

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
MARCH 26, 2013
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:32 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Michiel R. Noe, Steve Ortega, and Cortney Carlisle Niland. Late arrivals: Eddie Holguin, Jr. at 8:33 a.m., Emma Acosta at 8:36 a.m., and Carl Robinson at 8:45 a.m. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

1. ORO TEMPLE AND ORO COURT'S ANNUAL CELEBRATION
2. CORONADO T-BIRDS AND FRANKLIN COUGARS SPORTSMANSHIP DAY
3. PRICE'S CREAMERIES APRIL POOLS MONTH

RECOGNITIONS

1. MITCHELL MARCUS - CORONADO HIGH SCHOOL
2. JONATHON MONTANEZ - FRANKLIN HIGH SCHOOL
3. COACH PETER MORALES - CORONADO HIGH SCHOOL
4. FRANKLIN BOYS VARSITY BASKETBALL TEAM 2012-2013
5. CORONADO BOYS VARSITY BASKETBALL TEAM 2012-2013

CALL TO THE PUBLIC - PUBLIC COMMENT

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

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

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

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. Othon Medina
2. Ms. Wally Cech
3. Mr. Steven Strumer

Mayor Cook and Representative Niland commented.

Ms. Joyce Wilson, City Manager, commented.

1.

RESOLUTION

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

That the City of El Paso, Texas, and Secretariat of Economy, Chihuahua State Government, of Mexico, commit to collaborative activities in support of projects of common interest to the City of El Paso and the State of Chihuahua and that the Mayor be authorized to sign counterpart originals, in both English and Spanish, of a Memorandum of Understanding between the City of El Paso and the State of Chihuahua.

**MEMORANDUM OF UNDERSTANDING BETWEEN
SECRETARIAT OF ECONOMY, CHIHUAHUA STATE GOVERNMENT OF MÉXICO AND THE CITY OF EL
PASO, TEXAS, OF THE UNITED STATES OF AMERICA**

The Secretariat of Economy, Chihuahua State Government of Mexico, and the City of El Paso, Texas, of the United States of America, hereinafter referred to as the "Parties";

Considering the excellent relations of friendship and cooperation between both entities and the wish to strengthen the bond between the State of Chihuahua, and the City of El Paso, Texas;

Interested in coordinated actions in the identified areas of common interest to foster mutually beneficial business opportunities for small and medium enterprises promoting cross border opportunities;

Committed to collaboration and cooperation in the following:

ARTICLE I

The objective of this Memorandum of Understanding is to carry out collaborative activities, especially in the areas of international commerce, manufacturing, services, arts and culture, education, infrastructure, technology and other areas agreed upon by the Parties.

ARTICLE II

The Parties, in compliance with local, state and federal laws and regulations, will collaborate in areas of mutual interest.

ARTICLE III

To achieve the objective indicated in Article I of this Memorandum of Understanding, the Parties will cooperate and collaborate in the following activities:

- a) The Parties will exchange information and share knowledge of areas of mutual interest to promote economic development and cross-border opportunities.
- b) Promotion of business through an exchange of business missions and the participation in events such as exhibitions, trade fairs, seminars and business forums, with the objective of increasing the flow of goods and services;
- c) Promotion of investments through information sharing regarding investment possibilities and business opportunities aimed at promoting joint investments;
- d) Promotion of regional economic development goals, facilitating cooperation with respective state and local governments; and

e) Other areas agreed upon by the Parties.

ARTICLE IV

The Parties may create a task force with representatives from each Party, who will work together to draw up collaborative proposals and act as liaisons and coordinate efforts to promote such collaborative activities.

ARTICLE V

The differences that may arise on the interpretation or application of this Memorandum of Understanding will be resolved through mutual agreement between the Parties.

ARTICLE VI

The term of this Memorandum of Understanding shall continue in full force and effect until terminated by either Party by written notice to the other Party of no less than six (6) months prior to termination.

This Memorandum of Understanding may be modified by written agreement of the Parties.

The early termination of this Memorandum of Understanding will not affect the conclusion of the collaborative programs or projects that may have been formalized during the term.

Mayor Cook commented.

Mr. Javier Sanchez Carlos commented.

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

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, Noe, Holguin, Ortega and Niland

NAYS: None

2. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of March 19, 2013.

3. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

4A. ENGINEERING AND CONSTRUCTION MANAGEMENT

*Motion made, seconded, and unanimously carried to **DELETE** the item on a Resolution authorizing the City Manager to sign a Contract of Sale between the City of El Paso and Gary & Kathleen Roth dba GKR

Enterprises, Inc., a Texas corporation, for the purchase of a portion of the property commonly known as 5401 East River Lane, El Paso, El Paso County, Texas more particularly described as a portion of Lot 10, Block 1, East River Estates Park, El Paso, El Paso County, Texas, according to the Plat thereof, recorded in Volume 79 Page 38, Plat Records of 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.

4B.

***RESOLUTION**

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 period of September 1, 2012 through August 31, 2013, for the provision of public health and environmental services by the City of El Paso for the County of El Paso, including services for those animals delivered by the County of El Paso to the City's Animal Shelter, and to designate the currently established Animal Shelter Advisory Committee to serve as the statutorily required committee described in Texas Health and Safety Code Section 823.005.

4C.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, JI, JONATHAN Y, 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:

7616 Medano Drive, more particularly described as Lot(s) 43 (6780.80 SQ FT), Block 44, West Hills #16 Subdivision, El Paso, El Paso County, Texas, Parcel #W145-999-0440-4300

to be \$169.68, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY THREE AND 68/100 DOLLARS (\$193.68). The City Council finds that the work was completed on the 5th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY THREE AND 68/100 DOLLARS (\$193.68) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, SQUIRES, PHILO T, 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:

8956 Mount Olympus Drive, more particularly described as Lot(s) 1681, Block 71, Mountain View Subdivision, El Paso, El Paso County, Texas, Parcel #M851-999-0710-1900

to be \$116.46, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY AND 46/100 DOLLARS (\$140.46). The City Council finds that the work was completed on the 17th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY AND 46/100 DOLLARS (\$140.46) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

8937 Mount Rushmore Lane, more particularly described as Lot(s) 1829 (7245 SQ FT), Block 74, Mountain View Subdivision, El Paso, El Paso County, Texas, Parcel #M851-999-0740-6900

to be \$116.73, 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 ONE HUNDRED FORTY AND 73/100 DOLLARS (\$140.73). The City Council finds that the work was completed on the 6th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY AND 73/100 DOLLARS (\$140.73) 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.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, GUERRA, ERIKA, 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:

203 Teakwood Road, more particularly described as Lot(s) 18, Block 22, Cedar Grove Park Replat Subdivision, El Paso, El Paso County, Texas, Parcel #C301-999-0220-5200

to be \$114.94, 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 THIRTY EIGHT AND 94/100 DOLLARS (\$138.94). The City Council finds that the work was completed on the 20th day(s) of August, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED THIRTY EIGHT AND 94/100 DOLLARS (\$138.94) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, BLACK, FELIX R & TANYA D S, 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:

10548 Canyon Sage Drive, more particularly described as Lot(s) 3 (5488.00 SQ FT), Block 5, Summerlin Subdivision, El Paso, El Paso County, Texas, Parcel # S782-999-0050-0300

to be \$154.21, 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 21/100 DOLLARS (\$178.21). The City Council finds that the work was completed on the 27th day(s) of August, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY EIGHT AND 21/100 DOLLARS (\$178.21) 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, RUGGY O BOSTIC, 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:

11261 Cattle Ranch St., more particularly described as Lot(s) 28 (5964.00 Sq Ft), Block 22, Sandstone Ranch # 4 Subdivision, El Paso, El Paso County, Texas, Parcel # S137-999-0220-2800

to be \$86.06, 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 TEN AND 06/100 DOLLARS (\$110.06). The City Council finds that the work was completed on the 11th day(s) of July, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED TEN AND 06/100 DOLLARS (\$110.06) 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, JORGE A SANDOVAL, 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:

11048 Essex Falls Lane, more particularly described as Lot(s) 12 (5000.00 Sq Ft), Block 4, Painted Dunes Subdivision, El Paso, El Paso County, Texas, Parcel # P080-999-0040-1200

to be \$126.52, 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 AND 52/100 DOLLARS (\$150.52). The City Council finds that the work was completed on the 11th day(s) of May, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY AND 52/100 DOLLARS (\$150.52) 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.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, JANES, HWA O K, 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:

4660 Loma Grande Dr, more particularly described as Lot(s) 16 (5250.00 SQ FT), Block 18, North Hills #5 Subdivision, El Paso, El Paso County, Texas, Parcel #N425-999-0180-1600

to be \$153.17, 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 ONE HUNDRED SEVENTY SEVEN AND 17/100 DOLLARS (\$177.17). The City Council finds that the work was completed on the 27th day(s) of July, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY SEVEN AND 17/100 DOLLARS (\$177.17) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, CHAVEZ, DAVID J & SHARON LEE, 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:

6073 Morning Glory Circle, more particularly described as ELY 29.80 FT OF WLY 95.20 FT OF 6, Block 2, Summer Field Subdivision, El Paso, El Paso County, Texas, Parcel #S775-999-0020-0650

to be \$100.54, 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 ONE HUNDRED TWENTY FOUR AND 54/100 DOLLARS (\$124.54). The City Council finds that the work was completed on the 23rd day(s) of August, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY FOUR AND 54/100 DOLLARS (\$124.54) 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, GRAHAM, ZACHARY & NORA E, 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:

11013 Nathan Bay Drive, more particularly described as Lot(s) 37 (4500.00 SQ FT), Block 10, Northtowne Village #2 Subdivision, El Paso, El Paso County, Texas, Parcel #N490-999-0100-3700

to be \$124.36, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY EIGHT AND 36/100 DOLLARS (\$148.36). The City Council finds that the work was completed on the 4th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY EIGHT AND 36/100 DOLLARS (\$148.36) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, FLORES, RUBY, 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:

10412 Silvercloud Drive, more particularly described as Lot(s) 12 (5270.76 SQ FT), Block 1, Summerlin Replat A Subdivision, El Paso, El Paso County, Texas, Parcel #S782-999-0010-0125

to be \$94.22, 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 EIGHTEEN AND 22/100 DOLLARS (\$118.22). The City Council finds that the work was completed on the 27th day(s) of August, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED EIGHTEEN AND 22/100 DOLLARS (\$118.22) 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, MIER, BEVERLY A & 1, 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:

10537 Silvercloud Drive, more particularly described as Lot(s) 11 (5967.72 SQ FT), Block 4, Summerlin Subdivision, El Paso, El Paso County, Texas, Parcel #S782-999-0040-1100

to be \$117.99, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY ONE AND 99/100 DOLLARS (\$141.99). The City Council finds that the work was completed on the 8th day(s) of August, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY ONE AND 99/100 DOLLARS (\$141.99) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, NELSON, CHARLES E, 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:

5725 Sherbrooke Avenue, more particularly described as Lot(s) 16 (6500 SQ FT), Block 3, Colonia Monterrey Subdivision, El Paso, El Paso County, Texas, Parcel #C737-999-0030-3100

to be \$136.81, 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 81/100 DOLLARS (\$160.81). The City Council finds that the work was completed on the 18th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SIXTY AND 81/100 DOLLARS (\$160.81) 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, VELASQUEZ, ARMANDO SR, 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:

5224 Sun Valley Drive, more particularly described as Lot(s) 37, Block 20, Sun Valley Subdivision, El Paso, El Paso County, Texas, Parcel #S816-999-0200-3700

to be \$244.79, 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 EIGHT AND 79/100 DOLLARS (\$268.79). The City Council finds that the work was completed on the 17th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SIXTY EIGHT AND 79/100 DOLLARS (\$268.79) 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, BABERS, GARY G, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

5400 Threadgill Avenue, more particularly described as Lot(s) 1 & W 3 FT OF 2 (8286 SQ FT), Block 6 , Skyview Subdivision, El Paso, El Paso County, Texas, Parcel # S502-999-0060-0100

to be \$117.00, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY ONE AND 00/100 DOLLARS (\$141.00). The City Council finds that the work was completed on the 17th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY ONE AND 00/100 DOLLARS (\$141.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, SANDOVAL, SYLVIA, 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:

3836 Leticia Street, more particularly described as Lot(s) 10 (4540.00 SQ FT), Block 7, Pueblo Montana #3 Subdivision, El Paso, El Paso County, Texas, Parcel #P915-999-0070-1000

to be \$117.72, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY ONE AND 72/100 DOLLARS (\$141.72). The City Council finds that the work was completed on the 19th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY ONE AND 72/100 DOLLARS (\$141.72) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

14406 Patriot Point Drive, more particularly described as Lot(s) 40 (4744.65 SQ FT), Block 174, Tierra Del Este #49 Subdivision, El Paso, El Paso County, Texas, Parcel #T287-999-1740-4000

to be \$106.90, 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 THIRTY AND 90/100 DOLLARS (\$130.90). The City Council finds that the work was completed on the 19th day(s) of September, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED THIRTY AND 90/100 DOLLARS (\$130.90) 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.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, CORONADO, FANTINO A 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:

3985 Tierra Sur Place, more particularly described as Lot(s) 16 (6017.69 SQ FT), Block 142, Tierra Del Este #36 Subdivision, El Paso, El Paso County, Texas, Parcel # T287-999-1420-1600

to be \$117.32, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY ONE AND 32/100 DOLLARS (\$141.32). The City Council finds that the work was completed on the 31st day(s) of August, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY ONE AND 32/100 DOLLARS (\$141.32) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, RISE, ADELIN E, 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:

447 Cadwallader Dr, more particularly described as Lot(s) 25 (10487 SQ FT), Block 1, Rosedale Manor Subdivision, El Paso, El Paso County, Texas, Parcel #R784-999-0010-7300

to be \$196.66, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED TWENTY AND 66/100 DOLLARS (\$220.66). The City Council finds that the work was completed on the 17th day(s) of July, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED TWENTY AND 66/100 DOLLARS (\$220.66) 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, PEREZ, LUPE, 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:

5801 Neches Avenue, more particularly described as Lot(s) 38, Block 13, Parkdale Subdivision, El Paso, El Paso County, Texas, Parcel #P405-999-0130-7700

to be \$149.26, 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 THREE AND 26/100 DOLLARS (\$173.26). The City Council finds that the work was completed on the 26th day(s) of June, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED SEVENTY THREE AND 26/100 DOLLARS (\$173.26) 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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4D.

***RESOLUTION**

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

That the City Manager be authorized to sign a Document Storage & Retrieval System, File Validation and Secure Document Destruction Services Contract by and between the City of El Paso and both TIBH Industries, Inc., a private non-profit corporation and the certifying party, and ReadyOne Industries, Inc., the performing party, to provide specified document storage and retrieval, file validation and secure document destruction services for the City, as managed by the City of El Paso's Records Management Division, by and through the City's General Services Department. This is a service requirements contract at a currently estimated cost to the City of \$139,854.10 over the one-year term of the contract (April 24, 2013 through April 23, 2014).

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4E.

***RESOLUTION**

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

That the Mayor be authorized to appoint the election officials and election judges for the General Election for the Election of Officers and the Special Election for the Submission of Charter Amendments to be held within the City on May 11, 2013. The County Elections Administrator shall remove Ms. Cecilia Avila as the election judge for precincts 144 and 145. The County Elections Administrator shall also review the list of election officials and judges and recertify their fitness to serve in accordance with all applicable laws, and that if any individuals are deemed unfit to serve that the Municipal Clerk be authorized to appoint new election officials certified by the County Elections Administrator.

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

The following City staff members commented:

- 1. Ms. Sylvia Firth, City Attorney, gave legal advice and read revision into the record.
- 2. Ms. Richarda Momsen, Municipal Clerk

Mr. Robert Pena, citizen, commented.

1ST MOTION

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

2ND AND FINAL MOTION

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

NOT PRESENT FOR THE VOTE: Representative Holguin

4F.

***RESOLUTION**

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

That the City Manager be authorized to sign a Lease Agreement by and between the Advocacy Center for the Children of El Paso ("Lessor") and the City of El Paso ("Lessee") with regard to a portion of the building located at 1100 E. Cliff, El Paso, Texas, for term of one (1) year from the date this lease is executed to March 25, 2014.

4G.

***RESOLUTION**

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

That the City Manager or designee be authorized to sign and submit amendment 001A to Contract number 2013-042708-001 and other related documents for the Texas Department of State Health Services' Special Supplemental Nutrition Program for Women, Infants, and Children, to increase the contract period from March 31, 2013 to September 30, 2013, and to increase the total reimbursable amount to \$7,015,482, to continue to provide supplemental food instruments, nutrition education, and counseling to enhance good health care at no cost to low-income pregnant and postpartum women, infants and children identified to be at nutritional risk; and that the City Manager or designee be authorized to sign any amendments thereto to extend the project for up to twelve months, to make adjustments to the contract program budget that do not change the contract amount, and to sign all related certifications.

5. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** William C. Helm II to the Historic Landmark Commission by Mayor John F. Cook.

6. NOTATION OF CAMPAIGN CONTRIBUTIONS:

*Motion made, seconded, and unanimously carried to **APPROVE** for notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contributions by Representative Carl L. Robinson on March 13, 2013, in the amount of \$400 from Kimberly Isaac Smith, on March 14, 2013, in the amount of \$50 from Jeanie L. or Starr A. Palmer; on March 16, 2013, in the amount of \$50.00 from Richard L. Davis; on March 18, 2013, in the amount of \$50 from Janette Coon and William L. Coon; in the amount of \$50 from Edward Beck; in the amount of \$25 from Teresa Quezada; in the amount of \$25 from Tony Harder; in the amount of \$20 from Shane Haggerty and family.

7. APPLICATIONS FOR TAX REFUNDS

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

1. Rasette Capital, LLC in the amount of \$4,593.20 overpayment of 2012 taxes.
(Geo # C102-000-0100-0600)
2. Ron Ray LP in the amount of \$3,000.00 for payment in error and overpayment of 2010 taxes.
(Geo # F716-999-0240-8100)

3. Brookfield Relocation Inc. Formerly Known as Prudential in the amount of \$2,618.13 overpayment of 2012 taxes. (Geo # M794-999-0270-1700)
4. Transtar National Title in the amount of \$4,924.53 overpayment of 2012 taxes. (Geo # N425-999-0050-2300)
5. Carlton D. and Ivonne E. Melver in the amount of \$2,580.98 for duplicate payment of 2012 taxes. (Geo # P605-999-0100-0400)
6. Harold W. Hughes in the amount of \$4,726.80 overpayment of 2012 taxes. (Geo # S373-999-002B-0750)
7. Marcus Soto in the amount of \$4,080.79 for payment in error of 2012 taxes. (Geo # S490-999-01U3-0900)
8. Bank Of Texas in the amount of \$3,308.53 overpayment of 2012 taxes. (Geo. # T287-999-0900-1900)
9. HRP International LLC in the amount of \$3,253.89 overpayment of 2012 taxes. (Geo. # T287-999-1130-4200)
10. HRP International LLC in the amount of \$3,614.09 overpayment of 2012 taxes. (Geo. # T287-999-1180-4100)
11. HRP International LLC in the amount of \$3,779.36 overpayment of 2012 taxes. (Geo. # T287-999-1340-1100)
12. HRP International LLC in the amount of \$3,467.03 overpayment of 2012 taxes. (Geo. # T287-999-1340-2100)
13. HRP International LLC in the amount of \$3,160.27 overpayment of 2012 taxes. (Geo. # T287-999-1750-3000)
14. David Amaya in the amount of \$13,262.11 for payment in error and overpayment of 2012 taxes. (Geo. # T617-000-0000-1100)
15. Flagstar Mortgage c/o CoreLogic in the amount of \$2,754.99 overpayment of 2011 taxes. (Geo. # V655-999-0210-3200)
16. Albert and Emmaline Chacon in the amount of \$3,901.35 for payment in error of 2012 taxes. (Geo. # V897-999-0920-3400)
17. First American Mortgage Services in the amount of \$4,296.48 overpayment of 2012 taxes. (Geo. # W145-999-0830-0300)
18. Rudy and Sandra Galvez in the amount of \$3,323.34 for double payment of 2012 taxes. (Geo. # V897-999-1050-0900)
19. Joseph (Sib) Abraham, Jr. in the amount of \$7,458.52 for payment in error of 2004, 2005, and 2010 taxes. (Geo. # A462-999-0570-0100)
20. Nationstar Mortgage in the amount of \$2,635.90 for payment in error of 2012 taxes. (Geo. # A642-999-0090-2700)
21. El Paso Salman Properties Inc. in the amount of \$10,824.72 for payment in error of 2012 taxes. (Geo. # A765-999-002H-0730)
22. Harann Investments, Inc. in the amount of \$3,518.52 for double payment of 2012 taxes.

(Geo. # C050-999-1000-5100)

23. Arnold B. Peinado Jr. and Rose T. Peinado in the amount of \$5,002.64 for double payment of 2012 taxes. (Geo. # C214-999-0020-5000)
24. GECU in the amount of \$3,631.93 for payment in error of 2012 taxes. (Geo. # C231-999-0270-2100)
25. TSI Title Company of Texas, Inc. in the amount of \$4,925.24 overpayment of 2012 taxes. (Geo. # C340-999-0240-6500)
26. Lone Star Title in the amount of \$3,412.76 for double payment of 2012 taxes. (Geo. # C340-999-0460-6500)
27. David Keller in the amount of \$2,537.91 overpayment of 2012 taxes. (Geo. # C340-999-062B-2300)
28. Diane Ruth Mack in the amount of \$3,326.39 overpayment of 2012 taxes. (Geo. # C675-999-0010-4500)
29. Alejandro Oropeza in the amount of \$3,804.77 overpayment of 2012 taxes. (Geo. # C736-999-0010-3100)
30. First Savings Bank in the amount of \$3,189.64 for payment in error of 2012 taxes. (Geo. # C849-999-0740-3300)
31. Town of Horizon City in the amount of \$2,679.26 for payment in error of 2012 taxes. (Geo. # D098-002-0010-0600)
32. CityMortgage Inc. in the amount of \$3,237.58 overpayment of 2012 taxes. (Geo. # H453-999-1240-0100)
33. Ocwen Financial Corp. in the amount of \$3,290.36 overpayment of 2012 taxes. (Geo. # H788-014-0030-0500)
34. U.S. Bancorp Service Providers, LLC in the amount of \$3,457.47 for double payment of 2012 taxes. (Geo. # I256-999-0290-0900)
35. GECU Servicing Department in the amount of \$3,013.16 for payment in error of 2012 taxes. (Geo. # I258-999-0040-0300)
36. R Leasing LLC in the amount of \$6,789.34 overpayment of 2012 taxes. (Geo. # K283-999-0060-0050)
37. GECU in the amount of \$3,170.70 for payment in error of 2012 taxes. (Geo. # L217-999-002E-1900)
38. TSI Title Company of Texas, Inc. in the amount of \$4,675.88 overpayment of 2012 taxes. (Geo. # L225-999-0170-5400)
39. TSI Title Company of Texas, Inc. in the amount of \$6,356.08 overpayment of 2012 taxes. (Geo. # M344-999-0160-3300)
40. Wells Fargo Real Estate Tax Service in the amount of \$4,364.27 for payment in error of 2012 taxes. (Geo. # M403-999-0040-0900)
41. Jose Xicali in the amount of \$5,991.71 for payment in error of 2012 taxes. (Geo. # M473-999-0340-0500)

42. Jose Xicali in the amount of \$8,885.06 for payment in error of 2012 taxes.
(Geo. # M473-999-0340-0900)
43. EPT Mesa Development in the amount of \$28,144.91 for payment in error of 2012 taxes.
(Geo. # M649-999-0090-0350)
44. Murchison Medical Doctors LP in the amount of \$11,407.69 for payment in error of 2012 taxes.
(Geo. # M791-999-0020-0100)
45. Samuel and Janel Morgan in the amount of \$5,141.92 for payment in error of 2012 taxes.
(Geo. # N425-999-0350-0900)
46. Carmen T. Delgado in the amount of \$2,740.83 overpayment of 2012 taxes.
(Geo. # O415-999-0000-5000)
47. Pier 1 Imports #725 in the amount of \$13,414.20 overpayment of 2012 taxes.
(Geo. # P395-999-0040-0501)
48. Mission Foods / Gruma Corp in the amount of \$25,654.24 for payment in error of 2012 taxes.
(Geo. # P679-999-0000-0300)
49. Christopher and Maria Olivia Johnson in the amount of \$6,630.21 overpayment of 2012 taxes.
(Geo. # S137-999-0010-5300)
50. Nationstar Mortgage in the amount of \$4,298.29 for payment in error of 2012 taxes.
(Geo. # S138-999-0160-0100)
51. Etor Castillo in the amount of \$3,541.90 overpayment of 2012 taxes.
(Geo. # S231-999-0090-7300)
52. Linear Title & Closing in the amount of \$4,504.44 for payment in error of 2012 taxes.
(Geo. # S380-999-0130-1200)
53. Ricardo Bolly in the amount of \$3,318.66 for double payment of 2012 taxes.
(Geo. # S541-999-0070-1700)
54. Lawyers Title of El Paso in the amount of \$11,306.05 double payment of 2012 taxes.
(Geo. # S690-999-0010-5400)
55. John and Sarah McCoy in the amount of \$4,457.96 overpayment of 2012 taxes.
(Geo. # S987-999-0060-0600)
56. Pronto Mortgage LLC in the amount of \$2,764.06 for payment in error of 2011 taxes.
(Geo. # T250-999-0010-0040)
57. Timios, Inc. in the amount of \$5,315.20 overpayment of 2012 taxes.
(Geo. # T281-999-0050-1000)
58. First Savings Bank in the amount of \$5,105.83 for payment in error of 2012 taxes.
(Geo. # T331-999-0010-1300)
59. Mission Title LP in the amount of \$3,046.82 overpayment of 2012 taxes.
(Geo. # T820-999-0070-2200)
60. Villa Encanto L.P. in the amount of \$14,043.28 overpayment of 2012 taxes.
(Geo. # V636-999-0010-1300)
61. Julieta Palmer in the amount of \$3,598.20 overpayment of 2012 taxes.
(Geo. # V887-999-0010-2100)

- 62. GECU Servicing Department in the amount of \$2,503.87 for double payment of 2012 taxes.
(Geo. # V893-999-0860-2700)
- 63. Rio Bravo Title in the amount of \$3,321.14 for double payment of 2012 taxes.
(Geo. # V893-999-0910-5900)
- 64. David Villalobos in the amount of \$3,695.71 for double payment of 2012 taxes.
(Geo. # V893-999-2300-2600)
- 65. Linear Title & Closing in the amount of \$2,602.56 for payment in error of 2012 taxes.
(Geo. # V893-999-2340-0900)
- 66. Rosario Bernal-Rivera in the amount of \$3,513.22 overpayment of 2012 taxes.
(Geo. # V897-999-0980-3800)
- 67. Magdaleno and Maria Meraz in the amount of \$5,576.71 overpayment of 2012 taxes.
(Geo. # W145-999-0890-2160)
- 68. KP Windshields in the amount of \$5,732.73 for payment in error of 2012 taxes.
(Geo. # X580-999-2380-6447)
- 69. Huitao Wu in the amount of \$11,634.41 for double payment of 2012 taxes.
(Geo. # Y805-999-055B-0420)

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8. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2013-127 (Paper Sundries for Department of Aviation) to Spectrum Paper Co., Inc. and Southwestern Mill Distributors, Inc. for an initial term estimated award of \$407,760.

Department:	Aviation (El Paso International Airport)
Award to:	Spectrum Paper Co., Inc. El Paso, TX
Item(s):	A1 and A3
Initial Term:	3 years
Option to Extend:	None
Annual Estimated Award:	\$127,745
Initial Term Estimated Award:	\$383,235 (3 years)
Award to:	Southwestern Mill Distributors, Inc. El Paso, TX
Item(s):	A2
Initial Term:	3 years
Option to Extend:	1 year
Annual Estimated Award:	\$ 8,175
Initial Term Estimated Award:	\$24,525 (3 years)
Initial Term Estimated Award:	\$407,760 (3 years)
Total Estimated Award:	\$415,935 (4 years)
Account No.:	562 – 62050 – 531210 – 3000
Funding Source:	Inventory Purch-Material and Supplies

This is a low bid, unit price contract.

The Financial Services - Purchasing Division and Department of Aviation recommend that Boritex, Inc. be disqualified as non-responsive for item A1 and the contract for item A1 be awarded to Spectrum Paper Co., Inc. pursuant to the City's Hire El Paso First Local Business Purchasing Preference Policy and the Texas Local Government Code Section 271.905, and Southwestern Mill Distributors, Inc., the lowest responsive, responsible bidders. The City has determined that Spectrum Paper Co., Inc., as the local bidder offers the City the best combination of contract price and additional economic development opportunities for the City created by the contract award, including hiring two or more new full time local employment and increasing tax revenues to the City.

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9A. INTRODUCTION

Motion made by Representative Niland, seconded by Mayor Pro Tempore Lilly, and carried that the following Ordinance, 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, Noe, Ortega, and Niland
NAYS: Representative Holguin

An Ordinance granting a First Amendment to lease to Transtelco Inc. regarding the relocation of a portion of the City's existing underground conduit system in downtown and south El Paso for a fiber optic cable telecommunications system. As consideration the lessee shall pay certain relocation costs and the annual lease fee (\$12,524.70) shall remain the same

PUBLIC HEARING WILL BE HELD ON APRIL 2, 2013, FOR ITEM 9A

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9B. – 9G. INTRODUCTIONS

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

- 9B.** An Ordinance changing the zoning of a Portion of Lot 1, Wells Park Addition, and a Portion of Tract 20-A, Section 32, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: south of Montana Avenue and west of Joe Battle Boulevard. Property Owner: Trevino Lock and Key Shop/Linda Y. Mohr and Robert J. Melton/Carol Witz Robertson. PZRZ12-00043
- 9C.** An Ordinance changing the zoning of all of Lot 2, Block 1, Keystone Business Park Replat "A", City of El Paso, El Paso County, Texas from P-I/sc (Planned Industrial/special contract) to C-4/sc (Commercial/special contract). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 4529 Osborne Drive. Property Owner: Luis R. DeStefano. PZRZ12-00025
- 9D.** An Ordinance changing the zoning of a portion of Lot 1, Sunnyfields, City of El Paso, El Paso County, Texas from R-4 (Residential) to C-3 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7704 Alameda Avenue. Property Owner: Roberto Pacheco. PZRZ12-00037
- 9E.** An Ordinance changing the zoning of Lots 9-10, Block 2, Sahara Subdivision, City of El Paso, El Paso County, Texas from R-4 (Residential) to C-2 (Commercial) and imposing a condition. The

penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 9934 Dyer Street. Property Owner: Sang and Mario Ornelas. PZRZ12-00045

9F. An Ordinance changing the zoning of the following legally described 586.04 acre tract of land including all of the Alamo Heights Subdivision; a portion of Blocks 70 and 71, and closed street between Blocks 73 through 101 of the Bassett Addition; all of Memorial Park; all of the Castle Heights Subdivision; Blocks 5, 7, 8, 16, 17, 19 and 20 of the Cotton Addition; all of the Supplemental Map of the Cotton Place Addition Replat 2, except Blocks 22, 23, and 31 through 35; Blocks 33 through 35, 45 through 48, 60 through 69, 76 through 85, 92 through 107, 120 through 123, 132 through 134, and 141 through 144 of Supplemental Map No. 1 of East El Paso; Blocks 21½ through 26, 35 through 40, 50 through 55, and 64 through 66 of the Highland Park Addition; Blocks 25 through 39 of the Manhattan Heights Addition; and all streets, alleys, highway and railroad right of ways located within these limits, all being located within the corporate limits of the City of El Paso, El Paso County, Texas from their current zoning district to SCZ (SmartCode Zone). The penalty is as provided for in Chapter 21.60 of the El Paso City Code. Property Owner: Multiple. PZRZ13-00004

9G. An Ordinance changing the zoning of the following legally described 528.58 acre tract of land including Kennedy Brothers Memorial; Gall Subdivision; Tracts 16A, 16B, 16C, 16D, 20, 20A, 21A, 21A1, 21B, 21B1, 21C, 21C1, 21C1C1, 21C1D, 21C1C2, 21C1B, 21C1B1, 21D, 21D1, 21E, 21E1, 21F, 21F1, 22A, 22B, 22B1, 22B1A, 23A, 23B, 23B1, 23B2, 23C, 23D, 28A, 28A1, 28B, 28C, 28D, 30B, 30C, Block 8, Ysleta Grant; Tracts 13A, 13B, 13D, Block 35 Ysleta Grant; Tract 26, Block 36, Ysleta Grant; Tracts 2, 3A, 3C, 3D, 3E, 4A, 5, 6A, 6B, 7A, 7B, 8A, 8B, 8C, 8D, 8E, 8F, 8F1, 8G, 8H, 8J, 8K, 10, 11A, 11B, 11B1, 11C, 11D, 11E, 11E1, 11E2, 11E1A, 11E1B, 11F, 11G, 11J, 11K, 11L, 11M, 11N, 11P, 11P1, 11R, 11S, 11T, 11U, 12, 12A, 13A, 13C, 13H, 14, 15, 16, 17, 17A, 18, 19, 19A, 20, 21A, 21B, 22B, 29A, 29B, 29B1, 29B1A, 29B1B, 29B1C, 29B1D, 29C, 30A, 30B, 30C, 32B, 32D, 33A, 33B, 34A, 34B, 35A, 35B, 37A, 38, 39A, 39B, 39C, 40, 41, 43, 44, 45, 46A, 46B, 46C, 46C1, Block 37, Ysleta Grant; Tracts 1, 2A, 2B1, 2B2, 2B3, 2B4, 2B5, 3A, 3B, 3C, 4A, 4C, 4C3, 4C4, 4C5, 4D, 4D1, 4D1A, 4D2, 4D2A, 4D3, 4D3A, 4D4, 4D4A, 4D5, 4D5A, 5, 18A, 18E, 18G, 18H, 19B, 19C, 19D, 19E, 19F, 19G, 19G1, 19G1B, 19H, 23A, 23B, 23B1, 23C, 23C1, 23D1, 24, Block 38, Ysleta Grant; Tracts 2, 3A, 3B, 3D, 4A, 4B, 4C, 4CA, 4C1B, 4D, 4D1, 4E, 4E1, 4F, 5C, 5C6, 6A, 6B, 6C1, 6C2, 7A, 8A, 8B, 9A, 9B, 10A, 10B, 10C, 10C1, 10C2, 10D, 10E, 10F, 10G, 10H, 11A, 11B, 12A, 12B, 12C, 13A, Block 39, Ysleta Grant; Tracts 3C, 3C1, 5B, 5C4, 5C6, Block 40, Ysleta Grant; Tracts 1, 2A, 2B, 3A, 3B, 3B1, 3B2, 3B3, 4B, 4D, 5, 6A, 6B, 7A2, 7B, 7C, 7D1, 7D, 7D2, 8A, 8A7, 8A9, 8A1, 8A1A, 8A2, 8A2A, 8A3, 8A4, 8A5, 8A6, 8A10, 8A11, 8K, 8M, 8O, 8S, 8V, 8U, 8Z, 8Y, 8W, 8W1, 8X, 8X1, 8X2, 8X5, 8X6, 8X3, 8X4, 9A, 9B, 9B1, 9B1B, 9B2, 9B3, 8B, 8B1, 8C, 8E, 8F, 8G, 8H, 8I, 8J, 8P, 8Q, 8T, 10C, 10C1, 10D, 10E, 11A, 11B, 12A, 12B, 12C1A, 12C1B, 12C3, 13, 14, 15, 16, 17A, 17B, 22F, Block 42, Ysleta Grant; Tracts 1A, 1B, 1C, 1D, 1D1, 1D2, 1D2A, 1D2C, 1E, 2, 3, 4, 5A, 5B1, 6A, 6B, 6C, 6D1, 6F, 6H, 6K, 6K1, 6J, 6I, 6L, 7A, 7C, 8, 9, 10, 12, 14A, 15, Block 43, Ysleta Grant; Tracts 1A, 1B1, 1C, 1D, 2A, 2B, 3, 4, 5, 6, 6A, 6B, 6C, 7A, 7B, 11B, 12, 13B, 13C, 13D, 15, 16, 17, 18, 19A, 19B, 19B1, 19C, 20, Block 44, Ysleta Grant; Tracts 1, 2A, 2B, 3, 5, 6, 7, 9B, 9B1, 9B2, 9B3, 9C, 10A, 10B, 10D, 10C, 10E, 11, 12A, 12B, 12C, 13, 14A, 14B, 15A, 15B1, 15B3, 16B, 16D, 16E, 16F, 16G, 16J, 23A, 23B, 24, 25A, 25B, 26, 27A, 28, 30A, 31, 32, 33A, 33C, 33B, Block 45, Ysleta Grant; Tracts 1A, 2A, 2C, 3A, 3B, 3D, 3E, 3F, 3F1, 3F2, 3F3, 3J, 3G, 3H, 5, 5A, 6, 7, 8A, 9B, 9C, 10B, 10B1, 10C1, 10C1A, 10C1B, 10C, 10C2, 10C3, 10C3A, 10C4, 10C5, 10C6, 10C7, 10C8, 10C8A, 10C9, 10C10, 10C11, 10C11A, 10C12, 10C12A, 10C13, 10C14, 10C14A, 10D, 10D1, 10D3, 10E, 10J, 10I, 10F, 10F1, 10G, 10H, 10I1, 10L, 10L1, 11, 12A, 12A1, 12A1A, 12B, 12C, 12C1, 12C1A, 12C2, 12C4, 12C5, 12C6, 12C4A, 12D2, 12D4, 12E, 12E2, 12G1A, 12G2, 12F, 12H, 12H1, 12H4, 12H5, 12H6, 12J, 12K, 12L, 12L1, 12L2, 12N, 12O, 12P, 12Q, 12R, 12R1, 12R1A, 12R2, 12S, 12S1, 12T, 12U, 12U1, 12U2, 12V, 12V1, 13A, 13A1, 14A1, 14B, 15A, 15B, 15B1, 15C, 15D, 16, 17A, 17A1, 18A, 18B, 18B1, 18C, 19, 20, 21, 22, 23A, 23A1, 23B, 23B1, 24, 24A, 25, 26, 27A, 27A1, 27C, 27D, 27D1, 28A, 28B, 28C, 29, 30, Block

46, Ysleta Grant; Tracts 6E, 6F, 6F1A, 6F1B, 6F2, 6F3, 6F3A, 6F2A, 6F2B, 6F2B1, 6F2B2, 6F2C, 6F4, 6F4A, 6F4B, 6F4B1, 6F5, 6F5A, 7A1, 7A2, 7B, Block 47, Ysleta Grant; Tracts 1B, 2, 2A, 3A, 3B, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4J, 4K, 5B, 7, 8, 9A, 11A, 12, 13A, 13B, 15, 18, 19A, 9A1, 19B, 19B1, 20, 21, 22, Block 48, Ysleta Grant; Tracts 10, 11, 12, 12A, 12A1, 12B, 12D, 13, Block 49, Ysleta Grant; Apodaca Subdivision; Lots 55 through 74, a portion of Lot 1, Lots 2 through 25, and Lots 49 through 54, Alexander Addition to Ysleta; Lone Star Subdivision; Estrada Replat A; Valumbrosa, Lots 1 through 11, Lots 13 through 33, Lots 34 through 42, Block 1, and Lots 12 through 21, Block 2; Valumbrosa Replat; Home Improvement No. 1; Home Improvement No. 2; Indian Town Subdivision; Frymuth Subdivision; J.R. Lopez Subdivision; Lots 1 through 16, Lots 17 through 32, and Lots 33 through 49, North Valumbrosa; Lots 101 through 110, North Valumbrosa No. 2; a portion of Tract 1 and Tracts 2 through 10, Franklin Place; a portion of Tract 11 and Tracts 12 through 22, Franklin Place Replat; Tracts 25 through 31 and Tracts 16 through 24, Sunland Gardens; Tracts 3 through 17 and Tracts 18 through 33, Block B, Spohr Addition; Tract 12 and a portion of Tract 13, Spohr Addition; Arizona Subdivision; Lydia Dixon; Lydia Dixon No. 2; Gemotes; Shanks Carpenter; Shanks Carpenter Replat A; Yoshida Subdivision; Lots 1 through 5, Block 1, and a portion of Lot 25, Block 1, and Lots 4, 5, and 6, Block 2, Frutas Place; Pullman Subdivision; Harris Subdivision; Carpenter & Ammons; Trice; Phelps; Phelps Replat of Lot A; Valle Hermosa; and a portion of Lot 2, Block 24, Capistrano Park Unit Four as described in Volume 1279, Page 1443 and Volume 2379, Page 2053, Real Property Records of El Paso County, Texas, from their current zoning district to SCZ (SmartCode Zone); the penalty is as provided for in Chapter 21.60 of the El Paso City Code. Property Owner: Multiple. PZRZ12-00036

PUBLIC HEARING WILL BE HELD ON APRIL 16, 2013, FOR ITEMS 9B – 9G

10. DEPARTMENT OF TRANSPORTATION

1ST MOTION

Motion made by Representative Noe, seconded by Representative Ortega, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 9:20 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

2ND MOTION

Motion made by Representative Noe, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **ADJOURN** the Executive Session at 9:40 a.m. and **RECONVENE** the meeting of the City Council.

NOT PRESENT FOR THE VOTE: Representatives Byrd and Ortega

3RD MOTION

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

4TH AND FINAL MOTION

Motion made by Representative Niland, seconded by Representative Robinson, and unanimously carried to **REJECT** Solicitation No. 2013-094 Street Construction Materials to Cemex Construction Materials South, LLC and Jobe Materials, L.P. for an initial term estimated award of \$1,650,843.75 and go out for a re-bid.

Department:	Transportation
Award to:	Vendor 1: Cemex Construction Materials, LLC
	El Paso, TX
Item(s):	Group 1 and 2

Initial Term: 3 years
Option to Extend: None
Annual Estimated Award: \$ 497,710.00
Total Estimated Award: \$1,493,130.00 (3 years)

Award to: Vendor 2: Jobe Materials L.P.
El Paso, TX
Item: Group 3
Initial Term: 3 years
Option to Extend: 2 years
Annual Estimated Award: \$ 52,571.25
Initial Term Estimated Award: \$ 157,713.75 (3 years)
Total Estimated Award: \$ 262,856.25 (5 years)
Total Annual Estimated Award: \$ 550,281.25
Total Initial Term Estimated Award: \$1,650,843.75 (3 years)
Total Estimated Award: \$1,755,986.25 (5 years)
Account No.: 532 – 32120 - 532030 – 1000
Funding Source: Public Maintenance & Repairs

This is a low bid, unit price contract.

The Financial Services - Purchasing Division and Department of Transportation recommend award as indicated to Cemex Construction Materials South, LLC and Jobe Materials L.P., the lowest responsive, responsible bidders.

Mayor Cook and Representatives Lilly, Byrd, Niland, and Noe commented.

The following City Staff members commented:

1. Mr. Bruce Collins, Purchasing Manager
2. Mr. Ted Marquez, Deputy Director for Department of Transportation
3. Ms. Sol Cortez, Assistant City Attorney, gave legal advice.
4. Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. Ralph Richards, Jobe Materials
2. Ms. Lisa Turner

11.

ORDINANCE 17977

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 017961, CALLING A SPECIAL ELECTION FOR THE SUBMISSION OF CHARTER AMENDMENTS TO BE HELD WITHIN THE CITY, ON MAY 11, 2013, TO CORRECT A SCRIVENER'S ERROR IN THE TEXT UNDER AMENDMENT NO. 1 OF THE ORDINANCE.**

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

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

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

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12. CITY ATTORNEY

Discussion and action regarding clarification on appraisal reform to the City of El Paso State Legislative Priorities for the 83rd Legislative Session.

Mayor Cook and Representatives Ortega, Lilly, and Byrd commented.

The following City staff members commented:

- 1. Ms. Lauren Francis, Intergovernmental Affairs
- 2. Ms. Sylvia Firth, City Attorney, gave legal advice.

Diana Kilgore, CAD Executive Director, commented.

NO ACTION was taken on this item.

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13. CITY DEVELOPMENT

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and unanimously carried to **WAIVE** the requirement that an application for infill development meet two criteria as stated in Section 20.10.280 when only one factor is met, prior to the submission of a special use permit application for the property located at 5528 & 5524 Woodgreen Drive, legally described as Lots 6 & 7 Block 4, Emerald Valley Estates Replat-A, City of El Paso, El Paso County, Texas.

NOT PRESENT OF THE VOTE: Representatives Acosta and Robinson

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

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14.

RESOLUTION

A RESOLUTION OF THE CITY OF EL PASO, TEXAS, AUTHORIZING THE EXECUTION AND DELIVERY OF SCHEDULE A NO. 2 TO A MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT WITH RESPECT TO THE ACQUISITION, PURCHASE, FINANCING AND LEASING OF CERTAIN EQUIPMENT FOR THE PUBLIC BENEFIT; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACQUISITION FUND AGREEMENT IN CONNECTION THEREWITH; RESOLVING OTHER MATTERS RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of El Paso, Texas (the "City"), a body corporate and politic existing under the laws of the State of Texas, is authorized by the laws of the State of Texas to purchase, acquire and lease personal property for the benefit of the City and its inhabitants and to enter into contracts with respect thereto; and

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

WHEREAS, the City entered into a Master Equipment Lease/Purchase Agreement dated as of November 29, 2011 (the "Master Agreement") by and between the City and Compass Mortgage Corporation, an Alabama corporation (or one of its affiliates) (the "Lessor"), attached hereto as Exhibit A and incorporated herein by reference as a part of this resolution for all purposes, to provide a means for the City to purchase, acquire and lease certain equipment constituting personal property from time to time; and

WHEREAS, in order to acquire such Equipment under the Master Agreement, the City proposes to execute Schedule A No. 2 to the Master Agreement (the "Schedule", and together with the Master Agreement referred to collectively as the "Agreement") substantially in the form attached hereto as Exhibit B and incorporated herein by reference as a part of this resolution for all purposes, and that certain Acquisition Fund Agreement (the "Acquisition Fund Agreement") with the Lessor and Amegy Bank National Association, as escrow agent, attached hereto as Exhibit C and incorporated herein by reference as a part of this resolution for all purposes; and,

WHEREAS, the City Council of the City deems it for the benefit of the City and for the efficient and effective administration thereof to execute the Schedule and the Acquisition Fund Agreement for the purchase, acquisition and leasing of the Equipment referenced in such schedule to be therein described on the terms and conditions therein provided; now, therefore,

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

SECTION 1. Approval of Documents. The Master Lease is affirmed. The form, terms and provisions of the Schedule and the Acquisition Fund Agreement are hereby approved in substantially the forms attached hereto as Exhibit B and Exhibit C, with such insertions, omissions and changes as shall be approved by the City Manager of the City or other members of the governing body of the City executing the same, the execution of such documents being conclusive evidence of such approval; and the City Manager of the City is hereby authorized and directed to execute, and the Chief Financial Officer of the City is hereby authorized and directed to attest and countersign, the Schedule and any related exhibits attached thereto, and the City Manager is authorized to execute the Acquisition Fund Agreement and any related exhibits attached thereto and to deliver the Schedule and the Acquisition Fund Agreement (including such exhibits) to the respective parties thereto, and the City Clerk of the City is hereby authorized to affix the seal of the City to such documents.

SECTION 2. Other Actions Authorized. The City Manager, the Chief Financial Officer of the City, the City Comptroller and other officers and employees of the City are hereby authorized to take all action necessary or reasonably required by the parties to the Agreement and the Acquisition Fund Agreement to carry out, give effect to and consummate the transactions contemplated thereby (including the execution and delivery of Acceptance Certificates and any tax certificate and agreement, as contemplated in the Agreement) and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement and the Acquisition Fund Agreement.

SECTION 3. No General Liability. Nothing contained in this Resolution, the Agreement, the Acquisition Fund Agreement nor any other instrument shall be construed with respect to the City as incurring a pecuniary liability or charge upon the general credit of the City or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement, the Acquisition Fund Agreement or any other instrument or document executed in connection therewith impose any pecuniary liability upon the City or any charge upon its general credit or against its taxing power, except to the extent that the Rental Payments payable under the Agreement are special limited obligations of the City subject to annual appropriation as provided in the Agreement.

SECTION 4. Appointment of Authorized City Representatives. The City Manager, the Chief Financial Officer of the City, the Comptroller of the City and the City's Treasury Services Coordinator are each hereby designated to act as Authorized Officers of the City for purposes of the Agreement and the Acquisition Fund Agreement until such time as the governing body of the City shall designate any other or different authorized representative for purposes of the Agreement and the Acquisition Fund Agreement.

SECTION 5. Severability. If any provision of this Resolution or the application thereof to any circumstance shall be held to be invalid, the remainder of this Resolution and the application thereof to other circumstances shall nevertheless be valid, and the City Council of the City hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 6. Incorporation of Findings and Determinations. The findings and determinations of the City Council of the City contained in the preamble hereof are hereby incorporated by reference and made a part of this Resolution for all purposes as if the same were restated in full in this Section.

SECTION 7. Public Meeting. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551 of the Texas Government Code, as amended.

SECTION 8. Effective Date. This Resolution shall be effective immediately upon its approval and adoption.

The following City staff members commented:

1. Ms. Carmen Arrieta- Candelaria, Chief Financial Officer
2. Fire Chief Samuel Pena

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

NOT PRESENT OF THE VOTE: Representatives Lilly, Acosta and Robinson

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15.

RESOLUTION

RESOLUTION DESIGNATING THE LOCATION OF CITY HALL, DESIGNATING THE DATE, TIME AND LOCATION OF REGULAR MEETINGS OF THE CITY COUNCIL AND DESIGNATING THE LOCATION OF POSTING NOTICE OF MEETINGS.

WHEREAS, Local Government Code Section 22.038(a) provides that the governing body shall adopt a resolution providing for the date, time and place of its regular meetings; and

WHEREAS, Texas Government Code Section 551.050 (Open Meetings Act) provides that a municipal government body shall post notice of each meeting on a bulletin board at a place convenient to the public at City Hall.

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

1. The location of City Hall for the City of El Paso is the building physically located at 300 N. Campbell Street, El Paso, Texas 79901;
2. The City Council will continue to conduct their regular City Council meetings every Tuesday at 8:30 a.m.;

3. Notice of meetings of the City Council will be posted on the exterior at City Hall at 300 N. Campbell Street, El Paso, Texas;
4. On Tuesday, April 2, 2013, and Tuesday, April 9, 2013, the regular City Council meeting will be held in the Auditorium of the Main Library located at 501 N. Oregon, El Paso, Texas 79901; and
5. Commencing with the regular City Council meeting of April 16, 2013, City Council meetings will be held in the City Council Chambers at City Hall located at 300 N. Campbell Street, El Paso, Texas.

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

AYES: Representatives Byrd, Noe, Ortega, and Niland

NAYS: Representative Holguin

NOT PRESENT OF THE VOTE: Representatives Lilly, Acosta and Robinson

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16.

RESOLUTION

WHEREAS, under the provisions of Section 213.004 of the Texas Local Government Code, the City of El Paso may prepare plans, policies or strategies as required; and

WHEREAS, the City Council of the City of El Paso recognizes the need for a 2012-2027 El Paso Zoo Master Plan to provide goals, assessments, standards, recommendations and strategies for implementation over a fifteen year period in an effort to provide for and create new and exciting experiences and bring a new cohesiveness and freshness to the overall experience of the Zoo; and

WHEREAS, the primary objective of the Master Plan is to enable the City to determine, prioritize and provide zoo related educational and recreational services and environmental stewardship desired by the citizens of El Paso; and

WHEREAS, in order to address zoo related educational and recreational needs and conservation messaging in the future, the City of El Paso has sought input from City leaders and key stakeholders, the El Paso Zoological Society Board, and the El Paso Zoo staff; and that input has been incorporated into the Master Plan; and

WHEREAS, the Master Plan complies with the Association of Zoos and Aquariums (AZA) standards; and

WHEREAS, the City Council, having taken into consideration the in-depth interviews conducted with City leaders and key stakeholders, the El Paso Zoological Society Board, and the El Paso Zoo staff, determines that the Master Plan is reasonable and appropriately adopted under Section 213.004 of the Texas Local Government Code.

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

1. That the 2012-2027 El Paso Zoo Master Plan for the City of El Paso, Texas, attached hereto, be and is hereby officially adopted.
2. That the Master Plan and its incorporated 15 year action plan be used to, among other things, prioritize and guide the provision for exhibits, guest services, provide guidance in the application of funding, and suggest alternative funding mechanisms.

3. That adoption of the Master Plan shall not commit the City of El Paso to specific funding levels or implantation strategies, but shall provide guidance for the City's vision for availability and growth of the El Paso Zoo.

Mr. Steve Marshall, Director of Zoo and Mr. Scott Ramser, Master Plan Zoo, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representative Ortega commented.

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

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

NAYS: None

NOT PRESENT OF THE VOTE: Representatives Acosta, Robinson, and Niland

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17. CITY MANAGER:

City Manager's report of current events and issues:

Discussion and action on the Quarterly Update from El Paso Electric Company as presented by El Paso Electric Representatives.

Representative Byrd commented.

The following members of the public commented:

1. Mr. Rocky Marigold, El Paso Electric Company
2. Ms. Mary Beth Stevens, El Paso Electric Company

NO ACTION was taken on this item.

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18A. MAYOR AND COUNCIL

Discussion and action on the impact of sequestration on international bridge wait times and possible solutions.

Presentation of Project-21: 100 Day Plan for the following three projects:

- a. Action Plan #1 - Continue with the implementation of the dedicated lanes and risk segmentation at the Ysleta-Zaragoza Port of Entry to secure, facilitate and grow the certified trusted shipments.
- b. Action Plan #2 - Implementation of secure cross border buses to facilitate the movement of thousands of pedestrians across the Paso Del Norte and Stanton Ports of Entry.
- c. Action Plan #3 - Eliminate major southbound traffic congestion for passenger vehicles during peak periods at the Bridge of the Americas (BOTA) by creating HOT Lanes.

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

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

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Said Larbi-Cherif, Director of International Bridges

The following members of the public commented:

1. Congressman Beto O'Rourke
2. Mr. Lance Levine, CEO, MFI International
3. Ms. Stephanie Caviness-Tantimonaco, Maquila Association AMAC
4. Mr. Dennis Melonas, Central Business District Association
5. Ms. Kathy Neal, representing the trade
6. Ms. Jackie Butler, Greater El Paso Chamber of Commerce

Motion made by Representative Niland, seconded by Representative Ortega, and unanimously carried to **RE-AFFIRM** the Resolution that was passed earlier with 2.1 million to Customs and Borders.

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18B. MAYOR AND COUNCIL

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the Resolution that the City Manager or designee be authorized to sign a contract to fund a 90-day pilot program with Secure Origins, Inc. in the amount of \$195,000, using Project 21 to facilitate cross border traffic at the Ysleta-Zaragoza Port of Entry.

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18C. MAYOR AND COUNCIL

Texas Gas Service presentation: Update on Community Investments and Major Capital Improvements.

Ms. Kari French, Vice President Operations, Texas Gas Services and Mr. Alejandro Limon, Director of Ops-El Paso, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Acosta and Robinson commented.

NO ACTION was taken on this item.

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18D. MAYOR AND COUNCIL

Motion made by Representative Robinson, seconded by Representative Niland, and unanimously carried to **DELETE** the presentation by Dr. De La Rosa, founding Dean of the Paul Foster School of Medicine and Vice President of Health Affairs on the growth of the Health Sciences University campus and the health and economic impact to the City of El Paso.

The following members of the public commented:

1. Ms. Krystal Parker, Vice President Customer Service
2. Ms. Pete Parraz, Communication Relations

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18E. MAYOR AND COUNCIL

Motion made by Representative Niland, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **DIRECT** the City Manager to work with St. Clements School to start the the dialog regularly angled parking and parking calming measures.

NOT PRESENT FOR THE VOTE: Representatives Acosta, Robinson, and Ortega

Representative Niland commented.

The following City staff members commented:

1. Mr. Ted Marquez, Interim Director for Department of Transportation
2. Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. Ramon Morales, St. Clements School
2. Ms. Lisa Turner

ITEMS TAKEN TOGETHER

18F. MAYOR AND COUNCIL

Discussion and action on the Safety and Risk assessments including planned emergency response during the demolition of the ASARCO smoke stacks and reimbursement of costs for emergency personnel involved during the demolition.

18G. MAYOR AND COUNCIL

Discussion and action on the Safety and Risk assessments including planned emergency response concerning the demolition of City Hall.

Mr. Alan Shubert, Project Engineer - El Paso Ballpark presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Niland, Acosta, Byrd, Niland, and Noe commented.

The following members of the public commented:

1. Mr. Roberto Puga, ASARCO Trustee
2. Mr. Steven Strummer
3. Mr. Othon Medina
4. Mr. Patrick Garza
5. Mr. Paul Maxwell
6. Ms. Wally Cech
7. Mr. Robert Ardovino
8. Mr. Anthony Martinez
9. Ms. Amy McDonald, ERM Project Manager

NO ACTION taken on these items.

18H. MAYOR AND COUNCIL

Motion made by Representative Niland, seconded by Representative Noe, and carried to **DENY** applying a historical overlay over a portion of ASARCO property only at the location that includes the ASARCO smoke stacks.

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

Representatives Niland, Acosta, Noe, and Byrd commented.

The following members of the public commented:

1. Mr. Roberto Puga, ASARCO Trustee
2. Ms. Lisa Turner
3. Mr. Anthony Martinez
4. Ms. Wally Cech
5. Mr. Robert Ardovino
6. Mr. Paul Maxwell
7. Ms. Wally Cech

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Motion made by Representative Niland, seconded by Mayor Pro Tempore Lilly, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 2:12 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

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

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

NOT PRESENT FOR THE VOTE: Representatives Acosta and Robinson

Motion made by Representative Byrd, seconded by Representative Holguin, and unanimously carried to adjourn the Executive Session at 2:49 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Acosta and Robinson

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EX1. Discussion and action regarding issues related to Police Department matter 13-067278. (551.071)

NO ACTION taken on this item.

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EX2. El Puente Community Development Corp. Chapter 7 Bankruptcy Case No. 11-31718 (551.071)

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and unanimously carried that outside counsel for the City of El Paso, in consultation with the City Attorney's Office be authorized to take any and all steps necessary to protect and assert the City's interest and position in the matter entitled In re: El Puente Community Development Corp.; Chapter 7 Bankruptcy Case No. 11-31718. This Motion is intended to grant broad authority to the Office of the City Attorney, or outside counsel to take whatever

action necessary to address these matters, including but not limited to the initiation of foreclosure, response to litigation, complaints, the filing of motions, any other administrative or judicial proceedings or processes and any actions related to the City's interest in the property located at 2102-2104 Texas Avenue, in consultation with the City Manager.

NOT PRESENT FOR THE VOTE: Representatives Acosta, Robinson, and Ortega

Mayor Cook commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

Ms. Lisa Turner, citizen, commented.

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EX3. Centro Mayapan, Inc. 380 Agreement and Loan (551.071)

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Niland, and unanimously carried that the City of El Paso authorizes the City Attorney to take any and all action to protect the City's interest and position both affirmative and defensive, as necessary, related to collection efforts and debt recovery of the City's loan to Centro Mayapan, Inc., issued in connection with the parties' Chapter 380 Economic Development Program Agreement, with said recovery to include without limitation any late charges, penalties, costs, and fees.

This Motion is intended to grant broad authority to the City Attorney to take any action necessary to address these matters including, but not limited to, the initiation of and response to litigation, proof of claims, complaints, and any other administrative or judicial proceeding or process in consultation with the City Manager. This authorization also authorizes the City Attorney to retain outside Counsel in connection with this matter.

NOT PRESENT FOR THE VOTE: Representatives Acosta, Robinson, and Ortega

Ms. Sylvia Firth, City Attorney, gave legal advice.

Ms. Lisa Turner, citizen, commented.

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ADDITION TO THE AGENDA

EX1. City of El Paso, Texas vs. Currey Adkins Cook; Cause No. 2012-1886 (551.072)

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and unanimously carried that the City Manager for the City of El Paso and the City Attorney for the City of El Paso be authorized to sign a Tolling Agreement related to the lawsuit styled *City of El Paso, Texas vs. Currey Adkins Cook*; Cause No. 2011-1886.

NOT PRESENT FOR THE VOTE: Representatives Acosta, Robinson, and Ortega

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Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and unanimously carried to **ADJOURN** this meeting at 2:55 p.m.

NOT PRESENT FOR THE VOTE: Representatives Acosta, Robinson, and Ortega

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APPROVED AS TO CONTENT:


Richarda Duffy Momsen, City Clerk