

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHIEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
January 10, 2012
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:33 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Michiel R. Noe, and Cortney Carlisle Niland. Late arrivals: Emma Acosta at 8:38 a.m., Carl Robinson at 8:47 a.m., Steve Ortega at 8:48 a.m., and Eddie Holguin at 9:07 a.m. The invocation was given by Police, Fire and CIMA Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATION

DR. MARTIN LUTHER KING, JR. DAY

RECOGNITION

THE FINANCIAL ACCOUNTING AND REPORTING DIVISION, OF THE FINANCIAL SERVICES DEPARTMENT - CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FOR THE CITY'S COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR ENDED AUGUST 31, 2010, PRESENTED BY THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA) OF THE UNITED STATES AND CANADA.

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

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

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Ms. Lisa Turner
2. Mr. Richard Schecter
3. Mr. Tom Brown

Mayor Cook and Representative Byrd commented.

Ms. Joyce Wilson, City Manager commented.

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

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

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1. APPROVAL OF MINUTES

*Motion made, seconded, and carried to **APPROVE** the Minutes for the Regular City Council Meeting of January 3, 2012.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3A.

***RESOLUTION**

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

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

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

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

461 Trails End Court, more particularly described as Lot(s) 13 (21780.37 Sq Ft), Block 1, Country Place Estates Replat A Subdivision, El Paso, El Paso County, Texas, Parcel # C883-999-0010-1300

to be \$212.44, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED THIRTY SIX AND 44/100 DOLLARS (\$236.44). The City Council finds that the work was completed on the 22nd day(s) of July, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED THIRTY SIX AND 44/100 DOLLARS (\$236.44) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

5036 Knox Court, more particularly described as Lot(s) 854 (6936 Sq Ft), Block 33, Mountain View Subdivision, El Paso, El Paso County, Texas, Parcel #M851-999-0330-2200

to be \$76.05, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED AND 05/100 DOLLARS (\$100.05). The City Council finds that the work was completed on the 27th day(s) of June, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED AND 05/100 DOLLARS (\$100.05) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, DANIEL T. KNAPP, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to

comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

Lot(s) 5 & 6, Block 5, Rosemont Subdivision, City of El Paso, El Paso County, Texas, Parcel #R843-999-0050-2300

to be \$123.39, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED FORTY SEVEN AND 39/100 DOLLARS (\$147.39). The City Council finds that the work was completed on the 8th day(s) of September, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY SEVEN AND 39/100 DOLLARS (\$147.39) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, AARON E & 2 WILLIAMS, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

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

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

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

225 N Seville Drive, more particularly described as Lot(s) 37 to 39 (Homesite) (7500.00 Sq Ft), Block 5, Sambrano Subdivision, El Paso, El Paso County, Texas, Parcel # S052-999-0050-6500

to be \$197.13, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED TWENTY ONE AND 13/100 DOLLARS (\$221.13). The City Council finds that the work was completed on the 10th day(s) of June, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED TWENTY ONE AND 13/100 DOLLARS (\$221.13) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

Lot(s) 36 to 38 & N 1/2 of Lot 35, Block 6, Sambrano Subdivision, City of El Paso, El Paso County, Texas, Parcel #S052-999-0060-7300

to be \$166.43, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED NINETY AND 43/100 DOLLARS (\$190.43). The City Council finds that the work was completed on the 26th day(s) of October, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY AND 43/100 DOLLARS (\$190.43) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

5380 Ignacio Frias Drive, more particularly described as Lot(s) 31 (5334.32 Sq Ft), Block 2, Sandstone Ranch Estates #2 Subdivision, El Paso, El Paso County, Texas, Parcel # S138-999-0020-3100

to be \$70.49, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of NINETY FOUR AND 49/100 DOLLARS (\$94.49). The City Council finds that the work was completed on the 14th day(s) of June, 2011, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount NINETY FOUR AND 49/100 DOLLARS (\$94.49) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

3026 Rivera Avenue, more particularly described as Lot(s) 19 & W 1/2 of Lot 18, Block B, East El Paso Subdivision, El Paso, El Paso County, Texas, Parcel #E014-999-000B-2100

to be \$201.35, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of TWO HUNDRED TWENTY FIVE AND 35/100 DOLLARS (\$225.35). The City Council finds that the work was completed on the 20th day(s) of September, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED TWENTY FIVE AND 35/100 DOLLARS (\$225.35) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

***RESOLUTION**

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

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

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

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

3429 Rivera Avenue, more particularly described as Lot(s) 14 & E 5 Ft of Lot 13 (4200 Sq Ft), Block 6, East El Paso Subdivision, El Paso, El Paso County, Texas, Parcel #E014-999-0060-3700

to be \$98.29, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED TWENTY TWO AND 29/100 DOLLARS (\$122.29). The City Council finds that the work was completed on the 3rd day(s) of September, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY TWO AND 29/100 DOLLARS (\$122.29) to be a lien on the above

described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

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

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

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

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

1917 E. San Antonio Avenue, more particularly described as Lot(s) 23 & 24 & E 5 Ft of Lot 22 (6600 Sq Ft), Block 20, Bassett Subdivision, El Paso, El Paso County, Texas, Parcel #B202-999-0200-6600

to be \$104.87, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED TWENTY EIGHT AND 87/100 DOLLARS (\$128.87). The City Council finds that the work was completed on the 11th day(s) of October, 2010, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED TWENTY EIGHT AND 87/100 DOLLARS (\$128.87) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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3B.

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

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

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

- A. Sierra Title Company in the amount of \$4,095.58 overpayment of 2011 taxes. (PID #H771-000-0110-0900).
- B. Ivey Investments LTD in the amount of \$4,591.51 overpayment of 2009 taxes. (PID #A060-999-0020-0101).
- C. Vericrest Financial Aid in the amount of \$6,235.19 overpayment of 2008/ 2009 taxes. (PID #M772-000-0000-0020).
- D. Amador & Elizabeth Leal in the amount of \$5,989.28 overpayment of 2011 taxes. (PID #R246-999-0150-2800).
- E. Joseph and Clara Vidal in the amount of \$4,261.40 overpayment of 2011 taxes. (PID #S812-999-0010-3400).
- F. Gertrude Annabi in the amount of \$12,928.17 overpayment of 2011 taxes. (PID #S990-999-0010-0200).
- G. AHMSI in the amount of \$7,695.44 overpayment of 2010 taxes. (PID #U819-000-0230-06G1).
- H. Carrington Mortgage Services in the amount of \$3,185.20 overpayment of 2010 taxes. (PID #V893-999-3960-0300).
- I. Lone Star Title in the amount of \$30,266.31 overpayment of 2011 taxes. (PID #X212-999-0000-7412).
- J. Sierra Title Company in the amount of \$3,180.17 overpayment of 2011 taxes. (PID #D417-000-0080-2100).

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5A. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and carried to **REJECT** the sole bid received for Solicitation No. 2012-065 (Non-Emergency 311 - Telephone Exchange Communications Service) as recommended by Financial Services – Purchasing Division, City Manager’s office, and City Attorney’s office. Due to number of unacceptable exception to standard terms and conditions taken by the bidder, said bid was deemed non-responsive.

A new solicitation will be issued.

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5B. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and carried to **REJECT** the sole bid received for Solicitation No. 2012-018, (Fuel Pump/Tank Service, Parts, and Repair) as recommended by Financial Services – Purchasing Division and General Services because the sample pricing could not be verified against the price lists submitted by the bidder; therefore the bid was non-responsive.

A new solicitation will be issued.

Ms. Lisa Turner, citizen, commented.

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5C. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and carried to **REJECT** the sole bid received for Solicitation No. 2012-023, (Landfill Dozer) as recommended by Financial Services Department – Purchasing Division and General Services because of a technical error in the specifications.

A new solicitation will be issued.

Mayor Cook commented.

Ms. Lisa Turner, citizen, commented.

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5D. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue issue a Purchase Order to Designs That Compute DBA Visionality, under DIR State Contract No. DIR-SDD-969 for LifeSize Room with Control System for Videoconferencing. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the DIR (Department of Information Resources) State Contracts Program was approved by Mayor and City Council on February 27, 2007.

Department: Environmental Services and Code Enforcement
Award to: Designs That Compute DBA Visionality
Richardson, TX
Total Estimated Award: \$120,858.20
Account No.: 34010289 – 508010 – 40499 – PSWM0010
Funding Source: Environmental Services – Data Processing Equipment
Reference No.: 2012-112
This is a Cooperative, unit price contract.

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5E. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City’s option to extend current Contract No. 2008-033 (Collection Services - Various City Facilities) to Heist Disposal, Inc. of El Paso, Texas, and Freidman Recycling of El Paso, Texas, for one additional year pursuant to the provisions of an award approved by the City Council on December 18, 2007. The extended contract period will be from February 1, 2012 to January 31, 2013.

Department: Environmental Services and Code Enforcement
Award to: Vendor 1 Heist Disposal, Inc.
El Paso, TX
Award to: Vendor 2 Freidman Recycling of El Paso
El Paso, TX

Option: One [of One]
Annual Estimated Award: \$251,856.84 (V1)
\$ 73,392.96 (V2)
Total Estimated Award: \$325,249.80 (1 year)

Account No.: 34010281 – 502215 – 40403
Funding Source: Environmental Services – Outside Contracts-NOC

This is a Best Value, service contract.

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5F. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Bazaar Uniforms & Men’s Store and Northern Imports, Inc. dba Work Wear Safety Shoes, under Region 19 Contract No.10-6562 for work uniforms, shoes & related. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Region 19 Cooperative Purchasing Program was approved by Mayor and City Council on March 4, 2008.

Department: Environmental Services and Code Enforcement
Award to: Vendor 1 Bazaar Uniforms & Men’s Store
El Paso, TX
Estimated Award: \$86,874 (V1)
Award to: Vendor 2 Northern Imports, Inc. dba Work Wear Safety Shoes
El Paso, TX
Estimated Award: \$25,620 (V2)

Total Estimated Award: \$112,494
Account Nos.: 34010280 – 503120 – 40403
34010281 – 503120 – 40403
34010286 – 503120 – 40403
34010287 – 503120 – 40403
34010289 – 503120 – 40403
34010291 – 503120 – 40403
34010293 – 503120 – 40403
34010294 – 503120 – 40403
34010296 – 503120 – 40403
34010297 – 503120 – 40403
34010288 – 503120 – 01101

Funding Source: Environmental Services – Uniforms and Apparel Supplies
Government Operations (General Fund) – Uniforms and Apparel
Supplies
Reference No.: 2012-113

This is a Cooperative, unit price contract.

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5G. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Insight Public Sector, Inc., a contractor under the U.S. Communities Cooperative Purchasing Alliance Contract No. RQ09-99736-42B, for the commissioning of on-site configuration services. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the U.S. Communities Cooperative Purchasing Alliance was approved by Mayor and City Council on February 27, 2007.

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

Department: Fire
Award to: Insight Public Sector, Inc.
Tempe, AZ
Total Estimated Award: \$60,000
Account No.: 22150024 – 502215 – 07192 – G221006
Funding Source: FY09 Homeland Security Grant Program –UASI
(Develop/Enhance Interoperable Communications Systems
Project)
Reference No.: 2012-131

This is a Cooperative, service and unit price contract.

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5H. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order(s) to C & M Air Cooled Engine Inc. dba C & M Golf and Grounds Equipment, a vendor under BuyBoard Contract No. 373-11(Grounds Maintenance / Fertilizer / Irrigation Equipment & Supplies), for four Tri-King Reel Type Trimmer Mowers. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the BuyBoard was approved by Mayor and City Council on August 21, 2007.

Department: General Services
Award to: C & M Air Cooled Engine Inc.
DBA C & M Golf and Grounds Equipment
Waco, TX
Total Estimated Award: \$101,405.92 (for 4 units)
Account No.: 37150068 – 508054 – 27265 – PFLESVC01
Funding Source: General Services, Cars, Pickups, Vans
Reference No.: 2012-110

This is a Cooperative, unit price contract.

Mayor Cook commented.

The following City Staff members commented.

1. Ms. Joyce Wilson, City Manager
2. Mr. Bruce D. Collins, Purchasing Manager

Ms. Lisa Turner, citizen, commented.

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5I. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Professional Document Systems of Texas (PDS), a contractor under Department of Information Resources (DIR) Contract No. DIR-SDD-1610, for the renewal of Document Systems Maintenance, Support and Update Agreement. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Department of Information Resource (DIR) Cooperative Purchasing Program was approved by Mayor and City Council on February 27, 2007.

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

Department: Information Technology
Award to: Professional Document Systems of Texas (PDS)
El Paso, TX
Total Estimated Award: \$68,708.40
Account No.: 39010351 – 502202 – 01101
Funding Source: General Fund – Data Processing Services
Reference No.: 2012-126

This is a Cooperative, service and unit price contract.

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5J. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Sigma Solutions, Inc., a contractor under Department of Information Resources (DIR) Contract No. DIR-SDD-1385, for the maintenance, technical support and firmware upgrades for Cisco equipment. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Department of Information Resource (DIR) Cooperative Purchasing Program was approved by Mayor and City Council on February 27, 2007.

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

Department: Information Technology
Award to: Sigma Solutions, Inc.
San Antonio, TX
Total Estimated Award: \$123,768.12
Account No.: 39010351 – 502202 – 01101
Funding Source: General Fund – Data Processing Services
Reference No.: 2012-125

This is a Cooperative, unit price contract.

Representative Niland commented.

Ms. Lisa Turner, citizen, commented.

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5K. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to DLT Solutions, Inc. a contractor under U.S. General Services Administration (GSA) Contract No. GS-35F-4543G, for AutoDesk Licenses and Technical Support renewal. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

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

Department: Information Technology
Award to: DLT Solutions, Inc.
Herndon, VA
Total Estimated Award: \$54,470.51
Account No.: 39010351 – 502202 – 01101
Funding Source: General Fund – Data Processing Services
Reference No.: 2012-124

This is a Cooperative, unit price contract.

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5L. REQUESTS TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Nord Atlantic Trading, Inc., a contractor under the U.S. General Services Administration (GSA) Contract No. GS-07F-0235U for the purchase of 48 Night Visions PVS-14 including accessories, 48 3X Military Magnifying Lens and 27 PASGT Helmet Mounts. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

Department: Police
Award to: Nord Atlantic Trading, Inc.
Miami, FL
Total Estimated Award: \$139,072.44
Account No.: 21150010 – 508007 – 05408 – 09-SR-BZ2400006
Funding Source: FY09 – Buffer Zone Protection Program Grant (BZPP)
Reference No.: 2012-127

This is a Cooperative, unit price contract.

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6A. BIDS

*Motion made, seconded, and carried to **POSTPONE** two weeks Solicitation No. 2012-062 for the Jorge Montalvo Park Irrigation to Martinez Bros. Contractors, LLC, for a total estimated amount of \$282,467.50.

Department: Engineering and Construction Management and Parks & Recreation Department
Award to: Martinez Bros. Contractors, LLC
Base Bid: \$219,723.50
Minus item 11 \$< 8,556>

Alternate 1 \$ 71,300

Sum Total Base Bid minus \$282,467.50

Item 11 plus Alternate 1

Funding Source: Storm Water Utility, Parkland Dedication and 2012-2013 Certificates of Obligation

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

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

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

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

Ms. Lisa Turner, citizen, commented.

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6B. BIDS

*Motion made, seconded, and carried to **AWARD** Solicitation No. 2012-055 (York HVAC Systems – Proprietary Parts and Service) to Johnson Controls, Inc., for an initial term estimated award of \$330,000.

Department:	General Services
Award to:	Johnson Controls, Inc. El Paso, TX
Items:	All
Option:	2 years
Initial Term Estimated Amount:	\$330,000 (3 year total)
Total Estimated Award:	\$550,000 (5 year total)
Account No.:	31010325 – 502226 – 01101 or 31010325 – 503200 – 01101
Funding Source:	General Services, Building/Facilities, General Fund

This is a low bid, requirements contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Johnson Controls, Inc., the sole bidder.

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7A-7E INTRODUCTIONS

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

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

- 7A. An Ordinance granting a Special Privilege License to Mary Stillinger and Enriqueta Godinez permitting the maintenance and repair of a 2,199 square foot portion of an existing masonry wall with wrought iron fencing within portions of City right-of-way on Farrell Drive between Cindy Drive and Kathy Drive and Kathy Drive between Stevens Road and Farrell Drive adjacent to the property located South of Americas Avenue and East of Kathy Drive legally described as Lots 15 and 16 Richard Lee Subdivision, City of El Paso, El Paso County, Texas for a term of five years.
- 7B. An Ordinance to amend Title 12 (Vehicles and Traffic), Section 12.44.280 (Restrictions on parking in residential parking districts) to revise the provisions regarding the issuance of permits, and clarify the effect of holding a permit and the penalties for parking in violation of the section; the penalty being as provided in section 12.84.010 and Chapter 12.85 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON JANUARY 17, 2012, FOR ITEM 7A –7B

- 7C. An Ordinance amending Title 20 (Zoning), Chapter 20.18 (Sign Regulations) of the El Paso City Code to revise standards for manufacturer identification signs in C-3 and C-4 Zoning Districts. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 7D. An Ordinance granting Special Permit No. PZST11-00012, to allow for infill development with reduced yard setbacks and reduced lot width on the property described as Lot 23 and the East 16.67 feet of Lot 24, Block 62, East El Paso Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code.
- 7E. An Ordinance amending a condition placed on property by Ordinance No. 016588 which changed the zoning of a portion of H.G. Foster Survey 262, City of El Paso, El Paso County, Texas, and which imposed a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON JANUARY 31, 2012, FOR ITEMS 7C - 7E

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8. ORDINANCE 17703

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF EL PASO, TEXAS, WATER AND SEWER REVENUE REFUNDING BONDS, SERIES 2012;” AND RESOLVING MATTERS WHICH ARE NECESSARY TO EFFECTUATE SAID ISSUANCE, INCLUDING THE DELEGATION OF MATTERS RELATING TO THE SALE AND ISSUANCE OF THE BONDS TO AN AUTHORIZED CITY OFFICER OR EMPLOYEE WITHIN CERTAIN SPECIFIED PARAMETERS.**

Ms. Marcela Navarrete, El Paso Water Utilities, commented.

Ms. Maria Urbina, Vice President, First Southwest, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Mr. Ed Archuleta, President/Chief Executive Officer of El Paso Water Utilities, commented.

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

Ms. Joyce Wilson, City Manager, commented

Ms. Lisa Turner, citizen, commented.

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

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

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

9.

RESOLUTION

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

That the City Manager be authorized to sign Amendment # 4 to the Professional Services Contract, dated May 17, 2010, between the City of El Paso and Johnson Controls, Inc., a Wisconsin Corporation, to perform utility cost reduction measures, specifically a solar photovoltaic (PV) system at the City's Lafayette Municipal Service Center, to implement Phase IV of the City-wide Energy Operational Savings, for an amount of \$1,080,000.00, and that the City Manager be authorized to accept a State Energy Conservation Office (SECO) stimulus program grant in the amount of \$900,000 and allocate \$180,000 for the local cash match out of existing capital projects funds. This authorization is subject to final approval by the City Attorney's office of all necessary documents to effectuate the transaction.

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

Representatives Acosta and Ortega commented.

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Marty Howell, Sustainability Program Manager

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

10. **ENGINEERING AND CONSTRUCTION MANAGEMENT**

Motion made by Representative Byrd, seconded by Representative Acosta, and unanimously carried to **AWARD** Solicitation No. 2012-041 for the MICRO-SURFACING 2012 to Intermountain Slurry Seal, Inc. for a total estimated amount of \$1,662,600.

Department:	Engineering and Construction Management and Department of Transportation
Award to:	Intermountain Slurry Seal, Inc.
Base Bid:	\$1,662,600
Total Estimated Completion:	\$1,662,600
Funding Source:	2012 and 2013 Certificates of Obligation

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

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

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

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

Representatives Robinson and Holguin commented.

Mr. Daryl Cole, Director of Transportation Department, commented.

Ms. Lisa Turner, citizen, commented.

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

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11. FIRE

Motion made by Representative Byrd, seconded by Representative Acosta, and unanimously carried to **AWARD** Solicitation No. 2012-068 (Self-Contained Breathing Apparatus [SCBA]) to Fire Service Equipment, Inc. for a total estimated award of \$1,256,115.

Department: Fire Department
Award to: Fire Service Equipment, Inc.
El Paso, TX
Items: All
Option: None
Total Estimated Award: \$1,256,115.
Account No.: 22150024 – 503303 – 07192 – EMW2010FO-05557
Funding Source: FY10 Assistance to Firefighters Grant Program

This is a low bid, unit price contract.

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

The Financial Services - Purchasing Division and Fire Department recommend award as indicated to Fire Service Equipment, Inc., the lowest responsive, responsible bidder.

Mr. Bruce Collins, Purchasing Manager, commented.

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

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12. INFORMATION TECHNOLOGY

Motion made by Representative Ortega, seconded by Representative Noe, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Innovative PBX Services, Inc. in conjunction with the ongoing Interlocal Agreement between the City of El Paso and the County of El Paso to purchase cabling products and services off of the County "Cabling Services for the County of El Paso" Bid No.11-019, awarded by the County of El Paso on July 25, 2011.

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

Department: Information Technology
Award to: Innovative PBX Services, Inc.
El Paso, TX
Annual Estimated Amount: \$500,000
Total Estimated Amount: \$500,000 (1 year)
Account No.: 14400500 – 508010 - PCP12IT02; and
Various Departmental Funds
Funding Source: 2012-2013 Capital Improvement Plan bonds General Fund
Reference No.: 2012-123

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13A. MAYOR AND COUNCIL

LEGISLATIVE REVIEW COMMITTEE REPORT:

1. For Notation: Formal Report of the Health, Safety and Community Services Legislative Review Committee meeting held on December 01, 2011, as submitted by Eddie Holguin, Chair; and,
2. Discussion and action pertaining specifically to any of the agenda items, as posted on the agenda of said Legislative Review Committee meeting, as follows:
 - A. Discussion and action on an ordinance amending Title 18 (Building and Construction), Chapter 18.08 (Building Code), Section 18.08.070 (Fences), of the El Paso City code, to amend the requirements and standards for electrified fence permits, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City code. [Engineering and Construction Management, Victor Morrison-Vega, (915) 541-4557]

Mr. David Almonte, Deputy City Manager, commented.

NO ACTION was taken on this item.

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13B. MAYOR AND COUNCIL

LEGISLATIVE REVIEW COMMITTEE REPORT:

1. For notation: Formal report of the Environmental Services Legislative Review Committee meeting held on November 28, 2011, as submitted by Representative Susie Byrd; and
2. Discussion and action pertaining specifically to any of the agenda items, as posted on the agenda of said Legislative Review Committee meeting, as follows:
 - a) Discussion and action on citation power for the Code Compliance Inspectors. [Environmental Services, Ellen A Smyth, (915) 621-6700]
 - b) Discussion and update on a proposal from GGI Energy for El Paso Waste to Energy Plant. [Environmental Services, Ellen Smyth, (915-621-6719]
 - c) Discussion and action on an Illegally Dumped Tire Coupon Program. [Environmental Services, Ellen Smyth, (915) 621-6719]
 - d) Discussion and action to combine the Animal Welfare Advisory Committee and the Animal Shelter Advisory Committee. [Environmental Services, Ellen Smyth, (915) 621-6719].
 - e) Discussion and update on the Animal Services' Dangerous Animal Response Team [Environmental Services, Kurt Fenstermacher and Dr. Bernie Page (915) 621-6700]

Representatives Byrd and Robinson commented.

Ms. Ellen Smyth, Environmental Services, commented.

Ms. Lisa Turner, citizen, commented.

NO ACTION was taken on this item.

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14.

RESOLUTION

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

1. That the Empowerment Zone Revolving Loan Fund Small Business Loan application and loan funding be approved to El Paso Powder Coating & Hydrographics LLC, in the amount of \$75,000.00 for Leasehold Improvements, Equipment Purchase, and Operating Capital, as recommended by the Director of Community and Human Development; and
2. That the City Manager be authorized to execute any and all loan related documents by and among the City of El Paso, El Paso Powder Coating & Hydrographics LLC, and loan guarantor(s), required to meet loan program requirements, loan disbursement, and loan securitization upon approval by the City Attorney's Office.

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

Representative Niland commented.

Ms. Lisa Turner, citizen, commented.

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

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

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15A. POLICE

Motion made by Representative Byrd, seconded by Representative Acosta, and unanimously carried to **APPROVE** a budget transfer to increase the appropriations for the State Confiscated Award by \$1,153,733 for a total FY 2012 allocation of \$1,421,201 to fund the Police Department's FY 2012 Confiscated Fund budget.

The following City Staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Assistant Police Chief Robert Feidner

Ms. Lisa Turner, citizen, commented.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Oretga and Niland
NAYS: None

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15B. POLICE

Motion made by Representative Byrd, seconded by Representative Acosta, and unanimously carried to **APPROVE** a transfer to increase the appropriations for the Federal Confiscated Award by \$306,308 for a total FY 2012 allocation of \$371,808 to fund the Police Department's FY 2012 Confiscated Fund budget.

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

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16. CITY MANAGER

Discussion and action on a presentation on El Paso Electric and El Paso Water Utilities Coordinated Plans for power and water supply to critical loads during severe weather events; and Review by Office of Emergency Management of Status of Utility Coordination with EOC in event of such emergency weather event. **(All Districts)** [City Manager, Joyce Wilson, (915) 541-4071]

Representative Robinson commented.

Ms. Joyce Wilson, City Manager commented.

Fire Chief Otto Drozd, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mr. John Balliew, El Paso Water Utilities, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mr. Steven Buraczyk, El Paso Electric presented a PowerPoint presentation (copy on file in City Clerk's office).

Ms. Lisa Turner, citizen, commented.

NO ACTION was taken on this item,

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Motion made by Representative Ortega, seconded by Representative Acosta, and carried that the City Council retire into **EXECUTIVE SESSION** at 10:36 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

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

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

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

Motion made by Representative Robinson, seconded by Representative Ortega, and unanimously carried to adjourn the Executive Session at 11:42 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

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

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EX1. Property located at 218 N. Campbell Street (551.072) [City Attorney's Office, Bertha Ontiveros, (915) 541-4550]

NO ACTION was taken on this item.

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EX2. Property located at 700 W. San Francisco Street (551.072)

NO ACTION was taken on this item.

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EX3. City of El Paso, Texas vs. Magnolia 2720 LLC, Cause No. 2011-490, County Court No. 3, El Paso County, Texas (551.071)

Motion made, seconded and carried that outside counsel, in consultation with the City Attorney, be authorized settlement authority to negotiate settlement in relation to *City of El Paso, Texas v. Magnolia 2720 LLC*, Cause Number 2011-490, County Court No. 3, El Paso County, Texas; and that the City Manager and outside counsel be authorized to execute and file any and all documents related to such proposed settlement.

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EX4. Lucia Guerrero, et. al. vs. City of El Paso, et. al.; Cause No. EP-11-CV-00101-KC (551.071)

1st MOTION

Motion made by Representative Niland, seconded by Representative Noe, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 11:46 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

2ND MOTION

Motion made by Representative Byrd, seconded by Representative Robinson, and unanimously carried to **ADJOURN** the Executive Session at 11:46 a.m. and **RECONVENE** the meeting of the City Council.

Motion made, seconded, and carried that the City Attorney’s Office be authorized to reject Plaintiffs’ settlement demand and authorize the City Attorney’s Office to negotiate and sign all settlement documents in the lawsuit styled *Lucia Guerrero, et. al. vs. The City of El Paso, et. al.*; Cause No. EP-11-CV-00101-KC.

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

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EX5 Legal advice regarding special election for recall. (551.071)

Mayor Cook and Representative Byrd commented.

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

Ms. Elaine Hengen, Senior Assistant City Attorney, gave legal advice.

NO ACTION was taken on this item.

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Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **ADJOURN** this meeting at 11:55 a.m.
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk