

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

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

**REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
NOVEMBER 10, 2009
9:00 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 9:03 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Emma Acosta, Carl Robinson, Rachel Quintana, and Steve Ortega. Late arrivals: Beto O'Rourke at 9:04 a.m., Eddie Holguin, Jr. at 9:05 a.m., and Susannah M. Byrd at 9:12 a.m. The invocation was given by Police Chaplain Cliff Barnes, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

- 1. BUFFALO SOLDIERS MEMORIAL RESTORATION DAY**
- 2. FIGHT AGAINST HUNGER MONTH**
- 3. FILIPINO AMERICAN RECOGNITION MONTH**

RECOGNITIONS

- 1. Enriqueta "Queta" Fierro - Conquistador Award**
- 2. 2009 Outstanding Government Organization Award by the State Of Texas - City of El Paso**

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

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

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

- 1. Mr. Bob Strong**
- 2. Ms. Sonia Brown**
- 3. Mr. Tom Brown**
- 4. Ms. Carol Cassady**
- 5. Mr. Manny Hinojosa**
- 6. Mr. Matt Carroll**

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CONSENT AGENDA

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

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

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of November 3, 2009.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3A.

***RESOLUTION**

WHEREAS, the Binational Independent Film Festival, a community event that will be held from January 8 through 16, 2010, will allow the citizens in El Paso the opportunity for recreational entertainment and the enjoyment of community activities;

WHEREAS, Contractor has inadequate funding available to fully pay the costs of the Event;

WHEREAS, this Event will serve functions and purposes similar to activities promoted and presented by several City departments, to include art education and movie entertainment and further promotes tourism and economic development in the community through the attendance of national and international film-makers at the Event, who are given the opportunity to see El Paso and learn of film making opportunities in the City; and

WHEREAS, as the City Council has found that the presentation of the Binational Independent Film Festival in the City is of the same type of activity generally presented or promoted by the City within its established programs, the Council finds that the provision of funding towards the presentation of this Event, constitutes an important public purpose or benefit to the City and citizens of El Paso for which the City is willing to expend the funds designated in this Agreement.

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

That the City Council declares that the expenditure of discretionary funds from Districts 1, 2, 5, 7, and 8 to support the Binational Independent Film Festival to be held from January 8 through 16, 2010 serves a municipal purpose and is authorized.

3B.

***RESOLUTION**

That the City Manager be authorized to sign a Building Lease Agreement by and between the City of El Paso ("Lessor") and The Paradies Shops, Inc. ("Lessee") for warehouse space at 6409 Convair Road.

3C.

***RESOLUTION**

That the City Manager be authorized to sign an Air Cargo Building Lease Agreement by and between the City of El Paso ("Lessor") and American Airlines, Inc. ("Lessee") for air cargo space at the El Paso International Airport through August 31, 2014.

3D.

***RESOLUTION**

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"), EastGroup Properties, L.P. ("Assignor"), and Air Matrix Holdings, LP ("Assignee") for the following described property:

A portion of Lots 6, 7, and 8, Block 3, Butterfield Trail Industrial Park, Unit One, Replat A, City of El Paso, El Paso County, Texas, and municipally known as 15 Founders Blvd., El Paso, Texas.

3E.

***RESOLUTION**

That the City Manager be authorized to sign a sub-recipient grant contract with El Paso Independent School District in connection with the City's Weed and Seed Department of Justice Grant Program, awarding an amount not to exceed \$20,000 to support a tutoring program for at-risk youth in elementary and middle schools within the Chamizal Neighborhood Weed and Seed boundary, subject to the terms and conditions of the grant contract.

Representative O'Rourke commented.

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

3F.

***RESOLUTION**

That the City Manager be authorized to execute a Multiple Use Agreement between the City of El Paso and the Texas Department of Transportation allowing the City to construct, maintain, and operate a storm sewer system in the right-of-way on McCombs Street (F.M. 2529) near the intersection of McCombs Street and Donald Drive. The City is not required to pay the state any fees under this Multiple Use Agreement.

3G.

***RESOLUTION**

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

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

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

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

Tract 1-B-5 (0.2070 AC), Manuel Gonzalez Sur 186 Abs Subdivision 2793,
City of El Paso, El Paso County, Texas, Parcel #X186-999-0000-4470

to be \$216.12, 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 AND 12/100 DOLLARS (\$240.12). The City Council finds that the work was completed on the 18th day(s) of June, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED FORTY AND 12/100 DOLLARS (\$240.12) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

3520 Altura Avenue, more particularly described as Lot(s) 22 & E 1/2 of Lot 23 (4500 Sq Ft), Block 23, Altura Park Subdivision, El Paso, El Paso County, Texas, Parcel #A520-999-0230-6100

to be \$142.89, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SIXTY SIX AND 89/100 DOLLARS (\$166.89). The City Council finds that the work was completed on the 17th day(s) of June, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED SIXTY SIX AND 89/100 DOLLARS (\$166.89) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

2510 Copper Avenue, more particularly described as Lot(s) 26 & 27 (6000 Sq Ft), Block 67, Highland Park Subdivision, El Paso, El Paso County, Texas, Parcel #H453-999-0670-7900

to be \$286.32, 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 TEN AND 32/100 DOLLARS (\$310.32). The City Council finds that the work was completed on the 22nd day(s) of May, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED TEN AND 32/100 DOLLARS (\$310.32) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, MANUEL CORRERA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

2927 Mountain Avenue, more particularly described as Lot(s) 13 & 14 (6000 Sq Ft), Block 7, Military Heights Subdivision, El Paso, El Paso County, Texas, Parcel #M436-999-0070-3700

to be \$206.76, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED THIRTY AND 76/100 DOLLARS (\$230.76). The City Council finds that the work was completed on the 22nd day(s) of April, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED THIRTY AND 76/100 DOLLARS (\$230.76) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

3725 Alameda Avenue, more particularly described as Lot(s) 1 to 8 & Lot(s) 25 to 28 & W 20 Ft of Lot 29 & N 70 Ft of Lot(s) 30 to 32 & E 5 Ft of Lot 29 Clsd Alley Btw & Clsd Frutas, Block 7, Woodlawn Subdivision, El Paso, El Paso County, Texas, Parcel #W886-999-0070-0100

to be \$323.83, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED FORTY SEVEN AND 83/100 DOLLARS (\$347.83). The City Council finds that the work was completed on the 17th day(s) of June, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED FORTY SEVEN AND 83/100 DOLLARS (\$347.83) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

6295 Alameda Avenue, more particularly described as Lot(s) 7 (92.4 Ft on N & S & 190.9 Ft on E & W), Corbin Subdivision, El Paso, El Paso County, Texas, Parcel #C771-999-0000-4100

to be \$258.72, 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 TWO AND 72/100 DOLLARS (\$282.72). The City Council finds that the work was completed on the 7th day(s) of May, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED EIGHTY TWO AND 72/100 DOLLARS (\$282.72) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, LONNIE CROCKETT (TR), referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the

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

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

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

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

6315 Alameda Avenue, more particularly described as Lot(s) 6 (17181 Sq Ft),
Corbin Subdivision, El Paso, El Paso County, Texas, Parcel #C771-999-0000-3100

to be \$1,383.41, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE THOUSAND FOUR HUNDRED SEVEN AND 41/100 DOLLARS (\$1,407.41). The City Council finds that the work was completed on the 7th and 8th day(s) of May, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE THOUSAND FOUR HUNDRED SEVEN AND 41/100 DOLLARS (\$1,407.41) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

6819-6821 Alameda Avenue, more particularly described as Lot(s) 15 to 18
(9750 Sq Ft), Block 12, Sambrano Subdivision, El Paso, El Paso County,
Texas, Parcel #S052-999-0120-5600

to be \$118.67, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY TWO AND 67/100 DOLLARS (\$142.67). The City Council finds that the work was completed on the 14th day(s) of May, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED FORTY TWO AND 67/100 DOLLARS (\$142.67) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, DANIEL H. & MARGARITA LUEVANO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

116 N Ascarate Street, more particularly described as Lot(s) 17 & 18 (6000 Sq Ft), Block 2, Sambrano Subdivision, El Paso, El Paso County, Texas, Parcel #S052-999-0020-3100

to be \$139.53, 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 ONE HUNDRED SIXTY THREE AND 53/100 DOLLARS (\$163.53). The City Council finds that the work was completed on the 6th day(s) of May, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED SIXTY THREE AND 53/100 DOLLARS (\$163.53) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, DONOVAN E. & 1 PRUITT, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

1056 Humble Place, more particularly described as S 100 Ft of Lot(s) 1 to 3 (0.3738 Acre), Block 2, Eastside Industrial Dist #1 Subdivision, El Paso, El Paso County, Texas, Parcel #E131-999-0020-0100

to be \$284.43, 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 EIGHT AND 43/100 DOLLARS (\$308.43). The City Council finds that the work was completed on the 26th day(s) of May, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED EIGHT AND 43/100 DOLLARS (\$308.43) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

Tract 17-C-133 (1.9311 AC) Carried with Hillpoint Estates #3, Block 79, TSP 3 SEC 8 T & P Surv Subdivision, City of El Paso, El Paso County, Texas, Parcel #X579-999-308A-9503

to be \$866.11, 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 EIGHT HUNDRED NINETY AND 11/100 DOLLARS (\$890.11). The City Council finds that the work was completed on the 30th day(s) of April, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount EIGHT HUNDRED NINETY AND 11/100 DOLLARS (\$890.11) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

604 Orozco Place, more particularly described as Lot(s) 266, Singh #3
Subdivision, El Paso, El Paso County, Texas, Parcel #S455-999-
001C-3300

to be \$234.71, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED FIFTY EIGHT AND 71/100 DOLLARS (\$258.71). The City Council finds that the work was completed on the 21st day(s) of April, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED FIFTY EIGHT AND 71/100 DOLLARS (\$258.71) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

8369 Alameda Avenue, more particularly described as Tract 10-D (0.23 Acre) & Tract 11-F (0.17 Acre) & Tract 12-L-2 (0.17 Acre), Block 32, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel #Y805-999-032A-1015

to be \$291.06, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED FIFTEEN AND 06/100 DOLLARS (\$315.06). The City Council finds that the work was completed on the 23rd day(s) of June, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED FIFTEEN AND 06/100 DOLLARS (\$315.06) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

245 Pendale Road, more particularly described as Tract 6 (0.1577 AC), Block 36, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel #Y805-999-036A-0601

to be \$372.38, 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 NINETY SIX AND 38/100 DOLLARS (\$396.38). The City Council finds that the work was completed on the 29th day(s) of May, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED NINETY SIX AND 38/100 DOLLARS (\$396.38) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

1501 Golden Hill Terrace, more particularly described as Lot(s) 14 to 16 & W 5 Ft of Lot 13 (15040 Sq Ft), Block 7, Golden Hill Subdivision, El Paso, El Paso County, Texas, Parcel #G537-999-0070-8100

to be \$279.01, 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 THREE HUNDRED THREE AND 01/100 DOLLARS (\$303.01). The City Council finds that the work was completed on the 5th day(s) of May, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED THREE AND 01/100 DOLLARS (\$303.01) 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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JAVIER GRIEGO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

1515 Golden Hill Terrace, more particularly described as Lot(s) 10 to 12 & W 15 Ft of Lot 9 & E 20 Ft of Lot 13, Block 7, Golden Hill Subdivision, El Paso, El Paso County, Texas, Parcel #G537-999-0070-6100

to be \$199.99, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED TWENTY THREE AND 99/100 DOLLARS (\$223.99). The City Council finds that the work was completed on the 5th day(s) of May, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED TWENTY THREE AND 99/100 DOLLARS (\$223.99) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, IRMA L. & 2 CAUDILO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

1908 Magoffin Avenue, more particularly described as E 23 Ft of Lot 11 & N 49.8 Ft of W 2 Ft of Lot 11 & N 49.8 Ft of E 1 Ft of Lot 12 (2909 Sq Ft), Block 29, Bassett Subdivision, El Paso, El Paso County, Texas, Parcel #B202-999-0290-2100

to be \$264.59, 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 EIGHT AND 59/100 DOLLARS (\$288.59). The City Council finds that the work was completed on the 8th day(s) of June, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED EIGHTY EIGHT AND 59/100 DOLLARS (\$288.59) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

2331 Myrtle Avenue, more particularly described as Lot(s) 28 to 32 (3492 SQ Ft), Block 45, Bassett Subdivision, El Paso, El Paso County, Texas, Parcel #B202-999-0450-9100

to be \$2,003.71, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO THOUSAND TWENTY SEVEN AND 71/100 DOLLARS (\$2,027.71). The City Council finds that the work was completed on the 17th day(s) of June, 2009, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO THOUSAND TWENTY SEVEN AND 71/100 DOLLARS (\$2,027.71) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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3H.

***RESOLUTION**

WHEREAS, the City of El Paso (the “City”) may participate cooperative purchasing agreements with other governmental entities pursuant to the authority granted in the State of Texas Statutes Government Code, Title 7, Chapter 791 Interlocal Cooperation Contracts, Subchapter B and Subchapter C, and Local Government Code, Title 8, Chapter 271, Subchapter F, Section 271.101 and Section 271.102;

WHEREAS, City staff has recommended that the City participate in the County of Tarrant Interlocal Agreement for the purpose of fulfilling and executing its respective governmental purposes, goals objectives, programs and functions;

WHEREAS, the City seeks to utilize the contracts offered through County of Tarrant Interlocal Agreement to obtain substantial savings for the City through volume purchasing; and

WHEREAS, the City has reviewed the benefits of participating in this program and based on this review has concluded that the program will benefit City of El Paso taxpayers through anticipated procurement savings.

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

That the City Manager is hereby authorized to sign the County of Tarrant Interlocal Agreement in order to participate in their cooperative purchasing program.

Representative Ortega commented.

Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services, commented.

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4. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Geoffrey Wright to serve on the Construction Board of Appeals Committee by Representative Carl Robinson, District 4.

.....
5A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Ken Gezelius to the Civil Service Commission Board by Representative Carl Robinson, District 4.

.....
5B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Luis Ruiz to serve on the Parks & Recreation Board by Representative Carl Robinson, District 4.

.....
5C. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Laurie Paternoster to the Greater El Paso Civic, Convention, and Tourism Advisory Board by Mayor John F. Cook.

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5D. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Kathleen Campbell Walker to the Committee on Border Relations by Mayor John F. Cook.

5E. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Getsemani Yanez to the Community Development Steering Committee by Representative Susie Byrd, District 2.

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6A. PURCHASING 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 Advanced Security Contractors, Inc., the sole source provider for i3DVR closed circuit TV system and current provider of security systems installed in various City Buildings, for the installation of Video Security camera systems at Wellington Chew, Polly Harris, Eastside, Grandview, Galatzan, LF Washington, Multipurpose, and Acosta Centers. Estimated expenditure is \$85,000.

Department: Parks and Recreation
Account No.: 51010363 – 508009 – 01101
Funding Source: General Fund
Total Estimated Award: \$85,000
Sole Source No.: 2010-078

Representative Quintana commented.

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

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6B. PURCHASING 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 Barney’s Inc. and Precision Delta Corporation under the Texas Procurement and Support Services (TPASS) Term Contract 680-A1 \$393,315.00 for ammunition to be used by the Police Department for the total estimated amount of \$393,315. The participation by the City of El Paso in the TPASS Cooperative Purchasing Program was approved by Mayor and City Council on February 27, 2007.

