

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
NOVEMBER 27, 2012
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:33 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Emma Acosta, Michiel R. Noe, Steve Ortega, and Cortney Carlisle Niland. Late arrivals: Ann Morgan Lilly at 8:36 a.m., Eddie Holguin, Jr. at 8:36 a.m., and Carl Robinson at 8:42 a.m. The invocation was given by CIMA Chaplain Carlos Clugy-Soto, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

- 1. evolve FEDERAL CREDIT UNION CELEBRATION OF LIGHTS DAY**
- 2. FILIPINO AMERICAN RECOGNITION MONTH**
- 3. MINER ORANGEVILLE DAY**
- 4. GLOBAL HEALTH AWARENESS/WORLD AIDS DAY**

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

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

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. Juan Garza
2. Ms. Wally Cech
3. Mr. Steven Strumer
4. Mr. Jesus Navarrete III
5. Ms. Lisa Turner

Mayor Cook commented.

CONSENT AGENDA

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Ortega, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items

approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}.

AYES: Representatives Lilly, Byrd, 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 November 13, 2012, and the Special City Council Meeting of November 19, 2012 (Canvass the votes of the November 6, 2012 Election).

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3A.

***RESOLUTION**

That the City Manager, upon expiration of the Public Comment period on December 5, 2012, be authorized to file Passenger Facility Charge (PFC) Application No. 13-06-C-00-ELP in the amount of \$23,663,299 with the Federal Aviation Administration (FAA) authorizing (i) the continued use of a \$4.50 PFC per eligible enplaned passenger, (ii) the submission of all and related documentation contained in the application or requested by the FAA, (iii) the expenditure of revenues from the PFC at EPIA, in accordance with the Airport's Capital Improvement Program, and (iv) the designation of the Director of Aviation as the authorized representative of the City of El Paso to act in connection with the application.

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3B.

***RESOLUTION**

That the City Manager be authorized to sign a First Amendment to the Butterfield Trail Industrial Park Lease by and between the City of El Paso ("Lessor") and Air Matrix Holdings, LP ("Lessee") to amend the description of the Premises to read as follows:

A portion of Lots 6, 7, and 8, Block 3, Butterfield Trail Industrial Park Unit One, Replat A, an Addition to the City of El Paso, El Paso County, Texas, containing 193,258.7 square feet or 4.4366 acres of land, more or less, and municipally known and numbered as 15 Founders Blvd., El Paso, Texas.

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3C.

***RESOLUTION**

That the City Manager be authorized to sign a Third Amendment to the Butterfield Trail Industrial Park Lease by and between the City of El Paso and BT-OH, LLC dba United Parcel Service to amend the description of the Premises to read as follows:

A portion of Lots 8 and 9, Block 13, Butterfield Trail Industrial Park Unit Three; and all of Lot 2 and a portion of Lots 1 and 3, Block 13, Butterfield Trail Industrial Park, Unit 2, an Addition to the City of El Paso, El Paso County, Texas, containing 641,432.0 square feet or 14.7253 acres of land, more or less and municipally known and numbered as 28 Leigh Fisher/23 Spur Drive, El Paso, Texas.

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3D.

***RESOLUTION**

That the City Manager be authorized to sign a Second Amendment to the Butterfield Trail Industrial Park Lease by and between the City of El Paso (“Lessor”) and Butterfield Trail Trust I (“Lessee”) to amend the description of the Premises to read as follows:

All of Lots 12, 13 and a portion of Lot 14, Block 8, Butterfield Trail Industrial Park Unit Two, an Addition to the City of El Paso, El Paso County, Texas, containing 323,058.6 square feet or 7.4164 acres of land, more or less, and municipally known and numbered as 19 Leigh Fisher Boulevard, El Paso, Texas.

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3E.

***RESOLUTION**

That the City Manager be authorized to sign a First Amendment to the Butterfield Trail Industrial Park Lease by and between the City of El Paso and Elcom, Inc. to amend the description of the Premises to read as follows:

All of Lots 3, 4 and a portion of Lot 5, Block 9, and all of Lots 12, 13 and 14, Block 11, Butterfield Trail Industrial Park Unit Two, an Addition to the City of El Paso, El Paso County, Texas, containing 674,029.5 square feet or 15.4736 acres of land, more or less, and municipally known and numbered as 20 Butterfield Trail Blvd., El Paso, Texas.

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3F.

***RESOLUTION**

That the City Manager be authorized to sign a First Amendment to the Butterfield Trail Industrial Park Lease by and between the City of El Paso (“Lessor”) and Kasco Butterfield LLC (“Lessee”) to amend the description of the Premises to read as follows:

A portion of Lot 1 and all of Lot 2, Block 7, Butterfield Trail Industrial Park Unit 1, Replat A, an Addition to the City of El Paso, El Paso County, Texas, containing 266,876.8 square feet or 6.1266 acres of land, more or less, and municipally known and numbered as 24 Zane Grey Street, El Paso, Texas.

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3G.

***RESOLUTION**

WHEREAS, the United States, acting by and through the War Assets Administration, under and pursuant to the Reorganization Plan I of 1947 (12 F.R. 4534) and the powers and authority contained in the provisions of the Surplus Property Act, did convey to the City of El Paso (the “City”), on January 10, 1949, certain lands and other properties in the City of El Paso, Texas, being generally described as “El Paso International Airport at El Paso” (the “Airport”);

WHEREAS, under the deed, the City, for itself, its successors and assigns, assumed certain obligations and agreed to certain conditions, reservations, restrictions, warranties, and covenants which run with the land;

WHEREAS, the City has requested the Federal Aviation Administration (FAA) for the release of 3.881 acres, more or less, from the conditions, reservations and restrictions identified in the deed;

WHEREAS, the FAA through its Manager, Airports Division, has determined that the release of the identified property (1) will not prevent the accomplishment of the purpose for which the property was transferred, and (2) can be granted without materially and adversely affecting the development, improvement, operation, or maintenance of the Airport;

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

That the City Manager be authorized to sign a Deed of Release from the United States of America to the City of El Paso accepting the covenants and conditions for the following described parcel (known as Hawkins Pool and Park) which will be used for parks and recreation purposes:

A 3.881 acre parcel of land, more or less, being a portion of Tract 1B, Block 2, Ascarate Grant, El Paso County, Texas, and being more particularly described in Exhibit "A", which is attached hereto and made a part hereof for all purposes.

And that the City Manager be authorized to approve all budget transfers and any related documentation for reimbursement to the Department of Aviation in the total amount of One Hundred Fifty-Six Thousand Nine Hundred and No/100 Dollars (\$156,900.00) for the appraised value of the identified parcel and the appraisal services fee, and this amount will be placed in the Airport's Restricted Land Sales Fund.

Representatives Acosta and Ortega commented.

Ms. Joyce Wilson, City Manager, commented.

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3H.

***RESOLUTION**

That the City Manager be authorized to sign an Agreement to Contribute Right of Way Funds by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, whereby the City of El Paso agrees to contribute \$140,030.00 (4.4% of the project cost) for acquisition of right of way and relocation of utilities for State improvements to State Spur 1966 from US 85 (Paisano Dr.) to Schuster Ave.

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3I.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, 21ST MORTAGAGE CORPORATION, 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:

7302 O'Donnell Street, more particularly described as Lot(s) 1 (8800 Sq Ft), Block 5, Future Land Subdivision, El Paso, El Paso County, Texas, Parcel # F950-999-0050-0100

to be \$503.63, 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 FIVE HUNDRED TWENTY-SEVEN AND 63/100 DOLLARS (\$527.63). The City Council finds that the work was completed on the 13th day(s) of June, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FIVE HUNDRED TWENTY-SEVEN AND 63/100 DOLLARS (\$527.63) 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, DENNIS, CYNTHIA SUZANNE, 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:

14032 Tierra Leona Drive, more particularly described as Lot(s) 52, (4745.75 SQ FT)
Block 145, Tierra Del Este #36 Subdivision, El Paso, El Paso County, Texas, Parcel #
T287-999-1450-5200

to be \$148.57, 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 TWO AND 57/100 DOLLARS (\$172.57). The City Council finds that the work was completed on the 31st day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY TWO AND 57/100 DOLLARS (\$172.57) 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, ADSE INVESTMENTS, 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:

305 Via Cremona Way, more particularly described as Lot(s) 52 (9509.00 Sq Ft), Block 3, Alta Valle Del Sol Ests Amend Subdivision, El Paso, El Paso County, Texas, Parcel # A492-999-0030-5250

to be \$221.91, 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 FIVE AND 91/100 DOLLARS (\$245.91). The City Council finds that the work was completed on the 4th day(s) of June, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED FORTY FIVE AND 91/100 DOLLARS (\$245.91) 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, SANCHEZ, HECTOR A, 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:

12146 Saint Laurence Avenue, more particularly described as Lot(s) 11 (4610.00 Sq Ft), Block 6, Hillpoint Estates #1 Subdivision, El Paso, El Paso County, Texas, Parcel # H540-999-0060-1100

to be \$106.50, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED THIRTY AND 50/100 DOLLARS (\$130.50). The City Council finds that the work was completed on the 31st day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED THIRTY AND 50/100 DOLLARS (\$130.50) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, MINNEY, GLORIA J, 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:

4012 Titanic, more particularly described as Lot(s) 37 (9576 Sq Ft), Block 2, Park Foothills Subdivision, El Paso, El Paso County, Texas, Parcel # P324-999-0020-5700

to be \$123.95, 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 FORTY SEVEN AND 95/100 DOLLARS (\$147.95). The City Council finds that the work was completed on the 20th day(s) of June, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY SEVEN AND 95/100 DOLLARS (\$147.95) 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, AGUILERA, RALPH H & TILLIE, 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:

3021 Douglas Avenue, more particularly described as Lot(s) 9 & E 20 Ft of Lot 8 (6300 Sq Ft), Block 103, East El Paso Subdivision, El Paso, El Paso County, Texas, Parcel # E014-999-1030-3300

to be \$218.17, 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 TWO AND 17/100 DOLLARS (\$242.17). The City Council finds that the work was completed on the 15th day(s) of June, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED FORTY TWO AND 17/100 DOLLARS (\$242.17) 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, AONO, MIEKO, 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:

3504 Tierra Vergel Drive, more particularly described as Lot(s) 37 (7035.00 Sq Ft), Block 128, Tierra Del Este #33 Subdivision, El Paso, El Paso County, Texas, Parcel # T287-999-1280-3700

to be \$101.76, 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 ONE HUNDRED TWENTY FIVE AND 76/100 DOLLARS (\$125.76). The City Council finds that the work was completed on the 24th day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY FIVE AND 76/100 DOLLARS (\$125.76) 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 Chapter 9.04 of the El Paso City Code, VE II DEVELOPMENT, 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:

6055 Dona Beatriz Lane, more particularly described as Lot(s) 31 (13333.29 Sq Ft), Block 5, Spanish Pines #3 Subdivision, El Paso, El Paso County, Texas, Parcel # S559-999-0050-3100

to be \$178.48, 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 TWO AND 48/100 DOLLARS (\$202.48). The City Council finds that the work was completed on the 24th day(s) of October, 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 TWO AND 48/100 DOLLARS (\$202.48) 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, BANK OF AMERICA NA, 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:

14061 Tierra Leona Drive, more particularly described as Lot(s) 16 (5016.00 Sq Ft), Block 146, Tierra Del Este #36 Subdivision, El Paso, El Paso County, Texas, Parcel # T287-999-1460-0160

to be \$134.05, 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 ONE HUNDRED FIFTY EIGHT AND 05/100 DOLLARS (\$158.05). The City Council finds that the work was completed on the 5th day(s) of June, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY EIGHT AND 05/100 DOLLARS (\$158.05) 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, MORAN, JESSICA, 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:

807 Upson Drive, more particularly described as Lot(s) 19 & W 1/2 of 18 (4507 Sq Ft), Block 24, Sunset Heights Subdivision, El Paso, El Paso County, Texas, Parcel # S979-999-0240-4100

to be \$129.36, 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 THREE AND 36/100 DOLLARS (\$153.36). The City Council finds that the work was completed on the 22nd day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY THREE AND 36/100 DOLLARS (\$153.36) 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, CAMARDELLI, MARY & JOSEPH G, 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:

12328 Tierra Volcan Avenue, more particularly described as Lot(s) 43 & ELY 1.00 Ft of Lot 42 (4210 Sq Ft), Block 95, Tierra Del Este #18 Subdivision, El Paso, El Paso County, Texas, Parcel # T287-999-0950-4300

to be \$125.57, 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 NINE AND 57/100 DOLLARS (\$149.57). The City Council finds that the work was completed on the 21st day(s) of June, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY NINE AND 57/100 DOLLARS (\$149.57) 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, ACOSTA, JOEL & LETICIA M, 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:

1760 Villa Santos Circle, more particularly described as Pt of Lot 6 BEG 28.81 Ft N of Sec (110 Ft on S-35.43 Ft on St-110 Ft on N-35.43 Ft on E) (3897.03 Sq Ft), Block 32-A, Vista Del Sol Unit 6 RPL A Subdivision, El Paso, El Paso County, Texas, Parcel # V893-999-032A-2085

to be \$152.63, 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 SIX AND 63/100 DOLLARS (\$176.63). The City Council finds that the work was completed on the 25th day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY SIX AND 63/100 DOLLARS (\$176.63) 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, CASIAS, PHILIP, 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:

3400 Tierra Cecil Pl., more particularly described as Lot(s) 57 (9919.14 Sq Ft), Block 137, Tierra Del Este #40 Subdivision, El Paso, El Paso County, Texas, Parcel # T287-999-1370-5700

to be \$184.11, 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 TWO HUNDRED EIGHT AND 11/100 DOLLARS (\$208.11). The City Council finds that the work was completed on the 31st day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED EIGHT AND 11/100 DOLLARS (\$208.11) 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 Chapter 9.04 of the El Paso City Code, GONZALEZ, JESUS H, 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:

1139 California Avenue, more particularly described as Lot(s) E 20 Ft of Lot 44 & W 20 Ft of Lot 45, Block 293, Pierce Finley Subdivision, El Paso, El Paso County, Texas, Parcel # P795-999-2930-8500

to be \$133.68, 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 SEVEN AND 68/100 DOLLARS (\$157.68). The City Council finds that the work was completed on the 15th day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY SEVEN AND 68/100 DOLLARS (\$157.68) 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, HERNANDEZ, DONNY R, 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:

5520 Oakbriar, more particularly described as Lot(s) 26 (10920 Sq Ft), Block 4, Willowlane Subdivision, El Paso, El Paso County, Texas, Parcel # W564-999-0040-5300

to be \$168.87, 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 NINETY TWO AND 87/100 DOLLARS (\$192.87). The City Council finds that the work was completed on the 18th day(s) of June, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY TWO AND 87/100 DOLLARS (\$192.87) 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, GEORGE, MICHAEL A & LAURA E C, 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:

7028 Jericho Tree Drive, more particularly described as Lot(s) 18 (6360.06 Sq Ft), Block 12, Mesquite Hills Subdivision, El Paso, El Paso County, Texas, Parcel # M395-999-0120-1800

to be \$146.14, 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 14/100 DOLLARS (\$170.14). The City Council finds that the work was completed on the 20th day(s) of June, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY AND 14/100 DOLLARS (\$170.14) 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, CAMPOS, JOSE A, 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:

5024 Jardines, more particularly described as Lot(s) 11 (10461.98 Sq Ft), Block 2, Jardines Del Valle Subdivision, El Paso, El Paso County, Texas, Parcel # J188-999-0020-1100

to be \$211.36, 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 FIVE AND 36/100 DOLLARS (\$235.36). The City Council finds that the work was completed on the 20th day(s) of June, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED THIRTY FIVE AND 36/100 DOLLARS (\$235.36) 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, MODERN HOMES, 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:

5008 Jardines, more particularly described as Lot(s) 7 (10037.35 Sq Ft), Block 2, Jardines Del Valle Subdivision, El Paso, El Paso County, Texas, Parcel # J188-999-0020-0700

to be \$144.51, 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 SIXTY EIGHT AND 51/100 DOLLARS (\$168.51). The City Council finds that the work was completed on the 21st day(s) of June, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SIXTY EIGHT AND 51/100 DOLLARS (\$168.51) 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, GAONA, JULIETA C, 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:

7214 Oval Rock Drive, more particularly described as Lot(s) 4 (5753.27 Sq Ft), Block 5, Sierra Hills #2 Subdivision, El Paso, El Paso County, Texas, Parcel # S380-999-0050-0400

to be \$133.15, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FIFTY-SEVEN AND 15/100 DOLLARS (\$157.15). The City Council finds that the work was completed on the 4th day(s) of June, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY-SEVEN AND 15/100 DOLLARS (\$157.15) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, WRIGHT, LLOYD E & JONI, 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:

4713 G T Powers, more particularly described as Lot(s) 13 EXC W 1 FT & W 1 FT OF 12, Block 15, Castner Heights #1 Subdivision, El Paso, El Paso County, Texas, Parcel # C231-999-0150-2500

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 24th day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED 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 Chapter 9.04 of the El Paso City Code, UNITED MISSIONARY BAPTIST CHURCH, 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:

4601 Maxwell Avenue, more particularly described as TR 6-B-2 (0.747 Acre) & TR 6-D-1 (0.090 Acre) , TR 7-C (1.350 ACRE) Block 81, TSP 2 SEC 9 T & P SURV Subdivision, El Paso, El Paso County, Texas, Parcel # X581-999-2090-0605

to be \$360.47, 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-FOUR AND 47/100 DOLLARS (\$384.47). The City Council finds that the work was completed on the 22nd day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED EIGHT-FOUR AND 47/100 DOLLARS (\$384.47) 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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3J.

***RESOLUTION**

That Mayor John Cook be authorized to sign an amendment to Inter-local Agreement 2012-0176 between the County of El Paso, on behalf of the El Paso Juvenile Probation Department, and the City of El Paso, on behalf of the El Paso Municipal Courts, under the authority and in accordance with the Inter-local Cooperation Act, as set out in Chapter 791, Texas Government Code. As a result of the funding received by the Juvenile Probation Department under the Grant the Municipal courts will strengthen its intervention and diversion program and retain jurisdiction over youth who have two or more prior Class C convictions. The agreement is amended to read as follows: Section C Paragraph 3, The Municipal Court will track data and report on the outcomes and goals projected under the terms of the Grant. Outcomes shall include the percentage in participants' school attendance among those with truancy issues and percentage in participant's formal school referrals for class disruption/violation of school rules. Section C paragraph 10, Each parent / legal guardian of participating youth must sign a consent form authorizing release of personally identifiable information from education records for youth in Texas Juvenile Justice Department funded prevention programs.

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3K.

***RESOLUTION**

That the City Manager be authorized to sign an Agreement by and between the City of El Paso (the "City") and the El Paso Archaeological Society, Inc. ("**EPAS**"), in exchange for EPAS' financial support and assistance to the Museum and to assist the Museum Director in achieving the aims and purposes of the Museum, to include but not be limited to providing docents when requested, publish a monthly newsletter that will be made available at the Museum, and give the Museum 20% of all proceeds received from any and all general fundraising events conducted at the Museum by EPAS, the City agrees to provide EPAS a meeting space to conduct its weekly meetings, monthly board meetings and monthly public meetings and permitting EPAS the utility of the Museum laboratory area including storage of their materials for a period of one year.

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ITEMS 3L – 30 TAKEN TOGETHER

1ST MOTION

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

3L.

***RESOLUTION**

That the City Manager be authorized to sign a First Lease Amendment by and between the CITY OF EL PASO and EL PASO HEALTHCARE SYSTEM. LTD dba Del Sol Medical Center, to extend the term of the lease for the use of approximately 159.46 square feet in the Henderson Health Center located at 721 South Mesa Street, for three (3) years beginning December 1, 2012 to November 30, 2015, with an option to extend the lease for two additional one-year periods.

3M.

***RESOLUTION**

That the City Manager be authorized to sign a First Lease Amendment by and between the CITY OF EL PASO and EL PASO HEALTHCARE SYSTEM. LTD dba Del Sol Medical Center, to extend the term of the lease for the use of approximately 96.38 square feet in the Tigua Health Center located at 7862 San

Jose Road, for three (3) years beginning December 1, 2012 to November 30, 2015, with an option to extend the lease for two additional one-year periods.

3N.

***RESOLUTION**

That the City Manager be authorized to sign a First Lease Amendment by and between the CITY OF EL PASO and EL PASO HEALTHCARE SYSTEM. LTD dba Del Sol Medical Center, to extend the term of the lease for the use of approximately 222.43 square feet in the Northeast Health Center located at 5587 Transmountain Road, for three (3) years beginning December 1, 2012 to November 30, 2015, with an option to extend the lease for two additional one-year periods.

3O.

***RESOLUTION**

That the City Manager be authorized to sign a First Lease Amendment by and between the CITY OF EL PASO and EL PASO HEALTHCARE SYSTEM. LTD dba Del Sol Medical Center, to extend the term of the lease for the use of approximately 93.30 square feet in the Westside Health Center located at 5195 Mace Street, for three (3) years beginning December 1, 2012 to November 30, 2015, with an option to extend the lease for two additional one-year periods.

2ND AND FINAL MOTION

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

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

NAYS: None

ABSTAIN: Representative Ortega

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4A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Kyong Peterson to the Tax Advisory Committee by Mayor John F. Cook.

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4B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** John L. Moses to the Historic Landmark Commission by Representative Carl L. Robinson, District 4.

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4C. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Bianca Angelica Licon to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Emma Acosta, District 3.

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5. APPLICATIONS FOR TAX REFUNDS

*Motion made, seconded, and unanimously carried that the following tax refunds be **APPROVED**, subject to auditor approval:

- A. Ricardo Rivera in the amount of \$3,074.81 overpayment of 2009 taxes.
(Geo # C340-999-062A-0500)

- B. Edward Orona in the amount of \$11,553.19 overpayment of 2009 and 2010 taxes.
(Geo # C214-999-0020-9935)
- C. USDA / Rural Development Center in the amount of \$3,195.88 overpayment of 2011 taxes.
(Geo # D456-000-0110-0400)
- D. Flagstar Bank in the amount of \$6,144.99 overpayment of 2011 taxes.
(Geo # F169-999-0050-4700)
- E. Flagstar Bank in the amount of \$2,731.23 overpayment of 2011 taxes.
(Geo # H540-999-0080-1500)
- F. Jack L. Peterson in the amount of \$6,939.25 overpayment of 2009 taxes.
(Geo # W418-999-0050-2930)

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6. NOTICE OF CAMPAIGN CONTRIBUTIONS

*Motion made, seconded, and unanimously carried to **APPROVE** for notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contribution by Mayor John F. Cook in the amount of \$700 from Mrs. Teresa Nevarez.

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7A. 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 2010-008 (Scrap Metal Recycling Services) with Lucero Scrap, LLC for two (2) additional years pursuant to the provisions of an award approved by the City Council on December 1, 2009. The extended contract period will be from December 1, 2012 to November 30, 2014.

Department:	Environmental Services
Award to:	Lucero Scrap, LLC El Paso, TX
Option:	2 Year Option
Annual Estimated Amount:	\$158,000 (Annual Revenue)
Total Estimated Amount:	\$316,000 (2 years)
Account No.:	334 – 34060 – 431420 – 3100
Funding Source:	Environmental Services – Recycling Revenues

This is a Best Value, service contract

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7B. 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 2009-259 (Security Guard Services) with Ruiz Protective Services Inc. for two (2) additional years pursuant to the provisions of an award approved by the City Council on December 8, 2009. The extended contract period will be from January 1, 2013 to December 31, 2014.

Department:	Environmental Services
Award to:	Ruiz Protective Services

Option:	El Paso, TX
Annual Estimated Amount:	Two years
Total Estimated Amount:	\$65,000
Account No.:	\$130,000
Funding Source:	334 – 34130 – 522120 - 3100
	Environmental – Security Contracts

This is Best Value, service contract.

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8. BID

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the award of Solicitation No. 2013-056 for EPIA Floor Replacement at Baggage Claim to BASIC IDIQ, INC. for an estimated total amount of \$344,888.88.

Department:	Engineering & Construction Management
Award to:	BASIC IDIQ, INC.
	El Paso, TX
Base Bid:	\$344,888.88
Time for Completion:	98 Consecutive Calendar Days
Accounts:	562-62230-3080-580270-PAP00380
Funding Source:	Airport Enterprise Fund

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

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

This is a low bid, lump sum contract. The Engineering & Construction Management Department recommends award as indicated to the lowest responsive and responsible bidder.

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9. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-292 (City Fleet Vehicles) to Casa Ford, Inc. and Rudolph Chevrolet, LLP for an estimated one (1) year award of \$490,589.40.

Department:	General Services
Award to:	Casa Ford, Inc.
Vendor 1:	El Paso, TX
Items:	Group II, Item 1, Hybrid Automobiles, Compact Sedan 4-Door
Estimated 1 Year Award:	\$238,219.40 (10 Vehicles)
Award to:	Rudolph Chevrolet, LLP
Vendor 2:	El Paso, TX
Items:	Group II, Item 3, Hybrid Automobiles,

Estimated 1 Year Award:	Mid-Size Sedan 4-Door \$252,370 (10 Vehicles)
Option:	No Options
Total Estimated Award:	\$490,589.40 (1 Year)
Account No.:	231 – 37010 – 580540 – 4960
Funding Source:	General Services Department – Cars,
Pickups, Vans	

This is a Best Value, unit price contract.

The Financial Services - Purchasing Division and General Services recommends that Group II Hybrid Automobiles be awarded in lieu of Group I – Gasoline Automobiles and Group III Hybrid SUV Vehicles and that the solicitation be awarded for a one (1) year period. It is also recommended that Philpott Motors be deemed non-responsive for Group II - Compact Sedan for not meeting the minimum liter size of the engine and the contract be awarded to Casa Ford, Inc. and Rudolph Chevrolet, LLP the vendors offering the best value bids.

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10A. – 10F. INTRODUCTIONS

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

- 10A.** An Ordinance granting a Lease to the University of Texas at El Paso of a single duct in a portion of the City's existing underground conduit system on Oregon Street between Glory Road and City Hall for their internal fiber optic telecommunications system and related interlocal services for installation services for installation of the fiber. The following consideration is to be paid to the City: Annual Lease Fee (\$2,764.54) and reimbursement for costs of installing fiber.
- 10B.** An Ordinance vacating a portion of Main Street, City of El Paso, El Paso County, Texas. Applicant: Mills Plaza Parking, L.P. & City of El Paso SURW12-00011
- 10C.** An Ordinance vacating Morenci Street between Luna Street and Grama Street and being a street within the East El Paso Subdivision, City of El Paso, El Paso County, Texas. SURW12-00017
- 10D.** An Ordinance vacating a 15' Drainage Right-of-Way between Lots 6 & 7, Block 7, Ranchos Del Sol Unit Two, City of El Paso, El Paso County, Texas. SURW12-00016

PUBLIC HEARING WILL BE HELD ON DECEMBER 4, 2012, FOR ITEMS 10A – 10D

- 10E.** An Ordinance changing the zoning of the following legally described 451.3581 acre parcel of land situated within the corporate limits of the City of El Paso, El Paso County, Texas as Tract 1A, Section 19, a portion of Tract 1, Section 20, a portion of Tract 1, Section 29 and a portion of Tract 1, Section 30, Block 80, Township 1, Texas & Pacific Railway Company Surveys from R-F (Ranch and Farm) to SCZ (SmartCode Zone). Property Owner: City of El Paso. PZRZ12-00032
- 10F.** An Ordinance changing the zoning of Parcel 1: a portion of Tract 2C, Section 46, Block 79, Township 2, Texas and Pacific Railroad Company Surveys and a portion of Ysleta-Carlsbad Cut-Off Road (Zaragoza Road), El Paso County, Texas, from R-F (Ranch and Farm) to A-3, (Apartment); Parcel 2: a portion of Tract 2C, Section 46, Block 79, Township 2, Texas and Pacific Railroad Company Surveys and a portion of Ysleta-Carlsbad Cut-Off Road (Zaragoza Road), El Paso County, Texas,

from R-F (Ranch and Farm) to C-3 (Commercial) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: South of Pebble Hills Boulevard and West of Zaragoza Road. Property Owner: Genagra L.P. ZON08-00080

PUBLIC HEARING WILL BE HELD ON DECEMBER 18, 2012, FOR ITEMS 10E - 10F

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11A. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Byrd, seconded by Representative Niland, and unanimously carried to **AWARD** Solicitation No. 2013-034 for Street Resurfacing 2013 to J.A.R. Concrete, Inc. dba J.A.R. Construction, Inc., for an estimated total amount of \$2,645,491.60.

NOT PRESENT FOR THE VOTE: Representative Acosta

Department: Engineering & Construction Management
Award to: J.A.R. Concrete, Inc. dba J.A.R. Construction, Inc.
El Paso, TX
Base Bid: \$2,645,491.60
Total Estimated Award: \$2,645,491.60
Time for Completion: 365 Consecutive Calendar Days
Accounts: 190-28340-4580-580270-PCP13ST002RSY1
Funding Source: 2013-2019 Certificate of Obligation – Street Infrastructure

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

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

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

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

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11B. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **AWARD** Solicitation No. 2012-182R for Fuel Processing Provider-Compressed Natural Gas (CNG) Fuel for City Vehicles and Related Lease of City Property for Natural Gas Fuel Processing Facility to Mansfield Gas Equipment Systems Corporation, a wholly owned subsidiary of Mansfield Energy Corporation, for the design, construction and operation of three CNG fuel processing facilities on property leased from the City, for the fueling of City owned and City contracted vehicles.

Department: Engineering and Construction Management
Award to: Mansfield Gas Equipment Systems Corporation
Construction Time for Completion: December 1, 2013
Term of Agreement: 10 years

Option: one (1) additional five (5) year term

This is a Request for Proposals. The Engineering and Construction Management Department recommends award as indicated to Mansfield Gas Equipment Systems Corporation, the highest ranked proposer based on evaluation criteria established for this procurement.

And that the City Manager be authorized, after review by the City Attorney’s Office, to execute a Natural Gas Fuel Processing Agreement, any related contract documents and agreements necessary to effectuate this award, and the following leases:

A Fuel Compressing Station Lease by and between the City of El Paso (“Lessor”) and Mansfield Gas Equipment Systems Corporation (“Lessee”) for the following described property:

64,400 square feet, more or less, being a portion of Lot 2, Block 2, Butterfield Trail Aviation Park, Unit Two, El Paso, El Paso County, Texas; and

Lease by and between the City of El Paso (“Lessor”) and Mansfield Gas Equipment Systems Corporation (“Lessee”), for the following described property:

5,000 square feet of a portion of Section 17, Block 81, Township 2, T&P RR Co. Surveys, El Paso County, Texas, municipally numbered and known as 5081 Fred Wilson Avenue; and

A Lease by and between the City of El Paso (“Lessor”) and Mansfield Gas Equipment Systems Corporation (“Lessee”), for the following described property:

9,100 square feet of a portion of Lot 1, Municipal Center Subdivision as recorded in Deed Book No. 2499308, Pg. 16, Instrument No. 49308, County Clerk, El Paso County, Texas, municipally numbered and known as 1059 Lafayette Dr.

Representative Byrd commented.

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11C.

RESOLUTION

WHEREAS, on July 10, 2012, the City awarded Contract No. 2012-263R (Sun Metro Maintenance Facility Lift Equipment) to JAM Equipment Sales & Services, LLC (“Vendor”) for the Mass Transit Department; and

WHEREAS, the proposed equipment in Vendor’s bid proposal did not meet the minimum specifications set forth in the City’s solicitation; and

WHEREAS, the award of the contract to this Vendor for the equipment proposed should not have been made; and

WHEREAS, the City has notified the Vendor that the City would rebid the contract and Council would terminate said Contract for convenience pursuant to the provisions of the Contract; and

WHEREAS, pursuant to Section C, Paragraph 8A of the Contract (Termination for Convenience), the City is authorized to terminate the Contract for convenience; and

WHEREAS, the City desires to terminate the Contract for convenience.

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

That the Purchasing Manager is authorized to notify JAM Equipment Sales & Services, LLC that the City is terminating Contract No. 2012-263R pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses, and that the termination shall be effective as of November 27, 2012.

Representative Byrd commented.

Ms. Irene Ramirez, Interim City Engineer, commented.

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

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11D. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **AUTHORIZE** the Engineering and Construction Management Department to issue a Purchase Order to Stertil-Koni, a contractor under HGAC Contract No. FL03-11 (Fleet Services Equipment), for Lift Equipment New Facility. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Houston Galveston Area Council (HGAC) was approved by Mayor and City Council on May 8, 2007.

Department: Mass Transit (Sun Metro)
Award to: Stertil-Koni
Stevensville, MD
Local Distributor: Performance Equipment of El Paso
El Paso, TX
Total Estimated Award: \$2,199,586
Account No.: 190-28300-4710-580040-PCP09MT0080
Funding Source: FY 2009 Certificates of Obligation

This is a Cooperative, unit price contract.

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The City Council Meeting was **RECESSED** at 12:58 p.m. in order to convene the Mass Transit Department Board Meeting.

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The City Council Meeting was **RECONVENED** at 1:08 p.m.

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12. GENERAL SERVICES

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **AWARD AS REVISED**, Solicitation No. 2012-294 (Tires, Light & Heavy Duty) to A to Z Tire & Battery, Inc., American Tire Distributors, Martin Tire Company, and Redburn Tire Company for an initial term estimated award of \$1,374,179.70.

Department: General Services
Award to: Vendor 1 A to Z Tire & Battery, Inc.
Amarillo, TX
Items: 2, 6, 7, 10, 12, 14, 15, 16, 17, 18,
9, 22, 23, 24, 25, 26, 28, 29 and 33
Initial Term: 3 Years

Option:	None
Annual Estimated Award:	\$327,554.80
Initial Term Estimated Award:	\$982,664.40 (3 Years)
Award to:	Vendor 2
	American Tire Distributors Carrollton, TX
Items:	4, 5, 8, 9, 13, 21, 27, 30, 31 and 32
Initial Term:	3 years
Option:	1 Year
Annual Estimated Award:	\$94,741.65
Initial Term Estimated Award:	\$284,224.95 (3 Years)
Award to:	Vendor 3
	Martin Tire Company El Paso, TX
Items:	11
Initial Term:	3 Years
Option:	None
Annual Estimated Award:	\$15,446.00
Initial Term Estimated Award:	\$46,338.00 (3 Years)
Award to:	Vendor 4
	Redburn Tire Company Phoenix, AZ
Items:	1, 3, and 20
Initial Term:	3 Years
Option:	None
Annual Estimated Award:	\$20,317.45
Initial Term Estimated Award:	\$60,952.35 (3 Years)
Total Annual Estimated Award:	\$458,059.90
Total Initial Term Estimated Award:	\$1,374,179.70 (3 Years)
Total Estimated Award:	\$1,468,921.35 (4 Years)
Account No.:	231 – 31040 – 522260 – 1000 – P3120
Funding Source:	General Services Dept – General Fund
Districts:	All

This is a low bid, requirements contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to A to Z Tire & Battery, Inc., American Tire Distributors, Martin Tire Company, and Redburn Tire Company, the lowest responsive, responsible bidders.

Wingfoot Commercial Tire System, LLC was deemed non-responsive for requesting a deviation certain Terms and Conditions.

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13A. ENGINEERING AND CONSTRUCTION MANAGMENT

*Motion made, seconded, and unanimously carried to **DELETE** the item regarding a Resolution authorizing the City Manager to sign an Agreement for Professional Services by and between the City of El Paso and International Facilities Group, LLC, an Illinois Limited Liability Company, for a project known as El Paso Ballpark - Owner's Representative" for an amount not to exceed \$650,000, plus reimbursables not to exceed \$153,000; and that the City Engineer be authorized to approve up to \$50,000 in additional services,

for a total contract amount not to exceed \$853,000; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this agreement.

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13B.

RESOLUTION

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

That the City Manager be authorized to sign an Agreement for Professional Services by and between the City of El Paso and Populous, Inc. a Missouri Corporation, for a project known as “El Paso Ballpark – Design Services”, for an amount not to exceed Two Million Nine Hundred Twenty One Thousand Five Hundred and No/00 Dollars (\$2,921,500.00), plus reimbursables not to exceed One Hundred Twenty Three Thousand Eight Hundred Seventy and No/00 Dollars (\$123,870.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services, for a total contract amount not to exceed Three Million Ninety Five Thousand Three Hundred Seventy and No/00 Dollars (\$3,095,370.00); and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this agreement.

Mayor Cook and Representatives Ortega and Byrd commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Alan Shubert, Project Engineer - El Paso Ballpark

The following members of the public commented:

- 1. Mr. David Ochoa
- 2. Ms. Lisa Turner
- 3. Mr. Jesus Ochoa

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

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

NAYS: Representatives Robinson and Holguin

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14A. CITY DEVELOPMENT

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **POSTPONE** twenty-two weeks the public hearing on an Ordinance to preserve in its natural state and in perpetuity acreage legally described as Parcel 1, Nellie D. Mundy Survey 246, City of El Paso, El Paso County, Texas; Parcel 2, A portion of S.J. Larkin Survey, Abstract 10070, Tract 1, City of El Paso, El Paso County, Texas and Parcel 3, A portion of S.J. Larkin Survey, Abstract 10070, Tract 1-A, City of El Paso, El Paso County, Texas.

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, commented.

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14B. CITY DEVELOPMENT

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **POSTPONE** twenty-two weeks the public hearing on an Ordinance to preserve in its natural state and in perpetuity acreage legally described as Parcel 1, Nellie D. Mundy Survey 246, City of El Paso, El Paso County, Texas; Parcel 2, A portion of S.J. Larkin Survey, Abstract 10070, Tract 1, City of El Paso, El Paso County, Texas and Parcel 3, A portion of S.J. Larkin Survey, Abstract 10070, Tract 1-A, City of El Paso, El Paso County, Texas.

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, commented.

15.

RESOLUTION

WHEREAS, City staff has identified 1.885 and .012 acres of land situated within the limits of Esmeralda Park and Ellis Lateral Linear Trail Park, to be taken by the El Paso Electric Company for the purpose of building a transmission line, a legal description of which is attached hereto as Exhibit "A" and made a part hereof for all purposes; and

WHEREAS, City staff has recommended the taking of the 1.897 acres for the proposed transmission line in order to serve the growing area; and

WHEREAS, the City has given notice to the public by publishing a notice once a week for three consecutive weeks in a newspaper of general circulation as required in the Texas Parks & Wildlife Code Section 26.002; and

WHEREAS, City Council determines that there is no feasible and prudent alternative to the proposed taking of Esmeralda Park and Ellis Lateral Linear Trail Park and the taking includes all reasonable planning to minimize harm to the land as a park resulting from the use.

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

1. That the El Paso City Council approves the taking of a 1.897 acre portion of Esmeralda Park and Ellis Lateral Linear Trail Park for the proposed transmission line, and
2. That, related to the proposed transmission line and in accordance with Chapter 26 of the Texas Parks and Wildlife Code, the City Council determines there is no feasible and prudent alternative to the taking of the Esmeralda Park and Ellis Lateral Linear Trail Park acreage, and that the proposed plans for the proposed transmission line include all reasonable planning to minimize harm to the land as a park resulting from the use.

Representatives Byrd and Lilly commented.

The following City staff members commented:

1. Ms. Sylvia Firth, City Attorney, gave legal advice.
2. Ms. Liza Ramirez-Tobias, Capital Assets Manager, Parks and Recreation

Ms. Marybeth Stevens, Assistant Vice President of External Affairs and Public Relations with El Paso Electric Company, commented.

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Niland, and unanimously carried to **APPROVE** the Resolution and the City Manager to send affected residents a letter explaining what is happening and what the Electric Company is doing.

16A.

RESOLUTION

WHEREAS, on March 31, 2009, the El Paso City Council, adopted a resolution that established the Multi-Family Housing Needs Incentive Policy and Chapter 380 Grant Program, pursuant to Chapter 380, Texas Local Government Code, and which contained certain findings and determinations incorporated therein to support the finding of a public purpose for the Program; and

WHEREAS, the City Development Director now recommends that the adopted Policy and related Chapter 380 Grant Program be amended to extend the Program term from December 31, 2013 to December 31, 2014 and to increase the number of incentivized multi-family units from 4,000 to 5,000 in response to continued demand for multifamily units for troops and civilian personnel stationed at Fort Bliss as result of the 2005 BRAC round, and Grow the Army.

WHEREAS, the City Council reaffirms the findings and determinations contained in its prior resolution, which are incorporated by reference herein, and specifically restates that the Program established pursuant to Texas Local Government Code Chapter 380 will promote and stimulate business activity that will result in the immediate construction of large-scale multi-family housing developments, will also alleviate the critical housing needs of the City related to Fort Bliss expansion, and have a positive economic impact on the local economy and further City Council's economic development objectives of increasing job creation, increasing redevelopment efforts, and increasing the City's property tax base.

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

- (1) The Multi-Family Housing Needs Incentive Policy and Chapter 380 Grant Program be amended and restated as shown in Exhibit "A", attached to this Resolution.

EXHIBIT "A"

Multi-Family Housing Needs Incentive Policy and Chapter 380 Grant Program

SECTION I. PURPOSE.

It is the policy of the City of El Paso to provide incentives to selected private businesses that make or will make a measurable difference in achieving economic growth and development, expanding and diversifying the tax base, increases in-fill development, and/or responds to a critical community need.

The purpose of this policy is to establish a short-term city-wide multi-family housing needs incentive policy and accompanying Chapter 380 grant program that promotes and stimulates business activity that will result in the immediate construction of large-scale multi-family housing developments and will alleviate the critical housing needs of the City related to Fort Bliss expansion. In order to be eligible for incentives, businesses or individuals must be current on all city taxes or any other obligation to the City.

Incentives cannot be transferred as a result of a change in the majority ownership of the business without the expressed written consent of the City of El Paso. Any new owner shall file a new application for an economic development incentive. It shall be the responsibility of the business to notify the City of any such substantive change.

The City of El Paso is under no obligation to approve any requested incentive and no right to these incentives is neither intended nor implied.

SECTION II. PROGRAM ELIGIBILITY AND GRANT FUNDING AMOUNT.

An Applicant who constructs one or more new multi-family housing development projects each consisting of at least 150 housing units, which are located within the City limits, shall be eligible for annual reimbursement grants in an amount not to exceed the total value of the City's portion of the incremental ad valorem property tax revenue assessed against the subject property above the set base year per

development for a 5 year period during the term of the Chapter 380 Agreement. If project is qualified as infill development as defined by Section 21.70.010, El Paso City Code, then the minimum construction requirement will be reduced to 10 multi-family housing units.

Further, Applicant's reimbursement eligibility is expressly subject to the following program requirements:

A. Minimum Construction required. The Applicant must construct one or more new multi-family housing development projects each consisting of at least 150 housing units to be eligible for annual reimbursement grants under the terms and conditions specified in its Chapter 380 Grant Agreement with the City. Only multi-family housing development projects that have not received any building permits prior to March 31, 2009 are eligible for participation in this incentive program. If a multi-family housing development project is qualified by City Development staff as an in-fill development, as defined by Section 21.70.010, El Paso City Code, then the Applicant will be eligible to participate in the Program by satisfying the reduced minimum construction requirement of 10 multi-family housing units.

For purposes of this incentive program, "multi-family housing" means a dwelling or group of dwellings on one (1) lot or contiguous lots containing separate living units for five (5) or more families, but which may have joint services or facilities including duplexes, 3-4 unit structures, and apartment-type structures with five units or more. Multi-family housing also includes condominium units in structures of more than one living unit. Applicants are strongly encouraged to construct scattered site multi-family housing unit complexes.

For each multi-family housing development that consists of 400 or less housing units, the Applicant will be required to obtain a Certificate of Occupancy for such multi-family housing developments constructed within twenty-four (24) months from the execution date of the Chapter 380 Grant Agreement. For each multi-family housing development that consists of over 400 housing units, the Applicant will be required to obtain a Certificate of Occupancy for such multi-family housing developments constructed within thirty-six (36) months from the execution date of the Chapter 380 Grant Agreement.

B. Site Development Plan. The Applicant must submit a site development plan for each proposed multifamily housing development for administrative approval by the City Development Department-Planning Division prior to the issuance of any building permits. The site development plan must include the following information: legal description of the property or metes and bounds description; boundaries of the property proposed for development; location and arrangement of structures; size and use of structures, including number of dwelling units and number of bedrooms in each unit; lots lines with dimensions of the areas; required yards and setbacks; landscaped planted areas, where applicable; curb cuts and driveways; pedestrian ways and sidewalks; stamp or seal of a professional engineer, registered architect, or registered land surveyor who prepared the plans; on-side parking areas, and loading/unloading berths where applicable (showing number and size of on-site parking spaces, including accessible spaces, and lighting of parking areas); storm water drainage; retaining walls, where applicable; screening walls or fences, where required; utility rights-of-way and easements; size and sign of exterior signs; architectural design of buildings (side elevations). The Applicant shall also submit proof of ownership, certified city tax certificates for each parcel of property.

C. No Property Tax Delinquency. Prior to the receipt of any reimbursement grant payments under this incentive program, the Applicant must demonstrate that it has incurred no delinquency taxes by providing certified city tax certificates for each parcel of property owned in the City of El Paso. Applicants who are exempt from payment of ad valorem property taxes on the subject property are deemed ineligible to participate in this incentive program.

D. Permits. The Applicant must demonstrate that it obtained all applicable approvals and permits required under federal, state, and local laws and regulations prior to commencing construction in order to be eligible for reimbursement under this incentive program.

E. Separate Agreements required. In order to take advantage of this incentive program, the Applicant must execute a separate Chapter 380 Agreement with the City, consistent with Chapter 380 of the Texas Local Government Code, agreeing to the terms and conditions under which Applicant will be entitled to reimbursement grant payments. Under any Agreement the duration of eligibility for receipt of annual reimbursement grant payments as to each development project shall be for five (5) years. The Agreement shall be in the form and substance substantially similar to the Chapter 380 Economic Development Program Agreement approved by City Council and the City Manager is authorized to enter into such Agreements when the proposed multi-family housing development meets the program guidelines and requirements specified herein.

F. Documentation required. As part of the Applicant's contractual obligations, Applicant will be required to provide documentation necessary to support each grant payment request, in the form prescribed by the City's Director of the City Development Department.

SECTION III. TERM. The Multi-Family Housing Needs Incentive Policy and Chapter 380 Grant Program established herein shall exist from the date of the adoption of this Resolution until December 31, 2014, at which time this incentive program shall cease and no further Chapter 380 Agreements shall be executed under this program. The City's Director of City Development shall monitor this incentive program and if prior to December 31, 2014, the City will have incentivized the construction of approximately 5,000 multi-family housing units through the existing Chapter 380 Agreements, the El Paso City Council may reconsider the need for continuation of this program by separate formal action.

Mayor Cook and Representatives Byrd, Robinson, and Noe commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Marty Howell, Interim Director of Economic Development and Sustainability

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **APPROVE AS REVISED**, the Resolution to extend existing program for an additional one year but not to expand the number of units and to notify the affected builders.

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16B. CITY DEVELOPMENT

Motion made by Representative Niland, seconded by Representative Acosta, and unanimously carried to **POSTPONE** two weeks the item on a Resolution to adopt the City of El Paso Guidelines and Criteria for Tax Abatement Assistance.

Representatives Niland and Byrd commented.

Mr. Marty Howell, Interim Director of Economic Development and Sustainability, commented.

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16C.

RESOLUTION

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

That the City Manager be authorized to sign a Grant Agreement between the City of El Paso and Project ARRIBA Advanced Retraining and Redevelopment Initiative in Border Areas, Inc. ("Grantee"), a 501(c)3 tax exempt, non-profit Texas corporation for the purpose of creating a permanent and sustainable source of local health care professionals, teachers and information technologists to address severe shortages in the City of El Paso.

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

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

17.

RESOLUTION

WHEREAS, on June 28, 2011, the City Council for the City of El Paso adopted a Final Action Plan for 2011-2012 for the Consolidated Plan 2010-2015, including the 37th Year (2011-2012) Community Development Block Grant (CDBG) Program and the 2011-2012 Emergency Shelter Grant (ESG) Program, and on the same date authorized the City Manager to sign and submit to the United States Department of Housing and Urban Development (HUD) the Annual Action Plan (2011-2012) and all certifications contained therein; and

WHEREAS, on June 19, 2012, the City Council for the City of El Paso adopted a Final Action Plan for 2012-2013 for the Consolidated Plan 2010-2015, including the 38th Year (2012-2013) Community Development Block Grant (CDBG) Program, and on the same date authorized the City Manager to sign and submit to the United States Department of Housing and Urban Development (HUD) the Annual Action Plan (2012-2013) and all certifications contained therein; 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 Annual Action Plan (2011-2012) of the 2010-2015 Consolidated Plan and 37th Year (2011-2012) CDBG Program Budget by deleting one public service activity and transferring those funds to the CDBG Contingency Account to be reprogrammed for future use; amend the Annual Action Plan (2012-2013) of the 2010-2015 Consolidated Plan and 38th Year (2012-2013) CDBG Program Budget by deleting one public service activity and reprogramming those funds to add one new public service activity; and amend the Annual Action Plan (2011-2012) of the 2010-2015 Consolidated Plan and 2011-2012 ESG Program Budget by deleting one activity and reprogramming those funds to add one new activity; and

WHEREAS, on October 10, 2012, the City of El Paso published in the El Paso Times and El Diario newspapers public notice and allowed a 30-day public comment period regarding the proposed amendment to the Annual Action Plans (2011-2012 and 2012-2013) and 37th Year (2011-2012) CDBG and ESG Program Budgets and 38th Year (2012-2013) CDBG Program Budget and City Council has duly considered public comment, if any; and

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

1. That the Annual Action Plan (2011-2012) and 37th Year (2011-2012) CDBG Program Budget is hereby amended as follows:
 Accessible Housing Units Database - \$50,000 (**All Districts**): This public service project is deleted from the CDBG program at the request of the City of El Paso, the original applicant;
2. That the Annual Action Plan (2012-2013) and 38th Year (2012-2013) CDBG Program Budget is hereby amended as follows:
 Lutheran Social Services of the South – Community Support Program - \$30,000 (**All Districts**): This public service project is deleted from the CDBG program by mutual agreement between the City of El Paso and Lutheran Social Services of the South. Funds from this project will be used to fund the following 38th Year public service project:

Assistance League of El Paso – Operation School Bell – \$30,000 (**All Districts**): This new public service project is added to the CDBG program. This all-volunteer non-profit agency provides new clothing, school supplies and hygiene items to economically-deprived elementary school children (grades 1-5) as identified by the school;

- 3. That the Annual Action Plan (2011-2012) and 2011-2012 ESG Program Budget is hereby amended as follows:

Dame La Mano – \$10,000 (**All Districts**): This project is deleted from the ESG program at the request of the City of El Paso. Funds from this project will be used to fund the following 2011-2012 ESG project:

Salvation Army – Red Shield Family Center Meals – \$10,000 (**All Districts**): This new ESG project is added to the 2011-2012 ESG program. The Salvation Army will use the funds for direct costs related to the purchase of food for residents of its shelter; and

- 4. That the City Manager be authorized to take any actions necessary to accomplish the intent of this resolution upon approval by the City Attorney’s Office and Director of Community and Human Development Department.

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

Mayor Cook and Representatives Acosta and Holguin commented.

The following members of the public commented:

- 1. Ms. Rosa Arellano, Dame La Mano
- 2. Mr. David Arellano
- 3. Mr. Al Soto
- 4. Mr. Jesus Ochoa

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

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

NAYS: None

ABSTAIN: Representative Robinson

18.

RESOLUTION

JOINT RESOLUTION BETWEEN THE EL PASO CITY COUNCIL AND THE EL PASO WATER UTILITIES –PUBLIC SERVICE BOARD ON THE TRANSFER OF THE RIO BOSQUE PARK FROM THE CITY TO THE MANAGEMENT AND CONTROL OF THE PUBLIC SERVICE BOARD AND THE ASSIGNMENT OF THE LICENSE AGREEMENT BETWEEN THE CITY AND THE UNIVERSITY OF TEXAS EL PASO FROM THE CITY TO THE EL PASO WATER UTILITIES –PUBLIC SERVICE BOARD

WHEREAS, the City of El Paso owns land known as the Rio Bosque Park; and,

WHEREAS, the land was acquired by the City from the Department of Interior, National Park Services’ Federal Lands-to-Parks Program for public park and recreation purposes; and,

WHEREAS, on January 22, 2008 by Ordinance No. 016832 (the “License Agreement”) the City entered into a License Agreement with the University of Texas El Paso for the development and maintenance of a public park and a wetland habitat for migratory water fowl; and,

WHEREAS, the City wishes to transfer the Rio Bosque Park to the management and control of the Public Service Board so that Board can assist in providing water to the Rio Bosque; and,

WHEREAS, the City also wishes to assign the duties and responsibilities under the License Agreement to the Public Service Board; and,

WHEREAS, transfer of the Rio Bosque Park into the management and control of the Public Service Board will not change the status or use of the Rio Bosque as a public park; and,

WHEREAS, the Public Service Board is willing to accept the Rio Bosque Park into its inventory of land and also accept the assignment of the duties and responsibilities of the License Agreement; and,

NOW, THEREFORE, BE IT RESOLVED BY THE EL PASO CITY COUNCIL AND THE EL PASO WATER UTILITIES-PUBLIC SERVICE BOARD,

THAT the El Paso City Council and the El Paso Water Utilities-Public Service Board agree as follows:

1. The Rio Bosque Park, located at 10717 Socorro Road, El Paso, El Paso County, Texas, and as is further described below, is hereby transferred from the City of El Paso to the management and control of the El Paso Water Utilities-Public Service Board.

372 acres, more or less, being a portion of Tracts 13, 15A and 18 and Tracts 10B, 13B, 14A, 15B, 16, 17, and 19, Block 24 Socorro Grant Surveys and Tracts 6,7, and 8A, Block 25, Socorro Grant Surveys, El Paso County, Texas, as platted by the County of El Paso Texas in November 1927 and July 1928 and U.S. Parcel No. 18 of the Rio Grande Rectification Project and the Desagua Drain in Tract 18, Block 24 Socorro Grant Surveys, the riverbed area between U.S. Parcel No. 18 and the Blocks 24 and 25, Socorro Grant Surveys and being more particularly described by the metes and bounds in Exhibit "A" attached hereto and made a part hereof, and 0.45 acres, more or less, being a portion of Socorro Grant, Block 24, Tract 3, City of El Paso, El Paso County Texas, and being more particularly described by metes and bounds in Exhibit A-1, attached hereto and made a part hereof.

2. Due to the restrictions on use placed on the land by the Department of Interior and the existing License Agreement, the transfer of the land is at no cost to the Public Service Board; and,

3. The Public Service Board agrees to the assignment of the License Agreement between the City of El Paso the University of Texas El Paso from the City to the Public Service Board and agrees to assume and perform all rights, duties, obligations, and responsibilities under said Agreement; and,

4. The Public Service Board agrees to provide the City of El Paso Parks and Recreation Department Director with notice and an opportunity to review and advise prior to approving any proposed improvements, additions or alterations to the Rio Bosque Park made under the License Agreement by the University of Texas at El Paso.

THAT the El Paso City Manager and the CEO/President of the El Paso Water Utilities be authorized to sign all the necessary documents to effectuate the transfer of Rio Bosque Park and the assignment of the License Agreement between the City and the University of Texas El Paso from the City to the Public Service Board.

Ms. Lupe Cuellar, Land Manager and Counsel for El Paso Water Utilities, commented.

Mayor Cook and Representatives Holguin and Byrd, commented.

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

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19A.

RESOLUTION

WHEREAS, on October 25, 2011, the City of El Paso (the “**City**”) adopted the City’s investment policy for FY 2012;

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 2013.

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 FY2013 Investment Policy which is attached hereto as **Exhibit A** and incorporated herein by reference.

Representative Byrd commented.

Mr. Mark Sutter, Comptroller, commented.

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

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

NAYS: None

ABSTAIN: Representative Holguin

NOT PRESENT FOR THE VOTE: Representative Lilly

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19B.

RESOLUTION

WHEREAS, on November 25, 2005, the City of El Paso (the “**City**”) adopted a Debt Management Policy that set forth the parameters for issuing new debt as well as managing the outstanding debt portfolio, identifies the types and amounts of permissible debt and ensures that the City maintains a solid bond rating in order to minimize borrowing costs and preserving access to credit;

WHEREAS, the City has reviewed its debt management policy at least bi-annually in accordance with the provisions of the Policy requiring Council review; and

WHEREAS, the City last reviewed and amended the City’s Debt Management Policy on June 26, 2012; and

WHEREAS, the City now desires to further amend the City’s Debt Management Policy for Fiscal Year 2013 to be consistent with the voter-approved quality of life bond measures and General Accounting Standards Board (GASB) 54 and make minor administrative changes.

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

That the City hereby adopts the amended City of El Paso Debt Management Policy for FY2013 which is attached hereto as **Exhibit A** and incorporated herein by reference

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

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

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

NAYS: Representative Holguin

NOT PRESENT FOR THE VOTE: Representatives Lilly and Robinson

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20A. MAYOR AND COUNCIL

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the item regarding discussion and action on the agenda items considered at the October 15, 2012 Financial and Audit Oversight Committee:

1. Discussion and action on the City Investment Policy for FY 2013.
2. Discussion and action on the City of El Paso Internal Audit Charter.
3. Discussion and Action on the FY 2013 Annual Internal Audit Plan.
Audit Plan Update

Representative Byrd commented.

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20B. MAYOR AND COUNCIL

Discussion and action on initiating a city policy that any department initiating the purchase and and/or implementation of new software and/or hardware must coordinate the information technology needs with the city's Informational Technology Department.

Representative Acosta commented.

NO ACTION was taken on this item.

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20C. MAYOR AND COUNCIL

Discussion and action on providing the city's information technology department the ability for online streaming of all meetings on Mac and Android products to the general public.

Representative Acosta

Mr. Miguel Gamino, Director of Information Technology, presented a PowerPoint presentation (copy on file in City Clerk's office).

NO ACTION was taken on this item.

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20D. MAYOR AND COUNCIL

1st MOTION

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

2ND MOTION

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

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

NAYS: Representative Byrd, Acosta, and Ortega

3RD AND FINAL MOTION

Motion made by Representative Byrd, seconded by Representative Acosta, and carried that City signals they would like to **PRESERVE** the stacks and **WORK** with the trustee on options. **THE MOTION PASSED.**

AYES: Mayor Cook and Representatives Byrd, Acosta, Ortega, and Niland

NAYS: Representative Lilly, Robinson, Noe, and Holguin

Mayor Cook broke the tie, voting Aye.

Mr. Roberto Puga, Asarco Trustee, presented a PowerPoint presentation (copy on file in City Clerk's office).

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

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. Robert Ardovino
2. Mr. Juan Garza
3. Mr. Carlos Rodriguez
4. Mr. Danny Arrellano
5. Mr. David Ochoa
6. Mr. Bill Addington
7. Ms. Wally Cech
8. Mr. Carlos Omega
9. Ms. Lisa Turner
10. Mr. Jesus Ochoa
11. Mr. Al Soto
12. Mr. Jeffrey Wright
13. Mr. Joel Guzman
14. Mr. Henry NG, HKN Engineers
15. Mr. Javier Carlin, HKN Engineers
16. Mr. Edmund Castle, HKN Engineers
17. Mr. Gary Sapp
18. Mr. Bernie Sargent
19. Mr. Williams Helms
20. Mr. Sito Negron
21. Ms. Carla Frasco
22. Ms. Peggy McNeil
23. Mr. Anthony Martinez

20E. MAYOR AND COUNCIL

Discussion and action on City owned land recently leased by the PSB for quarry use pursuant to the General Land Office's mineral rights claim.

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

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

The following City staff members commented:

- 1. Ms. Sylvia Firth, City Attorney, gave legal advice.
- 2. Ms. Lupe Cuellar, Land Manager and Counsel for El Paso Water Utilities

The following members of the public commented:

- 1. Mr. Ralph Richards, General Counsel for Jobe Materials
- 2. Ms. Judy Ackerman
- 3. Mr. Bill Addington

1ST MOTION

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 2:39 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

2ND MOTION AND FINAL MOTION

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Robinson, and unanimously carried to **ADJOURN** the Executive Session at 2:59 p.m. and **RECONVENE** the meeting of the City Council.

NO ACTION was taken on the item.

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20F. MAYOR AND COUNCIL

Discussion and action to assess the operational effectiveness of the 3-1-1 Customer Service Center.

Representatives Holguin and Robinson commented.

The following City staff members commented:

- 1. Mr. David Almonte, Deputy City Manager
- 2. Ms. Leila Melendez, Executive Assistant to the City Manager

NO ACTION was taken on this item.

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20G. MAYOR AND COUNCIL

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and carried to **DISCONTINUE** discussion on the item regarding that the City Manager and staff to refrain from insults and derogatory comments towards the public and elected city officials and **MOVE ON** with City Council Agenda.

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

NAYS: Representatives Robinson and Holguin

Mayor Cook and Representatives Holguin, Robinson, Lilly, Acosta, and Niland commented.

Ms. Joyce Wilson, City Manager, commented.

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20H. MAYOR AND COUNCIL

Discussion and action to obtain detailed funding sources pertaining to the Mulligan (Luther) Building Rehabilitation as discussed in the City Council Meeting (Agenda Item 6E) on November 6, 2012.

Mayor Cook and Representatives Robinson, Byrd, and Holguin commented.

The following City staff members commented:

- 1. Ms. Carmen-Arrieta Candelaria, Chief Financial Officer
- 2. Mr. David Almonte, Deputy City Manager

NO ACTION was taken on this item.

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ADDITION TO THE AGENDA

1. NOTICE OF CAMPAIGN CONTRIBUTIONS

*Motion made, seconded, and unanimously carried to **APPROVE** for notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contributions by Representative Steve Ortega on October 27, 2012, in the amount of \$1,000 from Raymond Palacios; and on November 5, 2012, in the amount of \$250 from Lydia Barnhouse; in the amount of \$250 from Bill Barnhouse; and on November 7, 2012, in the amount of \$1000 from Randall Bowling; in the amount of \$1,000 from Robert Bowling; in the amount of \$200 from Asher Feinberg; in the amount of \$125 from Luis Yanez; in the amount of \$500 from Charles Wakeem; in the amount of \$200 from Charles McNabb; in the amount of \$100 from Monica Baker; in the amount of \$100 from Vanessa Johnson; in the amount of \$1,000 from Gregory Bowling; in the amount of \$50 from David Etzold; in the amount \$65 from of Eric Pearson.

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Motion made by Representative Robinson, seconded by Representative Noe, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 12:40 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

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

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

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to adjourn the Executive Session at 12:53 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

EX1. Application of El Paso Electric Company to amend its Certificate of Convenience and Necessity for Five Solar Power Generation Projects, Public Utility Commission of Texas Docket No. 39973, SOAH Docket No. 473-12-5297. (551.071)

NO ACTION was taken on this item.

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Motion made by Representative Byrd, seconded by Representative Niland, and unanimously carried to **ADJOURN** this meeting at 4:38 p.m.

NOT PRESENT FOR THE VOTE: Representatives Lilly and Noe

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk