

**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  
OCTOBER 25, 2011  
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:33 a.m. Mayor Pro Tempore Ann Morgan Lilly present and presiding and the following Council Members answered roll call: Emma Acosta, Carl Robinson, Michiel R. Noe, Steve Ortega, and Cortney Carlisle Niland. Late arrivals: Eddie Holguin, Jr. at 8:39 a.m. during Executive Session deliberations and Susannah M. Byrd at 8:42 a.m. during Executive Session deliberations. Mayor John F. Cook requested to be excused. The invocation was given by Border Patrol Chaplain Jesse Alvarez, followed by the Pledge of Allegiance to the Flag of the United States of America.

**MAYOR'S PROCLAMATIONS**

**BORDER ENERGY WEEK**

**RECOGNITIONS**

Ms. Joyce Wilson, City Manager, presented the following employee recognitions:

**1. CITY EMPLOYEES**

- Daryl Wayne Cole – 25 years
- Reymundo Lopez – 25 years
- Barbra A. Shipp – 25 years
- Lorenzo I. Romo – 25 years
- Mary Lou Avila – 25 years
- Alfonso Cardenas, Jr. – 25 years
- Mario L. Benavidez – 25 years
- Alfonso Cardenas, Jr. – 25 years
- Armando Femath – 25 years
- Pedro J. Gaytan – 25 years
- Elizabeth Puga – 25 years

**2. JOSE CISNEROS CIELO VISTA BRANCH LIBRARY  
IS LEED GOLD CERTIFIED**

**CALL TO THE PUBLIC – PUBLIC COMMENT**

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

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

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

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. John Conwell
2. Mr. Jerry Thiedt
3. Ms. Lisa Turner
4. Ms. Angie Ortega

Representatives Noe and Niland commented.

Ms. Joyce Wilson, City Manager, commented and Ms. Laura Gordon, Deputy City Attorney, gave legal advice.

Motion made by Representative Robinson, seconded by Representative Acosta, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:33 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

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

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

NOT PRESENT FOR THE VOTE: Representatives Byrd and Holguin

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried to adjourn the Executive Session at 9:56 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Noe and Niland

**EX1.** High Ridge Construction, Inc. vs. City of El Paso; Cause No. 2011-DVC00361 (551.071)

Motion made by Representative Holguin, seconded by Representative Byrd, and unanimously carried that the City Attorney's Office be authorized to reject Plaintiff's settlement demand in the lawsuit styled High Ridge Construction, Inc. v. The City of El Paso; Cause No. 2011-DVC00361.

**EX2.** Empowerment Zone Loan No. EZ-RLF-51, Pedro Mancha d/b/a Mancha's Grocery and Meat Market. (551.071)

Motion made by Representative Holguin, seconded by Representative Byrd, and unanimously carried that the City Attorney be authorized settlement authority and to negotiate a settlement agreement in consultation with the City Manager; and that the City Manager be authorized to sign all related documents on behalf of

the City of El Paso to resolve the City's claim against Pedro Mancha d/b/a Mancha's Grocery and Meat Market, concerning debt collection of Empowerment Zone loan number EZ-RLF- 51.

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**EX3.** Claim of Dolores Hinson, Our File No. 11-C-055 (551.071)

Motion made by Representative Holguin, seconded by Representative Ortega, and unanimously carried that the City Attorney's Office be authorized to reject claimant's settlement demand in the claim of Dolores Hinson, Our File No. 11-C-055.

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**EX4.** Carlos Diaz de Leon, et. al. vs. The City of El Paso, et. al.; Cause No. 08-10-00348-CV (551.071)

Motion made by Representative Holguin, seconded by Representative Ortega, and carried that the City Attorney's Office be authorized to reject Plaintiff's settlement demand in the lawsuit styled Carlos Diaz de Leon, et. al. v. The City of El Paso, et. al.; Cause No. 08-10-00348-CV.

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

NAYS: Representative Byrd

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**EX5.** Discussion and action on litigation strategies in pending or contemplated utility rate cases. (551.071)

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

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**CONSENT AGENDA**

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, 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 October 18, 2011, the Special City Council Meeting Minutes of October 18, 2011 (Executive Session – Introduction of an Ordinance amending Title 13, Chapter 13.24, Section 13.24.040) and the Corrected Minutes for the Regular City Council Meeting of September 20, 2011.

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**2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS**

Motion made, seconded, and unanimously carried to **EXCUSE** Mayor John F. Cook from the Regular Council Meeting of October 25, 2011.

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**3A.**

**\*RESOLUTION**

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor") and Croucher Family Limited Partnership ("Assignee") for the following described property:

Lot 8, Block 7, El Paso International Airport Tracts, Unit 2, City of El Paso, El Paso County, Texas and municipally known and numbered as 7501 Lockheed.

3B.

**\*RESOLUTION**

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor") and Croucher Family Limited Partnership ("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.

3C.

**\*RESOLUTION**

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and among the City of El Paso ("Lessor"), TFTL Partners ("Assignor"), and TFTL Partners, LLC ("Assignee") for the following described property:

Lot 3 and the easterly 120 feet of Lot 2, Block 8, El Paso International Airport Tracts, El Paso, El Paso County, Texas and municipally known and numbered as 7606 Boeing, El Paso, Texas.

3D.

**\*RESOLUTION**

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and among the City of El Paso ("Lessor"), TFTL Partners ("Assignor") and TFTL Partners, LLC ("Assignee") for the following described property:

Lots 4, 5 and 6, Block 8, El Paso International Airport Tracts, El Paso, El Paso County, Texas and municipally known and numbered as 7610 Boeing, El Paso, Texas.

3E.

**\*RESOLUTION**

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and among the City of El Paso ("Lessor"), TFTL Partners ("Assignor"), and TFTL Partners, LLC ("Assignee") for the following described property:

Lots 7 and 8, Block 8, El Paso International Airport Tracts, El Paso, El Paso County, Texas and municipally known and numbered as 7618 Boeing, El Paso, Texas.

3F.

**\*RESOLUTION**

That the City Manager be authorized to sign a Lessor's Approval of Sublease between the City of El Paso ("Lessor"), Cutter Aviation El Paso Limited Partnership ("Lessee") and the Texas Department of Public Safety ("Sublessee") regarding a portion of the premises located at 1771 Shuttle Columbia Drive, El Paso, Texas.

3G.

**\*RESOLUTION**

That the City Manager be authorized to sign a Second Amendment to the La Placita Lease Agreement between the City of El Paso and Paseo Del Sol, Ltd. Co. dba Galeria Del Sol to extend the term of the Lease Agreement an additional one (1) year through December 31, 2012.

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**3H.**

**\*RESOLUTION**

That the City Manager be authorized to sign a Third Amendment to the La Placita Lease Agreement between the City of El Paso and Paseo Del Sol, Ltd. Co. dba La Zia to extend the term of the Lease Agreement an additional one (1) year through December 31, 2012.

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**3I.**

**RESOLUTION**

**WHEREAS**, on August 30, 2011, the City Council for the City of El Paso adopted policies and procedures for the 38th Year (2012-2013) Community Development Block Grant (CDBG) Program, the 2012-2013 Emergency Solutions Grant (ESG) Program and the 2012-2013 Housing Opportunities for Persons with AIDS (HOPWA) Program, and established deadline dates for the submission of the various application and funding request documents; and

**WHEREAS**, the City Council, based on the recommendation of the Director of the Community and Human Development Department and Department staff, now desires to amend the 2012-2013 Emergency Solutions Grant policies and procedures; and

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

That the 2012-2013 Emergency Solutions Grant (ESG) policies and procedures be amended as follows:

1. Change the match requirement to allow applicants to provide a 100% match from a Community Development funding source for the ESG funds being requested; and
2. Change the proposed funding allocation percentages as follows, or as required by the Department of Housing and Urban Development when the final ESG regulations are published:

60%	Activities related to Essential Services; and maintenance, operation, insurance, provision of utilities, and provision of furnishings related to emergency shelter
32.5%	Activities related to rental assistance and housing relocation and stabilization services
7.5%	City of El Paso administrative costs

Representatives Byrd, Holguin, Niland, Ortega, Robinson, and Lilly commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. William Lilly, Director of Community and Human Development
3. Mr. Charlie McNabb, City Attorney, gave legal advice.

The following members of the public commented:

1. Ms. Rosa Cabrera, Director of Dame La Mano

2. Mr. Blake Barrow, Rescue Mission
3. Mr. Jiovanni Rios
4. Ms. Carol Bohle, Executive Director, Homeless Coalition
5. Ms. Cemelli de Aztlan
6. Reverend Baer Boyd
7. Ms. Lisa Turner
8. Mr. Javier Miranda
9. Mr. Carlos Marentes
10. Mr. Ruben Torres
11. Mr. Rodolfo Viscarra
12. Mr. Bill Addington
13. Mr. Brent Dewire
14. Ms. Emily Davis

**1<sup>ST</sup> MOTION**

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

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

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

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**3J.**

**\*RESOLUTION**

That the City Council approves the expenditure of additional available funding in the amount of Two Hundred Five Thousand Seven Hundred Twenty Seven and 78/100 dollars (\$205,727.78) to Highway Intelligent Traffic Systems Corp. for additional construction costs for Video Surveillance & Count Stations 2009. The change order provides for trenching, rather than boring as required by the original plans, of 2,429 linear feet along Resler Drive from Helen of Troy Drive to High Ridge, adding fifty six (56) days of contract time for Contract Number 2010-113. The new contract sum, including this change order, is Three Million Thirty Eight Thousand Five Hundred Forty Five and 26/100 dollars (\$3,038,545.26).

Representative Robinson commented.

Ms. Irene Ramirez, Assistant City Engineer

Ms. Lisa Turner, citizen, commented.

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**3K.**

**\*RESOLUTION**

That the City Manager be authorized to sign an Underground Electrical Easement and Transformer Pad Easement to the El Paso Electric Company for the purpose of providing service for a new runway approach lighting improvement project at the El Paso International Airport, said easement more particularly described as a portion of Section 33, Block 80, Township 2, T & P Surveys and a portion of Tract 1-A, Section 40, Block 80, Township 2, T & P Surveys, City of El Paso, El Paso County, Texas.

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**3L.**

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, **CONFIDENTIAL**, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property

constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code 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:

SLY PT OF LOT 30 (28.75 FT OF ELY - 119.11 FT ON SLY - 24.02 FT ON WLY - 107.84 ON NLY), Block 93, Chaparral Park #20 Subdivision, City of El Paso, El Paso County, Texas, Parcel # C340-999-0930-5900.

to be \$235.44, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED FIFTY NINE AND 44/100 DOLLARS (\$259.44). The City Council finds that the work was completed on the 5th day(s) of January, 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 TWO HUNDRED FIFTY NINE AND 44/100 DOLLARS (\$259.44) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, DCMM INC, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso 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:

6301 Franklin Bluff Drive, more particularly described as Lot(s) 25 (9914.00 Sq Ft), Block 8, Franklin Hills #3 (Amending) Subdivision, El Paso, El Paso County, Texas, Parcel #F609-999-0080-2500

to be \$184.69, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED EIGHT AND 69/100 DOLLARS (\$208.69). The City Council finds that the work was completed on the 23rd day(s) of February, 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 TWO HUNDRED EIGHT AND 69/100 DOLLARS (\$208.69) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, ERIN R BARRAZA, 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:

5029 Crossroads Drive, more particularly described as S 1/2 of Tract 23, Cross Road Subdivision, El Paso, El Paso County, Texas, Parcel #C961-999-0010-6900

to be \$260.88, 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 EIGHTY FOUR AND 88/100 DOLLARS (\$284.88). The City Council finds that the work was completed on the 22nd day(s) of February, 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 TWO HUNDRED EIGHTY FOUR AND 88/100 DOLLARS (\$284.88 ) 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, MICHAEL FRANCOM INC, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso 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:

1260 Franklin Bluff Drive, more particularly described as Lot(s) 4 (9089.00 Sq Ft), Block 25, Franklin Hills #7 Subdivision, El Paso, El Paso County, Texas, Parcel #F609-999-0250-0400

to be \$146.01, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY AND 01/100 DOLLARS (\$170.01). The City Council finds that the work was completed on the 18th day(s) of March, 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 SEVENTY AND 01/100 DOLLARS (\$170.01) 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, CARMEN ALVAREZ, 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:

6122 Antler Drive, more particularly described as Lot(s) 8 (4500.00 Sq Ft), Block 1, Deer Valley #1 Subdivision, El Paso, El Paso County, Texas, Parcel #D327-999-0010-1500

to be \$171.62, 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 FIVE AND 62/100 DOLLARS (\$195.62). The City Council finds that the work was completed on the 2<sup>nd</sup> day(s) of March, 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 NINETY FIVE AND 62/100 DOLLARS (\$195.62) 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, JESUS M ROJAS, 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:

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

to be \$312.28, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED THIRTY SIX AND 28/100 DOLLARS (\$336.28). The City Council finds that the work was completed on the 12<sup>th</sup> & 13<sup>th</sup> day(s) of April, 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 THREE HUNDRED THIRTY SIX AND 28/100 DOLLARS (\$336.28) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, JOHN R GANDARA, 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:

2918 Sacramento Avenue, more particularly described as Lot(s) W 17 Ft of Lot 22 & E 17 Ft of Lot 23 (4080 Sq Ft), Block 1, Grandview Subdivision, El Paso, El Paso County, Texas, Parcel #G686-999-0010-6100

to be \$103.51, 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 SEVEN AND 51/100 DOLLARS (\$127.51). The City Council finds that the work was completed on the 10th day(s) of December, 2010, 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 SEVEN AND 51/100 DOLLARS (\$127.51) 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, LEONOR T CHAVIRA, 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:

5013 Mount Vernon Court, more particularly described as Lot(s) 1468 (6006 Sq Ft), Block 60, Mountain View Subdivision, El Paso, El Paso County, Texas, Parcel #M851-999-0600-2200

to be \$225.96, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED FORTY NINE AND 96/100 DOLLARS (\$249.96). The City Council finds that the work was completed on the 9th day(s) of March, 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 TWO HUNDRED FORTY NINE AND 96/100 DOLLARS (\$249.96) 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, AILEEN AGUILAR, 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:

5748 Kalpana Chawla Court, more particularly described as Lot(s) 13 (5122.50 Sq Ft), Block 7, Columbia North Subdivision, El Paso, El Paso County, Texas, Parcel # C742-999-0070-1300

to be \$71.46, 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 FIVE AND 46/100 DOLLARS (\$95.46). The City Council finds that the work was completed on the 5th day(s) of May, 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 NINETY FIVE AND 46/100 DOLLARS (\$95.46) 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, MENDIOLA VENTURES 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:

5376 Ignacio Frias Drive, more particularly described as Lot(s) 30 (5409.06 Sq Ft), Block 2, Sandstone Ranch Estates #2 Subdivision, El Paso, El Paso County, Texas, Parcel # S138-999-0020-3000

to be \$77.97, 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 ONE AND 97/100 DOLLARS (\$101.97). The City Council finds that the work was completed on the 14th day(s) of June, 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 ONE AND 97/100 DOLLARS (\$101.97) 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, JESUS I DIAZ DE LEON, 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:

11618 Cayuga Circle, more particularly described as Lot(s) 22 (5529.49 Sq Ft), Block 7, Indian Heights #2 Subdivision, El Paso, El Paso County, Texas, Parcel # I258-999-0070-2200

to be \$315.32, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED THIRTY NINE AND 32/100 DOLLARS (\$339.32). The City Council finds that the work was completed on the 15th day(s) of April, 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 THREE HUNDRED THIRTY NINE AND 32/100 DOLLARS (\$339.32) 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, MAKBULE & RONALD M ROBINSON, 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:

2601 Schooner Drive, more particularly described as Lot(s) 24 (7350 Sq Ft),  
Block 9, East Glen Subdivision, El Paso, El Paso County, Texas, Parcel #  
E054-999-0090-4700

to be \$181.05, 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 FIVE AND 05/100 DOLLARS (\$205.05). The City Council finds that the work was completed on the 5th day(s) of November, 2010, 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 FIVE AND 05/100 DOLLARS (\$205.05) 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.

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, YUN Y MCLAUGHLIN, 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:

2440 Lake Superior Lane, more particularly described as Lot(s) 7 (7500 Sq Ft),  
Block 30, Sandy Creek #2 Subdivision, El Paso, El Paso County, Texas, Parcel  
# S127-999-0300-1300

to be \$85.95, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINE AND 95/100 DOLLARS (\$109.95). The City Council finds that the work was completed on the 28th day(s) of June, 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 NINE AND 95/100 DOLLARS (\$109.95) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, LUIS L & LORINA A RINCON, 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:

12437 Tierra Nogal Drive, more particularly described as Lot(s) 44 (6457.50 Sq Ft), Block 38, Tierra Del Este #7 Subdivision, El Paso, El Paso County, Texas, Parcel # T287-999-0380-4400

to be \$70.67, 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 NINETY FOUR AND 67/100 DOLLARS (\$94.67). The City Council finds that the work was completed on the 5th day(s) of May, 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 NINETY FOUR AND 67/100 DOLLARS (\$94.67) 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, JESUS & ANA LARA, 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:

475 Carmelita Circle, more particularly described as Lot(s) 124 & W 30 Ft of Lot 125 (9230 Sq Ft), Block 5, Alexander to Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel #A475-999-0050-4900

to be \$156.39, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED EIGHTY AND 39/100 DOLLARS (\$180.39). The City Council finds that the work was completed on the 12th day(s) of January, 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 EIGHTY AND 39/100 DOLLARS (\$180.39) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with 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 Lot(s) Tract 88 (0.23 Acres), North Valumbrosa #2 Subdivision, El Paso, El Paso County, Texas, Parcel # N525-999-0010-0900

to be \$210.82, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED THIRTY FOUR AND 82/100 DOLLARS (\$234.82). The City Council finds that the work was completed on the 23rd day(s) of February, 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 TWO HUNDRED THIRTY FOUR AND 82/100 DOLLARS (\$234.82) 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 \$104.87, 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 TWENTY EIGHT AND 87/100 DOLLARS (\$128.87). The City Council finds that the work was completed on the 16th day(s) of February, 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 TWENTY EIGHT AND 87/100 DOLLARS (\$128.87) 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, JESUS M & MARTHA H KOMIYAMA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso 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 11-B (0.188 Acre), Block 47, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel #Y805-999-0470-1107

to be \$132.39, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FIFTY SIX AND 39/100 DOLLARS (\$156.39). The City Council finds that the work was completed on the 4th day(s) of January, 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 FIFTY SIX AND 39/100 DOLLARS (\$156.39) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, LOUIS D & RAMONA H STAHL, 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 NLY PT) (63061.49 Sq Ft), Block 6, Quail Run Subdivision, City of El Paso, El Paso County, Texas, Parcel #Q550-999-0060-0100

to be \$165.62, 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 NINE AND 62/100 DOLLARS (\$189.62). The City Council finds that the work was completed on the 27th day(s) of January, 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 EIGHTY NINE AND 62/100 DOLLARS (\$189.62) 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, ROSA JARVIS, 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:

8874 Harding Way, more particularly described as Lot(s) Tract 13 (6873 Sq Ft), Block , Lydia Dixon #2 Subdivision, El Paso, El Paso County, Texas, Parcel #L981-999-0010-8500

to be \$150.94, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY FOUR AND 94/100 DOLLARS (\$174.94). The City Council finds that the work was completed on the 3rd day(s) of December, 2010, 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 SEVENTY FOUR AND 94/100 DOLLARS (\$174.94) 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, CARLA MORALES, 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:

9349 Carnes Road, more particularly described as SWLY Pt of Lot 18 (165.18 Ft on WLY - 157.75 Ft on ELY - 120.62 Ft on SLY) (9979.89 Sq Ft), Block 1, Villa Nueva #2 Subdivision, El Paso, El Paso County, Texas, Parcel #V836-999-0010-1800

to be \$223.00, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED FORTY SEVEN AND 00/100 DOLLARS (\$247.00). The City Council finds that the work was completed on the 23rd day(s) of September, 2010, 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 FORTY SEVEN AND 00/100 DOLLARS (\$247.00) 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, EULOGIO ORTIZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code 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:

8007 San Jose Road, more particularly described as Lot(s) 9 & 10 & (12.5' of Adj Road Closed) (4.0680 Acres), Lafayette Subdivision, El Paso, El Paso County, Texas, Parcel # L122-999-0010-2900

to be \$192.53, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED SIXTEEN AND 53/100 DOLLARS (\$216.53). The City Council finds that the work was completed on the 8th day(s) of December, 2010, 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 53/100 DOLLARS (\$216.53) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

### **\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, LORENZO GUILLEN, 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:

8864 Harding Way, more particularly described as Lot(s) 4 (27300.00 Sq Ft),  
Block 1, Arizona Subdivision, El Paso, El Paso County, Texas, Parcel #A699-  
999-0010-0400

to be \$164.04, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED EIGHTY EIGHT AND 04/100 DOLLARS (\$188.04). The City Council finds that the work was completed on the 2nd day(s) of December, 2010, 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 EIGHT AND 04/100 DOLLARS (\$188.04) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

Representatives Holguin, Ortega, and Lilly commented.

Ms. Joyce Wilson, City Manager, commented.

Ms. Lisa Turner, citizen, commented.

.....  
**3M.**

**\*RESOLUTION**

That the City Manager be authorized to sign and submit Contract number 2012-039990 and other related documents for the Texas Department of State Health Services’ Special Supplemental Nutrition Program for Women, Infants, and Children, in the amount of \$3,505,733 for the period of October 1, 2011 through March 31, 2012, to provide supplemental food instruments, nutrition education, and counseling to enhance good health care at no cost to low-income pregnant and postpartum women, infants and children identified to be at nutritional risk in El Paso.

.....  
**3N.**

**\*RESOLUTION**

That the City Manager be authorized to sign and submit Amendment No. 001A to DSHS Contract No. #2011-037500 for its Tuberculosis Prevention and Control – Federal program, to increase the budget amount

available to the City of El Paso by \$30,455 (for a new total of \$314,386) in order to allow the City to purchase equipment and supplies to determine drug sensitivities for the treatment of tuberculosis.

.....  
**30.**

**RESOLUTION**

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and each of the following public entities, for the provision of public health services and related matters, by the City of El Paso, for the period of September 1, 2011 through August 31, 2012:

- 1. Village of Vinton, Texas;
- 2. Town of Clint, Texas; and
- 3. City of Socorro, Texas.

Representative Noe commented.

Ms. Joyce Wilson, City Manager, commented.

**1<sup>ST</sup> MOTION**

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

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

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

.....  
**4A. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Larry Nance to the City Plan Commission by Representative Ann Morgan Lilly, District 1.

.....  
**4B. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Lamar Skarda to the Capital Improvements Advisory Committee by Representative Ann Morgan Lilly, District 1.

.....  
**4C. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** David Turner to the Parks and Recreation Advisory Board by Representative Ann Morgan Lilly, District 1.

.....  
**5A. REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Mayor to execute an Interlocal Agreement by and between the City of El Paso, Texas and the County of El Paso, whereby both entities agree to combine their efforts, from time to time, for the purchase of goods and services.

.....  
**5B. REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue Purchase Order(s) to Physio-Control, Inc., the sole source provider for

LIFEPAK Defibrillator/monitor products for the purchase of cardiac monitoring and defibrillation supplies in the estimated amount of \$150,000 for the El Paso Fire Department.

Department: Fire Department  
Award to: Physio-Control, Inc.  
Redmond, WA  
Total Estimated Amount: \$150,000  
Account No.: 22010320- 503112- 01101  
Funding Source: General Fund  
Sole Source No.: 2012-042

This is a Sole Source, unit-price contract.

.....  
**5C. REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order ESI Companies, Inc, a contractor under the U.S. General Services Administration (GSA) Contract No. GS-07F-0185U for 25 SkyCop camera enclosures with cameras. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

Additionally, it is requested that the City Attorney’s Office review and the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department: Police  
Award to: ESI Companies, Inc.  
El Paso, TX  
Total Estimated Amount: \$162,500  
Account No.: 21150010 – 508007 – 05408 – 09-SR-BZ2400006  
Funding Source: Buffer Zone Protection Program Grant (BZPP)  
Reference No.: 2012-043

This is a Cooperative, unit price contract.

Representatives Ortega, Niland, and Holguin commented.

Ms. Joyce Wilson, City Manager, and Police Commander Zina Silva commented.

Reverend Baer Boyd commented.

.....  
**5D. REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Allen Vanguard, Inc., a contractor under the U.S. General Services Administration (GSA) Contract No. GS-07F-0207M respectively, for the purchase of four EOD Enhanced Mobility Suits (Bomb Suits), four Helmets, four Visor Kits, two Vehicle Access Kits and two Tripods for the Bomb Squad.

The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing. Furthermore, Purchasing conducted Request for Information with local uniform and equipment suppliers. Vendors indicated they do not supply specialty items.

Department: Police  
Award to: Allen Vanguard, Inc.  
Ogdensburg, NY  
Total Estimated Amount: \$105,841  
Account No.: 21150010 – 508007– 05408 – 09-SR-BZ2400006  
Funding Source: Buffer Zone Protection Program Grant (BZPP)  
Reference No.: 2012-034

This is a Cooperative, unit price contract.

.....  
**5E. REQUEST TO ISSUE PURCHASE ORDER**

\*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 2009-140 (Janitorial Services – Municipal Service Centers and Corrals) with Carefree Janitorial Services and Total Cleaning Services for two additional years pursuant to the provisions of an award approved by the City Council on October 20, 2009. The extended contract period will be from November 2, 2011 to November 2, 2013.

Department: General Services  
Award to: Vendor 1 Carefree Janitorial Services  
El Paso, TX  
Option: One [of One]  
Annual Estimated Amount: \$74,194.56  
Total Estimated Amount: \$148,389.12 (2 years)

Award to: Vendor 2 Total Cleaning Services  
El Paso, TX  
Option: One [of One]  
Annual Estimated Amount \$8,182.44  
Total Estimated Amount: \$16,364.88 (2 years)

Total Estimated Amount: \$164,754 (2 years)  
Account No.: 31010327 – 502206 – 01101  
Funding Source: General Fund – Maintenance Services  
Contract-Janitorial

This is a Best Value, service contract.

.....  
**6A. BID**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2011-260 for Memorial Park Branch Library Improvements to Blair-Hall Co., Inc. for an estimated total amount of \$321,998. Blair-Hall Co., Inc. has provided the highest ranked proposal (90.34).

Department: Engineering and Construction Management  
Award to: Blair-Hall Co. Inc.  
Base Bid: \$309,998  
Option 1: \$12,000  
Total Estimated Completion: \$321,998  
Funding Source: Community Development Block Grant (CDBG)  
36<sup>th</sup> Year

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

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.

This is a lump-sum contract. The Engineering & Construction Management Department recommends award to the offeror who submitted the highest ranked proposal.

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**6B. BID**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2011-311 (Crack Sealant Material, Hot Applied) to Professional Pavement Products, Inc. for an initial term estimated award of \$151,200.

Department:	Aviation
Award to:	Professional Pavement Products, Inc. Jacksonville, FL
Items:	All
Initial Term:	3 years
Option:	None
Annual Estimated Award:	\$50,400.
Initial Term Estimated Award:	\$151,200 (3 years)
Total Estimated Award:	\$151,200
Account No.:	62620009 – 503211 – 40101
Funding Source:	Airport Cost Centers – Airfield Maintenance & Repairs

This is a low bid, unit price contract.

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

The Financial Services - Purchasing Division and Department of Aviation recommend that Crafcot Texas, Inc. be disqualified as non-responsive and the contract be awarded as indicated to Professional Pavement Products, Inc., the lowest responsive, responsible bidder.

Mr. Bruce Collins, Purchasing Manager, commented.

Ms. Lisa Turner, citizen, commented.

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the signup period.

.....  
**6C. BID**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2011-320 (Traffic Signal Components) to General Traffic Equipment Corporation; Paradigm Traffic Systems, Inc.; and Traffic Parts, Inc. for an initial term estimated award of \$214,417.50.

Department:		Department of Transportation
Award to:	Vendor 1	General Traffic Equipment Corporation Newburgh, NY
Items:		1, 2, 12, 15 and 19
Initial Term:		3 years
Option:		2 years
Annual Estimated Award:	\$9,880	
Award to:	Vendor 2	Paradigm Traffic Systems, Inc. Arlington, TX
Items:		13, 14 and 21
Initial Term:		3 years
Option:		None
Annual Estimated Award:	\$45,150	
Award to:	Vendor 3	Traffic Parts, Inc. Conroe, TX
Items:		3, 4, 5, 6, 7, 8, 9, 10, 11, 16, 17, 18 and 20
Initial Term:		3 years
Option:		None
Annual Estimated Award:	\$16,442.50	
Initial Term Estimated Award:		\$214,417.50 (3 years)
Total Estimated Award:		\$234,177.50 (5 years)
Account No.:		32010288 – 503203 – 01101
Funding Source:		General Fund - Public Access Maintenance & Repairs

This is a low bid, unit price contract.

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

The Financial Services - Purchasing Division and Department of Transportation recommend award as indicated to General Traffic Equipment Corporation, Paradigm Traffic Systems, Inc. and Traffic Parts, Inc. the lowest responsive, responsible bidders.

.....  
**6D. BID**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2011-322 (Guardrails) to Diversified Highway Products and Services, LLC for an initial term estimated award of \$117,894.80.

Department:		Department of Transportation
Award to:		Diversified Highway Products and Services, LLC Fort Worth, TX
Items:		All
Initial Term:		2 years
Option:		None
Annual Estimated Award:		\$58,947.40

Initial Term Estimated Award: \$117,894.80 (2 years)  
 Total Estimated Award: \$117,894.80 (2 years)  
 Account No.: 32010200 – 503203 – 01101  
 Funding Source: General Fund – Public Access Maintenance & Repairs

This is a low bid, unit price contract.

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

The Financial Services - Purchasing Division and Department of Transportation recommend award as indicated to Diversified Highway Products and Services, LLC, the lowest responsive, responsible bidder.

.....  
**6E. BID**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2011-258 (Roll-Off Trucks) to RJ Border Management, LLC dba Border International Trucks, for a total of \$245,698.

Department: General Services  
 Award to: RJ Border Management, LLC dba Border International Trucks  
 El Paso, TX  
 Items: 1, O-1, O-2, O-3  
 Option: None  
 Total Award: \$245,698 (Total 2 trucks)  
 Account: 34010289 – 508029 – 40499 – PSWM0017  
 Funding Source: Environmental Services Department, Heavy Off Road Equipment

This is a fixed-price, single purchase.

The Financial Services - Purchasing Division and General Services recommend award as indicated to RJ Border Management, LLC dba Border International Trucks.

Representatives Ortega and Niland commented.

Ms. Lisa Turner, citizen, commented.

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**7A. – 7E. INTRODUCTIONS**

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

- 7A.** An Ordinance amending Title 2 (Administration and Personnel) Chapter 2.16 (Zoning Board of Adjustment), Section 2.16.020 (Powers), Section 2.16.030 (Variances) and Section 2.16.060 (Administration) of the El Paso City Code to add the authority to approve variances specified in Title 21 (SmartCode) of the El Paso City Code.

- 7B. An Ordinance vacating all of Crinco Lane within Barnett Harley-Davidson Subdivision and Loma Terrace Addition No. Four-D, City of El Paso, El Paso County, Texas.
- 7C. An Ordinance amending Title 15 (Public Services) Chapter 15.22 (Water and Wastewater Impact Fees) of the El Paso City Code to delete Section 15.22.170 (Certification of Compliance). The penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code.
- 7D. An Ordinance vacating a utility easement measuring 10 feet in width, located within a portion of Lots 1 and 2, Block 1, International Industrial Center, City of El Paso, El Paso County, Texas.
- 7E. An Ordinance amending Title 18 (Building & Construction), Chapter 18.02 (Building and Construction Administrative Code) Section 18.02.108.5.2. (Bond Requirements), of the El Paso City Code, decreasing the term of the required bond from two years to one year, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON NOVEMBER 1, 2011, FOR ITEMS 7A – 7E**

.....  
 ITEMS TAKEN TOGETHER

**8A1.**

**RESOLUTION**

That the City Manager be authorized to sign a Consent to Assignment by and between the City of El Paso, C & R Distributing, Inc. and Western Refining Wholesale, Inc., approving the assignment of all duties, obligations and responsibilities under City of El Paso Contract No. 2008-065 (“Vehicle Fueling Offsite”) from C & R Distributing, Inc. (“Assignor”) to Western Refining Wholesale, Inc. (“Assignee”).

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

**8A2. FINANCIAL SERVICES**

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City’s option to extend current Contract 2008-065 (Vehicle Fueling Offsite) with Western Refining Wholesale, Inc. for two additional years pursuant to the provisions of an award approved by the City Council on September 30, 2008. The extended contract period will be from October 8, 2011 to October 7, 2013.

Department:	General Services
Award to:	Western Refining Wholesale, Inc. El Paso, TX
Option:	2 years
Annual Estimated Amount:	\$1,000,000
Total Estimated Amount:	\$2,000,000 (2 years)
Account No.:	37370510 -503124 – 45202
Funding Source:	General Services Internal Service Fund

This is a low bid, requirements contract.

Representative Byrd commented.

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**8B. FINANCIAL SERVICES**

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **AWARD** Solicitation No. 2011-239R (Vehicle Rental Concessionaire) to The Hertz Corporation dba Hertz and dba Advantage Rent A Car; Avis Rent A Car System, LLC; EAN Holdings, LLC dba Enterprise Rent A Car; DTG Operations, Inc. dba Dollar Rent A Car and dba Thrifty Car Rental; EAN Holdings, LLC dba National Car Rental; EAN Holdings, LLC dba Alamo Rent A Car; and Budget Rent A Car of El Paso, Inc. for an initial term estimated revenue of \$7,871,482.86.

Department:		Aviation
Award to:	Vendor 1:	The Hertz Corporation dba Hertz and dba Advantage Rent A Car Park Ridge, NJ
Annual Amount:		\$912,000 (Minimum Annual Guarantee for the first year of the contract)
Award to:	Vendor 2:	Avis Rent A Car System, LLC Parsippany, NJ
Annual Amount:		\$893,000 (Minimum Annual Guarantee for the first year of the contract)
Award to:	Vendor 3:	EAN Holdings, LLC dba Enterprise Rent A Car Albuquerque, NM
Annual Amount:		\$652,869.46 (Minimum Annual Guarantee for the first year of the contract)
Award to:	Vendor 4:	DTG Operations, Inc. dba Dollar Rent A Car and dba Thrifty Car Rental Tulsa, OK
Annual Amount:		\$462,745 (Minimum Annual Guarantee for the first year of the contract)
Award to:	Vendor 5:	EAN Holdings, LLC dba National Car Rental Albuquerque, NM
Annual Amount:		\$408,043.41 (Minimum Annual Guarantee for the first year of the contract)
Award to:	Vendor 6:	EAN Holdings, LLC dba Alamo Rent A Car Albuquerque, NM
Annual Amount:		\$306,032.56

(Minimum Annual Guarantee for the first year of the contract)

Award to:	Vendor 7:	Budget Rent A Car of El Paso, Inc. El Paso, TX
Annual Amount:		\$301,051 (Minimum Annual Guarantee for the first year of the contract)
Initial Term:		Two years with additional eight, three month extension options
1 <sup>st</sup> Year Total:		\$3,935,741.43 (total minimum annual guarantee for the first year of the contract)
Initial Term Revenue:		\$7,871,482.86 (2 year total minimum with possible increases based on each year's revenues)
Account:		Revenue Contracts
Funding Source:		Revenue Contracts

This is an RFP, concession, revenue generating contract with the term of two years with an additional eight, three month extension option.

Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

The Financial Services - Purchasing Division and Department of Aviation recommend award as indicated to The Hertz Corporation dba Hertz and dba Advantage Rent A Car; Avis Rent A Car System, LLC; EAN Holdings, LLC dba Enterprise Rent A Car; DTG Operations, Inc. dba Dollar Rent A Car and dba Thrifty Car Rental; EAN Holdings, LLC dba National Car Rental; EAN Holdings, LLC dba Alamo Rent A Car; and Budget Rent A Car of El Paso, Inc., the highest ranked proposers based on evaluation factors established for this procurement.

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**9.**

**ORDINANCE 17664**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 13 (STREETS, SIDEWALKS AND PUBLIC PLACES), CHAPTER 13.24 (CITY PARKS AND RECREATION AREAS), SECTION 13.24.040 (HOURS OF CLOSURE); TO ALLOW THE CITY COUNCIL BY RESOLUTION TO EXTEND THE CLOSING HOURS OF PARKS AND PARK FACILITIES; THE PENALTY BEING AS PROVIDED IN SECTIONS 1.08.010 THROUGH 1.08.030 OF THE CITY CODE.**

Representatives Ortega, Niland, Holguin, Acosta, and Byrd commented.

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

Ms. Lisa Turner, citizen, commented.

Motion duly made by Representative Holguin, seconded by Representative Acosta, 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**.

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**10.**

**RESOLUTION**

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

That San Jacinto Plaza shall remain open from one a.m. to six a.m. from the date this Resolution is approved through November 13, 2011.

Representative Acosta, Byrd, Ortega, Niland, Holguin, and Lilly commented.

Ms. Joyce Wilson, City Manager, commented.

The following members of the public commented:

- 1. Mr. Edgar Pulido
- 2. Mr. Xavier Miranda
- 3. Mr. Wiley Driskell
- 4. Ms. Emily Davis
- 5. Mr. Bill Addington
- 6. Reverend Baer Boyd
- 7. Mr. Jovanni Rios
- 8. Mr. Lemuel Villarreal
- 9. Mr. Ricardo Rivera
- 10. Ms. Anessa Anchondo-Rivera
- 11. Ms. Cemelli de Aztlan
- 12. Ms. Lisa Turner
- 13. Mr. Edward Nathaniel
- 14. Ms. Heather McMurray
- 15. Mr. Anthony Jastrzembski
- 16. Mr. Guillermo Morales
- 17. Mr. Ruben Torres
- 18. Ms. Merlyn Heyman
- 19. Mr. Brent Dewire
- 20. Mr. Eric Murillo
- 21. Mr. Joshua Green
- 22. Mr. Josue Rodriguez

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

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

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**11A. MAYOR AND COUNCIL**

**Legislative Review Committee Report:**

1. For notation only: Formal report of the Economic Development, Planning and Tourism Legislative Review Committee meeting held on September 15, 2011, as submitted by Steve Ortega, Chair; and,
2. Discussion pertaining specifically to any of the agenda items posted on the agenda of said Legislative Review Committee meeting, as follows:
  - a) Discussion and action on an Ordinance amending Title 18 (Building and Construction), Chapter 18.10 (Residential Code), of the El Paso City Code, by adding Section 18.10.265 (Protection of Water Service Entrance) and Section 18.10.266 (Plumbing Within Exterior Walls) to help prevent pipes from freezing during severe weather, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.
  - b) Discussion and action on an Ordinance amending Title 18 (Building and Construction), Chapter 18.20 (Plumbing Code), of the El Paso City Code, by adding Section 18.20.240 (Protection of Water Service Entrance) and Section 18.20.250 (Plumbing Within Exterior Walls) to help prevent pipes from freezing during severe weather, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.
  - c) Discussion and action on an Ordinance amending Title 18 (Building and Construction), Chapter 18.28 (Existing Building Code), of the El Paso City Code, by adding Section 18.28.060 (Plumbing Repairs) to help prevent pipes from freezing during severe weather, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.
  - d) Discussion and action on an Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code) Section 18.02.108.51 (Bond Required), of the El Paso City Code, to allow for additional exceptions to the \$50,000 Bond Requirement, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.
  - e) Discussion and action on amending Titles 19 and 20 to require a Traffic Impact Analysis to include regional modeling for amendments to the Major Thoroughfare Plan (MTP).
  - f) Update on Adaptive Reuse for Trolley Inventory.
  - g) Discussion and action on implementing a retail stimulus program in the area immediately surrounding the San Jacinto Plaza area.

Representative Ortega commented.

Ms. Lisa Turner, citizen, commented.

**NO ACTION** was taken on this item

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**11B. MAYOR AND COUNCIL**

**Legislative Review Committee Report:**

1. For notation only: Formal report of the Finance, Internal Audit, Engineering/CIP and Management Services Legislative Review Committee meeting held on September 29, 2011, as submitted by Carl L. Robinson, Chair; and,

2. Discussion pertaining specifically to any of the agenda items posted on the agenda of said Legislative Review Committee meeting, as follows:
  - a) Presentation, discussion and action on implementing House Bill 1869, Sections 271.905(a) and 271.9051 of the Texas Local Government Code (local bidding preference), and HB 628.
  - b) Discussion and action on the City's Cooperative Purchasing Policy. [Financial Services, Bruce D. Collins, (915) 541-4313]
  - c) Discussion and action on the City's Internal Audit Plan for FY 2012.

Representative Robinson commented.

Ms. Joyce Wilson, City Manager, commented.

**NO ACTION** was taken on this item

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**12.**

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

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

1. That the Empowerment Zone Revolving Loan Fund Small Business Loan application and loan funding be approved to Cesar Rejino d/b/a ABC Tax Services, in the amount of \$75,000.00 for leasehold improvements for operation of the business, as recommended by the Director of Community and Human Development; and
2. That the City Manager be authorized to execute any and all loan related documents by and among the City of El Paso, Cesar Rejino, and loan guarantor(s), required to meet loan program requirements, loan disbursement, and loan securitization upon approval by the City Attorney's Office.

Representatives Acosta and Robinson commented.

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Lilly

.....  
 ITEMS TAKEN TOGETHER

**13A.**

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

**WHEREAS**, the City of El Paso, Texas (the "City"), a body corporate and politic existing under the laws of the State of Texas, is authorized by the laws of the State of Texas to purchase, acquire and lease

personal property for the benefit of the City and its inhabitants and to enter into contracts with respect thereto; and

**WHEREAS**, the City desires to purchase, acquire and lease certain equipment constituting personal property necessary for the City to perform essential governmental functions (the "*Equipment*"); and

**WHEREAS**, in order to acquire such equipment, the City proposes to enter into that certain Equipment Lease/Purchase Agreement (the "*Agreement*") with Banc of America Public Capital Corp (or one of its affiliates) (the "*Lessor*"), attached hereto as **Exhibit A** and incorporated herein by reference as a part of this resolution for all purposes, and that certain Acquisition Fund and Account Control Agreement (the "*Acquisition Fund Agreement*") with the Lessor and Deutsche Bank National Trust Company, as custodian, attached hereto as **Exhibit B** and incorporated herein by reference as a part of this resolution for all purposes; and,

**WHEREAS**, the City Council of the City deems it for the benefit of the City and for the efficient and effective administration thereof to enter into the Agreement and the Acquisition Fund Agreement for the purchase, acquisition and leasing of the equipment to be therein described on the terms and conditions therein provided; now, therefore,

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

Approval of Documents. The form, terms and provisions of the Agreement and the Acquisition Fund Agreement are hereby approved in substantially the forms attached hereto as **Exhibit A** and **Exhibit B**, with such insertions, omissions and changes as shall be approved by the City Manager of the City or other members of the governing body of the City executing the same, the execution of such documents being conclusive evidence of such approval; and the City Manager of the City is hereby authorized and directed to execute, and the City Clerk of the City is hereby authorized and directed to attest and countersign, the Agreement, the Acquisition Fund Agreement and any related Exhibits attached thereto and to deliver the Agreement and the Acquisition Fund agreement (including such Exhibits) to the respective parties thereto, and the City Clerk of the City is hereby authorized to affix the seal of the City to such documents.

Other Actions Authorized. The Chief Financial Officer of the City, the City Comptroller and other officers and employees of the City are hereby authorized to take all action necessary or reasonably required by the parties to the Agreement and the Acquisition Fund Agreement to carry out, give effect to and consummate the transactions contemplated thereby (including the execution and delivery of Acceptance Certificates and any tax certificate and agreement, as contemplated in the Agreement) and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement and the Acquisition Fund Agreement.

No General Liability. Nothing contained in this Resolution, the Agreement, the Acquisition Fund Agreement nor any other instrument shall be construed with respect to the City as incurring a pecuniary liability or charge upon the general credit of the City or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement, the Acquisition Fund Agreement or any other instrument or document executed in connection therewith impose any pecuniary liability upon the City or any charge upon its general credit or against its taxing power, except to the extent that the Rental Payments payable under the Agreement are special limited obligations of the City subject to annual appropriation as provided in the Agreement.

Appointment of Authorized City Representatives. The City Manager, the Chief Financial Officer of the City, the Comptroller of the City and the City's Treasury Services Coordinator are each hereby designated to act as authorized representatives of the City for purposes of the Agreement and the Acquisition Fund Agreement until such time as the governing body of the City shall designate any other or different authorized representative for purposes of the Agreement and the Acquisition Fund Agreement.

Severability. If any provision of this Resolution or the application thereof to any circumstance shall be held to be invalid, the remainder of this Resolution and the application thereof to other circumstances shall nevertheless be valid, and the City Council of the City hereby declares that this Resolution would have been enacted without such invalid provision.

Incorporation of Findings and Determinations. The findings and determinations of the City Council of the City contained in the preamble hereof are hereby incorporated by reference and made a part of this Resolution for all purposes as if the same were restated in full in this Section.

Public Meeting. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551 of the Texas Government Code, as amended.

Effective Date. This Resolution shall be effective immediately upon its approval and adoption

**13B.**

**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 Amendment # 2 to the Professional Services Contract, dated May 17, 2010, between the City of El Paso and Johnson Controls, Inc., a Wisconsin Corporation, to perform utility cost reduction measures, specifically LED Street Light Upgrades, to implement Phase III-A of the City-wide Energy Operational Savings, for an amount of \$2,824,000.00, which will be funded with a State Energy Conservation Office (SECO) Stimulus Program Loan. This authorization is subject to final approval by the City Attorney's office of the Attachments and Exhibits to Amendment #2.

**13C.**

**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 Amendment # 3 to the Professional Services Contract, dated May 17, 2010, between the City of El Paso and Johnson Controls, Inc., a Wisconsin Corporation, to perform utility cost reduction measures, specifically LED Street Light Upgrades, to implement Phase III-B of the City-wide Energy Operational Savings, for an amount of \$5,000,000.00, which will be funded with a Tax Exempt Lease/Purchase Agreement with Banc of America. This authorization is subject to final approval by the City Attorney's office of the Attachments and Exhibits to Amendment #3.

Mr. Stuart Ed, Director of General Services, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Niland commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Robinson and Holguin

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**13D.**

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

**WHEREAS**, on October 26, 2010, the City of El Paso (the “**City**”) adopted the City’s investment policy for FY 2011;

**WHEREAS**, pursuant to Section 2256.005 of the Texas Government Code, the City is required to review its investment policy on an annual basis; and

**WHEREAS**, the City has reviewed its investment policy and as a result of such review now desires to amend and restate the City’s investment policy for fiscal year 2012.

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

That the City hereby adopts the amended and restated City of El Paso FY2012 Investment Policy which is attached hereto as **Exhibit A** and incorporated herein by reference.

Mr. Mark Sutter, Comptroller, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Representative Acosta commented.

Ms. Joyce Wilson, City Manager, commented.

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **APPROVE** a Resolution approving the City’s Investment Policy for Fiscal Year 2012.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Holguin

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ITEMS TAKEN TOGETHER 14 AND 15

**1<sup>st</sup> MOTION**

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 1:58 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

**2<sup>ND</sup> MOTION**

Motion made by Representative Robinson, seconded by Representative Noe, and unanimously carried to **ADJOURN** the Executive Session at 2:11 p.m. and **RECONVENE** the meeting of the City Council.

NOT PRESENT FOR THE VOTE: Representative Acosta

**3<sup>RD</sup> MOTION**

Motion made by Representative Niland, seconded by Representative Ortega, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 3:59 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

**4<sup>TH</sup> AND FINAL MOTION**

Motion made by Representative Niland, seconded by Representative Ortega, and unanimously carried to **ADJOURN** the Executive Session at 4:06 p.m. and **RECONVENE** the meeting of the City Council.

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**14. CITY MANAGER / CITY ATTORNEY**

Motion made by Representative Acosta, seconded by Representative Niland, and unanimously carried to **POSTPONE** three weeks the Public Hearing concerning establishing Interim Temporary Electric Rates.

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**15. CITY MANAGER / CITY ATTORNEY**

Motion made by Representative Acosta, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **DELETE** the item regarding the discussion and action on resetting the date of the Hearing on establishing Interim Temporary Electric Rates to November 8, 2011.

Mr. David Carpenter, El Paso Electric Company, Senior Vice President and Chief Financial Officer, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Byrd, Acosta, Robinson, Noe, Holguin, Ortega, and Niland commented.

Mr. Norman Gordon, outside utility counsel, gave legal advice.

Mr. Charlie McNabb, City Attorney

Mr. Marc Hold, Attorney for El Paso Electric Company

Ms. Lisa Turner, citizen, commented.

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**ADDITION TO THE AGENDA**

**EX1.** Saul Medrano vs. City of El Paso, Cause No. 2009-1876 (551.071)

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

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Motion made by Representative Niland, seconded by Representative Holguin, and unanimously carried to **ADJOURN** this meeting at 4:36 p.m.  
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**APPROVED AS TO CONTENT:**

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Richarda Duffy Momsen, City Clerk