Department: Police
Award to: Vendor 1: Barney’s Inc. - \$137,715
Vendor 2: Precision Delta Corp. - \$255,600
Account No.: 21010052 – 503109 – 01101
Funding Source: FY 2010 General Fund Budget
Total Estimated Amount: \$393,315
Reference No.: 2010-084

Representatives Ortega and O’Rourke commented.

Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services, and Assistant Police Chief Eric Shelton commented.

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7. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2010-033 (Traffic Signal Cables) to Paige Electric Co. for a total award of \$78,740.

Department: Street
 Award to: Paige Electric Co.
 Union, NJ
 Items: All
 Option: 100% at the same unit price within 60 days from date of award
 Account No.: 32010288 – 503203 – 01101
 99331117 – 508027 – 27263 – PCP06ST013
 Funding Source: Public Accesses – Maintenance & Repair; Construction (CWIP)
 Total Award: \$78,740

This is a fixed-price, single (one-time) purchase.

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

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

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8A. – 8I. INTRODUCTIONS

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

- 8A.** An Ordinance amending the Final Project Plan and Final Reinvestment Zone Financing Plan for Tax increment Reinvestment Zone Number Five, City of El Paso; adopting said amendments as required by Section 311.011(E) Texas Tax Code; also, providing a severability clause.
- 8B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III – Parking Prohibited at All Times on Certain Streets) of the El Paso City Code to prohibit parking on Marcus Uribe Drive between Loma De Color Drive and the east city limits, both sides, and Sean Haggerty Drive between McCombs Drive and the north city limits, with the exception of the north-side of the 5700 block. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON NOVEMBER 17, 2009, FOR ITEMS 8A – 8B

- 8C.** An Ordinance changing the zoning of Lot 18, Block 258, Vista Del Sol Unit 45, City of El Paso, El Paso County, Texas, from A-2 (Apartment) to A-O (Apartment/Office), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 8D.** An Ordinance changing the zoning of all of Lot 9 and the north 10 feet of Lot 8, Block 273, Campbell Addition, City of El Paso, El Paso County, Texas, from A-2 (Apartment) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 8E.** An Ordinance granting Special Permit No. ZON09-00042 to allow a beauty salon and 100% parking reduction in off-street parking requirement on the property described as all of Lot 9 and the north 10 feet of Lot 8, Block 273, Campbell Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 and 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code.

- 8F. An Ordinance releasing conditions placed on property by Ordinance No. 9364 which changed the zoning on Lot 1, Block 1, Plexxar III Unit One, Tracts 2D, 2D1, and 4, Nellie D. Mundy Survey 240, a portion of Tract 10B4A, Nellie D. Mundy Survey 239, and all of Tract 2D4, Nellie D. Mundy Survey 243, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 8G. An Ordinance releasing conditions placed on property by Ordinance No. 9364 which changed the zoning on a portion of Lots 2 and 3, Block 2, Plexxar South Unit 2, Tract 1M, S.J. Larkin Survey 264, Tracts 1B7 and 1B8, S.J. Larkin Survey 266 and Tract 6E, WH Lenox Survey 242, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 8H. An Ordinance releasing conditions placed on property by Ordinance No. 9364 which changed the zoning of Westport Unit Seven Amending Subdivision, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 8I. An Ordinance releasing conditions placed on property by Ordinance No. 9364 which changed the zoning of a portion of Lot 1, Block 1, Plexxar South, Tracts 61C and 62D, W.H. Glenn Survey 241 and Tract 1B6, S.J. Larkin Survey 266, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON DECEMBER 1, 2009, FOR ITEMS 8C – 8I

9A.

ORDINANCE 17234

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON09-00040 TO ALLOW FOR A 38.7% PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 1 THRU 6, THE WEST 15 FEET OF LOT 7, LOTS 17, 18 AND 19, BLOCK 1, FRANKLIN HEIGHTS ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS; LOTS 7 THRU 20, BLOCK 214, CAMPBELL ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS; A PORTION OF ANGE STREET CLOSED BY ORDINANCE NO. 017061 LYING BETWEEN BLOCK 1, FRANKLIN HEIGHTS ADDITION AND BLOCK 214, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS; A PORTION OF A 20-FOOT WIDE ALLEY CLOSED BY ORDINANCE NO. 017062 LYING BETWEEN LOTS 11 THRU 14, AND LOTS 7 THRU 10, BLOCK 214, CAMPBELL ADDITION AND A PORTION OF A 18-FOOT WIDE ALLEY BETWEEN LOTS 1 THRU 3, AND 17 THRU 19, BLOCK 1, FRANKLIN HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.070 (PARKING REDUCTION) OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mayor Cook commented.

Mr. Mathew McElroy, Deputy Director of Planning, commented.

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

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

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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9B. PUBLIC HEARING – DEVELOPMENT SERVICES

Motion made by Representative Byrd, seconded by Representative Robinson, and unanimously carried to **POSTPONE** one week the public hearing on an Ordinance amending Title 19 (Subdivisions), Chapter 19.15 (Roadways), Section 19.15.110 (Street Width and Design) and Chapter 19.20 (Parks and Open Space), Section 19.20.090 (Provision for Private Park Facilities and Private Open Space) and Section 19.20.100 (Provision for Bonus Reductions for Additional Land or Facilities on New or Existing Public Parklands), of the El Paso City Code to amend credit procedures for private park facilities and off-site park facilities and to allow for alternative road design. The penalty as provided in Chapter 19.04.090 of the City of El Paso City Code.

Representative Byrd presented a PowerPoint presentation (on file in the City Clerk's Office).

Mayor Cook and Representatives Ortega, Robinson, and Quintana commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Mathew McElroy, Deputy Director of Planning
3. Mr. John Neal, City Manager's Office
4. Ms. Lupe Cuellar, Assistant City Attorney, gave legal advice.
5. Mr. Charlie McNabb, City Attorney, gave legal advice.

Mr. Conrad Conde, Conde, Inc., commented.

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TAKEN WITH ITEM 9D

9C.

ORDINANCE 17235

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO AMEND TITLE 20 (ZONING) TO AMEND VARIOUS SECTIONS THEREUNDER PERTAINING TO THE DUTIES AND STRUCTURE OF THE DEVELOPMENT SERVICES DEPARTMENT, AND THE DUTIES OF STAFF; AND TO CLARIFY THE TYPE OF CRIMINAL PENALTY FOR A VIOLATION; THE PENALTY BEING AS PROVIDED IN SECTION 20.24.020 OF THE EL PASO CITY CODE.**

Mayor Cook and Representatives Ortega and Byrd commented.

Mr. Matthew McElroy, Deputy Director of Planning, commented and Ms. Elaine Hengen, Senior Assistant City Attorney, gave legal advice.

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

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

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

.....
TAKEN WITH ITEM 9C

9D.

ORDINANCE 17236

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO AMEND TITLE 19 (SUBDIVISIONS), TO AMEND VARIOUS SECTIONS THEREUNDER TO CHANGE THE REFERENCES TO THE FORMER PLANNING AND BUILDING PERMITS & INSPECTIONS DEPARTMENTS TO THE DEVELOPMENT SERVICES DEPARTMENT, TO CORRECTLY REFERENCE AND ASSIGN CITY STAFF TO ENFORCE THE CODE; TO CORRECT TERMINOLOGY AND RECONCILE THE WORDING USED IN TITLE 19 WITH SIMILAR PROVISIONS AND REFERENCES IN OTHER CODE TITLES SO AS TO BE UNIFORM, INCLUDING THE CREATION OF THE PENALTY; TO REVISE DEFINITIONS SO AS TO BE UNIFORM WITH OTHER CODE PROVISIONS AND DELETE UNNECESSARY DEFINITIONS; TO REVISE THE PROCESS FOR AMENDING THE TITLE; AND TO INCORPORATE THE FEE REDUCTION INCENTIVES PREVIOUSLY ADOPTED IN ORDINANCE NO. 016878 INTO THE TITLE’S CURRENT SECTION NUMBERS AND TO REPEAL ORDINANCE NO. 016878; THE PENALTY BEING AS PROVIDED IN SECTION 19.42.070 OF THE EL PASO CITY CODE.**

Mayor Cook and Representatives Ortega and Byrd commented.

Mr. Matthew McElroy, Deputy Director of Planning, commented and Ms. Elaine Hengen, Senior Assistant City Attorney, gave legal advice.

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

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

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

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10.

ORDINANCE 17237

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.110 (SCHEDULE IX - SPECIAL TRUCK ROUTES FOR HAZARDOUS MATERIAL CARRYING VEHICLES), OF THE EL PASO CITY CODE BY AMENDING THE ROUTES ON LOOP 375, AMERICAS AVENUE (LOOP 375 FRONTAGE), JOE BATTLE BOULEVARD (LOOP 375 FRONTAGE), AND ZARAGOZA ROAD AND ADDING SPUR 601 BETWEEN PATRIOT FREEWAY (U.S. 54) AND LOOP 375. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 (VIOLATION - PENALTY) OF THE EL PASO CITY CODE.**

Mayor Cook commented.

Mr. Ted Marquez, Engineering Division Manager, commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Quintana

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

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TAKEN WITH ITEMS 12A AND 12B

11. MAYOR AND COUNCIL

Briefing by City staff on the City’s actions to address concerns regarding the Hawkins Business Plaza.

Ms. Leila Melendez, Executive Assistant to the City Manager, presented a PowerPoint presentation (on file in the City Clerk’s Office).

Mayor Cook and Representatives Lilly, Holguin, O’Rourke, Acosta, Quintana, Robinson, and Ortega commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Monica Lombrana, Director of Aviation
- 3. Assistant Police Chief Eric Shelton
- 4. Mr. Charlie McNabb, City Attorney, gave legal advice.

The following members of the public commented:

- 1. Mr. Mark Benetiz
- 2. Ms. Anna Nazario
- 3. Mr. Derek Ware
- 4. Ms. Irene Borunda
- 5. Ms. Pam Billingslea, General Manager of Putt-Putt Golf and Games
- 6. Mr. James Michael Armstrong, owner of the Three Legged Monkey
- 7. Mr. Clyde Pine, Attorney for Patriot Place, owner of Hawkins Business Plaza

1ST MOTION

Motion made by Representative Holguin, seconded by Representative Quintana, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Armstrong an additional two minutes to address the Council.

2ND MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Robinson, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 11:52 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

3RD MOTION

Motion made by Representative Robinson, seconded by Representative Lilly, and unanimously carried to **ADJOURN** the Executive Session at 12:31 p.m. and **RECONVENE** the meeting of the City Council.

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

NO ACTION, other than the above procedural Motions, was taken on the item.

.....
TAKEN WITH ITEMS 11 AND 12B

12A. AIRPORT

Discussion and action on a Resolution authorizing the City Manager to sign a First Amendment to Commercial Ground Lease ("Lease") by and between the City of El Paso ("Lessor") and Patriot Place, Ltd. ("Lessee") for the following described property: a portion of Lot 1, Block 1, Hawkins Plaza, City of El Paso, El Paso County, Texas, containing approximately 175,164 square feet of land and municipally known and numbered as 1550 Hawkins Boulevard.

Ms. Leila Melendez, Executive Assistant to the City Manager, presented a PowerPoint presentation (on file in the City Clerk's Office).

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

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Monica Lombrana, Director of Aviation
- 3. Assistant Police Chief Eric Shelton
- 4. Mr. Charlie McNabb, City Attorney, gave legal advice.

The following members of the public commented:

- 1. Mr. Mark Benetiz
- 2. Ms. Anna Nazario
- 3. Mr. Derek Ware
- 4. Ms. Irene Borunda
- 5. Ms. Pam Billingslea, General Manager of Putt-Putt Golf and Games
- 6. Mr. James Michael Armstrong, owner of the Three Legged Monkey
- 7. Mr. Clyde Pine, Attorney for Patriot Place, owner of Hawkins Business Plaza

1ST MOTION

Motion made by Representative Holguin, seconded by Representative Quintana, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Armstrong an additional two minutes to address the Council.

2ND MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Robinson, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 11:52 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

3RD MOTION

Motion made by Representative Robinson, seconded by Representative Lilly, and unanimously carried to **ADJOURN** the Executive Session at 12:31 p.m. and **RECONVENE** the meeting of the City Council.

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

4TH AND FINAL MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Ortega, and carried to **POSTPONE** one week and to direct staff to bring an item to Council in one week to send a notice of default to the lesser.

.....
TAKEN WITH ITEMS 11 AND 12A

12B. AIRPORT

Discussion and action on a Resolution authorizing the City Manager to sign a First Amendment to Commercial Site Lease ("Lease") by and between the City of El Paso ("Lessor") and Patriot Place, Ltd. ("Lessee") for the following described property: a portion of Lot 1, Block 1, Hawkins Plaza, City of El Paso, El Paso County, Texas.

Ms. Leila Melendez, Executive Assistant to the City Manager, presented a PowerPoint presentation (on file in the City Clerk's Office).

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

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Monica Lombrana, Director of Aviation
- 3. Assistant Police Chief Eric Shelton
- 4. Mr. Charlie McNabb, City Attorney, gave legal advice.

The following members of the public commented:

- 1. Mr. Mark Benetiz
- 2. Ms. Anna Nazario
- 3. Mr. Derek Ware
- 4. Ms. Irene Borunda
- 5. Ms. Pam Billingslea, General Manager of Putt-Putt Golf and Games
- 6. Mr. James Michael Armstrong, owner of the Three Legged Monkey
- 7. Mr. Clyde Pine, Attorney for Patriot Place, owner of Hawkins Business Plaza

1ST MOTION

Motion made by Representative Holguin, seconded by Representative Quintana, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Armstrong an additional two minutes to address the Council.

2ND MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Robinson, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 11:52 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

3RD MOTION

Motion made by Representative Robinson, seconded by Representative Lilly, and unanimously carried to **ADJOURN** the Executive Session at 12:31 p.m. and **RECONVENE** the meeting of the City Council.

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

4TH AND FINAL MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Ortega, and carried to **POSTPONE** one week and to direct staff to bring an item to Council in one week to send a notice of default to the lesser.

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13.

RESOLUTION

That the City Manager be authorized to sign and submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for a two-year, Homeless Housing and Services Program (HHSP) grant in the amount of \$1,626,459. The grant will fund, until May 31, 2011, eligible operation and direct service costs of non-profit, homeless service providers in the El Paso community; and

That the City Manager be authorized to sign all contracts and documents with the agencies approved for HHSP funding, as specified in Attachment A. The City Manager is authorized herein to sign amendments to such contracts which add to or reduce funding when such amendments are consensual, including the de-obligation of funds by mutual termination; and

That the City Manager be authorized to take any actions necessary to accomplish the intent of this resolution and be authorized to sign all Certifications, Performance Reports, and any agreements or related documents for TDHCA or agency HHSP activities upon approval by the City Attorney's Office and Director of Community and Human Development Department.

Representatives Robinson and Quintana commented.

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

Ms. Susan Austin, Executive Director of the El Paso Coalition for the Homeless, commented.

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

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14A.

RESOLUTION

WHEREAS, the City Council adopted the Budget Resolution for FY2010 on August 24, 2009; and

WHEREAS, paragraph 40 of the Budget Resolution provides that revisions or additions to the fees set forth in Schedule C, attached to the Budget Resolution, may be approved by simple resolution of the City Council; and

WHEREAS, the Council desires to establish the fees for the application to create or dissolve residential parking districts and for various residential parking permits.

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

That Schedule C, attached to the FY2010 Budget Resolution and effective September 1, 2009, shall be amended as set forth in Attachment A to create the fees listed therein that shall be charged by the City for

residential parking districts.

Mr. Alan Shubert, City Engineer, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Robinson, Ortega, Quintana, and Holguin commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Don Pullen, citizen, commented.

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

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14B.

R E S O L U T I O N

WHEREAS, the owner of the following described property, is willing to sell its property and such property is needed for the purpose of completing the Paso Del Norte Bridge Project; and,

WHEREAS, the City is using a funding source for the acquisition of the identified parcels which require the City to follow the Uniform Relocation Assistance and Property Acquisition Policies Act (URA), and the URA is used as a guideline for providing assistance for displaced tenants,

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

THAT the City Manager be authorized to execute a Contract of Sale by and between the City of El Paso and Lorena Castro a/k/a Lorraine Estrada Castro a/k/a Lorraine Castro, as Independent Executrix of the Estate of Raul Campos, Deceased, and Rebecca R. Campos for the purchase of the following parcels for the Paso Del Norte Bridge Project for \$800,000:

Parcel 1: The westerly portion of Lot 11, Block 44, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas, being more particularly described by metes and bounds in Exhibit "A"; and

Parcel 2: The westerly portion of the south 1.00 feet of Lot 11, the westerly portion of Lots 12 through 17, and the westerly portion of the north 16 feet of Lot 18, Block 44, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas, being more particularly described by metes and bounds in Exhibit "B"

THAT the City Manager of the City of El Paso or her designee is hereby authorized to execute any related documents necessary to accomplish the purchase of the property identified and to effectuate the tenant relocation process using URA guidelines and enter into any relocation agreements and pay for relocation in the event relocation is required.

Representatives O'Rourke and Quintana commented.

Mr. Robert Ramirez, Engineering Consumer Affairs Administrator, and Mr. Said Larbi-Cherif, Director of International Bridges, commented.

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

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The City Council Meeting **RECESSED** at 12:59 p.m. and **RECONVENED** at 2:12 p.m.

.....
ITEMS TAKEN TOGETHER:

15A.

RESOLUTION

WHEREAS, local taxing entities have made a commitment to evaluate opportunities for shared services, resources and responsibilities for more efficient use of tax revenue and to reduce duplication of governmental service in the area; and

WHEREAS, on July 30, 2009 the City Council requested that the City Manager establish a Blue Ribbon Committee to study a regional parks system; and

WHEREAS, the City of El Paso has performed preliminary research on regional parks systems in the nation.

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

1. That there is hereby established the Blue Ribbon Committee (hereinafter the "Committee") to conduct a study on a regional parks system and the Committee shall evaluate and provide recommendations to the City Council on forming a regional parks system in El Paso.
2. That the Committee will be comprised of a diverse group of representatives, and will include one elected official from the City of El Paso. The Committee may include an elected official from El Paso County and representatives from local school districts, City of El Paso Board of Parks and Recreation, Recognized Neighborhood Associations and the private business sector.
3. That the Committee will consist of at least 10, but no more than 17 regular members. One member will be a City of El Paso elected official decided upon by City Council. The City Manager shall request membership recommendations from the County of El Paso, local school districts, and the other stakeholder groups identified above to be provided by October 16, 2009 and will provide the names of interested persons to the City Council. The City Council shall appoint at least nine but no more than fourteen additional members to the committee, which may include persons recommended by the County of El Paso, local school districts and the other stakeholder groups identified above. The City Manager or designee will make necessary resources available to the Committee and will establish the procedures for calling and holding the meetings.
4. That appointments to the committee shall be made by October 30, 2009.
5. That the Committee's duties shall include exploring national best practices for regional park systems, various funding options, and ways to move forward with a local model with or without state enabling legislation. The Committee may additionally require dividing into groups to review various models and report back to the Committee at large.
6. That the Committee will also provide recommendations to the El Paso City Council that will include but not be limited to:
 - 1) Viability of a regional park system in El Paso;
 - 2) Structure and multiple funding options for a local model, including a dedicated city tax for parks and open space;
 - 3) Obtaining State approval in forming regional park authority if necessary.
7. That the Committee shall prepare a report of its findings and shall make the report available to the City Council and to all other interested parties no later than June 1, 2010.
8. This Resolution supersedes the prior resolution passed on September 22, 2009.

15B. CITY MANAGER

Administration or Education Ruth Katherine Brennand

4. Consumer or Citizen Advocacy Richard C. Bonart, DVM

The term for each appointment shall commence on January 1, 2010. At the first regularly scheduled PSB meeting of 2010, the four (4) members appointed to the PSB by this Resolution shall draw lots to determine the length of their respective term of office.

In accordance with the City Council Resolution adopted on August 11, 2009, one new PSB member will have an initial two (2) year term of office and the other three will have four (4) year terms of office. Thereafter, each PSB member term will be four (4) years. The member who draws the lot for a two (2) year term will be ineligible for reappointment after serving six (6) consecutive years unlike the others who are eligible to serve two (2) consecutive terms of four (4) years each.

Mayor Cook and Representatives Acosta, Ortega, Byrd, and Quintana commented.

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

1ST MOTION

Motion made by Representative Ortega, seconded by Representative Lilly, and carried to **APPOINT** Mr. Edward Escudero under the category of Financial Management.

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

NAYS: None

ABSTAIN: Representative Acosta

2ND MOTION

Motion made by Representative Quintana, seconded by Representative Lilly, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 2:24 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

3RD MOTION

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **ADJOURN** the Executive Session at 2:32 p.m. and **RECONVENE** the meeting of the City Council.

4TH MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Robinson, and unanimously carried to **APPOINT** Dr. Richard T. Schoephoerster under the category of Environmental or Health.

5TH MOTION

Motion made by Representative Quintana, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **APPOINT** Ms. Ruth Katherine Brennand under the category of Communications, Public Administration, Administration, or Education.

6TH MOTION

Motion made by Representative Lilly, seconded by Representative Robinson, and unanimously carried to **APPOINT** Dr. Richard Bonart under the category of Consumer or Citizen Advocacy.

7TH AND FINAL MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative O'Rourke, and unanimously carried to make the appointments **EFFECTIVE** January 1, 2010.

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16C.

Presentation by Mayor John F. Cook and City staff regarding: Defense Community Conference "Partnering for Success".

Mayor Cook and Representative Byrd commented.

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

NO ACTION was taken on the item.

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16D. MAYOR AND COUNCIL – LEGISLATIVE REVIEW COMMITTEE REPORT

1. For notation: formal report of the Health and Safety Legislative Review Committee meeting held on September 17, 2009, as submitted by Eddie Holguin, Chair; and;
2. Discussion and action regarding the recommendations of the Health and Safety Legislative Review Committee from the September 17, 2009, meeting:
 - A) Reconciliation of City's funding to the El Paso MHMR Center and in-kind contributions from 2001 to 2009; providing CDBG funding to MHMR.
 - B) Termination of the City's participation in the Interlocal Agreement between City, County, and Hospital District that created the El Paso MHMR Center.
 - C) Disposition of the City property now leased to the El Paso MHMR Center (3410 Morenci Avenue), and providing MHMR relocation or other assistance.
 - D) Including mental health needs and funding as a legislative agenda priority.
 - E) Exploring other opportunities or other types of collaborations between MHMR and the City of El Paso including but not limited to mental health crisis management with the police department, and other types of arrangements that the City can make for mentally ill people who are in crisis and who are in police custody or in the County jail. In addition, exploring entering into an Interlocal agreement/contract between the City and MHMR Sun City Employee Assistance Program for all non-uniform employees of the City of El Paso.

Ms. Joyce Wilson, City Manager, presented a PowerPoint presentation (on file in the City Clerk's office).

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

The following City staff members commented:

1. Ms. Elaine Hengen, Senior Assistant City Attorney, gave legal advice.
2. Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services
3. Assistant Police Chief Eric Shelton
4. Mr. Charlie McNabb, City Attorney, gave legal advice.

Ms. Selene Quintana, El Paso Mental Health and Mental Retardation (MHMR) Associate Chief Executive Officer, and Mr. Gary Larcenaire, El Paso Mental Health and Mental Retardation (MHMR) Chief Executive Officer, commented.

The following members of the public commented:

1. Mr. Eric Willard
2. Ms. Joanne Herendeen
3. Ms. Elvia Rubalcava
4. Ms. Susan Austin, Executive Director of the El Paso Coalition for the Homeless
5. County Commissioner Anna Perez

1ST MOTION

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **AUTHORIZE** the City manager to dispose of the property (3410 Morenci Avenue) by either deeding the property to MHMR or selling the property and giving the proceeds to MHMR.

2ND MOTION

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

3RD MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and unanimously carried to **INCLUDE MENTAL HEALTH NEEDS AND FUNDING** as legislative agenda priority.

4TH MOTION

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **DIRECT** the City Manager to explore other opportunities or other types of collaborations between MHMR and the City of El Paso and explore entering into an Interlocal Agreement/Contract between the City and MHMR Sun City Employee Assistance Program for all non-uniformed employees of the City of El Paso.

5TH MOTION

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, to **POSTPONE** until February 2, 2010, item 16D2B. **THE MOTION FAILED.**

AYES: Representatives Lilly, Byrd, Acosta, and Quintana

NAYS: Mayor Cook and Representatives Robinson, Holguin, Ortega, and O'Rourke

Mayor Cook broke the tie, voting nay.

6TH MOTION

Motion made by Representative O'Rourke, seconded by Representative Lilly, to **TERMINATE** the Interlocal Agreement and to find new ways to collaborate with the MHMR Center. **THE MOTION FAILED.**

AYES: Representatives Lilly, Robinson, Holguin, and O'Rourke

NAYS: Mayor Cook and Representatives Byrd, Acosta, Quintana, and Ortega

Mayor Cook broke the tie, voting nay.

7TH AND FINAL MOTION

Motion made by Representative Ortega, seconded by Representative O'Rourke, and carried to **CONTINUE** with the Interlocal Agreement, noting that participation by the City is discretionary, and to limit the funding to Community Development Budget Grant funds capped at the amount of \$100,000.

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

NAYS: Representative Robinson

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Motion made by Representative Ortega, seconded by Representative Quintana, and unanimously carried to
ADJOURN this meeting at 5:20 p.m.
.....

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk