

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
October 10, 2006
9:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 9:05 a.m. Mayor Pro Tempore Presi Ortega, Jr. present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Jose Alexandro Lozano, Melina Castro, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Absent: Mayor John F. Cook. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. CHILDHOOD HUNGER AWARENESS DAY
2. DOMESTIC VIOLENCE AWARENESS MONTH
3. EXEMPLARY STUDENT ATHLETE AND COMMUNITY VOLUNTEER
4. WHITE CANE SAFETY MONTH
5. 2006 YWCA WEEK WITHOUT VIOLENCE

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/city_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. David Marcus
2. Mr. Steven Strumer
3. Mr. Larry Wilder
4. Ms. Lisa Turner

Representatives Presi Ortega, Jr., Lilly, Castro, Lozano, Byrd, and Holguin commented.

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

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

AYES: Representatives Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke

1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** Minutes for Regular City Council Meeting of October 3, 2006, and the Special City Council Meeting of October 2, 2006 (Agenda Review).

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS

*Motion made, seconded, and unanimously carried to **EXCUSE** Mayor John F. Cook from the Regular Council Meeting of October 10, 2006.

3A.

***RESOLUTION**

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

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"), I.G.I.T. LTD. ("Assignor"), and Rodrigo R. Eckenroth ("Assignee") for the following described property:

Lot 7, Block 7, El Paso International Airport Tracts, Unit 2, City of El Paso, El Paso County, Texas, municipally known and numbered as 7505 Lockheed, El Paso, Texas.

3B.

***RESOLUTION**

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

1. That the following Investor Owned Housing Rehabilitation application and funding request be approved pursuant to the terms set forth in the El Paso Housing Programs Handbook, Chapter Five (Investor Owned Properties), as provided for below and as additionally recommended by the Director of the Community and Human Development Department:

Application No.: H06-07-IO/CD/RG/MP-0329

Loan:	\$ 236,800.00
Forgivable Loan	<u>\$ 59,200.00</u>
Total	\$ 296,000.00
Address: 2229 Bassett (79901)	
Interest at zero percent (0%)	

2. That the City Manager be authorized to sign a Community Development Investor-Owned Financial Terms Contract between the City and owners Juan R. Garcia and Federico L. Rojo, a Builder's and Mechanic's Lien Contract Deed of Trust (With Power of Sale) between the City, Medsons Construction Ltd. Co., and Juan R. Garcia and Federico L. Rojo, and any other related documents and/or revisions thereto or necessitated thereby and complete any related funding account transfers, all such documents relating to

Community Development Rehabilitation Loan Application No. H06-07-IO/CD/RG/MP-0329. (Funding is available in Accounts: 09758-71150036/ G7105HM-505204 (\$296,000.00))

Representatives Byrd, Presi Ortega, Jr., and Lozano commented.

Ms. Nathalie Prise, Community and Human Development, commented.

Ms. Lisa Turner, citizen, commented.

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3C.

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management 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:

1601 N. Stanton, City of El Paso, El Paso County, Texas, more particularly described as Lots 1 to 5 (15860 sq ft), Block 57, Alexander Subdivision, Parcel #A462-999-0570-0100,

to be \$439.50, performed by the Solid Waste Management 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 FOUR HUNDRED SIXTY THREE AND 50/100 DOLLARS (\$463.50). The City Council finds that the work was completed on the 20th day of April 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FOUR HUNDRED SIXTY THREE AND 50/100 DOLLARS (\$463.50) 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**

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

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

WHEREAS, the Director of the Department of Solid Waste Management 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:

5532 Bandy, City of El Paso, El Paso County, Texas, more particularly described as Lot 178, Block 12, Foster Heights Subdivision, Parcel #F524-999-0120-4100,

to be \$287.95, performed by the Solid Waste Management 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 THREE HUNDRED ELEVEN AND 95/100 DOLLARS (\$311.95). The City Council finds that the work was completed on the 7th day of April 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED ELEVEN AND 95/100 DOLLARS (\$311.95) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

WHEREAS, the Director of the Department of Solid Waste Management 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:

8316 Mercury Street, City of El Paso, El Paso County, Texas, more particularly described as Lot 6 EXC S 45 FT, Sunrise Acres #1 Subdivision, Parcel #S912-999-001A-4900,

to be \$476.30, performed by the Solid Waste Management 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 FIVE HUNDRED AND 30/100 DOLLARS (\$500.30). The City Council finds that the work was completed on the 12th day of April, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FIVE HUNDRED AND 30/100 DOLLARS (\$500.30) 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**

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

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

WHEREAS, the Director of the Department of Solid Waste Management 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:

400 Pecos Street, City of El Paso, El Paso County, Texas, more particularly described as Lot 4 (6500 SQ FT), Block 22, Parkdale Subdivision, Parcel #P405-999-0220-1600,

to be \$158.05, performed by the Solid Waste Management 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 ONE HUNDRED EIGHTY TWO AND 05/100 DOLLARS (\$182.05). The City Council finds that the work was completed on the 11th day of April 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED EIGHTY TWO AND 05/100 DOLLARS (\$182.05) 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**

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

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

WHEREAS, the Director of the Department of Solid Waste Management 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:

10416 Palomino Street, City of El Paso, El Paso County, Texas, more particularly described as Lot 4, Block 131, Sun Valley Subdivision, Parcel #S816-999-1310-1900,

to be \$82.27, performed by the Solid Waste Management 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 ONE HUNDRED SIX AND 27/100 DOLLARS (\$106.27). The City Council finds that the work was completed on the 10th day of April 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED SIX AND 27/100 DOLLARS (\$106.27) 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**

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

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

WHEREAS, the Director of the Department of Solid Waste Management 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:

6062 Pompano, City of El Paso, El Paso County, Texas, more particularly described as TR 3-B-2 (3.276 AC), Block 80, TSP 1 Sec 43, T & P Survey, Parcel #X580-999-1430-0356,

to be \$1,203.74, performed by the Solid Waste Management 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 ONE THOUSAND TWO HUNDRED TWENTY SEVEN AND 74/100 DOLLARS (\$1,227.74). The City Council finds that the work was completed on the 19th and 20th day of April 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE THOUSAND TWO HUNDRED TWENTY SEVEN AND 74/100 DOLLARS (\$1,227.74) 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**

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, PATRICK B. HAGGERTY, owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other

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

WHEREAS, the Director of the Department of Solid Waste Management 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:

10460 Sigma Street, City of El Paso, El Paso County, Texas, being more particularly described as Lot 16 (6200 SQ FT), Block 2, Apollo Heights Subdivision, Parcel #A642-999-0020-3100,

to be TWO HUNDRED THIRTY-EIGHT AND 15/100 DOLLARS (\$238.15) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the first day of December, 2005, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED THIRTY-EIGHT AND 15/100 DOLLARS (\$238.15) to be a lien on the above described property, said amount being due and payable within thirty (30 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**

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

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

WHEREAS, the Director of the Department of Solid Waste Management 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:

3030 Trawood, City of El Paso, El Paso County, Texas, more particularly described as Lot 39 (11505.84 SQ FT), Block 2, Vista Hills #2 Replat B, Parcel #V897-999-0020-0081,

to be \$331.25, performed by the Solid Waste Management 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 THREE HUNDRED FIFTY FIVE AND 25/100 DOLLARS (\$355.25). The City Council finds that the work was completed on the 19th day of April 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED FIFTY FIVE AND 25/100 DOLLARS (\$355.25) 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.

3D.

***RESOLUTION**

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

WHEREAS, the El Paso City Council finds it in the best interest of the citizens of El Paso, that this grant project will be operated September 1, 2006 through August 31, 2007; and

WHEREAS, the El Paso City Council agrees that the entity will not use the existence of an Office of the Attorney General grant award to offset or decrease total salaries, expenses, and allowances that the applicant receives from the governing body at or after the time the grant is awarded; and

WHEREAS, the El Paso City Council agrees that in the event of loss or misuse of the Office of the Attorney General funds, the El Paso City Council assures that the funds will be returned to the Office of the Attorney General in full.

WHEREAS, the El Paso City Council designates Joyce Wilson as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the El Paso City Council approves submission of the grant application for the Victim Coordinator and Liaison Grant (VCLG) 2007 to the Office of the Attorney General, Crime Victim Services Division.

1. The City Manager be authorized to sign the grant application including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant in the amount of \$39,000.00, from the City of El Paso Police Department to the Office of the Attorney General, Crime Victim Services Division, for the purpose of continuing the efforts of the El Paso Police Department's VCLG program.

2. The City of El Paso agrees to provide a cash match of \$6,943.00 and in-kind matching funds in the amount of \$1,000.00.

Representative Holguin commented.

Deputy Police Chief Kenith Adcox commented.

3E.

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

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

WHEREAS, the El Paso City Council finds it in the best interest of the citizens of El Paso, that this grant project will be operated September 1, 2006 through August 31, 2007; and

WHEREAS, the El Paso City Council agrees that the entity will not use the existence of an Office of the Attorney General grant award to offset or decrease total salaries, expenses, and allowances that the applicant receives from the governing body at or after the time the grant is awarded; and

WHEREAS, the El Paso City Council agrees that in the event of loss or misuse of the Office of the Attorney General funds, the El Paso City Council assures that the funds will be returned to the Office of the Attorney General in full.

WHEREAS, the El Paso City Council designates Joyce Wilson as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the El Paso City Council approves submission of the grant application for the Other Victim Assistance Grant (OVAG) 2007 to the Office of the Attorney General, Crime Victim Services Division.

1. The City Manager be authorized to sign the grant application including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant in the amount of \$50,000.00, from the City of El Paso Police Department to the Office of the Attorney General, Crime Victim Services Division, for the purpose of continuing the efforts of the El Paso Police Department's OVAG program.

3. The City of El Paso agrees to provide a cash match of \$32,778.00 and in-kind matching funds in the amount of \$2,002.00.

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3F.

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR AGENDA** the following:

R E S O L U T I O N

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

WHEREAS, the Tax Assessor/Collector of the City of El Paso (the "**City**") has entered the amount of tax as provided by Section 26.09(e) of the State Property Tax Code in the appraisal roll, creating a tax roll for entities for which the City Tax Assessor/Collector collects taxes, a summary of which is attached hereto and incorporated herein by reference;

WHEREAS, the tax roll for said entities is on file and available for inspection in the City Tax Office; and

WHEREAS, the City Tax Assessor/Collector now submits the appraisal roll to the City Council for approval as the 2006 tax roll.

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

THAT the appraisal roll is hereby approved and constitutes the 2006 tax roll for all entities for which the City Tax Assessor/Collector collects taxes.

Representatives Castro Holguin, O'Rourke, Byrd, and Presi Ortega, Jr. commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Juan Sandoval, City Tax Assessor/Collector
- 3. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 4. Mr. William Studer, Deputy City Manager of Financial and Administrative Services

Mr. Richard Schecter, citizen, commented.

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

AYES: Representatives Lilly, Byrd, Lozano, Presi Ortega, Jr., Steve Ortega, and O'Rourke
 NAYS: Representatives Castro and Holguin

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4A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Jennifer Matthews to the Parks and Recreation Advisory Board by Representative Eddie Holguin Jr., District 6.

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4B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Francis J. (Chip) Anderson to fill the unexpired term of R. Brooks Vandivort to the IT Advisory Board by Representative Ann Morgan Lilly, District

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4C. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Cecilia Ochoa Levine to the Committee on Border Relations by Mayor John Cook.

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5. ENGINEERING

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2006-139, Ysleta Library Branch Addition, as offeror provides the best value to the City based on the published criteria and on its ranking evaluation.

That the City Manager be authorized to sign the contract;

Award to:	Blair-Hall Company, Inc.
Department:	Library
Location:	9321 Alameda Ave.
Base Bid I:	\$436,930.00
Account No.	G7131CD0013/71150069/07828/508027
Funding Source:	Community Development Block Grant

That as part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design but which do not increase the scope of the contract as awarded in an amount not to exceed \$25,000.00 per numbered change order without further authorization by City Council.

Ms. Joyce Wilson, City Manager, commented.

Mr. Richard Schecter, citizen, commented.

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6A. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.

*Motion made, seconded, and unanimously carried to **APPROVE** the request that the Purchasing Manager of Financial Services be authorized to issue a Purchase Order to C.S. Environmental, Inc., the sole source distributor of Solo Ramps concrete modular skateboard ramps, to be installed at the Ysleta Park in the amount of \$56,055.16.

Department: Parks & Recreation
Account No.: 71150069-07829-508027-7131CD0014
Funding Source: CDBG Park Projects
Renovations/Upgrades/Ysleta Park
Award amount: \$56,055.16
Sole Source No.: 2007-031

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6B. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager to issue Purchase Orders as needed to L-3 Communications Security and Detection Systems, Inc., the sole source for the installation, maintenance, and support services of its proprietary explosive detection system, the L-3 eXaminer, at the El Paso International Airport in the amount of \$74,452.21.

Department: Department of Aviation
Account No.: PAP0024-62620028-41067-508027
Funding Source: Airport Enterprise Fund
Amount: \$74,452.21
Sole Source No.: 2007-023

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7. BID

*Motion made, seconded, and unanimously carried to **AWARD** Bid Solicitation No. 2007-005, Barricade Rental Service, Street Department

Award to: Apache Barricade & Sign
El Paso, Texas
Item(s): 1 thru 53
Option: To extend the term of the contract at the same unit prices for one (1) or two (2) additional year(s) if the option is exercised within two (2) years from the date of the award.
Annual Estimated Amount: \$50,000.00
Account No.: 32010200-502411-01101
Funding Source: Street Operating Funds-Street Maintenance
Total Estimated Award: \$150,000.00

This is a requirements type contract with an initial term of thirty-six (36) months.

Vendor also offers the City a prompt payment discount of 3% ten days.

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

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8A – 8P. INTRODUCTIONS

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

- 8A.** An Ordinance granting a Special Privilege to La Mujer Obrera to temporarily close a portion of Willow Street between Texas Avenue and Myrtle Avenue for the Annual Dia de los Muertos Street Festival on Saturday, October 28, 2006. (Fee: \$137.50, SPL06-00020).
- 8B.** An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses), Subsection C, (Exceptions), of the El Paso City Code to add an exception for memorial markers, the penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code.
- 8C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection (A), Subparagraph (88), of the El Paso City Code by deleting an existing location on San Antonio Avenue, South side only, between Florence Street and Ochoa Street; and Subparagraph (91) of the El Paso City Code by deleting an existing location on Florence Street, East side only, between Overland Avenue and San Antonio Avenue. The penalty as provided in Section 12.84.010 of the El Paso City Code.
- 8D.** 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), of the El Paso City Code to amend Subparagraph 363 to prohibit parking on San Antonio Avenue from Florence Street to Ochoa Street, North side only; and Subparagraph 365 to prohibit parking on Florence Street from San Antonio Avenue to Overland Avenue, West side only. The penalty being as provided in Section 12.48.010 (Violation--Penalty) of The El Paso City Code.
- 8E.** 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) of the El Paso City Code to amend Subparagraph 260, Overland Avenue, to prohibit parking on the North side, from Florence Street to a point 170 feet West and on the South side from Florence Street to a point 200 feet West. The penalty being as provided in Section 12.84.010 of the El Paso City Code.
- 8F.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing, and Parking Generally), Section 12.44.180 (Regulations Pertaining to Certain Special Situations), Subsection B, Subparagraph 21 (Reserved for Law Enforcement Vehicles Loading and Unloading Prisoners Only), of the El Paso City Code to reserve all spaces between Overland Avenue and San Antonio Avenue that are on the East side of Campbell Street or the West side of Florence Street, and three spaces within the curb setback on the North side of Overland between Campbell and Florence. The penalty being as provided in Section 12.48.010 (Violation--Penalty) of the El Paso City Code.
- 8G.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection (A), of the El Paso City Code by adding a new location on Pendale Road from Gateway East Boulevard to Kastrin Street, both sides. The penalty being as provided in Section 12.88.180 of the El Paso City Code.

- 8H. An Ordinance authorizing the City of El Paso to sell a 2.717-acre parcel, more or less, being a portion of Tract 14A, A.F. Miller Survey No. 210, and a portion of Tract 3B, John Whittaker Survey No. 134, City of El Paso, El Paso County, Texas, to Mountain Valley Homes, Inc.
- 8I. An Ordinance authorizing the City of El Paso to sell a 12.197-acre parcel of land, more or less, being a portion of Tract 6B, S.A. & M.G. Railways Survey Company No. 268, and a portion of Tract 3B, John Whittaker Survey No. 134, City of El Paso, El Paso County, Texas, to Ham Management, LLC.
- 8J. An Ordinance authorizing the City of El Paso to sell a 1.060-acre parcel, more or less, being all of Tract 8C1, S.A. & M.G.R.R. Survey, El Paso, El Paso County, Texas, to EP Summit, L.P.

PUBLIC HEARING WILL BE HELD ON OCTOBER 24, 2006, FOR ITEMS 8A – 8J

- 8K. An Ordinance changing the zoning of Tract 7, Block 6, Ysleta Grant, El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-1 (Commercial) and R-4 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8643 North Loop Drive. Applicant: JBG Properties, LTD. ZON06-00073
- 8L. An Ordinance changing the zoning of Parcel 1: a portion of Tracts 2B, 2B4, 2B5, and 2B6A and a portion of Butcher Road released and quitclaimed, Block 20, Ysleta Grant and a portion of Tracts 38, 39, 40, and 41, Palmdale Acres, El Paso, El Paso County, Texas, from A-M (Apartment and Mobile Home Park) and R-F (Ranch and Farm) to A-O (Apartment/Office); and Parcel 2: a portion of Butcher Road released and quitclaimed, Block 20, Ysleta Grant and a portion of Tracts 38, 39, 40, and 41, Palmdale Acres, El Paso, El Paso County, Texas, from A-M (Apartment and Mobile Home Park) to C-4 (Commercial), and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 7199, 7201, 7203, 7205, and 7207 North Loop Drive. Applicant: Casas por Cristo. ZON06-00085
- 8M. An Ordinance changing the zoning of Lot 24 and the East 14.5 feet of Lot 23, Block 92, Bassett Addition, El Paso, El Paso County, Texas, from A-2 (Apartment) to S-D (Special Development) and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 2615 Montana Avenue. Applicant: Martin Beltran. ZON06-00100
- 8N. An Ordinance changing the zoning of a portion of Lot 27, Block 25, Latta's (Woodlawn) Addition, El Paso, El Paso County, Texas, from A-3 (Apartment) to C-1 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 3809 East Paisano Drive. Applicant: Abdalnassir Almaghrabi, Trustee. ZON06-00092
- 8O. An Ordinance changing the zoning of a portion of Lots 3 and 4, Block 280, Pierce Finley Addition, El Paso, El Paso County, Texas, from A-2 (Apartment) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 1002 Arizona Avenue. Applicant: Christ Chavez. ZON06-00094.
- 8P. An Ordinance changing the zoning of a portion of Lots 2 and 3, Block 4, Continental Industrial Park, El Paso, El Paso County, Texas, from P-I (Planned Industrial) to C-4 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 1055 Diesel Drive. Applicant: Juana Morales Orozco. ZON06-00096.

PUBLIC HEARING WILL BE HELD ON OCTOBER 31, 2006, FOR ITEMS 8K – 8P

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public

hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

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9A. MAYOR AND COUNCIL

*Motion made by, seconded by, and carried to **DELETE** discussion and action regarding the City's present lease of land to the Insights Science Museum and if the City Manager has future plans to use the leased property.

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9B. MAYOR AND COUNCIL

*Motion made by, seconded by, and unanimously carried to **DELETE** discussion and action on possibly implementing a new procedure for members of City Council when they abstain from voting on an issue by Representative Jose Alexandro Lozano.

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9C. MAYOR AND COUNCIL

NO ACTION WAS TAKEN on the following item:

Discussion and action to temporarily rescind the passing of an Ordinance for No Parking Zones on Cosmos Street until other alternatives are discussed and agreed upon by Representative Jose Alexandro Lozano.

Representatives Presi Ortega, Jr., Lozano, Steve Ortega, and Holguin commented.

The following City staff members commented:

- 1. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 2. Mr. Rick Conner, City Engineer
- 3. Deputy Police Chief Kenith Adcox

The following members of the public commented:

- 1. Dr. James Lawler
- 2. Ms. Gloria Olivas, Principal of Scottsdale Elementary School
- 3. Mr. Daniel Escobar, Ysleta Independent School District Bond Public Relations Specialist
- 4. Mr. Jeffrey Ditmer
- 5. Ms. Ysela Monsisvais

Motion made by Representative Lozano, seconded by Representative Steve Ortega, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Dr. Lawler an additional minute to speak.

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10A. DEVELOPMENT SERVICES

RESOLUTION

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

THAT the City Manager be authorized to execute an agreement between the City of El Paso and OpSanta, Inc., for the Operation Santa Claus parade and presentation of toys to El Paso children on November 30, 2006; and under the terms of which agreement the City will provide the necessary funds to cover the costs of the on-duty police traffic-control assistance.

RESOLUTION

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

THAT the City Manager be authorized to execute an agreement between the City of El Paso and the United American Veterans Organization for the Veterans Day Parade on November 11, 2006; and under the terms of which agreement the City will provide the necessary funds to cover the costs of the on-duty police traffic-control assistance.

RESOLUTION

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

THAT, having found a public purpose for the West Texas Confederation of Clubs for the Motorcycle Toy Run on November 5, 2006, staff is authorized to negotiate, the City Attorney's office is authorized to approve and the City Manager is authorized to sign an agreement pertaining to a limited co-sponsorship of the parade by the City of El Paso, at such time that the route and traffic control plans are finalized.

Mr. Harry Steele, Development Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Byrd, Presi Ortega, Jr., Lozano, Holguin, and Steve Ortega commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Alan Shubert, Development Services
3. Deputy Policy Chief Kenith Adcox

The following members of the public commented:

1. Mr. Armando Parra
2. Mr. Jerry Kelly

Motion made by Representative Lozano, seconded by Representative Byrd, and unanimously carried to **APPROVE** the above Resolutions.

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10B. DEVELOPMENT SERVICES

RESOLUTION

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

WHEREAS, the Sun Bowl Association ("Contractor") has hired staff to produce the **SUN BOWL PARADE**, hereinafter referred to as "Event" in the best possible manner; and

WHEREAS, a number of community businesses, organizations and individuals have agreed to participate in this Event and make financial contributions to support the Event due to its importance and significance to the community; and

WHEREAS, the City Council finds that participation by the City in the Event will provide direct benefits to the public in the form of equipment and services maintained for and provided to the public by the City.

WHEREAS, the City Council finds that participation in the Event by the City will provide great benefits to the City and it will continue to serve as a rallying point for community spirit and support, and as such, constitutes an important public purpose of benefit to the City and citizens of El Paso, and as such, the City is willing to provide the in-kind services set forth in this Contract;

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

THAT the City Manager is authorized to sign a five (5) year contract with the Sun Bowl Association to provide services to the Sun Bowl Parade.

Mr. Harry Steele, Development Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Holguin, Presi Ortega, Jr., Byrd commented.

Mr. Bernie Olivas, Executive Director of the Sun Bowl Association, commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 3. Ms. Josette Flores, City Attorney, gave legal advice.

Motion made by Representative Lilly, seconded by Representative Steve Ortega, and unanimously carried to **APPROVE** the above Resolution with an amendment to the contract to include recognition of City funding.

NOT PRESENT FOR THE VOTE: Representative Lozano

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11A. CITY MANAGER

NO ACTION WAS TAKEN on the following item:

Discussion and action:

- 1. Feasibility of creating Public Improvement District No. 1 (Thunder Canyon).
- 2. Acknowledgement of the waiving of fees by First Southwest Company for financial advisory services provided in the creation of the Public Improvement District Number One.
- 3. Willis Construction Company's repurchase option in the City's contract to acquire Thunder Canyon.

Representative Presi Ortega, Jr. commented.

The following City staff members commented:

- 1. Mr. Rick Conner, City Engineer
- 2. Ms. Theresa Cullen-Garney, City Attorney

The following members of the public commented:

- 1. Ms. Lisa Turner
- 2. Mr. Richard Schechter

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11B. CITY MANAGER

NO ACTION WAS TAKEN on the following item:

An update on the program and fiscal status of the El Paso Museum of History presented by the Museums and Cultural Affairs Department.

Ms. Jennifer Nielsen, El Paso Museum of History, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Byrd and Steve Ortega commented.

Mr. Charlie McNabb, City Attorney, gave legal advice.

The following members of the public commented:

1. Ms. Lisa Turner
2. Mr. Richard Schecter

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ADDITION TO THE AGENDA 1. MAYOR AND COUNCIL

NO ACTION WAS TAKEN on the following item:

Discussion and action to review utility rate increases, their reason and status, and possible rebates. El Paso Electric and Texas Gas came to council for rate increases in the past year due to "out of control and rising gas and oil prices." Today oil is down to \$58 per barrel, after going to \$80 per barrel in the summer, and natural gas prices are at a 5-year low.

Representatives Byrd and Holguin commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Norman Gordon, outside counsel, commented.

The following members of the public commented:

1. Ms. Lisa Turner
2. Mr. Richard Schecter

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Motion made by Representative Lilly, seconded by Representative Steve Ortega, and unanimously carried to **ADJOURN** this meeting at 12:00 p.m.
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk