSTPONE** one week the contract between Tom Drugan and the City of El Paso.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

Representative Byrd, Acosta, Robinson, Ortega, and Niland commented.

Mr. Sean McGlynn, Director, Museum and Cultural Affairs Department, commented.

Ms. Lisa Turner, citizen, commented.

19C. MAYOR AND COUNCIL

Motion made by Representative Acosta, seconded by Representative Ortega, and unanimously carried to **POSTPONE** one week the Public Art guidelines to include public art on Rapid Transit corridors.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

19D.

R E S O L U T I O N

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

That the City Council declares that the expenditure of District 4 discretionary funds in an amount not to exceed \$2,000.00 to pay towards the costs of marketing and advertising of the Southwestern International PRCA Rodeo helps to promote tourism and participation by persons residing both in and outside of El Paso and constitutes an important municipal purpose or benefit to the City and citizens of El Paso; and

That the City Attorney be authorized to negotiate and the City Manager be authorized to sign an appropriate contract to ensure that the funds are properly expended for the municipal purpose.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

Motion made by Representative Niland, seconded by Representative Ortega, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 2:21 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

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

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

Motion made by Representative Robinson, seconded by Mayor Pro Tempore Lilly, and unanimously carried to adjourn the Executive Session at 2:56 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

EX1 and EX2 TAKEN TOGETHER

EX1. Clear Channel Outdoor, Inc., vs. The City of El Paso; Cause No. 2009-3939.

EX2. Clear Channel Outdoor, Inc., vs. The City of El Paso, et.al.; Cause No. 3-12-CV-00301.

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Robinson and carried that the City Attorney Office be authorized settlement authority and to sign all settlement documents in the lawsuits styled *Clear Channel Outdoor, Inc. vs. The City of El Paso*, Cause No. 2009-3939 and *Clear Channel Outdoor, Inc. vs. The City of El Paso, et. al.*; Cause No. 3-12-CV-00301.

AYES: Representatives Lilly, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: Representative Byrd

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EX3. Professional legal services in connection with the acquisition of real property related to relocation of City Hall.

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, carried that the CITY OF EL PASO retains the Gilbert Law Firm, P.C. as outside counsel to provide professional legal services in connection with the acquisition of real property by the City related to all aspects of the City's relocation of City Hall. This Motion is intended to grant broad authority to City Attorney to take action necessary to address this matter and its related projects, including but not limited to, identifying the issues needed to be addressed and the particular services to be performed by outside counsel, in consultation with the City Manager.

AYES: Representatives Lilly, Byrd, Acosta, Noe, Ortega and Niland
NAYS: Representatives Robinson and Holguin

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EX4. Discussion and action regarding the Save City Hall Initiative Petition.

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **DELETE** the item regarding the Save City Hall Initiative Petition.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

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Motion made by Representative Robinson, seconded by Representative Noe, and unanimously carried to **ADJOURN** this meeting at 2:59 p. m.

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk