RAYMOND C. CABALLERO
MAYOR

CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
OCTOBER 1, 2002
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Father Rafael Fernandez, San Antonio De Padua Catholic Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

1. Knights of Columbus Week
2. American Planning Association, Texas & New Mexico Chapters Week
3. Architect's Month
4. Fire Prevention Week
5. Walk of Hope Day
6. Foreign Trade Zone Week
7. Gene Roddenberry Day
8. 30 Year Service Award Presentation to Francisco Valles, SWM

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RESOLUTION

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

THAT the City Council be authorized to accept a donation of a 9/11 commemorative painting on behalf of the City of El Paso Fire Department. El Paso citizen and radio personality Robert Carter, painted his interpretation of the Thomas Franklin picture depicting three firefighters raising the flag over the destruction of the World Trade Center. The painting's frame and stand are made from a 35-foot firefighting ladder. Mr. Carter painted this picture as a personal attempt to adjust to the trauma of 9/11. The painting is in commemoration of September 11, 2001, and will be displayed at El Paso Fire Department Headquarters.

El Paso Fire Department Assistant Chief Michael Widtfeldt explained that the painting would be displayed at Fire Department Headquarters, 8600 Montana, and requested everyone come and view such a remarkable work of art. He noted that the frame was constructed from an aluminum fire ladder, measuring in length 110", the exact height of the World Trade Center.

Mr. Robert Carter, artist, noted that he began painting the picture September 23, 2001 and explained that he was happy to share the painting with all El Pasoans. He requested that individuals viewing the picture at Fire

Department Headquarters respectfully say a prayer. He thanked the El Paso Fire Department for their input and the noted that the ladder display was 110" to represent the floors of the World Trade Center.

Representative Medina questioned whether Mr. Carter would produce prints of the painting.

Mr. Carter explained that the painting was a copy of the photo created by Mr. Thomas E. Franklin and Mr. Franklin had copyright protected the photo. He added that he was waiting word from Mr. Franklin's representatives; however, in the event he was given permission to create the prints he requested that the donations be given to the World Trade Center Victim's Fund.

Motion made by Representative Cobos, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

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No action was taken regarding the report from Chief Rivera and staff on the Fire Department.

El Paso Fire Department Assistant Fire Chief Michael Widtfeldt provided Council Members a PowerPoint presentation regarding an overview of the Fire Department's operations., copy on file in the City Clerk's Office.

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Motion made by Representative Medina, seconded by Representative Cobos, 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 {*}).

Representative Power was not present for the vote.

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*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Professional Services Contract with **DR. KAREN L. GOLD** to conduct fire safety educational programs for juvenile fire setters and training Fire Department personnel. The contract period shall be from September 18, 2002 through August 31, 2003. The total amount of the contract shall not exceed $4,500.00.

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***RESOLUTION**

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

That the Mayor be authorized to sign the Letters of Agreement for the following artists, to be accepted as part of the **FY 2003 Arts in Education Program** of the Arts Resources Department as recommended by the Arts Resources Department's Advisory Board and staff:

1. George G. Adams
2. Maria Alaniz
3. Terry Alvarez
4. Javier Arostegui
5. David Claudio
6. Sydney Dictor
7. Jay Duncan
8. El Paso Association for the Performing Arts' Viva El Paso Special Edition Company
9. El Paso Association for the Performing Arts Shakespeare on the Run
10. Gabriel Gaytan
11. Carmel Fenter
12. Lorenzo Guel
13. Robert Manning
14. Marcia McNamee

15. Derek Niegemann
16. Lyn Peticolas
17. Tony Petry
18. Lorraine Alvarez Portilla
19. Dorothy Proffitt
20. Neal L. "Vaughn" Smith
21. Theater Inc.
22. Carol Tures
23. Curt Warren
24. Colleen Wright

Resolution was revised to read:

1. **George G. Adams**
5. **David Claudio**
8. **El Paso Association for the Performing Arts' Viva El Paso Special EditionCompany**
18. **Lorraine Alvarez Portilla**

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***RESOLUTION**

Be it resolved by the City Council of the City of El Paso:

That the Mayor be authorized to sign the following contracts on behalf of the Arts Resources Department for the **FY2003 World on a String International Festival**, to be held at the Chamizal National Memorial, as recommended by the Arts Resources Department Advisory Board and staff.

1. ICM Artists for Elliot Fisk; one performance on Friday, April 11, 2003; cost of $6,500.
2. Lisa Sapinkopf for the Brazilian Guitar Quartet; one performance on Saturday, April 12, 2003; cost of $12,000.
3. Saudade Guitar Management for Boris Gaquere; one performance on Friday, April 25, 2003; cost of $2,400.
4. Corbett Arts Management, LTD. for Quarteto de Guitarras de Barcelona; one performance on Saturday, April 26, 2003; cost of $7,000.

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***RESOLUTION**

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

That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department, to be funded through the FY2003 Direct Funding Program of the Arts and Culture Department as recommended by the Arts and Culture Department's Advisory Board and Staff and the City of El Paso Human Development Department, Office of Accessibility.

	ACD	TCA	TOTAL
1. El Paso Association for the Performing Arts	$12,565	$4,506	$17,071
2. El Paso Opera	$12,432	$4,459	$16,891
3. El Paso Pro-Musica	$12,432	$4,459	$16,891
4. El Paso Symphony Orchestra	$12,169	$4,335	$16,504
5. Bridge Center for Contemporary Art	$ 5,556	$3,846	$ 9,402
6. Chamizal Independent Film Festival	$ 5,556		$ 5,556
7. Chamizal National Memorial/Siglo de Oro	$ 6,494		$ 6,494

8. Chamizal National Memorial/Festival		$4,364	$ 4,364
9. Creative Kids	$ 4,657	$3,137	$ 7,794
10. El Paso Chorale	$ 6,425	$4,364	$10,789
11. El Paso Community College	$ 2,704	$1,461	$ 4,165
12. El Paso Community Concert Association	$ 6,425	$4,364	$10,789
13. El Paso Friends of Jazz Society	$ 1,790	$1,157	$ 2,947
14. El Paso Playhouse Kids-n-Co. Technical	$ 3,628		$ 3,628
15. El Paso Playhouse Kids-n-Co. Spanish Theater		$1,014	$ 1,014
16. El Paso Sungold/Sweet Adelines	$ 2,539	$1,676	$ 4,215
17. El Paso Wind Symphony	$ 6,425	$4,364	$10,789
18. Gilbert & Sullivan Co. of El Paso	$ 2,226	$1,458	$ 3,684
19. Theatre Inc.	$ 6,710	$4,589	$11,299
TOTALS:	**$110,733**	**$53,553**	**$164,286**

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***RESOLUTION**

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

That the Mayor be authorized to sign the following contracts on behalf of the Arts Resources Department for the FY 2003 **Art Windows of El Paso** Visual Arts Series to be held at the El Paso International Airport, as recommended by the Arts Resources Advisory Board and staff.

1. Noel Espinoza; cost of $500.00 for the exhibition during November 5, 2002 through January 31, 2003.
2. Judy Garcia; cost of $500.00 for the exhibition during November 5, 2002 through January 31, 2003.
3. Sergio Chavez; cost of $500.00 for the exhibition during February 4, 2003 through April 30, 2003.
4. Mago Gandara; cost of $500.00 for the exhibition during February 4, 2003 through April 30, 2003.
5. Ana Jacquez; cost of $500.00 for the exhibition during May 6, 2003 through July 31, 2003.
6. Joan Shepack; cost of $500.00 for the exhibition during August 5, 2003 through October 31, 2003.

Resolution was revised to read:

4. Mago Gandara; cost of $500.00 for the exhibition during February 4, 2003 through April 30, **2003**.

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***RESOLUTION**

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

That the Mayor be authorized to sign the following contract on behalf of the Arts Resources Department for the **FY 2003 Visual Arts Series** to be held at the **People's Gallery** located on the first floor of City Hall, as recommended by the Arts Resources Advisory Board and staff.

1. Krystyna R. Robbins; cost of $200.00 for the exhibition during November 6, 2002 through January 31, 2003.
2. Nick Franco; cost of $200.00 for the exhibition during November 6, 2002 through January 31, 2003.
3. Hilda Saenz; cost of $200.00 for the exhibition during November 6, 2002 through January 31, 2003.
4. Diana Molina; cost of $1,000 for the exhibition during February 5, 2003 through April 30, 2003.
5. Olga Chevaili; cost of $300.00 for the exhibition during May 7, 2003 through July 31, 2003.
6. Rhonda Doré; cost of $300.00 for the exhibition during May 7, 2003 through July 31, 2003.
7. Sandy Lenderman; cost of $200.00 for the exhibition during August 6, 2003 through October 30, 2003.
8. Candy Mayer; cost of $200.00 for the exhibition during August 6, 2003 through October 30, 2003.

Resolution was revised to read:

4. Diana Molina; cost of $1,000 for the exhibition during February 5, 2003 through April 30, **2003**.

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***RESOLUTION**

Be it resolved by the City Council of the City of El Paso:

That the Mayor be authorized to sign the following contracts on behalf of the Arts Resources Department for the **FY2003 Young at Art Series**, to be held at the Chamizal National Memorial, as recommended by the Arts Resources Department's Advisory Board and staff.

1. Missoula Children's Theatre, Inc. for "Hansel and Gretel"; three performances on Saturday, January 11, 2003; cost $4,200.
2. Rachel Narula Management for Red Herring Puppets; two performances on Saturday, January 18, 2003; cost of $3,500.
3. Harmony Artists, Inc. for "Super Scientific Circus"; two performances on Saturday, January 25, 2003; cost $3,250.
4. Britton Management for Michel Lauziere; three performances on Saturday, February 1, 2003; cost $5,500.

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*RESOLUTION

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

That the Mayor be authorized to execute the following Letters of Agreement on behalf of the El Paso International Airport and the Arts & Culture Department, to commission renderings from three finalists for the Placita Mural Project to be located in the ceiling of the El Paso International Airport, as selected by the review panel and criteria outlined in the application process conducted by the Arts & Culture Department.

1. Carlos Callejo, $1,000.00.
2. Mauricio Mora, $1,000.00.
3. Cesar Lujan, $1,000.00.

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***RESOLUTION**

WHEREAS, on April 27, 1999, the City of El Paso, on behalf of the El Paso International Airport, and the Federal Aviation Administration ("FAA") entered into a Reimbursable Agreement SW-413 whereby the FAA furnished directly or by contract, supplies, equipment and services necessary to relocate the existing Instrument Landing Systems (ILS), Medium-Intensity Approach Light System with Runway Alignment Indicator Lights (MALSR) and decommission the runway middle marker for the extension of Runway 4/22; and

WHEREAS, in July 2001, Runway 4/22 extension project was completed along with most of the necessary work to be performed by the FAA; and

WHEREAS, the FAA has submitted Amendment No. 1 to Reimbursable Agreement SW-413 by and between the CITY OF EL PASO and the DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, (Runway 4/22 Extension) to add the following to Article I. Section A:

11. The FAA will perform a spill prevention control and countermeasure plan for the 1000-gallon fuel tank.
12. The FAA will furnish and install an environmental remote monitoring system for the 1000-gallon fuel tank.

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***RESOLUTION**

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

That the City Council authorizes the Elections Administrator to set up mobile voting machines at the City Hall Building on Tuesday, October 29, 2002 from 8:00 a.m. to 5:00 p.m. to allow early voting for the General Election in November. The Chief Administrative Officer or Municipal Clerk are authorized to designate exact location in City Hall Building.

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***RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INSTRUMENT GRANTING AN OVERHEAD ELECTRICAL EASEMENT TO THE EL PASO ELECTRIC COMPANY FOR THE PURPOSE OF PROVIDING ELECTRICAL SERVICE TO A TANK SITE LOCATED NEAR SEAN HAGGERTY AND HIGHWAY 54 IN NORTHEAST EL PASO. SAID PROPERTY MORE PARTICULARLY DESCRIBED AS A PORTION OF SECTION 22, BLOCK 81, TOWNSHIP 1, TEXAS AND PACIFIC R.R. SURVEYS, EL PASO COUNTY, TEXAS.

WHEREAS, August 28, 2002, the El Paso Water Utilities Public Service Board (PSB), passed a Resolution requesting the City of El Paso grant an overhead (10' wide) and a transformer pad (12'x16') electrical easement for the purpose of providing electrical service to a new tank site located in northeast El Paso near Sean Haggerty and Highway 54, in a portion of Section 22, Block 81, Township 1, Texas and Pacific R.R. Surveys, El Paso County, Texas, and,

WHEREAS, the City Council finds it to be in the public interest that this easement be granted; NOW THEREFORE,

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

The Mayor is hereby authorized to sign a document granting an Overhead Electrical Easement to the El Paso Electric Company for the purpose of providing electrical service to a tank site located near Sean Haggerty and Highway 54 in Northeast El Paso. Said property being more particularly described as a portion of Section 22, Block 81, Township 1, Texas and Pacific R.R. Surveys, El Paso County, Texas.

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

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

That, City Council adopt the policies and priorities for the 29th Year (2003-2004) Community Development Block Grant (CDBG) Program and for the Fiscal Year 2003 Emergency Shelter Grant (ESG) Program; and that City Council establish December 6, 2002 as the final deadline for the submission of all CDBG Social Service application packets, ESG application packets and all citizen request forms and January 3, 2003, as the final deadline for the submission of 29th Year CDBG Housing Services, Economic Development, Public Facilities and City Department application packets.

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***RESOLUTION**

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

That the following individuals are designated as authorized signatories for JPMorgan Chase Bank, Account Number 1500-201-977-6, Tax Overpayment Refunds Account, and Account Number 1500-201-978-4, Prepaid Property Taxes Account.

GROUP 1	Wendy N. Hebestreit, Comptroller Frank Keton, Accountant IV Debra Tombosky, Accountant III Robert E. Blackwood, Financial Reporting Manager
GROUP 2	Richarda Duffy Momsen, Municipal Clerk Juan Sandoval, Tax Assessor / Collector Robert D. Henderson, Tax Deputy Administrator
GROUP 3	Raymond C. Caballero, Mayor Larry M. Medina, Mayor Pro Tempore Luis G. Sariñana, Deputy Mayor Pro Tempore

This resolution supersedes all prior resolutions authorizing signatories for these accounts which are hereby revoked.

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***RESOLUTION**

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

That the following individuals are designated as authorized signatories for Wells Fargo - City Tax Assessor Account Number 7480012579 (Property Tax Collections):

GROUP 1	Wendy N. Hebestreit, Comptroller Frank Keton, Accountant IV Debra Tombosky, Accountant III Robert E. Blackwood, Financial Reporting Manager
GROUP 2	Richard Duffy Momsen, Municipal Clerk Juan F. Sandoval, Tax Assessor / Collector Robert D. Henderson, Tax Deputy Administrator
GROUP 3	Raymond C. Caballero, Mayor Larry M. Medina, Mayor Pro Tempore Luis G. Sariñana, Deputy Mayor Pro Tempore

This resolution supersedes all prior resolutions authorizing signatories for this account which are hereby revoked.

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***RESOLUTION**

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

THAT the Mayor be authorized to sign, on behalf of the El Paso City-County Health and Environemtnal District, the following contract amendment and renewal with the Texas Department of Health:

Bureau of Epidemiology
Document No. 74600074992003, Attachment No.13

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***RESOLUTION**

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

THAT the Mayor be authorized to sign, on behalf of the El Paso City-County Health and Environmental District, the following contract amendment and renewal with the Texas Department of Health:

Bureau of Laboratories
Document No. 74600074992003, Attachment No. 14

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***RESOLUTION**

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

THAT the Mayor be authorized to sign, on behalf of the El Paso City-County Health and Environmental District, the following contract amendment and renewal with the Texas Department of Health:

Bureau of Nutrition Services
Document No. 74600074992003, Attachment No. 12

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***RESOLUTION**

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

THAT the Mayor be authorized to sign, on behalf of the El Paso City-County Health ad Environmental District, the following contract amendments and renewals with the Texas Department of Health:

Bureau of HIV and STD Prevention
Document No. 7460007499-2003, Attachment No. 06

Tuberculosis Elimination Division
Document No. 7460007499-2003, Attachment No. 07

Associate Commissioner for Family Health
Document No. 7460007499-2003, Attachment No. 08

Bureau of HIV and STD Prevention
Document No. 7460007499-2003, Attachment No. 09

Office of Public Health Practice
Document No. 7460007499-2003, Attachment No. 10

Immunization Division
Document No. 7460007499-2003, Attachment No. 11

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

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

That the Mayor be authorized to execute an Option to renew a lease agreement, on behalf of the El Paso City-County Health and Environmental District, for premises located at 1148 Airway, for a term of six (6) months, at a monthly rental of $17,239.69 with an effective date of December 1, 2002.

Representative Sumrall questioned when the El Paso City-County Health and Environment Distict would be moving into the new facility.

Mr. Edward F. Muñoz, Materials Management El Paso City-County Health and Environmental District, responded that the department would be vacating the Airway facility and moving into the new facility in May 3, 2003.

Representative Cobos questioned the amount of Certificates of Obligation the City borrowed during the previous year.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, responded approximately $5 million for various health district facilities and noted that the interest rate on the $5 million was 4.5%, equivalent to less than ¼ million. He explained that relocation expenses would be paid with General Fund monies. He noted that a portion of the $5 million had been spent for construction and architectural and engineering.

Ms. Theresa Caballero, citizen, noted that rent was $17,000.00 and questioned the cost per square footage. She also questioned the name of the landlord, the square footage of the facility, the cost per square footage, the cost of the facility, and whether or not asbestos had been detected in the building located in South Central El Paso. Ms. Caballero requested Mr. Chapman provide the cost of the health facility located in South Central El Paso.

Mr. Chapman responded that he would provide the information regarding the cost per square foot for Ms. Caballero. Mr. Chapman noted the name of the landlord as Mr. Anthony Salloum and stated he would provide the requested information prior to the meeting's end. He stated that the lease for the Airway property was signed in December of 1999 for a three-year term at $15, 096.00 for 27,885 square feet. He explained that the County of El Paso was paying 1/3 the cost of the agreed upon lease.

Representative Cobos moved to that the item be deferred pending the information to be provided by Mr. Chapman. There was no second. He asked that Mr. Chapman provide information regarding the cost per square footage and of the $5 million how much had been expended for health issues.

Ms. Rodriguez added that the price for the new Health District property was $1.4 million.

Ms. Sylvia Borunda-Firth, Assistant City Attorney, clarified that there were four PID's affecting the South Central El Paso property and added that the Central Appraisal District figures were for taxation purposes not fair market value prices. She explained that the property had been appraised at $1,480,000.00 and that the City purchased that property for $1,450,000.00.

Motion made by Representative Power, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

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

That the Mayor be authorized to sign a Joint Resolution with the County of El Paso re-appointing Jorge C. Magaña, M.D., as the health authority for the City-County Health and Environmental District for a term, and he shall be entitled to act with the full authority of the health authority as the health authority for the City or County of El Paso, Texas.

Representative Sumrall questioned what the term and salary amounts were for Dr. Magaña.

Ms. Rita Rodriguez, City Attorney, remarked that the Resolution was pursuant to the Health and Safety Code and did not set Dr. Magaña's salary. She added that the term was simultaneous as his appointment as Director of City-County Health and Environmental District.

Ms. Theresa Caballero, citizen, commented on the by-laws of the Border Health Institute ("BHI") and stated she was concerned Dr. Magaña would not be allowed to defend his position on the BHI Board.

Representative Cobos stated he would request a meeting with Dr. Magaña to discuss his term and salary amounts.

Ms. Rodriguez clarified that Dr. Magana's appointment was not politically motivated and explained language within State law explaining Dr. Magaña's appointment.

Representative Sariñana questioned what City staff members perform the performance evaluation reports for Dr. Magaña.

Ms. Rodriguez responded it is the Chief Administrative Officer and Mayor and further reiterated that it was prudent to that the City of El Paso to ensure the position of a Health Authority is filled.

Ms. Teresa Garcia, Assistant City Attorney, explained that the agenda item was to address the legal requirement by the Texas Department of Health that the Health Authority would be reappointed for a term, every two years, and added that no compensation was added for the Health Authority appointment.

Representative Sariñana moved to postpone the matter for one (1) week. Representative Cobos seconded.

Mr. Ray Gilbert, citizen, explained that the Health Authority position was responsible for declaring health emergencies, quarantines, etc. and was separate from the doctor's normal course of employment duties. He commended Dr. Magaña for his exemplary performance as Director of the El Paso City-County Health District.

Ms. Caballero commented on the job performances of Dr. Magaña.

Representative Sumrall questioned when Dr. Magaña's term as Director of the Health District expired.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, responded end of October.

Representative Power questioned whether or not Council Members had the option to appoint another individual.

Ms. Rodriguez added that the individual must be an employee of the Health District and noted that it would not be prudent to appoint a subordinate to make such critical decisions.

The vote to postpone the matter one (1) week was as follows:

Aye: Representatives Power, Sarinaña, and Cobos
Nay: Representatives Sumrall, Rodriguez, Medina, Cook, and Escobar

Motion to postpone one (1) week failed.

Motion made by Representative Sumrall, seconded by Representative Cook and unanimously carried to approve the above Resolution.

The vote to approve the Resolution was as follows:

Aye: Representatives Sumrall, Rodriguez, Medina, Cook and Escobar
Nay: Representatives Power, Sarinaña and Cobos

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***RESOLUTION**

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

THAT the Mayor be authorized to sign an Application for Federal Assistance from the United States, Environmental Protection Agency, Region VI (EPA) and related documentation, on behalf of the El Paso City-County Health and Environmental District for continued Air Pollution Control Program Support in the City of El Paso. This one year commitment includes a total compensation of THREE HUNDRED TWENTY FIVE THOUSAND DOLLAS AND 00/100 ($325,000.00) from the EPA. The cost to the City is a match of TWO HUNDRED ELEVEN THOUSAND ONE HUNDRED AND EIGHTY DOLLARS AND 00/100 ($211,180.00)

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

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

That the El Paso Museum of Art be authorized to hold a "Family Day" event at the El Paso Museum of Art October 13, 2002. Permission to use amplification from 12:00 p.m. to 4:00 p.m. is requested.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

R E S O L U T I O N

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

That the Mayor be authorized to sign an Interlocal Agreement by and between the City of El Paso ("City"), as Metropolitan Planning Organization for the El Paso Urban Transportation Study Area, and the University of Texas at El Paso ("UTEP"), wherein UTEP will develop a regional econometric forecast for use in the Metropolitan Transportation Plan (MTP) for the Metropolitan Planning Organization. The contract period is for one year, at a total contract cost not to exceed $28,000.00.

Representative Sumrall questioned what the funding source was.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, stated that funding would be provided through the Metropolitan Planning Organization grants.

Representative Sariñana explained that the MPO Board had previous approved the Interlocal Agreements.

Representative Medina questioned which Council Members were appointed the MPO Board.

Representative Sariñana responded Representatives Rodriguez and himself.

Motion made by Representative Sumrall, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

Representative Sumrall was not present for the vote.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

R E S O L U T I O N

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

That the Mayor be authorized to sign an Interlocal Agreement by and between the City of El Paso, in its capacity as the designated Metropolitan Planning Organization for the El Paso Urban Transportation Study Area, and The Regents of New Mexico State University ("NMSU"), wherein NMSU will provide GIS support to the Metropolitan Planning Organization. The total contract cost not to exceed $21,905.00.

Please see previous item for discussion.

Motion made by Representative Sumrall, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

Representative Sumrall was not present for the vote.

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

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

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS
DEPARTMENT ID: 51010281, ACCOUNT 501011

1. CONTRACTOR: Fredo Alejandre, Pool Attendant, Step 1
   DATES: October 01, 2002 thru September 30, 2003
   RATE PER HR: $5.40
   CONTRACT NO: 2002/2003-136

2. CONTRACTOR: Audrey Flores, Swim Instructor, Step 1
   DATES: October 01, 2002 thru September 30, 2003
   RATE PER HR: $5.35
   CONTRACT NO: 2002/2003-137

3. CONTRACTOR: Valerie M. Monsisvais, Swim Instructor, Step 1
   DATES: October 01, 2002 thru September 30, 2003
   RATE PER HR: $5.35
   CONTRACT NO: 2002/2003-138

4. CONTRACTOR: Omar Torres, Swim Instructor, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: $5.50
CONTRACT NO: 2002/2003-139

5. CONTRACTOR: Miguel A. Uribarri, Lifeguard, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: $6.00
CONTRACT NO: 2002/2003-140

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

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

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

NOLAN RICHARDSON RECREATION CENTER
DEPARTMENT ID: 51510074, ACCOUNT 501011

1. CONTRACTOR: Evelyn Peña, Daycare Instructor Aide, Step 2
DATES: October 1, 2002 thru August 31,2003
RATE PER HR: $5.60
CONTRACT NO: 2002/2003-141

NORTHEAST RECREATION CENTER
DEPARTMENT ID: 51510107, ACCOUNT 501011

2. CONTRACTOR: Jerrie D. Brown, Daycare Instructor Aide, Step 4
DATES: October 2, 2002 thru August 31, 2003
RATE PER HR: $6.10
CONTRACT NO: 2002/2003-142

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

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

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.
[Parks & Recreation, Ray Cox, (915) 541-4175]

AQUATICS
DEPARTMENT ID: 51010281, ACCOUNT 501011

1. CONTRACTOR: Daniel Juarez, Lifeguard, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: $6.00
CONTRACT NO: 2002-2003-143

2. CONTRACTOR: Ruben Sarmiento, Pool Attendant, Step 4
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: $6.00
CONTRACT NO: 2002-2003-144

3. CONTRACTOR: Ramon J. Takamatsu, Lifeguard, Step 4
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: $6.40
CONTRACT NO: 2002-2003-145

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

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

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ANTONIO RIOS** as a Database Administrator for the Information Technology Department at a biweekly rate of $1,696.00 from October 2, 2002 through October 1, 2004.

Amount on Resolution was revised from $1,470.62 to $1,696.00.

Ms. Theresa Caballero, citizen, questioned how the individuals were selected and whether or not the positions had been publicly posted.

Ms. Terry A. Bond, Director of Personnel, explained that the Personal Services Contract with Mr. Antonio Rios had been publicly posted, recruited and filled through the competitive process. She noted that the contracts with Mr. Dwight Holland, Ms. Paula Smith and Peter M. Koplos, D.V.M. were Independent Contracts. She stated that the Director of Metropolitan Planning Organization, Mr. Roy Gilyard, reviewed applications and selected Mr. Duenez. She added that Mr. Duenez' position was funded with grant monies. She stated that the contract with Ms. Milam was a part-time temporary personnel services contract and explained that the individual would be completing a project at the end of December.

Representative Cobos questioned whether the Zoo's positions had been filled competitively.

Dr. Torgerson, Zoo Director, explained that Mr. Holland had 30 years experience in rock work and would be completing the rock work for the entrance to the zoo momentarily. He added that Mr. Holland's assistant, Ms. Smith, would be assisting him in the completion of the rock work project. He stated that Dr. Koplos' position was to provide emergency coverage for the veterinary position at the zoo.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution. Representative Escobar was not present for the vote.

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***RESOLUTION**

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

That the Mayor be authorized to sign a Volunteer Services Contract between the **CITY OF EL PASO** and **STEPHEN YANG**, to present a series of TAI CHI programs at the Irving Schwartz Branch Library commencing from October 6, 2002 through November 24, 2002 from 2:30 p.m. to 4:00 p.m.

There is no cost to the City.

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***RESOLUTION**

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

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **SANDRA CISNEROS, SUSAN BERGHOLZ LITERARY SERVICES,** to participate in and promote the El Paso Public Library's reading program "Read as One/Leamos Juntos" by reading from her book *The House on Mango Street* on October 17, 2002 at 5:00 p.m. at the Camino Real Hotel. The total amount of the contract, including airfare, lodging and meals, shall not exceed $2,100.00.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

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

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **DWIGHT HOLLAND** to provide exhibit construction services for the El Paso Zoo at an hourly rate of $45.00, not to exceed 40 hours per week for a maximum of three weeks. Total amount of contract shall not exceed $5,500.00. The term of the contract shall be for the period of October 2, 2002 through October 1, 2003.

See discussion on page 14 for Antonio Rios.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution. Representative Escobar was not present for the vote.

. . . . . .

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

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

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **PAULA SMITH** to provide exhibit construction services for the El Paso Zoo at an hourly rate of $35.00, not to exceed 40 hours per week for a maximum of two weeks. Total amount of contract shall not exceed $3,000.00. The term of the contract shall be for the period of October 2, 2002 through October 1, 2003.

See discussion on page 14 for Antonio Rios.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution. Representative Escobar was not present for the vote.

. . . . . .

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

***RESOLUTION**

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

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **DAVID DUEÑEZ** to provide services for the Metropolitan Planning Organization at a biweekly rate of $1,158.93 for 40 hours per week. The term of the contract shall be for the period of October 13, 2002 through October 12, 2003.

See discussion on page 14 for Antonio Rios.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution. Representative Escobar was not present for the vote.

. . . . . .

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

***RESOLUTION**

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

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **PETER M. KOPLOS, D.V.M.,** to provide services as an On-call Veterinarian for the El Paso Zoo at an hourly rate of $50.00, not to exceed 50 hours per month. Total amount of the contract shall not exceed $30,000.00. The term of the contract shall be for the period of October 2, 2002 through October 1, 2003.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution. Representative Escobar was not present for the vote.

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*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 5th day of November, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 3453 Wayside Dr., in El Paso, Texas, which property is more particularly described as:

Lot: 5, Block 55, PEBBLE HILLS UNIT 6, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 46, Page 1, Plat Records of El Paso County, Texas.

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Larry & Virginia C. Mascorro, 1513 Bud Allin Pl., El Paso, Texas 79935, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;

II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed $1000.00 a day for each violation, or $10 a day if the Owner shows that the property is the Owner's lawful homestead and;
III) the Owner may be confined in jail as permitted by state law and;
IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the Deputy City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Services Department, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

. . . . . .

*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 5th day of November, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 9050 Escobar Dr., in El Paso, Texas, which property is more particularly described as:

Lot: Tract 7c, Save and Except a portion thereof, Block 55, YSLETA GRANT, an Addition to the City of El Paso, El Paso County, Texas, and said portion being more particularly described by Metes and Bounds as shown in Exhibit A attached hereto and made a part hereof for all purpose intended. (Exhibit on file with this Notice in the City Clerk's Office).

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Escobar Partnership, 8811 Alameda Ave., El Paso, Texas 79907, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed $1000.00 a day for each violation, or $10 a day if the Owner shows that the property is the Owner's lawful homestead and;
III) the Owner may be confined in jail as permitted by state law and;
IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

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*Motion made, seconded and unanimously carried to issue Five Hundred Dollars ($500.00) from District IV Discretionary Funds to On Site Music, 3408 Nairn Street, El Paso, Texas for providing the Concert Sound System and other work performed for the 2nd Annual God Bless America event at Cohen Stadium on September 15, 2002.

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*Motion made, seconded and unanimously carried to issue Seven Hundred Fifty Dollars ($750.00) from District IV Discretionary Funds to El Paso Baseball Club LLC, d/b/a El Paso Diablos, for use and clean up of Cohen Stadium, related to the "Heroes Charity Softball Game" held on September 22, 2002 for Special Olympics.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the request that Matthew Watson be appointed as an Assistant City Attorney effective October 1, 2002.

Ms. Rita Rodriguez, City Attorney, explained that the City publicly posts openings for vacant City attorney positions in the various law school publications and added that the position was appointed by the Mayor and approved by the Council Members. She stated that City attorney positions were considered "unclassified".

Representative Cobos commented on the lack of local individuals being by the City.

Motion made by Representative Cook, seconded by Representative Sumrall and carried to confirm the Mayor's appointment of Matthew Watson as an Assistant City Attorney at a salary of $42,000 per annum, effective October 2, 2002. Representative Escobar was not present for the vote.

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*Motion made, seconded and unanimously carried to approve the request to fill the following position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:
Recreation Leader III

. . . . . .

*Motion made, seconded and unanimously carried to approve the following provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Museum Operations Asst.

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Fire

Delete	5.0	Fire Med Svcs Sr Paramedic	GS 25
Add	5.0	Fire Med Svcs EMT Paramedic	GS 24

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Fire

Delete	1.0	Fire Supp Tech 2	F3
Add	1.0	Fire Lieutenant	F4

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Fleet Services

Delete	1.0	Tire Repairer	GS 11
Add	1.0	Laborer	GS 7

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*Motion made, seconded and unanimously carried to delete the re-appointment of Elsie J. Morgan to the Cable Communication Commission by Mayor Raymond C. Caballero.

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*Motion made, seconded and unanimously carried to re-appoint Patricia Duran to the Foster Grandparents Advisory Council by Mayor Raymond C. Caballero.

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*Motion made, seconded and unanimously carried to re-appoint Maurice Heller to the Twelve Travelers Review Committee requested by Representative Power.

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*Motion made, seconded and unanimously carried to re-appoint Francoise Feliberti to the Twelve Travelers Review Committee by Representative Sariñana.

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*Motion made, seconded and unanimously carried to appoint Grace Marion to the Mayor's Advisory Board on Aging by Representative Sariñana.

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*Motion made, seconded and unanimously carried to postpone one (1) week the appointment of Roxanne Varela to the Arts Resources Board by Representative Cook.

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*Motion made, seconded and unanimously carried to appoint William Wickline to the RSVP Advisory Council by Representative Cook.

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*Motion made, seconded and unanimously carried to appoint Ramon E. Lara to the Art Museum Advisory Board by Representative Cook.

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*Motion made, seconded and unanimously carried to appoint Martin R. Wagner to the Accessibility Advisory Committee by Representative Escobar.

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*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s):

Between 9003 and 9005 Villa Madero Dr., cost $899.00

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*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s):

Eight (8) street lights for the Knights Drive Extension Project in District 7 for $7,192.00.

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*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

A. PID #C809-999-0100-0500, $999.83 per month installments on a balance of $18,996.77 for 1997, 1998, 1999, 2000 & 2001 taxes; Irene Friedman – 117 Fountain Rd.

B. PID #0824-999-2392-0034, $1,553.95 per month installments on a balance of $18,647.40 for 2001 taxes; NBS Office Warehouse % John L. Ferrell Co. – 1601 Magoffin.

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*Motion made, seconded and unanimously carried that the following tax refunds be approved:

A. First American Real Estate Tax Service, in the amount of $2,086.80; overpayment of 2001 taxes. (PID #C007-999-0030-3900)

B. USDA Rural Housing, in the amount of $1,591.24; overpayment of 2001 taxes. (PID #C498-000-0010-0200)

C. GMAC Mortgage, in the amount of $3,817.63; overpayment of 2001 taxes. PID #M820-999-0170-5800)

D. Del Norte Title, $546.05; overpayment of 2001 taxes. (PID #X265-999-S000-5700)

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*Motion made, seconded and unanimously carried to award Bid No. 2002-209 Duty Uniforms – Fire Department

Award to:	Vendor 1:	Bazaar Uniforms and Men's Wear El Paso, Texas
Item (s):		Group I, Items 1a thru 5b Group II, Items 1 thru 6 Group III, Items 1, 2, 3, 4
Amount:		$75,000.00 (estimated annually)
	Vendor 2:	Wearguard Corporation Norwell, MA
Item (s):		Group III, Items #6
Amount:		$10,000.00 (estimated annually)
	Vendor 3:	Sun City Embroidery El Paso, Texas
Item (s):		Group III, Items #7a & 7b
Amount:		$4,041.00 (estimated annually)
	Vendor 4:	Iron Age Corporation Pittsburgh, PA
Item (s):		Group IV, Items #1, 2, 3, 4
Amount:		$10,000.00 (estimated annually)

Department:	Fire Department
Funds available:	22010100-503120
Funding source:	01101
Total award:	$99,041.00

The Fire Department and Purchasing Department recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Item # 5 will not be awarded at this time. Department will review specifications.

Vendors #1 & # 2 offer the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within one (1) year from the date of award.

Vendor #4 offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

Vendor # 3 offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-six months.

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*Motion made, seconded and unanimously carried to award Bid No. 2002-220 Shotguns, 12-Gauge

Award to:	C & G Wholesale Dallas, Texas
Item (s):	1
Amount:	$41,154.00
Department:	Police
Funds available:	21150048-05335-G210223-508007
Funding source:	LLEBG EQUIP & TECHNOLOGY FY02
Total award:	$41,154.00

The Police and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase 12-gauge shotguns. There is an option to purchase up to one hundred percent (100 %) of the original contract quantities, at the same unit price, if the option is exercised within one hundred twenty (120) days from the date of award of the contract. No prompt payment discount is offered.

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*Motion made, seconded and unanimously carried to award Bid No. 2002-229 Pest Control Services

Award to:	Lone Star Pest Control El Paso, Texas
Item (s):	All
Amount:	$6,192.00
Department:	Parks & Recreation
Funds available:	Various
Funding source:	General Funds, Pest Control Contracts
Total award:	$6,192.00

Parks & Recreation Department and Purchasing recommend awards as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a thirty-six [36] months contract with options to renew term of contract for one [1] additional year. Lone Star Pest Control offers a Prompt Payment Discount of 5%10 Days.

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*Motion made, seconded and unanimously carried to award Bid No. 2002-231 Automotive Glass

Award to:	Southwest Auto Glass El Paso, Texas
Item (s):	Group 1 and 3
Amount:	$20,000.00 (estimated annually)
Department:	Fleet Services
Funds available:	370510-503121-45202
Funding source:	Fleet Services – Internal Service Fund
Total award:	$20,000.00 (estimated annually)

Fleet Services Department and Purchasing Department recommend award as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a thirty-six (36) month contract with the option to extend the contract for one additional year.

Group 2 is deleted.

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*Motion made, seconded and unanimously carried to approve budget transfer BT2002-762 POLICE
The Police Department proposes to establish the budget listed. Each year we receive funding from the State that is used in conducting training for officers. This transfer will place the funding in the accounts to allow for the proper expenditures to be made and the training to be scheduled and conducted.

Increase	$128,075	to	21150070/P50023816415/405065	MscNOpRev
Increase	$ 50,000	to	21150070/P50023816415/502215	Outside Cont
Increase	$ 3,500	to	21150070/P50023816415/503101	Min Office Eq
Increase	$ 8,500	to	21150070/P50023816415/503103	Pubs & Subs
Increase	$ 1,000	to	21150070/P50023816415/503104	Min Comp Eq
Increase	$ 3,800	to	21150070/P50023816415/503107	Photo/Film
Increase	$ 24,275	to	21150070/P50023816415/503108	Trng Materials
Increase	$ 20,000	to	21150070/P50023816415/504201	Travel
Increase	$ 17,000	to	21150070/P50023816415/508010	Data Process

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*Motion made, seconded and unanimously carried to postpone one (1) week the request of Sun Bowl Association to hold the Las Palmas Del Sol Sun Bowl Parade on November 28, 2002 fro 1:00 a.m. to 4:00 p.m. Route: Montana Street from Mesa to North/South Freeway service road. Approximately 3,000 persons 150 vehicles and 40 animals will take part and 275,000 spectators are anticipated. This request includes permission to use amplification (several floats may have sound equipment capable of being heard to the curb). PERMIT NO. 02-135

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*Motion made, seconded and unanimously carried to approve the request of Irvin High School to hold a homecoming parade on October 9, 2002 from 6:15 p.m. to 7:15 p.m. Route: Start at Sanders Street parking lot, east on Sanders, south on Roanoke, west on Joe Herrera, north on Salisbury, west on Wren, north on Shoppers, east on Sanders, end at football stadium. Approximately 200 persons and 5 vehicles will take part and 150 spectators are anticipated. PERMIT NO. 02-136

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*Motion made, seconded and unanimously carried to approve the request of **REVISED TIME FOR EVENT TO COMPLY WITH ENGINEERING/TRAFFIC DIVISION'S RECOMMENDATION.** Coronado High School to hold a homecoming parade on October 4, 2002 from **6:00 p.m. to 6:45 p.m.** Route: Start at Coronado High School upper parking lot to Cloudview, left on Northwind, left on Daw, left on Mariposa, left on El Puente, right on Cloudview, back into parking lot. Approximately 150 persons, 25 vehicles and 3 flatbed trucks will take part and 100 spectators are anticipated. PERMIT NO. 02-117

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*Motion made, seconded and unanimously carried to approve the request of **AMMENDED APPLICATION:** Representative Rose Rodriguez/Nolan Richardson Center to block off Maxwell between Kenneth and Lawson on October 26, 2002 from **(REVISED TIME) 12:00 P.M. TO 6:00 P.M.** for a Halloween Party. Approximately 20 persons will take part and 500 spectators are anticipated. This request includes permission to use amplification (discotheque; 1 microphone, 3 to 4 speakers). Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 02-092

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RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-02011, FOR A PORTION OF LOT 3, BLOCK 2, BOYKIN COMMERCIAL DISTRICT UNIT 4, EL PASO, EL PASO COUNTY, TEXAS (MCCLINTOCK DRIVE AT CROSSROADS DRIVE), PURSUANT TO A CONTRACT CONDITION.

WHEREAS, **Dick Aber** (the "Applicant") has applied for approval of a detailed site development plan pursuant to a contract condition, to permit the construction and development of a multi-family apartment complex; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

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

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicants to permit the construction and development of a multi-family apartment complex on the following described property, which is located in a **C-2/sc (Commercial/special contract)** District:

A portion of Lot 3, Block 2, BOYKIN COMMERCIAL DISTRICT UNIT 4, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A"; and municipally referred to as McClintock Drive at Crossroads Drive. (Exhibit on file with this Resolution in the City Clerk's Office).

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference. (Exhibit on file with this Resolution in the City Clerk's Office).

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-2/sc (Commercial/special contract)** District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-2/sc (Commercial/special contract)** District regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Mr. David Etzold, representing the property owner and developer of the project, thanked Council Members for approving the matter. He commented on the manner with which agenda items moved to the Regular Agenda were discussed prior to agenda items already placed under the Regular Agenda.

There being no further public comment, the vote was taken.

Motion made by Representative Sumrall, seconded by Representative Escobar and carried to approve the above Resolution. Representative Power abstained from the vote.

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*Motion made, seconded and unanimously carried to postpone four (4) weeks the public hearing to determine if the property located at 704 N. Campbell Street in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of March 18, 2002, Carmen Breach De Valenzuela, 7049 Westwind Drive #1313, El Paso, Texas 79912, and also P. O. Box 13045, El Paso, Texas 79913, has been notified of the violations at this property.

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RESOLUTION

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 1612 N. Oregon Street, in El Paso, Texas, which property is more particularly described as follows:

Lots: 15 and the South 15 ft. of Lot 14 and the North 20 ft. of 16, Block 56, Alexander Addition

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Zafer H. Haydar, 1700 N. Oregon Street, Suite 630, El Paso, Texas 79902, record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on October 1, 2002; and

WHEREAS, NO ONE, APPEARED,

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

1. That City Council having heard the evidence, makes the following findings:

   a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and

   b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and

   c. The structure's certificate of occupancy is hereby revoked; and

   d. That the structure can be repaired.

2. That the City Council hereby orders Owner to comply with the following requirements:

   a. That the Building be secured within (30) days; and
   b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
   c. That the property be fenced with a six foot chain link fence within 30 days; and

d. That the Building be maintained secure and the property be maintained clean until it is rehabilitated to meet the current codes; and
e. That the retaining wall adjacent to the sidewalk at the front of the lot be repaired according to a design submitted by a licensed professional engineer within 30 days; and
f. That a public hearing be scheduled for November 26, 2002, in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
g. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
h. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
i. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris; and

3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections shall secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and

4. That said Owner shall become personally liable for all costs incurred by City in connection with securing and maintaining the Building secure and cleaning the premises of all weeds, trash and debris; and

5. That the costs incurred by the City in connection with the cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and

6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:

   a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
   b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed $1,000.00 a day for each violation or, if the Owner shows that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
   c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and

7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and

8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and

9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and

10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. the affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits & Inspections Department, presented case to Council Members and gave the department's recommendation(s).

There being no further public comment, the vote was taken.

Motion made by Representative Cobos, seconded by Representative Sumrall and carried to accept the department's recommendations. Representative Power abstained from the vote.

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Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to award Bid No. 2002-202 Motor Officer Headsets and SWAT Tactical Headsets

Award to:	Vendor (1):	Setcom Corporation Mountain View, CA
Item(s):		1
Amount:		$16,464.00
	Vendor (2):	TV Equipment Assoc. Brewster, NY
Item (s):		2 and 3
Amount:		$24,576.00
Department:		Police
Funds Available:		04250203-27251-PMB0003130-508035 21150060-16371-P500231-508035
Funding Source:		FY02 Certificate of Obligation Equipment – City Equipment Federal Confiscated Funds
Total Award:		$41,040.00

The Police and Purchasing Departments recommend award as indicated to the lowest responsive offers meeting specifications, from responsible parties

This is a fixed-price, single (one-time) purchase, to purchase motor officer headsets and SWAT tactical headsets. Each vendor offers the option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within six (6) months from the date of award of the contract. No prompt payment discounts are offered.

The City Clerk called for public comment. There was no public comment.

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RESOLUTION

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF EL PASO, PURSUANT TO INTERNAL REVENUE CODE REGULATION SECTION 1.150-2(e), TO FINANCE CERTAIN EXPENDITURES TO BE INCURRED FOR YEAR 2003 CAPITAL ACQUISITIONS FROM THE PROCEEDS OF THE SALE OF CITY TAX-EXEMPT OBLIGATIONS. (PERSONAL COMPUTERS AND CORRESPONDING HARDWARE AND SOFTWARE)

WHEREAS, the City of El Paso, Texas (the "City") is a governmental entity authorized to issue obligations to finance its activities pursuant to the laws of the State of Texas, the interest on which is excludable from gross income for federal income tax purposes ("Tax-Exempt Obligations") pursuant to Section 103 of the United States Internal Revenue Code of 1986, as amended (the "Code"); and,

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to the acquisition of personal computers and corresponding hardware and software listed in Exhibit "A" attached hereto; and,

WHEREAS, the City has concluded that it does not currently desire to issue Tax-Exempt Obligations to finance the costs associated with the acquisition of the items listed in Exhibit "A (Exhibit on file with this Resolution in the City Clerk's Office) attached hereto; and,

WHEREAS, the City desires to reimburse itself for the costs associated with the items listed in Exhibit "A" attached hereto from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof; and,

WHEREAS, the City reasonably expects to issue Tax-Exempt Obligations to reimburse itself for the costs associated with the items listed in Exhibit "A" attached hereto; NOW THEREFORE,

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

Section 1. The City Council hereby declares the intention of the City of El Paso, Texas, pursuant to Regulation Section 1.150-2(e) of the United States Internal Revenue Code, to finance expenditures to be incurred from the proceeds of the sale of the City's Tax-Exempt Obligations.

Section 2. The City reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to a date that is sixty days prior to the date hereof and that are to be paid in connection with the acquisition of the items listed in Exhibit "A" attached hereto from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof, for the purchase of personal computers and corresponding hardware and software.

Section 3. The City reasonably expects that the maximum principal amount of Tax-Exempt obligations issued to reimburse the City for the costs associated with the items listed in Exhibit "A" attached hereto will not exceed $3, 000,000.00.

Section 4. The Mayor is hereby authorized to make any necessary budget appropriations or adjustments to comply with the intent expressed in this resolution.

Representative Cobos requested further clarification.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, provided explanation.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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Motion made Representative Sumrall, seconded by Representative Medina and carried to approve to return to the old system of placing items involving bond funds on the consent agenda.

Representatives Sumrall, Medina, Cook, and Sariñana voted Aye.
Representatives Rodriguez, Power, Escobar, and Cobos voted Nay.
Mayor Raymond C. Caballero voted Aye to break the tie.

Mayor Raymond C. Caballero explained that Council Members may move items to the Regular Agenda at any time and asked that a motion be made to return to the previous manner of posting agenda items.

Representative Sumrall remarked that she was not against moving Consent agenda items to the Regular agenda and thanked Ms. Theresa Caballero for her suggestion regarding placing contact names on agenda items. Representative Sumrall moved to approve.

Representative Cobos stated he was in support of placing Agenda items regarding Certificates of Obligation on the Regular Agenda and asked that they remain on the Regular Agenda as he felt it would help to instill trust in City government for the viewing audience.

Representative Sariñana remarked that Council Members had the discretion of moving items to the Regular Agenda at any time.

Ms. Theresa Caballero, citizen, stated that the most important decisions that Council Members make are in reference to levying taxes and spending taxpayer's monies and she requested items requiring expenditure of monies continue to be placed under the Regular Agenda. She asked that Council Members not rush to judgment when dealing when the taxpayer's monies.

Mr. Ray Gilbert, citizen, stated that he felt placing items pertaining to the expenditure of bond monies should be placed under the Regular Agenda and noted that he would continue to move agenda items to the Regular Agenda when he had questions.

Representative Medina commented that the previous way of placing items on the agenda was sufficient and added that City Council agendas are posted on the City's website. He added that individuals not having access to a computer could request City Council agendas be mailed to them. He then seconded Representative Sumrall's motion.

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*Motion made, seconded and unanimously carried to delete the discussion and action and Resolution - Program change regarding refinancing in the Housing Program Handbook, Chapter 3, Owner Occupied Residence. (Leopoldo E. Sierra)

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No action was taken on the appreciation for the appointment in the area of education to help increase awareness regarding our mental health and mental retardation housing. (Debra Garcia)

Ms. Garcia, citizen, read from a prepared statement and thanked Council Members for their support for the mental health, mental retardation community.

. . . . . .

Motion made by Representative Rodriguez, seconded by Representative Cook and carried to postpone one (1) week the appeal to the decision of the Historic Landmark Commission regarding re-roofing with shingle the property located at 2932 Grant, El Paso, Texas. (Deanna Madrid)

Representatives Sumrall and Cobos voted Nay. Representative Escobar was not present to vote.

Ms. Aurora Madrid, mother of Deanna Madrid, spoke on behalf of her daughter and read from a prepared statement. She stated that her daughter requested that she be allowed to re-roof the home with red shingles.

Ms. Patricia Adauto, Director of Planning, Research and Development, provided explanation for Council Member's information and explained that the property was located within the Manhattan Heights Historic District at 2932 Grant. She noted that the Historic Landmark Committee felt every attempt should be made to preserve the metal-type roof. She read into the record a letter written by Weeks Roofing Company in reference to repairing the Madrid's roof.

Representative Sumrall commented on astronomical costs in replacement of the shingles.

Ms. Adauto explained that the Historic Landmark Committee members would be undergoing training.

Representative Rodriguez commented on the historic value of the home and that a compromise was reached by all parties. She moved to approve provided the exterior of the structure maintain its original looks. Representative Cook seconded.

Ms. Adauto clarified that the shingles would not be "like" material, the existing roof was metal and the proposal from Week's Roofing Company was fiberglass, red self-sealing type shingles, not rust proof material.

Representative Power questioned whether or not the Historic Landmark Commission maintained a budget.

Ms. Adauto responded that the Commission did not maintain a budget and added that the Planning Research and Development Department provided staff assistance. She noted that the Historic Landmark Commission was administered from the Planning Research and Development Department.

Ms. Adauto requested Council Members reconsider the appeal to the decision of the Historic Landmark Commission regarding re-roofing with shingle the property located at 2932 Grant, El Paso, Texas. (Deanna Madrid)

Motion made by Representative Sumrall, seconded by Representative Rodriguez and unanimously carried to reconsider the appeal to the decision of the Historic Landmark Commission regarding re-roofing with shingle the property located at 2932 Grant, El Paso, Texas. (Deanna Madrid)

Ms. Adauto clarified the roof would no longer be "pitch", but would now be a flat roof.

Ms. Rita Rodriguez, City Attorney, recommended that Council Members postpone the item to allow the applicant to come before the Council for explanation/clarification.

Representative Power requested that the roofing company review different types of shingles that might conform to the request made by the HLC.

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

A. An Ordinance Amending Title 5 (Business Taxes, Licenses and Regulations), Chapter 5.24 (Charitable Solicitations), of the El Paso Municipal Code to Substitute the Term "Building Permits and Inspections Director" for the Term "City Clerk" at all places in Chapter 5.24 of the Code where such Term appears.

B. An Ordinance Amending Title 13 (Streets, Sidewalks and Public Places), Chapters 13.28 (Sound Amplifying Devices) and 13.32 (Parades and Temporary Events), of the El Paso Municipal Code to substitute the Term "Building Permits and Inspections Director" for the Term "City Clerk" at all places in Chapters 13.28 and 13.32 of the Code where such Term Appears.

C. An Ordinance amending Ordinance No. 14996 (which created Tax Increment Financing District Number Two (No. 2), by amending Section 9.1 concerning the composition of the Board of Directors and Section 12 concerning the taxes to be included in the Tax Increment Fund, and providing a severability clause.

D. An Ordinance amending Ordinance No. 14999 (which created Tax Increment Financing District Number Three (No. 3), by amending Section 9.1 concerning the composition of the Board of Directors and Section 12 concerning the taxes to be included in the Tax Increment Fund, and providing a severability clause.

PUBLIC HEARING WILL BE HELD OCTOBER 15, 2002 FOR ITEMS A - D

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

Mr. Leopoldo E. Sierra, citizen, commented on the Introduction of Ordinances regarding Tax Increment Financing District Numbers Two and Three.

Representative Cobos responded to Mr. Sierra's comments.

Ms. Rita Rodriguez, City Attorney, noted that Council Members were waiting for the Greater El Paso Chamber of Commerce's report to then schedule the public hearings and mail notices to property owners within the TIF Districts.

Ms. Patricia Adauto, Director of Planning Research and Development, recalled that Council action was to wait for the report by the Chamber, once the report had been received the Department would send notices to property owners within TIF District 2 pertaining to holding public hearings in reference to the TIF Districts.

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ADDITION TO THE AGENDA

***RESOLUTION**

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

That the action of the Chief of Police to sign, on behalf of the City of El Paso and its Police Department, a Reimbursement Agreement by and between the U.S. Department of Justice and the City of El Paso, be ratified. The agreement will enable the Police Department to obtain full reimbursement for the cost of equipment and technology in an amount not to exceed $33,000.00 to facilitate the department's work with the Anti-Terrorism Task Force in the United States Attorney's Office. An immediate signature was required to enable the agreement to be effective on September 23, 2002 and continue through September 30, 2003.

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*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized to sign an Amended Assistance Agreement with the United States Environmental Protection Agency for support of the Air Pollution Control Program for the City of El Paso increasing the grant amount to Four Hundred Thousand and No/100 Dollars ($400,000.00).

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***RESOLUTION**

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

THAT the Director of the El Paso Museum of Art be authorized to sign a loan agreement on behalf of the City of El Paso, for the loan of *Coffee Maker M.I.M.*, 2001, by Margarita Cabrera to the El Museo del Barrio, New York City, for the exhibition *The S-Files/The Selected Files* from October 24, 2002 – February 16, 2003.

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*R E S O L U T I O N

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

That the grand re-opening of the remodeled Wilderness Park Museum as the "El Paso Museum of Archaeology at Wilderness Park" be recognized on Sunday, October 6, 2002, at 1:00 p.m. at the Museum's facilities at 4301 Trans Mountain Road.

. . . . . .

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

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

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **CHRISTINA MILAM** to assist the Economic Development Department as a Departmental Research Assistant for up to 40 hours per week at an hourly rate of $13.82. The term of the contract shall be for the period of October 2, 2002 through December 31, 2002.

See discussion on page 14 for Antonio Rios.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution. Representative Escobar was not present for the vote.

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*Motion made, seconded and unanimously carried to appoint Irene Juarez to the Revolving Loan Fund Board by Mayor Raymond C. Caballero.

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*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s):

Glenwood between 1006 & 1008 for $899.00.

. . . . . .

*Motion made, seconded and unanimously carried to approve the request of Jewish Federation of El Paso to use amplification (one amp, speaker, microphone) on October 6, 2002 from 2:00 p.m. to 4:00 p.m. at San Jacinto Plaza stage. Approximately 8 persons will use amplification and 100 spectators are anticipated.

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*Motion made, seconded and unanimously carried to approve the request of Nazareth Hall Nursing Center to block off Raynolds between Trowbridge and Clifton on October 12, 2002 from 12:00 noon to 6:00 p.m. for a Grand Opening. Approximately 1,000 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification.

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ORDINANCE 15244

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOTS 12 AND 13, BLOCK 7, NORTH LOOP GARDENS NO. 1, EL PASO, EL PASO COUNTY, TEXAS (7813 NORTH LOOP DRIVE) FROM A-2 (APARTMENT) TO C-3 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Sariñana moved to approve the Ordinance; however, revising from zoning change from A-2 to C-3. Representative Medina seconded. Representative Sariñana commented on a pile of tires and requested that the Solid Waste Management Department remove them.

Ms. Patricia Adauto, Director of Planning, Research and Development, provided a PowerPoint presentation and explained the zoning change request for Council Members' information. She noted that a citizen had made a request to the City to initiate a change of zoning of the split parcels on North Loop, due to the widening of North Loop Drive. She stated that the Council Members voted to allow property owners to apply individually for appropriate zoning change requests.

Mr. Gilbert Calderon, citizen, stated he understood that City Council would not approve C-3 or C-4 zoning change requests for property located on North Loop. He stated that he had been denied a C-4 zoning change request.

Ms. Adauto stated that City Council approved C-1 zoning for Mr. Calderon's property.

Mr. Luis de la Cruz, representing zoning change applicant, commented on the street improvements made to North Loop Drive.

There being no further public comment, the vote was taken.

Motion duly made by Representative Sariñana, seconded by Representative Medina, that the Ordinance be adopted, as revised. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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*Motion made, seconded and unanimously carried to delete the discussion and action on Bid No. 2003-008, specifically the Specifications Section 15900 – "Direct Digital Control System". [Robert Linzey]

. . . . . .

Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

A. Regarding Contract No. 2001-107 with Acosta Engineering Company (551.071)

B. Regarding Contract No. 2001-247 with Lomeli & Sons Landscaping Co., Inc. (551.071)

C. Discussion and action regarding proposed purchase of a 2.49-acre tract of raw land located at 5100 Gateway East Boulevard. (551.071 and 551.072)

D. Discussion and action regarding proposed purchase of 10.176 acre tract of raw land described as: Tracts 2A, 2B, 2C, 2D, 2D1, 2D2, & 2E, Elijah Bennet Survey No 11, El Paso County Texas. (551.071 and 551.072)

E. TNRCC and BFI Waste Systems, Inc. v. Martinez Environmental Group, City of China Grove, et al; Cause No. 03-02-00218-CV. (551.071)

Motion made by Representative Rodriguez, seconded by Representative Escobar and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

Mayor Raymond Caballero and Representative Sumrall were not present for the Executive Session votes.

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Motion made by Representative Rodriguez, seconded by Representative Escobar and carried that the settlement reached between the City of El Paso and Acosta Engineering Company be **ACCEPTED**, by the City, in its entirety as recommended by the City Attorney's Office; and that the Mayor be authorized to sign, on behalf of the City, any related documentation.

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Motion made by Representative Rodriguez, seconded by Representative Sariñana and carried that the settlement reached between the City of El Paso and Lomeli & Sons Landscaping Co., Inc. be **ACCEPTED**, by the City, in its entirety as recommended by the City Attorney's Office; and that the Mayor be authorized to sign, on behalf of the City, any related documentation.

. . . . . .

Motion made by Representative Rodriguez, seconded by Representative Cook and unanimously carried to postpone one (1) week the discussion and action regarding proposed purchase of a 2.49-acre tract of raw land located at 5100 Gateway East Boulevard. (551.071 and 551.072)

. . . . . .

Motion made by Representative Rodriguez, seconded by Representative Cook and unanimously carried to postpone one (1) week the discussion and action regarding proposed purchase of 10.176 acre tract of raw land described as: Tracts 2A, 2B, 2C, 2D, 2D1, 2D2, & 2E, Elijah Bennet Survey No 11, El Paso County Texas. (551.071 and 551.072)

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Motion made by Representative Rodriguez, seconded by Representative Sariñana and carried that the **CITY OF EL PASO BE AUTHORIZED TO JOIN THE AMICUS BRIEF IN NO. 03-02-00218-CV, TEXAS NATURAL RESOURCE CONVERSATION COMMISSION and BFI WASTE SYSTEMS OF NORTH AMERICA, INC., vs. MARTINEZ ENVIRONMENTAL GROUP, CITY OF CHINA GROVE and DON McKENZIE,** as recommended by the City Attorney.

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Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 12:15 p.m.

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk