

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
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

**REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
DECEMBER 13, 2011
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:33 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Emma Acosta, Carl Robinson, Eddie Holguin, Jr., Steve Ortega, and Cortney Carlisle Niland. Late arrival: Representative Susie Byrd at 8:36 a.m. Absent: Representative Michiel Noe requested to be excused from the meeting. The invocation was given by Border Patrol Chaplain Jesse Alvarez, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

- 1. LYDIA PATTERSON INSTITUTE & EL PASO CENTRAL BUSINESS ASSOCIATION HOLIDAY POSADA STREET FEST WEEK**
- 2. NAVIDAD DE LA FE LUMINARIAS DAY**
- 3. GREATER EL PASO ALL STAR FOOTBALL SHOWCASE 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 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. Richard Schecter
2. Ms. Rosa Cabrera
3. Mr. Roberto Castor
4. Mr. Salvador Gomez
5. Mr. Steven Strumer
6. Ms. Lisa Turner

Mayor Cook and Representative Niland commented.

The following City Staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Chief Eric Shelton, Police
3. Mr. William Lilly, Director of Community and Human Development

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

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

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

ABSENT: Representative Noe

Motion made by Representative Niland, seconded by Representative Acosta, and unanimously carried to adjourn the Executive Session at 9:11 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Holguin and Ortega

ABSENT: Representative Noe

.....
EX1. Patriot Place, Ltd., Bankruptcy Case No. 11-31024-hcm. (551.071)

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Niland, and unanimously carried that the CITY OF EL PASO retain outside counsel in the bankruptcy case styled Patriot Place, Ltd., Bankruptcy Case No. 11-31024-hcm. That the City Attorney is authorized to take any and all action necessary, both affirmative and defensive, as necessary, in connection with this lawsuit through outside counsel. This Motion is intended to grant broad authority to City Attorney to take action necessary to address these matters, including but not limited to, the initiation and response to, litigation, complaints and any other administrative or judicial proceedings or process, in consultation with the City Manager through outside counsel.

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

NAYS: None

ABSENT: Representative Noe

.....
CONSENT AGENDA

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

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

NAYS: None

ABSENT: Representative Noe

.....
1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of December 6, 2011.

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

*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Michiel R. Noe from the Regular Council Meeting of December 13, 2011.

.....
3A.

***RESOLUTION**

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

That the City Manager be authorized to sign a First Amendment to the Parking Facility Management Contract at the El Paso International Airport between the City of El Paso and Standard Parking Corporation to extend the term of the contract through February 29, 2012 and to allow for three (3) options to extend for one (1) additional month.

.....
3B.

***RESOLUTION**

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

That the City Manager be authorized to sign an Acknowledgment of Sublease, Attornment, and Non-Disturbance Agreement of the Butterfield Trail Industrial Park Lease by and between the City of El Paso ("Ground Lessor"), JTC Stores, LLC ("Ground Lessee"), and Western Refining Southwest, Inc. ("Sublessee") for the following described property:

A portion of Lot 5, Block 6, Butterfield Trail Industrial Park Unit One, Replat "A", City of El Paso, El Paso County, Texas, and municipally known and numbered as 13 Concord Street, El Paso, Texas.

.....
3C.

***RESOLUTION**

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

That the City Manager be authorized to sign a Lessor's Approval of Assignment of the Butterfield Trail Industrial Park Lease by and between the City of El Paso ("Lessor"), C & R Distributing, Inc. ("Assignor") and JTC Stores, LLC ("Assignee") for the following described property:

A portion of Lot 5, Block 6, Butterfield Trail Industrial Park Unit One, Replat "A", City of El Paso, El Paso County, Texas, and municipally known and numbered as 13 Concord Street, El Paso, Texas.

3D.

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

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

That the City Manager be authorized to sign the First Amendment to the State Use Contract - Contract for Cleaning Services, by and between the City of El Paso and TIBH Industries, Inc., and Professional Contract Services, Inc. to extend the term of the contract for cleaning services in the El Paso International Airport Terminal through December 31, 2012 and to revise the fee for replacing Airport issued ID badges;

.....

3E.

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

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

That the City Manager be authorized to sign a Second Amendment to Lessor’s Approval of Assignment which releases Benjamin A. Vanacek as guarantor under the Golf Course Operation and Concession Agreement by and between the City of El Paso and Bueno Investments, Inc. for the real property known as Lone Star Golf Course located at 1510 Hawkins Boulevard, El Paso, Texas.

Representatives Acosta and Robinson, commented.

Ms. Monica Lombrana, Director of Aviation, commented.

Ms. Lisa Turner, citizen, commented.

.....

3F.

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

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

That the City Manager be authorized to sign an Easement Agreement by and between the City of El Paso (“Grantor”) and Plains Pipeline, L.P. (“Grantee”) for the following described property:

1. Area 1: An easement running through the Airport Movement Area and Air Operations area from the southern boundary of the Airport to the southerly right-of-way line of Global Reach Drive that varies in width from thirty-five (35) to fifty (50) feet; and
2. Area 2: An easement running from the northerly right-of-way line of Global Reach Drive through the Airport’s Outer Perimeter Area to the northern boundary of the Airport that varies in width from thirty-five (35) to fifty (50) feet.

Representative Robinson commented.

Ms. Monica Lambrana, Director of Aviation, commented.

.....

3G.

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

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

That the City Manager be authorized to sign a Fourth Amendment to the Industrial Site Lease by and between the City of El Paso and LFCW, LLC, which allows a Valet Automobile Parking Lot to be a permitted use until December 25, 2012 for the following described property:

Lots 2, 3 and 4, Block 1A, El Paso International Airport Tracts, Replat of Unit 4, City of El Paso, El Paso County, Texas, commonly known and numbered as 6440 Airport Road, El Paso, Texas.

3H.

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

WHEREAS, The City of El Paso (hereinafter referred to as the "City") has granted the Central Business Organization permission to utilize City rights-of-way for the Holiday Posada Street Festival (hereinafter referred to as "Event") on December 16, 2011; and

WHEREAS, the City has found that the Event serves a public purpose; and

WHEREAS, the State of Texas (hereinafter referred to as the "State") owns and operates a system of highways for public use and benefit within El Paso, Texas; and

WHEREAS, the Event utilizes both City and State rights-of-way; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of portions of the State Highway System for events that exceed four hours; and

WHEREAS, the State, in recognition of the public purpose of such Event, provides a means of cooperating with the City for the temporary closure of State rights-of-way, provided each closure is in accordance with the requirements of 43 TAC, Section 22.12 and the City enters into an Agreement for the Temporary Closure of State Right-of-Way for such Event (see Form TEA 30A, attached hereto as Exhibit 1).

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

That the City Manager be authorized to sign an Agreement for the Temporary Closure of State Right-of-Way (FORM TEA 30A), made by and between the State of Texas, acting by and through the Texas Department of Transportation, and the City of El Paso, for the temporary closure and use of State owned and operated highways within the City of El Paso for the purpose of the Holiday Posada Street Festival to be held on Friday, December 16, 2011, found by the City to serve a public purpose.

Representative Niland, commented

Ms. Joyce Wilson, City Manager, commented

Mr. Dennis Melonas, Executive Director, Central Business Association, commented.

.....

3I.

***RESOLUTION**

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

That the City Manager is authorized to sign a Temporary Easement for Construction with El Paso Independent School District (the "District") allowing the District access to City property for the purpose of replacing a deteriorating retaining wall surrounding Crockett Elementary School located at 3200 Wheeling Ave., El Paso, TX.

.....
3J.

***RESOLUTION**

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

That the City Manager be authorized to sign a Contract of Sale between the CITY OF EL PASO and Manuel Vargas and Maria Elena Garza De Vargas (formerly Maria Elena Vargas) for the purchase of the properties commonly known as 412 Colfax, 414 Colfax and 5130 Gateway East, more particularly described as

Parcel 1: Lot 5, SAVE AND EXCEPT the Easterly 5 feet thereof, Block 21, Map of Brentwood Heights Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 5, Page 56, Real Property Records, El Paso County, Texas.

Parcel 2: Lots 6 and 7, SAVE AND EXCEPT the Easterly 5 feet thereof, Block 21, Map of Brentwood Heights Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 5, Page 56, Real Property Records, El Paso County, Texas.

Parcel 3: Lots 1 through 7, Block 22, Map of Brentwood Heights Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 5, Page 56, Real Property Records, El Paso County, Texas.

And that the City Manager, or her designee, be authorized to sign any necessary documents to accomplish the intent of this Resolution.

Representative Byrd, commented.

Ms. Joyce Wilson, City Manager, commented.

The following citizens commented.

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

.....
3K.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, VICKY A LOZANO, 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:

5708 Maurice Bell Drive, more particularly described as Lot(s) 17 (EXEC SELY Pt) (23369.62 Sq Ft), Block 1, Valle Verde Subdivision, El Paso, El Paso County, Texas, Parcel #V127-999-0010-4900

to be \$187.94, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED ELEVEN AND 94/100 DOLLARS (\$211.94). The City Council finds that the work was completed on the 23rd day(s) of February, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED ELEVEN AND 94/100 DOLLARS (\$211.94) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, ELSA MARQUEZ, 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:

3915 Chester Avenue, more particularly described as Lot(s) 35 & 36 (7000 Sq Ft), Block 29, Government Hill Subdivision, El Paso, El Paso County, Texas, Parcel #G569-999-0290-8100

to be \$104.01, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED TWENTY EIGHT AND 01/100 DOLLARS (\$128.01). The City Council finds that the work was completed on the 25th day(s) of May, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY EIGHT AND 01/100 DOLLARS (\$128.01) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, MARIA R PEREZ, 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:

8940 Diana Drive, more particularly described as Lot(s) 1591, Block 69, Mountain View Subdivision, El Paso, El Paso County, Texas, Parcel #M851-999-0690-1300

to be \$152.90, 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 90/100 DOLLARS (\$176.90). The City Council finds that the work was completed on the 8th day(s) of February, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY SIX AND 90/100 DOLLARS (\$176.90) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, H D LENOX, 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:

3105 Idalia Avenue, more particularly described as Lot(s) 13 & 14 (6000 Sq Ft), Block 12, Grandview Subdivision, El Paso, El Paso County, Texas, Parcel # G686-999-0120-4300

to be \$206.90, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED THIRTY AND 90/100 DOLLARS (\$230.90). The City Council finds that the work was completed on the 20th day(s) of April, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED THIRTY AND 90/100 DOLLARS (\$230.90) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

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

to be \$100.84, 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 FOUR AND 84/100 DOLLARS (\$124.84). The City Council finds that the work was completed on the 5th day(s) of January, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY FOUR AND 84/100 DOLLARS (\$124.84) 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, ARMANDO & CARMEN L ARELLANO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

Lot(s) 26 (3787.50 Sq Ft), Howell Subdivision, City of El Paso, El Paso County, Texas, Parcel # H796-999-0010-4300.

to be \$154.06, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY EIGHT AND 06/100 DOLLARS (\$178.06). The City Council finds that the work was completed on the 31st day(s) of May, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY EIGHT AND 06/100 DOLLARS (\$178.06) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, REGINA ARNOLD, 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:

3804 Edgar Park Avenue, more particularly described as Lot(s) W 35 Ft of Lot(s) 4 & E 30 Ft of Lot 5, Huntington Park Subdivision, El Paso, El Paso County, Texas, Parcel # H931-999-0000-3300

to be \$163.07, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED EIGHTY SEVEN AND 07/100 DOLLARS (\$187.07). The City Council finds that the work was completed on the 24th day(s) of June, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED EIGHTY SEVEN AND 07/100 DOLLARS (\$187.07) 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, GERMAN ORTIZ JR, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso 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:

10420 Orpheus Drive, more particularly described as Lot(s) 25 (6248 Sq Ft), Block 9, Apollo Heights Subdivision, El Paso, El Paso County, Texas, Parcel # A642-999-0090-4900

to be \$87.28, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED ELEVEN AND 28/100 DOLLARS (\$111.28). The City Council finds that the work was completed on the 5th day(s) of May, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED ELEVEN AND 28/100 DOLLARS (\$111.28) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

Lot(s) 10 (31367.00 Sq Ft), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, Parcel #S820-999-0010-1000

to be \$147.92, 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 ONE AND 92/100 DOLLARS (\$171.92). The City Council finds that the work was completed on the 4th day(s) of August, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY ONE AND 92/100 DOLLARS (\$171.92) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, MICHAEL MELENDEZ, 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:

14265 Island Point Drive, more particularly described as Lot(s) 8 (5441.10 Sq Ft), Block 167, Tierra Del Este #49 Subdivision, El Paso, El Paso County, Texas, Parcel #T287-999-1670-0800

to be \$144.86, 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 86/100 DOLLARS (\$168.86). The City Council finds that the work was completed on the 28th day(s) of August, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SIXTY EIGHT AND 86/100 DOLLARS (\$168.86) 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, ELSA E. CARRILLO, 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:

11945 Paseo Real Circle, more particularly described as Lot(s) 27 (9158.39 Sq Ft), Block 88, Vista Hills #25 Replat A Subdivision, El Paso, El Paso County, Texas, Parcel #V897-999-0880-2700

to be \$193.50, 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 TWO HUNDRED SEVENTEEN AND 50/100 DOLLARS (\$217.50). The City Council finds that the work was completed on the 10th day(s) of September, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SEVENTEEN AND 50/100 DOLLARS (\$217.50) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, RAMON BORREGO, 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:

9020 Lowenstein Avenue, more particularly described as Lot(s) 3 to 5, Block 2, Home Improvement #2 Subdivision, El Paso, El Paso County, Texas, Parcel #H748-999-0020-0900

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 13th day(s) of January, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED 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, NORTHERN AUTOMOTIVE 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:

8139 Alameda Avenue, more particularly described as Lot(s) WLY PT of Lot 1 (50001.32 Sq Ft), Block 1, Alameda Trade Center Subdivision, El Paso, El Paso County, Texas, Parcel # A445-999-0010-0150

to be \$270.63, 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 TWO HUNDRED NINETY FOUR AND 63/100 DOLLARS (\$294.63). The City Council finds that the work was completed on the 25th day(s) of May, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED NINETY FOUR AND 63/100 DOLLARS (\$294.63) 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, JOSE L. & 1 RIVERA, 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:

1410 Delta Drive, more particularly described as Lot(s) 9 & 10 EXC E PT (55 FT ON COTTON ST 0.60 FT ON S 53.51 FT ON W 9 FT ON N), Block 63, Magoffin Subdivision, El Paso, El Paso County, Texas, Parcel # M028-999-0630-4300

to be \$136.29, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SIXTY AND 29/100 DOLLARS (\$160.29). The City Council finds that the work was completed on the 23rd day(s) of October, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SIXTY AND 29/100 DOLLARS (\$160.29) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, MICHAEL R BELCHER, 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:

4836 Emory Road, more particularly described as Lot(s) 1 (11746.03 Sq Ft), Block 2, Vowell Block Replat A Subdivision, El Paso, El Paso County, Texas, Parcel # V955-999-002A-0100

to be \$278.35, 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 TWO AND 35/100 DOLLARS (\$302.35). The City Council finds that the work was completed on the 2nd & 3rd day(s) of September, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED TWO AND 35/100 DOLLARS (\$302.35) 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, HECTOR L NEVAREZ (TR), referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso 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:

820 Park Street, more particularly described as Lot(s) 20, Block 40, Magoffin Subdivision, El Paso, El Paso County, Texas, Parcel # M028-999-0400-9900

to be \$147.55, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY ONE AND 55/100 DOLLARS (\$171.55). The City Council finds that the work was completed on the 13th day(s) of September, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY ONE AND 55/100 DOLLARS (\$171.55) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

CONFIDENTIAL, more particularly described as Lot(s) 26 (3000 Sq Ft), Block 39, Bassett Subdivision, El Paso, El Paso County, Texas, Parcel # B202-999-0390-8100

to be \$103.25, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED TWENTY SEVEN AND 25/100 DOLLARS (\$127.25). The City Council finds that the work was completed on the 18th day(s) of February, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY SEVEN AND 25/100 DOLLARS (\$127.25) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

.....
3L.

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

WHEREAS, the El Paso Housing Finance Corporation (the "**Issuer**") was duly created and organized pursuant to and in accordance with the provisions of the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code, as amended, for the purpose of providing a means of financing the costs of residential ownership and development that will provide decent, safe, and sanitary housing for persons of low and moderate income at prices they can afford;

WHEREAS, the Issuer has determined to issue its Single Family Mortgage Revenue Bonds (Mortgage-Backed Securities Program), Series 2009A (the "**Bonds**") for the purpose of providing additional funding to certain qualified low and moderate income home buyers to afford the costs of acquiring and owning decent, safe, and sanitary housing to finance single family residences located within the City of El Paso, Texas, the purchase price of which does not exceed certain limits;

WHEREAS, the Issuer has conducted and held a public hearing regarding issuance of the Bonds on December 12, 2011, at 12:00 P.M. pursuant to the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended;

WHEREAS, the City of El Paso approves and encourages the Issuer in its efforts to accomplish the issuance of the Bonds and, as part of such transaction, is willing to provide its General Certificate, and for the Mayor of the City to provide his Certificate concerning the conduct of the Public Hearing on December 12, 2011, copies of which are both attached hereto as Exhibits to this Resolution and made a part hereof for all purposes; and

WHEREAS, the City Council of the City of El Paso hereby authorizes the Mayor to execute both the said General Certificate of the City of El Paso and the Mayor's Certificate, and deliver same to the Issuer.

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

1. THAT the Preambles to this Resolution set forth above are incorporated herein and made part of this Resolution.
2. THAT the Mayor of the City of El Paso is hereby authorized to execute a General Certificate of the City of El Paso and the Mayor's Certificate in the form attached as Exhibits to this Resolution and deliver same to the Issuer to be used in connection with the issuance of its Bonds.

Motion made, seconded, and unanimously carried to **APPROVE** a Resolution authorizing the Mayor to execute the Mayor's Certificate and the General Certificate of the City of El Paso in connection with the issuance by the El Paso Housing Finance Corporation's Series 2009A Single Family Mortgage Revenue Bonds.

.....
3M.

***RESOLUTION**

WHEREAS, Ordinance No. 15006, approved by the City Council of the City of El Paso on December 24, 2001, authorizes the Council to declare limited periods of "amnesty" to allow borrowers of items from the El Paso Public Library to return overdue items or items previously considered lost, without payment of the applicable overdue fines or fees for lost items: and

WHEREAS, The Library desires to encourage donations of canned and non-perishable food donations to the MLK Canned Food Drive, an initiative of the City of El Paso, as well as the return of overdue or items previously considered lost to the Library.

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

That the week of January 7 through January 14 be declared "Food for Fines Week" for the El Paso Public Library ("the Library") to waive \$1.00 worth of fines for every canned or non-perishable food donation made to the MLK Canned Food Drive at Library locations up to \$5.00.

Ms. Dionne L. Mack, Director of Libraries, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Acosta and Robinson, commented

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Laura Gordon, Deputy City Attorney, gave legal advice

.....
4A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Albert Alvidrez to the Historic Landmark Commission by Representative Eddie Holguin, District 6.
.....

5. APPLICATION FOR TAX REFUNDS

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

- A. Chase Refund Department c/o Core Logic in the amount of \$3,166.14 overpayment of 2010 taxes. (PID #C340-999-1500-3900).
- B. Chase Home Finance in the amount of \$4,089.06 overpayment of 2008, 2009 and 2010 taxes. (PID #C720-000-0040-1700).
- C. Wells Fargo Mortgage Services in the amount of \$2,820.80 overpayment of 2010 taxes. (PID #L204-999-0080-2100).
- D. Amador and Elizabeth Leal in the amount of \$5,989.28 overpayment of 2011 taxes. (PID #R246-999-0150-2800).
- E. Saxon Mortgage in the amount of \$2,569.40 overpayment of 2010 taxes. (PID #T116-999-0120-0500).
- F. Bac Tax Services Corp. in the amount of \$17,929.49 overpayment of 2010 taxes. (PID #U819-000-0160-14A3).
- G. Chase Home Finance LLC in the amount of \$3,715.91 overpayment of 2010 taxes. (PID #V893-999-1230-1000).
- H. Hobo Enterprises, Inc. in the amount of \$5,428.86 overpayment of 2011 taxes. (PID #X233-000-0000-0034).

.....
6A1.

***RESOLUTION**

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

WHEREAS, City staff has recommended that the City participate in the PEPPM Technology Bidding and Purchasing Program, administered by the Central Susquehanna Intermediate Unit, hereinafter called "CSIU/PEPPM," an intermediate unit established by and existing under Chapter 11 of the Pennsylvania Public School Code of 1949, as amended, 24 P.S. §§9-951 et seq., for the purpose of fulfilling and executing its respective governmental purposes, goals objectives, programs and functions;

WHEREAS, the City seeks to utilize the contracts offered through CSIU/PEPPM Interlocal Cooperative Purchasing Agreement to obtain substantial savings for the City; and

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

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

That the City Manager is hereby authorized to sign the Interlocal Cooperative Purchasing Agreement with Central Susquehanna Intermediate Unit/PEPPM in order to participate in their cooperative purchasing program.

Representative Acosta commented.

Mr. Bruce Collins, Financial Services, commented.

.....
6A2 REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Zonar Systems, Inc., a contractor under PEPPM National Contract Program, for 225 Zonar vehicle location, tracking, and diagnostics system units, of which, 92 include a Vehicle Electronic Inspection Report(s) System (EVIR). 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 PEPPM National Contract Program is being recommended for approval by Mayor and City Council on December 13, 2011.

Department:	Environmental Services & Code Enforcement
Award to:	Zonar Systems, Inc. Seattle, WA
Total Estimated Award:	\$171,548.18 (225 units)
Account No.:	Various
Funding Source:	Data Processing Equipment
Reference No.:	2012-073

This is a Cooperative, unit price contract.

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

Ms. Ellen Smyth, Environmental Services, commented.

Mr. Richard Schecter, citizen commented

.....

6B. REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Vermeer Sales Southwest, a contractor under the Houston-Galveston Area Council (HGAC), Contract No. GR01-10 (Grounds & Turf Equipment), for the purchase of one Horizontal Grinder to be used by the Environmental Services Department for the FY2012 Program Improvement mulch and compost pilot program. 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:	General Services
Award to:	Vermeer Sales Southwest Albuquerque, NM
Total Estimated Award:	\$468,811.65 (1 unit)
Account No.:	34010289 – 508029 – 40499 – PSWM0017
Funding Source:	Environmental Services Department, Heavy Off-Road Equipment
Reference No.:	2012-061

This is a Cooperative, unit price contract.

Ms. Lisa Turner, citizen, commented.

.....

6C. REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue Purchase Orders to Bazaar Uniforms & Men's Store, and Northern Imports, Inc. dba Work Wear Safety Shoes, under the Region 19 Cooperative Purchasing Program Contract 10-6562 for work uniforms and shoes to the El Paso Fire Department in an estimated amount of \$208,000. 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 Region 19 Cooperative Purchasing Program was approved by Mayor and City Council on March 4, 2008.

Department:	Fire
Award to: Vendor 1:	Bazaar Uniforms & Men's Store El Paso, TX

Award to: Vendor 2: Northern Imports, Inc. dba Work Wear Safety Shoes
El Paso, TX
Total Estimated Award: \$208,000
Account No.: 22010320 – 503120 – 01101
Funding Source: Uniforms - General Fund
Reference No.: 2012-098

This is a Cooperative, unit price contract.

.....
6D. REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Siddons-Martin Emergency Group LLC, the sole source provider of Pierce proprietary parts and service, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department: Fire
Award to: Siddons-Martin Emergency Group LLC
Houston, TX
Total Estimated Award: \$150,000
Account No.: 22010320 – 503118 – 01101
Funding Source: General Fund – Vehicle Maintenance Supplies
Sole Source No.: 2012-099

.....
7. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2011-146 (Body Armor Carriers and Ballistic Plates) to Casco Industries, Inc. and Tactical Gear Now, Inc. for an estimated award of \$80,915.95.

Department: Police
Award to: Vendor 1: Casco Industries, Inc. (Alternate 1)
Vendor Location: Shreveport, LA
Items: 1 and 2
Option: To purchase 100% at the same unit price if exercised within 90 days from date of award
Total Estimated Award: \$15,477

Award to: Vendor 2: Tactical Gear Now, Inc.
Vendor Location: Richardson, TX
Items: 3 and 4
Option: To purchase 100% at the same unit price if exercised within 180 days from date of award
Total Estimated Award: \$65,438.95
Account No.: 21150010 – 503300 – 05929 – G211016
Funding Source: FY09 Byrne Justice Assistance Grant

This is a Best Value, unit price contract.

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

The Financial Services - Purchasing Division and Police Departments recommends award as indicated to Casco Industries, Inc. and Tactical Gear Now, Inc., the bidders offering the best value bids.

.....
8A. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-020 for the El Paso Zoo Elephant Exhibit Pipe Training Barriers Project, to Karlsruhe Inc. dba CSA Constructors for a total estimated amount of \$84,500.

Department: Engineering and Construction Management
Award to: Karlsruhe Inc. dba CSA Constructors
Base Bid: \$84,500
Total Estimated Completion: \$84,500
Funding Source: Zoo Operations

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

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law.

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

Representative Acosta commented.

The following City Staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Steve Marshall, Zoo Director
3. Mr. Sam Rodriguez, Engineering and Construction Management
4. Ms. Cynthia Osborn, Assistant City Attorney, gave legal advice

.....
8B1. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-070 for the Saddle Blanket Building Demolition to DEMCON Demolition, LLC, for a total estimated amount of \$143,395.57.

Department: Engineering and Construction Management
Award to: DEMCON Demolition, LLC
Base Bid: \$143,395.57
Total Estimated Completion: \$143,395.57
Funding Source: Certificates of Obligation

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

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law.

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

Mayor Cook and Representative Byrd commented.

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. R. Alan Shubert, City Engineer

.....
8B2.

***RESOLUTION**

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

That the Strategic Plan, including Implementation Plan and Budget for the U.S. Department of Housing and Urban Development Empowerment Zone Planning and Implementation Grant Program (Agreement No. EZ-99-TX-0013) is hereby amended to enable the City to expend \$350,000.00 in HUD-authorized funds within the targeted area for demolition and other improvements of City-owned property located at 601 N. Oregon, El Paso, Texas.

Mayor Cook and Representative Byrd commented.

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. R. Alan Shubert, City Engineer

.....
INTRODUCTIONS 9A-9B TAKEN TOGETHER

9.

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

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

- 9A.** An Ordinance amending Title 14 (Aircraft and Airports) of the El Paso City Code, to add a new Section 14.16.161 (Customer Facility Charge) which charge will be paid by each customer renting a motor vehicle from an On-Airport Vehicle Rental Concessionaire.
- 9B.** An Ordinance relating to the creation of a temporary division of Municipal Court Number Five.

PUBLIC HEARING WILL BE HELD ON DECEMBER 20, 2011, FOR ITEMS 9A – 9B

10.

RESOLUTION

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

That the City Manager be authorized to sign the Articles of Agreement between the City of El Paso and the Local 51, International Association of Fire Fighters, Inc., for the contract period covering December 13, 2011 through August 31, 2014.

Mr. Bill Studer, Deputy City Manager, presented a PowerPoint presentation (copy on file in City Clerk's office).

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

The following City Staff members commented:

- 1. Chief Otto Drozd, Fire
- 2. Ms. Elaine Hengen, Senior City Attorney, gave legal advice.

Mr. Joe Tellez, representing the fire fighters, commented.

Ms. Lisa Turner, citizen, commented.

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

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

11. AIRPORT

Motion made by Representative Robinson, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **AWARD** Solicitation No. 2012-038R (Security Guard Services for the El Paso International Airport) to Shetler & Associates, LLC for a total estimated award of \$2,565,310.80.

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

Department: Aviation
 Award to: Shetler & Associates, LLC
 Phoenix, AZ
 Items: All
 Option: None
 Total Estimated Award: \$2,565,310.80 (3 years)
 Account Nos.: 62620005 – 502212 – 40101 (Terminal)
 62620006 – 502212 – 40101 (Parking Lot)

62620009 – 502212 – 40101 (Airfield)

Services required for construction projects at EPIA:
Funding Source:

Various Projects
Airport Operating Funds – Security Contracts

This is a RFP, services contract.

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

The Financial Services - Purchasing Division and Department of Aviation recommend award as indicated to Shetler & Associates, LLC, the highest ranked proposer based on evaluation factors established for this procurement.

Representatives Byrd and Acosta, commented.

The following City Staff members commented:

1. Mr. Bruce Collins, Purchasing Manager, Financial Services
2. Ms. Monica Lombrana, Director of Aviation.

.....

12A. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Acosta, seconded by Mayor Pro Tempore Lilly, and carried to **AWARD** Solicitation No. 2012-024 for the Street Resurfacing 2012 to Asphalt Pavers, Inc. for a total estimated amount of \$1,464,362.50

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

Department: Engineering and Construction Management and Department of Transportation
 Award to: Asphalt Pavers, Inc.
 Base Bid: \$1,464,362.50
 Option: To purchase 100% additional quantity at the same Unit prices if exercised 30 days prior to the expiration of the contract.
 Total Estimated Completion: \$1,464,362.50
 Funding Source: 2012 and 2013 Certificates of Obligation

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

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

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

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

Representative Acosta commented.

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Daryl Cole, Director, Transportation Department

.....
12B. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Niland and unanimously carried to **AWARD** Solicitation No. 2012-029 for the Upper Valley Road Street and Drainage Improvements Phase 2, Re-Bid to Martinez Bros. Contractors, LLC for a total estimated amount of \$982,076.60.

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

Department:	Engineering and Construction Management
Award To:	Martinez Bros. Contractors, LLC
Base Bid I:	\$941,076.60
Option I:	\$ 41,000.00
Total Recommended Award:	\$982,076.60
Funding Source:	2004 General Obligation Bonds and Certificates of Obligation

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

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

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

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

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Sam Rodriguez, Engineering and Construction Management

.....
13. GENERAL SERVICES

*Motion made by, seconded by, and unanimously carried to **DELETE** Solicitation No. 2012-023 (Landfill Dozer) to Wagner Equipment Company for a total of \$655,990.

Department: General Services
Award to: Wagner Equipment Company
El Paso, TX
Items: Item 1, O-1
Option: Option to Purchase Additional Quantity within 90 days of Award
Total Award: \$655,990
Account: 34010296 –508029 – 40499 – PSWM0017-ESD Heavy Off Road Equipment
Funding Source: Environmental Services Department, Heavy Off Road Equipment

This is a Best Value, unit price contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Wagner Equipment Company the responsive, responsible bidder.

.....
14.

ORDINANCE 17692

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT HELD TEMPORARILY AT A LOCATION IN EL PASO, TEXAS, WHICH WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS TAX CODE SECTION 11.253 AND REPEAL ORDINANCE NO. 16798.**

Mayor Cook and Representatives Lilly and Holguin commented.

The following City Staff members commented.

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Lynly Leeper, Office of Management and Budget Director

The following citizens commented.

- 1. Mr. Oscar Regalado
- 2. Ms. Lisa Turner

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

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

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

.....
15.

RESOLUTION

WHEREAS, the El Paso Independent School District (“District”) and the City of El Paso (“City”) are political subdivisions of the State of Texas, and are authorized to provide recreational and education services;

WHEREAS, the District and the City are interested in leasing multiple properties owned by the other party for 99 years in order to develop the properties for such recreation and educational purposes;

WHEREAS, the Attorney General of the State of Texas in Opinion No. GA-0558 clarified that a home-rule municipality may lease parkland to an independent school district if the lease will serve a public purpose and if the municipality holds a hearing pursuant to the Texas Parks and Wildlife Code Chapter 26;

WHEREAS, the District and the City identified the 42,440 square foot portion of Memorial Park as the best location to construct school facilities in order to address the District’s expansion to serve its growing student population at the adjacent landlocked Crockett Elementary School;

WHEREAS, City staff has recommended the use of the identified portion of Memorial Park in conjunction with another 42,960 square feet of adjacent city streets at the intersection of Wheeling and Luna Streets proposed to be vacated for the District’s construction of an elementary school and, in exchange and in consideration of such ground lease, the City will lease from the District a 110,808 square foot property adjacent to Wainwright Elementary School in Northeast El Paso to construct facilities for park and recreational uses in an underserved area; and

WHEREAS, City staff has recommended that the proposed plans for the construction of school facilities on a portion of Memorial Park include all reasonable planning to minimize harm to Memorial Park and is offset by the City’s proposed plans for the construction of parks and recreation facilities adjacent to Wainwright School in the underserved Northeast El Paso.

Now therefore, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

1. Wainwright and Memorial/Crockett Exchange. The City proposes to lease a 110,808 square foot property, the boundaries of which are attached as Exhibit “A” (“the Wainwright Site”) to construct facilities for park and recreational uses in an underserved area in exchange for District’s proposed lease from the City of a 42,440 square foot portion of Memorial Park and the 42,960 square foot city street at Luna and Wheeling proposed to be vacated (collectively, the “Memorial/Crockett Site”), the boundaries of which are attached as Exhibit “B”, to construct certain school and related facilities for Crockett Elementary School. The City Council finds that the mutual lease arrangement is desirable and is adequate non-monetary consideration.
2. Future Schuster Street Property Exchange. The City Council further directs City staff to identify appropriate District property which the City may exchange with the District for a vacated street at Schuster and St. Vrain and a portion of City property and parkland previously leased to the District for facilities at El Paso High School (“Schuster Property”); and to prepare any and all documentation necessary to consummate such exchange within 120 days from the date of this Resolution.
3. Document Preparation. The City Council directs City staff to prepare any and all ordinances, leases, street vacations and other documentation as may be necessary to consummate the proposed exchange of the Memorial/Crockett Site and the Wainwright Site and present such documentation to the City Council for approval within 60 days.

4. Chapter 26 of the Texas Parks and Wildlife Code. Following notice and a public hearing, the El Paso City Council is required to find there is no feasible and prudent alternative to said use of the a 42,440 square foot portion of Memorial Park, and that the proposed plans for the construction of the school and related facilities include all reasonable planning to minimize harm to Memorial Park and in addition, will be required to find that the District and the City identified that portion of Memorial Park is the best location to construct school facilities in order to address the District's expansion to serve its growing student population at the adjacent landlocked Crockett Elementary School and promotes a public purpose in the construction of school and related facilities by El Paso Independent School District.

Representative Byrd commented.

Ms. Lisa Ramirez-Tobias, Capital Assets Manager, commented.

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **APPROVE** a Resolution stating the intent of the City of El Paso and EPISD to enter into leases for properties at Memorial Park and Wainwright; and the future intent to enter into a lease or exchange for property owned by the City of El Paso located adjacent to the El Paso High School.

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

.....

16A. POLICE

*Motion made by, seconded by, and unanimously carried to **DELETE** budget transfer BT2012-052 Police Department, to increase Federal Confiscated Award to fund the FY2012 Confiscated Fund budget (\$306,308).

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

Increase	\$ 59,000	Contracted Services
Increase	\$ 28,908	Materials and Supplies
Increase	\$150,000	Operating Expenditures
Increase	\$ 37,200	Non-Operating Expenditures
Increase	<u>\$ 31,200</u>	Capital Expenditures
Total	\$306,308	

.....
16B. POLICE

*Motion made by, seconded by, and unanimously carried to **DELETE** budget transfer BT2012-0253Police Department, to increase State Confiscated Award to fund the FY2012 Confiscated Fund budget (\$1,108,733).

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

Increase	\$ 120,000	Personal Services
Increase	\$ 253,000	Contracted Services
Increase	\$ 99,815	Materials and Supplies
Increase	\$ 1,000	Operating Expenditures
Increase	<u>\$ 634,918</u>	Capital Expenditures
Total	\$1,108,733	

.....
17A. MAYOR AND COUNCIL

Legislative Review Committee Report:

1. For notation only: Formal report of the Economic Development Legislative Review Committee meeting held on October 27, 2011, as submitted by Steve Ortega, Chair; and,
2. Discussion pertaining specifically to any of the agenda items posted on the agenda of said Legislative Review Committee meeting, as follows:
 - a) Report from the DMD (Downtown Management District)
 - Report on business survey
 - Activity report
 - Downtown marketing update
 - Economic incentives for Local Businesses
[Downtown Management District, Veronica Soto, (915) 400-2294]

Mr. John O'Donnell, Federal Lobbyist, presented a PowerPoint presentation (copy on file in City Clerk's office)

Representatives Byrd, Niland, and Holguin, commented.

Ms. Sylvia Firth, Intergovernmental Affairs, commented.

NO ACTION was taken on this item

.....
17B. MAYOR AND COUNCIL

Motion made by Representative Niland, seconded by Mayor Pro Tempore Lilly, and carried to **DIRECT** City Manager to explore any and all options for shortening the wait times at the international bridges and **DIRECT** the City Manager to actively work with TXDOT on bridge issues.

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

Mayor Cook and Representative Ortega, Robinson, Byrd, Lilly, Niland, Holguin, and Acosta commented.

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Said Larbi-Cherif, Director, International Bridges
- 3. Ms. Sylvia Firth, Intergovernmental Affairs

Mr. John Montgomery, Federal Lobbyist, presented a PowerPoint presentation (copy on file in City Clerk's office).

.....
The City Council Meeting was **RECESSED** at 12:36 p.m. in order to convene the Mass Transit Department Board Meeting.

.....
The City Council Meeting was **RECONVENED** at 1:43 p.m.

.....
18A. CITY MANAGER

Presentation on Annual Status Report: Healthy Eating and Active Living.

NO ACTION was taken on this item.

.....
18B. CITY MANAGER

Presentation to advise the Mayor and City Council on the progress of the Virtual Village: Digital El Paso's Pathway to Success project funded by the American Recovery and Reinvestment Act Broadband Technology Opportunities Program grant for Public Computer Centers (Award No. 48-42-B10570).

NO ACTION was taken on this item

.....
ADD1. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Gustavo Reveles to the Museum and Cultural Affairs Advisory Board by Representative Eddie Holguin, District 6.

.....
ADD2. BOARD APPOINTMENT

Motion made, seconded, and unanimously carried to **RE-APPOINT** Bernie Olivas to the Greater El Paso Civic Convention and Tourist Advisory Board by Representative Eddie Holguin, District 6.

.....
ADD 1 INTRODUCTION

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

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

An Ordinance to amend Title 12 (Vehicles and Traffic), Chapter 12.54 (Towing Regulations and Fees) to amend Section 12.54.060 (Fee for Police Ordered Towing Services – Impoundment) to add a section providing for an impoundment fee as allowed by state law; the penalty being as provided in Sections 12:54.040 and 12.84.010 of the El Paso Municipal Code.

PUBLIC HEARING WILL BE HELD ON DECEMBER 20, 2011, FOR THE ITEM

.....
ADD. EX1

Motion by Mayor Pro Tempore Lilly, seconded by Representative Niland and unanimously carried that the City Attorney’s Office be authorized to take any and all action to protect the City’s interest and position, both affirmative and defensive in the Petition of El Paso Electric Company for Review of City of El Paso’s Rate Resolutions and Request for Expedited Relief before the Public Utility Commission of Texas, Docket Nos. 39868 and 39924. This Motion is intended to grant broad authority to the Office of the City Attorney to take any action necessary to address these matters, including but not limited to defend the lawsuit and initiate appeals.

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

.....
Motion made by Representative Robinson, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **ADJOURN** this meeting at 1:05 p.m.

.....
APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk