

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

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

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
December 14, 2010
9:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 9:04 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susie Byrd, Emma Acosta, Carl Robinson, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Late arrival: Rachel Quintana at 9:08 a.m. The invocation was given by Police, Fire, and CIMA Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. **SENIOR ALL-STAR FOOTBALL CLASSIC WEEK**
2. **LIZ MORAYMA GONZALEZ DAY**
3. **BE A SANTA TO A SENIOR DAY**
4. **NAVIDAD DE LA FE LUMINARIAS 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. Kevin Lovell
2. Mr. Richard Schecter
3. Ms. Sonia Brown
4. Mr. Tom Brown
5. Mr. Ray Bannon
6. Mr. Jaime Abeytia
7. Ms. Lisa Degliantoni
8. Ms. Kirstin Perez
9. Mr. Daniel Rollings
10. Ms. Lyda Ness

Mayor Cook and Representative Lilly commented.

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

CONSENT AGENDA

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

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

1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of December 7, 2010.

2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

3A.

***RESOLUTION**

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

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and among the City of El Paso ("Lessor"), Haysland, Inc., d/b/a GoldCross Properties ("Assignor"), Calcaterra Properties, L.P. ("Assignee") and Joseph Calcaterra III ("Guarantor") for the following described property:

A portion of Lot 7 and 8, Block 5, El Paso International Airport Tracts, Replat "A", City of El Paso, El Paso County, Texas, municipally known and numbered as 6500 Boeing Dr., El Paso, Texas ("Premises").

3B.

***RESOLUTION**

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

That the City Manager be authorized to sign a Ground Lease Estoppel Certificate and Agreement by and between the City of El Paso ("Landlord"); Host Hotels & Resorts, L.P., f/k/a Host Marriott, L.P. ("Tenant"); and CP El Paso, LTD. ("Subtenant") for the property described as a portion of Tract 4A25, Block 2, Ascarate Grant, City of El Paso, El Paso County, Texas, which is also municipally known and numbered as 1600 Airway Blvd., El Paso, Texas.

3C.

***RESOLUTION**

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

That the Mayor be authorized to sign a Memorandum of Agreement by and between the New Mexico Department of Transportation and the City of El Paso, in its capacity as the designated Metropolitan Planning Organization for the El Paso Urban Transportation Study Area ("MPO") wherein the MPO will develop and implement an annual Unified Planning Work Program ("UPWP") that will serve as the frame work for development of transportation plans and programs.

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3D.

***RESOLUTION**

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

That the City Manager is authorized to sign a Wireline Crossing Agreement with Union Pacific Railroad Company allowing the City to install fiber optic lines across railroad company right-of-way at N. Boone St. between Rosa Ave. and Alameda Ave., El Paso, Texas. The one time license fee cost to the city is \$9,900.

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3E.

***RESOLUTION**

WHEREAS, the City awarded contract number "2010-128" to Caspian Construction Company of El Paso, Texas (the "Contractor"), on July 6, 2010 for Facility Rehabilitation-Roofs in the amount of \$96,890.40 (the "Contract"); and

WHEREAS, at the request of the Contractor, the City did not issue a notice to proceed to the Contractor and the Contractor has performed no work under the Contract; and

WHEREAS, the Contractor has requested that the City agree to terminate the contract with no claims for costs or damages against the City; and

WHEREAS, the Engineering and Construction Management Department recommends termination of the Contract; and

WHEREAS, pursuant to Section 6.9.2 of the General Conditions of the Contract, the City is authorized to terminate the Contract for failure of the Contractor to commence performance of its contractual obligations.

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

That the City Engineer is authorized to enter into a mutual termination agreement with the Contractor, terminating the Contract at no cost to the City and releasing the performance and payment bonds provided by the Contractor under the requirements of the Contract, subject to the approval of the City Attorney's Office.

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3F.

***RESOLUTION**

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

That the City Council approves the expenditure of additional available funding in the amount of \$38,990.12 to Arrow Building Corporation for additional construction costs of the Glory Road Transit Terminal. Change Order 21 provides for labor, materials and equipment to install an automatic pay station

at the vehicle exit of the Glory Road parking garage, adding no days of contract time [change order number 21] for Contract Number 2009-145. The new contract sum, including change order 21, is \$9,941,222.32.

Mayor Cook and Representative Quintana commented.

Mr. R. Alan Shubert, City Engineer, commented.

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3G.

***RESOLUTION**

WHEREAS, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 30th day of June, 2010, after due notice and hearing, issued an order to CARLOS A. and MARIA G. REYES, record Owners of the hereinafter described property that the structure be secured within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to secure and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Development 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. That the City Council determines the actual cost of the securing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lots 12 & 13 & E ½ of 11, Block 292, Pierce Findley, an addition to the City of El Paso, El Paso County, Texas, more particularly described as 1024 East River Avenue, El Paso, Texas,

to be \$6,571.07, performed by the Street Department of the City of El Paso, and \$1,019.27, performed by the City Clerk's Office and Development Services Department, making a total of \$7,590.34. The City Council finds that the work was completed on the 7th day of September, 2010, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of SEVEN THOUSAND FIVE HUNDRED NINETY AND 34/100 DOLLARS (\$7,590.34) to be a lien on the above-described property.

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

4. That 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.

WHEREAS, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 26th day of May, 2010, after due notice and hearing, issued an order to FRANCISCO G. ARTECHE, record Owner of the hereinafter described property that the structure be secured within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owner and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to secure and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Development 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. That the City Council determines the actual cost of the securing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 559, Block 22, Mountain View Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 2, Page 40, Plat Records of El Paso County, Texas, municipally known as 4936 Sierra Madre Drive, El Paso, Texas,

to be \$2,974.65, performed by the Street Department of the City of El Paso, and \$1,018.66, performed by the City Clerk's Office and Development Services Department, making a total of \$3,993.31. The City Council finds that the work was completed on the 27th day of September, 2010, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of three thousand nine hundred ninety-three and 31/100 dollars (\$3,993.31) to be a lien on the above-described property.

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

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

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3H.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, entitled Abatement, ANASTACIO M. CONTRERAS, 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 Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

4117 Chester Avenue, more particularly described as Lot(s) 7 to 9 (10500 SQ. FT.), Block 54, Government Hill Subdivision, El Paso, El Paso County, Texas, Parcel #G569-999-0540-2200

to be \$203.38, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO

HUNDRED AND TWENTY SEVEN AND 38/100 DOLLARS (\$227.38). The City Council finds that the work was completed on the 30th day(s) of July, 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 AND TWENTY SEVEN AND 38/100 DOLLARS (\$227.38) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, entitled Abatement, ARTURO G. PORRAS, 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 Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

2516 Memphis Avenue, more particularly described as Lot(s) 29 to 31 (9000 SQ. FT.), Block 122, Highland Park Subdivision, El Paso, El Paso County, Texas, Parcel #H453-999-1220-6500

to be \$137.60, 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 AND SIXTY ONE AND 60/100 DOLLARS (\$161.60). The City Council finds that the work was completed on the 20TH day(s) of July, 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 AND SIXTY ONE AND 60/100 DOLLARS (\$161.60) 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, entitled Abatement, JOSE L. ANGUIANO, 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 Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

Lot(s) 31 & 32 & W 5 Ft of Lot 30 (6600 Sq Ft), Block 132, Highland Park Subdivision, City of El Paso, El Paso County, Texas, Parcel #H453-999-1320-8500

to be \$169.94, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED AND NINETY THREE AND 94/100 DOLLARS (\$193.94). The City Council finds that the work was completed on the 14th 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 AND NINETY THREE AND 94/100 DOLLARS (\$193.94) 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, entitled Abatement, ALBERTO H. CIGARROA, 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 Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

108 N Carolina Drive, more particularly described as Tract 5-A (0.161 Acre), Block 25, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel #Y805-999-0250-0501

to be \$241.54, 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 AND SIXTY FIVE AND 54/100 DOLLARS (\$265.54). The City Council finds that the work was completed on the 8th 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 TWO HUNDRED AND SIXTY FIVE AND 54/100 DOLLARS (\$265.54) 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, entitled Abatement, GLORIA E. & 3 ORTIZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

7427 Kingman Drive, more particularly described as Lot(s) 1 (7000 SQ FT), Block 37, Ranchland Hills #5 Subdivision, El Paso, El Paso County, Texas, Parcel #R221-999-0370-0100

to be \$98.92, 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 TWENTY-TWO AND 92/100 DOLLARS (\$122.92). The City Council finds that the work was completed on the 1st 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 TWENTY-TWO AND 92/100 DOLLARS (\$122.92) 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.

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

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

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

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

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

11365 Charles Reynolds Lane, more particularly described as Lot(s) 4 (5548.82 SQ. FT.), Block 1, Sandstone Ranch Estates #2 Subdivision, El Paso, El Paso County, Texas, Parcel #S138-999-0010-0040

to be \$268.73, 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 TWO AND 73/100 DOLLARS (\$292.73). The City Council finds that the work was completed on the 13th day(s) of July, 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 NINETY TWO AND 73/100 DOLLARS (\$292.73) 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, entitled Abatement, EMMA S. CHAPARRO, 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 Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

5608 Saluki Drive, more particularly described as Lot(s) 3 & 4 (16775 Sq Ft), Block 13, Sahara Subdivision, El Paso, El Paso County, Texas, Parcel #S033-999-0130-0500

to be \$121.92, 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 AND FORTY FIVE AND 92/100 DOLLARS (\$145.92). The City Council finds that the work was completed on the 18th 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 AND FORTY FIVE AND 92/100 DOLLARS (\$145.92) 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, entitled Abatement, THOMAS M. & ROSEMAY M. CORRAL, 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 Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

11776 Corona Crest Avenue, more particularly described as Lot(s) 18 (5024.65 Sq Ft), Block 37, Vista Real #3 Subdivision, El Paso, El Paso County, Texas, Parcel #V927-999-0370-1800

to be \$156.15, 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 EIGHTY AND 15/100 DOLLARS (\$180.15). The City Council finds that the work was completed on the 30th 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 AND 15/100 DOLLARS (\$180.15) 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, entitled Abatement, BLASA JURADO, 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 Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

205 S. Zaragoza Road, more particularly described as Tract 2-A (19311 Sq Ft), Block 42, Ysleta Subdivision, El Paso, El Paso County, Texas, Parcel #Y805-999-042A-0201

to be \$499.17, 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 FIVE HUNDRED AND TWENTY THREE AND 17/100 DOLLARS (\$523.17). The City Council finds that the work was completed on the 30th day(s) of June and 1st day(s) of July, 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 FIVE HUNDRED AND TWENTY THREE AND 17/100 DOLLARS (\$523.17) 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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, entitled Abatement, VICTOR MENDEZ, 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 Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

320 N. Carolina Drive, more particularly described as TR 31 EXC N 10 FT. (0.73 ACRE), Rosedale Farms #4 Subdivision, El Paso, El Paso County, Texas, Parcel #R754-999-0010-6400

to be \$1,115.88, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE THOUSAND ONE HUNDRED AND THIRTY NINE AND 88/100 DOLLARS (\$1,139.88). The City Council finds that the work was completed on the 9th day(s) of July, 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 THOUSAND ONE HUNDRED AND THIRTY NINE AND 88/100 DOLLARS (\$1,139.88) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, entitled Abatement, VENTURA ORNELAS, 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 Department

of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

1048 Ralpheene Street, more particularly described as Lot(s) 34 (5737 SQ. FT.), Block 4, Alto Terrace 2nd Replat Subdivision, El Paso, El Paso County, Texas, Parcel #A496-999-0040-6700

to be \$150.65, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED SEVENTY FOUR AND 65/100 DOLLARS (\$174.65). The City Council finds that the work was completed on the 7th 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 SEVENTY FOUR AND 65/100 DOLLARS (\$174.65) 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, entitled Abatement, HABITAT INTERNATIONAL INC., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

1164 Ranger Trail, more particularly described as TR 36 , Rangers Rest #2 Subdivision, El Paso, El Paso County, Texas, Parcel #R271-999-0010-2800

to be \$131.52, 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 FIVE AND 52/100 DOLLARS (\$155.52). The City Council finds that the work was completed on the 30th 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 FIFTY FIVE AND 52/100 DOLLARS (\$155.52) 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, entitled Abatement, ANTONIO Z. GONZALEZ, 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 Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

8918 Ruiz Road, more particularly described as Lot(s) B of Replat of Lot 60 & Pts of Lot(s) 61 & 62 & Virginia St Closed, Phelps Subdivision, El Paso, El Paso County, Texas, Parcel #P695-999-0010-6100

to be \$245.19, 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 SIXTY NINE AND 19/100 DOLLARS (\$269.19). The City Council finds that the work was completed on the 23rd 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 TWO HUNDRED SIXTY NINE AND 19/100 DOLLARS (\$269.19) 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, entitled Abatement, SERGIO ELGUEA, 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 Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

8031 Valley View Drive, more particularly described as NWLY PT OF LOT(S) 3 & SWLY PT OF LOT(S) 4 (0.535 ACRE) LOT 17 OF UNRECORDED MAP, Block 6, Christy Subdivision, El Paso, El Paso County, Texas, Parcel #C454-999-0060-3500

to be \$313.38, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of THREE HUNDRED AND THIRTY SEVEN AND 38/100 DOLLARS (\$337.38). The City Council finds that the work was completed on the 30th 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 THREE HUNDRED AND THIRTY SEVEN AND 38/100 DOLLARS (\$337.38) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

4044 Boy Scout Lane, more particularly described as Lot(s) 20 (9415.31 Sq Ft), Block 5, Haciendas San Miguel #1 Subdivision, El Paso, El Paso County, Texas, Parcel #H013-999-0050-2000

to be \$140.64, 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 AND SIXTY FOUR AND 64/100 DOLLARS (\$164.64). The City Council finds that the work was completed on the 15th 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 AND SIXTY FOUR AND 64/100 DOLLARS (\$164.64) 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, entitled Abatement, GERALD D. CUNNINGHAM, 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 Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

2929 Findley Avenue, more particularly described as Lot(s) 14 to 16 (10500 SQ. FT.), Block P, Garden Subdivision, El Paso, El Paso County, Texas, Parcel #G126-999-0010-5000

to be \$96.34, 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 AND TWENTY AND 34/100 DOLLARS (\$120.34). The City Council finds that the work was completed on the 2nd day(s) of July, 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 AND TWENTY AND 34/100 DOLLARS (\$120.34) 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, entitled Abatement, MARIA T. VILLALOBOS, 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 Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

3027 Rivera Avenue, more particularly described as Lot(s) 14, Block 2, East El Paso Subdivision, El Paso, El Paso County, Texas, Parcel #E014-999-0020-3100

to be \$180.24, 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 AND FOUR AND 24/100 DOLLARS (\$204.24). The City Council finds that the work was completed on the 8th 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 TWO HUNDRED AND FOUR AND 24/100 DOLLARS (\$204.24) 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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3I.

***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 Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and the County of El Paso, for the provision of public health services by the City of El Paso for the County of El Paso, and related matters, for the period of September 1, 2010 through August 31, 2011.

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3J.

***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 Exhibition Agreement between the City of El Paso and The Dixon Gallery and Gardens, for an exhibition known as "Monet to Matisse: French Masterworks from the Dixon Gallery and Gardens" to be displayed at the El Paso Museum of Art from March 6, 2011 through May 29, 2011 in the amount of \$100,000.00 for the participation fee.

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4. REQUEST TO ISSUE PURCHASE ORDERS:

*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 2009-053 Environmental Laboratory Services for Air Quality with SCI Tech Holdings, Inc. d/b/a CFR Environmental Services and Armstrong Forensic Laboratory, Inc. for two additional years pursuant to the provisions of an award approved by the City Council on January 27, 2009. The extended contract period will be from January 28, 2011 to January 27, 2013.

Department: Environmental Services
Award to: Vendor 1 SCI Tech Holdings, Inc. d/b/a CFR Environmental Services
El Paso, TX
Items: 1 and 2 – Gasoline Analysis
Option: One [of One]
Annual Estimated Amount: \$95,000

Award to: Vendor 2 Armstrong Forensic Laboratory, Inc.
Arlington, TX
Items: 3, 4, and 5 – Filter Media Lead/Weight Analysis
Option: One [of One]
Annual Estimated Amount: \$25,000

Total Estimated Award: \$240,000 (2 years)
Funding Source: Federal/State Grants – Environmental Services

Representative Robinson commented.

Ms. Ellen Smyth, Director of Environmental Services, commented.

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5A. BIDS

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager to notify 3M Company, of St. Paul, MN, that the City is terminating Contract No. 2008-233 pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses due to convenience and that the termination shall be effective as of December 14, 2010. Vendor will be notified.

Mayor Cook commented.

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5B. BIDS

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2010-270 (Reflective Sheeting) to 3M Company for an initial term estimated award of \$450,000.

Department: Department of Transportation
Award to: 3M Company
St. Paul, MN
Items: All
Initial Term: 3 years
Option to Extend: None
Annual Estimated Award: \$150,000
Initial Term Estimated Award: \$450,000 (3 years)
Total Estimated Award: \$450,000 (3 years)
Funding Source: Signs & Markings – Maintenance Supplies/Parts

This is a low bid requirements type contract.

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

The Financial Services - Purchasing Division and Department of Transportation recommend award as indicated to 3M Company, the lowest responsive, responsible bidder.

Mayor Cook and Representative Robinson commented.

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6A, 6B, AND 6D TAKEN TOGETHER

6A. INTRODUCTIONS

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

- 6A.** An Ordinance amending Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management), to clarify terms and definitions; to clarify overflowing carts in Section 9.04.100 (Location for Collection); to provide an exemption for commercial collection of compacted solid waste in Section 9.04.190 (Schedule for Collection); to clarify construction or demolition material placement in Section 9.04.260 (Accumulation and Storage); to clarify the manifest process in Section 9.04.280 (Manifest Requirement); to clarify roll-off collection in Section 9.04.300 (Schedule for Collection); to clarify hauler permit revocation in Section 9.04.480 (Suspension, Revocation of Hauler Permit; Appeals); to cap the sign and litter receptacle requirement in Section 9.04.910 (Litter Control); and to amend the

effective date of the Franchise Agreement requirements; the penalty being as provided in Section 9.04.630 of the El Paso City Code.

6B. An Ordinance vacating a portion of a 35 feet wide service road, located adjacent to the west boundary line of Lot 16, Block 74, Sun Valley Addition Unit Seven, City of El Paso, El Paso County, Texas. SUB10-00246

PUBLIC HEARING WILL BE HELD ON DECEMBER 21, 2010, FOR ITEMS 6A – 6B

6D. An Ordinance changing the zoning of Lot 48, Block B, Bassett Addition, City of El Paso, El Paso County, Texas from A-3 (Apartment) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON JANUARY 6, 2011, FOR ITEM 6D

6C. INTRODUCTION

1ST MOTION

Motion made by Representative Robinson, seconded by Representative Byrd, unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 9:55 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

2ND MOTION

Motion made by Representative Quintana, seconded by Representative Byrd, and unanimously carried to adjourn the Executive Session at 10:31 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

Not Present for the Vote: Representatives Robinson, Ortega, and O'Rourke

3RD AND FINAL MOTION

Motion made by Representative Quintana, seconded by Representative Byrd, and 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, and Quintana
- NAYS: Representative Holguin
- NOT PRESENT FOR THE VOTE: Representatives Robinson, Ortega, and O'Rourke

6C. An Ordinance amending Ordinance No.017456, to provide for the application of the Ordinance to persons seeking to obtain health benefits coverage from the City after November 10, 2010, and to provide that all persons who had health benefits coverage from the City on November 10, 2010 shall not lose it as a result of Ordinance No. 017456.

PUBLIC HEARING WILL BE HELD ON DECEMBER 21, 2010, FOR ITEMS 6C

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7. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and unanimously carried to **AWARD** Solicitation No. 2011-076 for the Hawkins Blvd. Street & Drainage Improvements, to C.F. Jordan Construction, LLC for a total estimated amount of \$542,911.

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

Department: Engineering and Construction Management
Award to: C.F. Jordan Construction, LLC
Base Bid I: \$375,411
Base Bid II: \$83,180
Base Bid III: \$84,320
Total Estimated Completion: \$542,911
Funding Source: 2009 Certificates of Obligation, El Paso Water Utilities
and El Paso Storm Water Utilities

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 and Construction Management Department recommends award as indicated to the lowest responsible bidder.

Mr. Sam Rodriguez, Engineering Division Manager presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Acosta and Quintana commented.

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8A AND 8B TAKEN TOGETHER

8A. FIRE DEPARTMENT

1ST MOTION

Motion made by Representative Robinson, seconded by Representative Byrd, unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 9:55 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
Section 551.076
Section 551.087

PERSONNEL MATTERS
DELIBERATION REGARDING SECURITY DEVICES
DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

2ND MOTION

Motion made by Representative Quintana, seconded by Representative Byrd, and unanimously carried to adjourn the Executive Session at 10:31 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

Not Present for the Vote: Representatives Robinson, Ortega, and O'Rourke

3RD AND FINAL MOTION

Motion made by Representative Byrd, seconded by Representative Quintana, and unanimously carried to **APPROVE AS REVISED** a Resolution authorizing the Purchasing Manager to notify Currey Adkins, LP, of El Paso, Texas, that the City is terminating Contract No. 2003-208R pursuant to the provisions and requirements of Article 2.2 of the Contract without cause and that the termination shall be effective as of January 15, 2011. Vendor will be notified, and to instruct the City Manager to prepare an analysis of the 2003 award process for these contract services.

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

8B. FIRE DEPARTMENT

Motion made by Representative Byrd, seconded by Representative Quintana, and unanimously carried to **AWARD** Solicitation No. 2010-181R (Transport Medical Billing, Collections & ePCR Services) to Advanced Data Processing Inc. for an initial estimated award of \$3,929,603.28.

Department:	Fire
Award to:	Advanced Data Processing Inc. Fort Lauderdale, FL (Corporate Office)
Items:	All
Option:	Two Options of One-Year each
Annual Estimated Amount:	\$1,309,867.76
Initial Estimated Award:	\$3,929,603.28 (3 years)
1 st One-Year Option:	Estimated Minimum Amount: \$1,309,867.76 (1 year)
2 nd One-Year Option:	Estimated Minimum Amount: \$1,309,867.76 (1 year)
Total Estimated Award:	\$6,549,338.80 (5 years)
Funding Source:	General Fund – Billing/Collection Agencies Contracts

This is a Request for Proposals 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.

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

The Financial Services - Purchasing Division and Fire Department recommend award as indicated to Advanced Data Processing Inc. the highest ranked proposer based on evaluation factors established for this procurement.

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

Representatives Robinson, Acosta, and Ortega commented.

Ms. Joyce Wilson, City Manager, commented.

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9A. HUMAN RESOURCES

*Motion made, seconded, and unanimously carried to **POSTPONE** one week a Resolution authorizing the Purchasing Manager to notify El Paso Med Partners PA (formerly Physicians Healthcare Associates PA) of El Paso, Texas, that the City is terminating the License Agreement pursuant to the provisions and requirements of Article 3 of the Contract and that the termination shall be effective as of January 15, 2011. Vendor will be notified.

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9B. HUMAN RESOURCES

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the award of Solicitation No. 2010-100R (On-Site Wellness Clinics) to H2U Wellness Centers, LLC d/b/a/ First Onsite for an initial term estimated award of \$1,537,185.94.

Department:	Human Resources
Award to:	H2U Wellness Centers, LLC d/b/a First Onsite Nashville, TN
Items:	All
Option:	Two Options of two years each
Year One Amount:	Estimated Amount: \$289,536
Year Two Amount:	Estimated Amount: \$298,222.08
Year Three Amount:	Estimated Amount: \$307,168.74
Year Four Amount:	Estimated Amount: \$316,383.80
Year Five Amount:	Estimated Amount: \$325,875.32
Total Initial Term Award:	Estimated Amount: \$1,537,185.94 (5 years)
1 st Two-Year Option:	Estimated Minimum Amount: \$651,750.64 (2 years)
2 nd Two-Year Option:	Estimated Minimum Amount: \$651,750.64 (2 years)
Total Estimated Award:	Estimated Minimum Amount: \$2,840,687.22 (9 years)
Funding Source:	Health Benefit Fund– Health Care Providers Account

This is a Request for Qualifications, Professional Services Agreement.

The cost under this Professional Services Agreement 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.

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

The Financial Services - Purchasing Division and Human Resource Department-Risk Management Division recommend award as indicated to H2U Wellness Centers, LLC d/b/a/ First Onsite, the highest ranked qualifier.

10. POLICE

Motion made by Representative Ortega, seconded by Representative Robinson, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to i2 Merger Sub Two, Inc. dba Knowledge Computing Corp. the sole source provider of "COPLINK" software and configuration services including maintenance, and support, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

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

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

Department: Police
Award To: Knowledge Computing Corp.
Mclean, VA
Total Estimated Award: \$972,658
Funding Source: FY08 and FY09 Urban Area Security Initiative Grant
Fund - Data Processing Equipment
Sole Source No.: 2011-110

Representative Quintana commented.

Mr. Bruce Collins, Purchasing Manager, commented.

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11.

RESOLUTION

APPROVING THE CITY OF EL PASO'S LEGISLATIVE AGENDA FOR THE 82nd TEXAS LEGISLATIVE SESSION AND ADOPTING A STATEMENT OF POLICY FOR THE CITY OF EL PASO REGARDING LEGISLATION IN THE 82nd TEXAS LEGISLATURE AND ACTIONS BEFORE STATE ADMINISTRATIVE AGENCIES.

WHEREAS, the 82nd Texas Legislature convenes on January 11, 2011;

WHEREAS, the Texas Legislature and its administrative agencies will consider many measures and actions that affect the City of El Paso; and

WHEREAS, it is necessary to provide guidance to City representatives in conducting legislative and administrative efforts and relations with other levels of government.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, THAT THE ATTACHED LEGISLATIVE AGENDA IS ADOPTED AS THE CITY'S LEGISLATIVE AGENDA FOR THE 82nd TEXAS LEGISLATIVE SESSION AND THAT THE FOLLOWING ADMINISTRATIVE POLICY BE ADOPTED:

1. The legislative or administrative positions herein approved shall be communicated to the El Paso legislative delegation, to the Texas Legislature, in general, and to the appropriate legislative committees and administrative agencies by the City's legislative lobbyist and state agency consultant, City of El Paso staff persons, members of City Council and others as coordinated through the Mayor's office.

2. City employees, members of City boards, commissions, and advisory groups may not represent in oral testimony or in writing the City's official position on proposed legislation or administrative action unless that position is approved and coordinated through the Mayor's office.

The City Council authorizes and directs the Mayor's office to coordinate its legislative program and the City Attorney's Office shall be authorized to interpret on behalf of the City this policy with the necessary broad policy concerns set forth in this policy.

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

Ms. Joyce Wilson, City Manager, commented.

Ms. Sylvia Borunda Firth, Chief of Staff, Mayor's Office, gave legal advice.

Mr. Snapper Carr and Mr. Brandon Aghamalian, Focus Advocacy, commented

1ST MOTION

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and carried to **APPROVE** Project Arriba, item 10, on the City of El Paso's Legislative Agenda for the 82nd Texas Legislative Session.

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

NAYS: Representative Holguin

2ND MOTION

Motion made by Representative Robinson, seconded by Representative Byrd, and carried to **APPROVE AS REVISED** a Resolution approving the remainder of the City of El Paso's Legislative Agenda for the 82nd Texas Legislative Session and adopting a Statement of Policy for the City of El Paso regarding legislation in the 82nd Texas Legislature and actions before State Administrative Agencies.

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

NAYS: None

ABSTAIN: Representative Holguin

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12.

RESOLUTION

WHEREAS, by way of a Resolution on April 12, 2005, City Council adopted the Public Art Master Plan dated March 1, 2005, as the primary guideline in determining and appropriating expenditures from the public art fund; and

WHEREAS, under the provisions of City Code Chapter 2.40 (Department of Museums and Cultural Affairs) Section 2.40.70 (Art in Municipal Places) and Section 2.40.80 (Administration of the Public Art Program and Establishment of the Public Art Committee) the City of El Paso provided for art in municipal places, established a means of funding acquisition or commissioning of art for municipal places and established that the Public Art Committee and the Museums and Cultural Affairs Advisory Board shall submit an annual Public Art Plan to the City Council; and

WHEREAS, the 2011 Public Art Plan (the "Plan") attached hereto as Exhibit "A" has been approved by the Public Art Committee ("PAC") and the Museums and Cultural Affairs Advisory Board ("MCAAB"), and is being recommended to Council; and

WHEREAS, the City Council may accept or reject any portion of the annual public art plan; and

WHEREAS, the City Council, having taken into consideration the recommendation of the PAC and MCAAB, determines that the Plan is reasonable and appropriately adopted and that said Plan serves the public purpose of enhancing the quality of life of the citizens of El Paso through the development of fine arts and cultural properties and by encouraging the integration of art in the architecture of municipal structures.

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

1. That the 2011 Public Art Plan for the City of El Paso, Texas (“the Plan”), attached hereto, be and is hereby officially adopted.
2. That the Plan includes new projects to be initiated in the 2011 fiscal year, and describes the planned location, proposed budget, timetable and artist selection process for each project, and contains updates on public art projects in progress.
3. That adoption of the Plan is fully funded through 2006, 2009 and 2010 certificates of obligation.

Mr. Sean McGlynn, Director of Museums and Cultural Affairs, presented a PowerPoint presentation (copy on file in the City Clerk’s office).

Mayor Cook and Representatives Acosta and Quintana commented.

Motion made by Representative Quintana, seconded by Representative Lilly, and unanimously carried to **APPROVE** a Resolution

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

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 Motion made by Representative Ortega, seconded by Representative Holguin , and unanimously carried to **ADJOURN** this meeting at .12:13 p.m.

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk