

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

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

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
JANUARY 26, 2010
9:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 9:04 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Emma Acosta, Carl Robinson, Eddie Holguin, Jr., and Steve Ortega. Late arrivals: Rachel Quintana at 9:05 a.m. and Beto O'Rourke at 9:08 a.m. The invocation was given by Police, Fire, & CIMA Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

NATIONAL LATINO CONGRESO WEEK

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. Larry Wilder
2. Mr. Ray Gilbert
3. Ms. Mary Vasquez

1ST MOTION

Motion made by Representative Robinson, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Wilder an additional minute to address the Council.

2ND AND FINAL MOTION

Motion made by Representative Holguin, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Ms. Vasquez an additional two minutes to address the Council.

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CONSENT AGENDA

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

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

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of January 19, 2010.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3A.

***RESOLUTION**

That the Mayor be authorized to sign a Modification to the Other Transaction Agreement (HSTS04-08-H-CT7021) by and between the City of El Paso and the Department of Homeland Security – Transportation Security Administration to extend the termination date of the Agreement from January 31, 2010 to March 31, 2010.

Representative Quintana commented.

Ms. Monica Lombrana, Director of Aviation, commented.

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TAKEN WITH ITEM 12B

3B.

1ST MOTION

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

RESOLUTION

WHEREAS, Title 19 (Subdivisions) of the El Paso City Code (the "Code") was adopted to promote the health, safety, morals and general welfare of the community by guiding the future growth and development of the city in accordance with The Plan for El Paso and by encouraging the orderly and beneficial development of the city through appropriate growth management techniques and by establishing reasonable standards of design and procedures for subdivisions and resubdivisions of land in order to further the orderly layout and use of land; and,

WHEREAS, the Subdivision Ordinance helps guide the physical development of the community by promoting orderly and healthful design, and particularly by ensuring adequate public facilities and services are available to new development, to include transportation, water, sewerage, schools, parks and other public improvements are available concurrent with development and will have a sufficient capacity to serve the subdivision and to ensure the subdivider provides for the required public improvements attributable to the development; and,

WHEREAS, on June 3, 2008, the City Council of El Paso passed a Resolution adopting a Design Standards for Construction Manual that will be used by developers subdividing property within the City of El Paso and the City's Extra Territorial Jurisdiction; and,

WHEREAS, the City now wishes to amend the Design Standards for Construction Manual by removing the Local 1 street cross-section.

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

That the City of El Paso's Design Standards for Construction Manual, Section 3-8 (Street Cross Sections) be amended to remove the 36' Local Residential 1 street cross-section and to amend Section 3-8 (Street Cross Sections) as illustrated in attachment A.

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

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

Assistant Fire Chief Michael Calderazzo commented.

Mr. Richard Schecter, Mr. Ray Gilbert, and Ms. Lisa Turner, citizens, commented.

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

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

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3C.

***RESOLUTION**

That the City Engineer be authorized to sign the Third Amendment to the Agreement for Architectural Services by and between the City of El Paso and Aguilar & Mesta, Inc. d/b/a Perspectiva for a project known as "Westside Transit Terminal" in the amount of \$19,056.25 thereby extending the contract amount from a total of \$174,246.00 to \$193,302.25.

Representatives O'Rourke, Quintana, and Robinson commented.

Mr. Alan Shubert, City Engineer, and Mr. Jay Banasiak, Director of Sun Metro, commented.

Mr. Ray Gilbert, Ms. Lisa Turner, and Mr. Richard Schecter, citizens, commented.

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3D.

***RESOLUTION**

That the City approves the expenditure of additional available funding in the amount of \$78,191.24 to Venegas Engineering Management and Construction, Inc. for the Westside Transit Terminal project, to replace evaporative coolers with refrigeration units and roll up doors with glass store fronts including all hardware and automatic ADA push buttons, adding 30 days of contract time [change order number 7] for Contract Number 2009-079. The new contract sum, including change order 7, is \$1,784,844.08.

Representatives O'Rourke, Quintana, and Robinson commented.

Mr. Alan Shubert, City Engineer, and Mr. Jay Banasiak, Director of Sun Metro, commented.

Mr. Ray Gilbert, Ms. Lisa Turner, and Mr. Richard Schecter, citizens, commented.

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3E.

***RESOLUTION**

That the City approves the expenditure of additional available funding in the amount of \$290,752.10 to Vistacon General Contractors, Inc. for the Mission Valley Transit Terminal project to replace evaporative coolers with refrigeration units and roll up doors with glass store fronts including all hardware and automatic ADA push buttons, add a concessionaire area, and installing ceramic tiles on the walls at the waiting areas and restrooms in lieu of painted CMU walls, adding 50 days of contract time [change order number 4] for Contract Number 2009-200. The new contract sum, including change order 4, is \$2,574,981.90.

Representatives O'Rourke, Quintana, and Robinson commented.

Mr. Alan Shubert, City Engineer, and Mr. Jay Banasiak, Director of Sun Metro, commented.

Mr. Ray Gilbert, Ms. Lisa Turner, and Mr. Richard Schecter, citizens, commented.

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3F.

***RESOLUTION**

That the City Manager be authorized to sign a Contract of Sale between the City of El Paso and Daniel Lemus for the purchase of the following property for \$55,000:

Lot 70, Block 5, El Valle Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 3, Page 42, Real Property Records, El Paso County, Texas.

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3G.

***RESOLUTION**

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class Animal Services Operations Supervisor is hereby created as specified in the duties and responsibilities attached hereto. The Code is 22321. The Grade is GS 57. This position will be in the Public Health Department and funding was budgeted, approved by the City Council and is available. Salary Range: \$39,197.83 - \$62,631.27

3H.

***RESOLUTION**

WHEREAS, the El Paso City Council finds it in the best interest of the citizens of El Paso that the Serious Habitual Offender Comprehensive Action Program (SHOCAP) be operated for the August 1, 2010, - July 31, 2011, year; and

WHEREAS, the El Paso City Council agrees to provide applicable matching funds for the said project as required by the Juvenile Accountability Block Grant Program (Office of the Governor Criminal Justice Division) grant application; and

WHEREAS, the El Paso City Council agrees that in the event of loss or misuse of the Criminal Justice Division funds, the El Paso City Council assures that the funds will be returned to the Criminal Justice Division in full.

WHEREAS, the El Paso City Council designates City Manager Joyce Wilson as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

1. That the El Paso City Council approves submission of the grant application for the Serious Habitual Offender Comprehensive Action Program (SHOCAP) project to the Office of the Governor, Criminal Justice Division.
2. The City Manager be authorized to sign the grant application including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant in the amount of \$19,730.00, from the City of El Paso Police Department to the Office of the Governor, Criminal Justice Division, for the purpose of continuing the efforts of the Police Department's Serious Habitual Offender Comprehensive Action Program (SHOCAP).
3. The City of El Paso agrees to provide cash matching funds in the amount of \$16,595.28.
4. The El Paso City Council agrees that the existence of an award will not be used to offset or decrease total salaries, expenses and allowances that the City receives or provides to its Police Department at or after the time the grant is awarded.
5. Lt. Alfred Lowe with the El Paso Police Department be authorized to sign Cooperative Working Agreements relating to the grant with the following agencies: El Paso County Sheriff's; El Paso County Attorney's Office, El Paso County Juvenile Probation Department, Child Protective Services, Texas Youth Commission and Communities In Schools-El Paso, Inc.

Representative Quintana commented.

Assistant Police Chief Eric Shelton commented.

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4. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** R. Brooks Vandivort to the City Plan Commission by Representative Eddie Holguin, Jr., District 6.
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5A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Rachel Quintana to the Animal Shelter Advisory Committee by Representative Eddie Holguin, Jr., District 6.

5B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Yolanda Giner to the Animal Welfare Advisory Committee by Representative Emma Acosta, District 3.

5C. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Janet Selzer to the Parks and Recreation Advisory Board by Representative Emma Acosta, District 3.

5D. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Lorraine Huit to the Building and Standards Commission by Representative Emma Acosta, District 3.

5E. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **DELETE** the request to appoint Larry Medina to the Ethics Review Commission, effective February 20, 2010, by Representative Emma Acosta, District 3.

5F. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Jeannine Kennedy to the Art Museum Advisory Board by Representative Ann Morgan Lilly, District 1.

6. NOTICE OF CAMPAIGN CONTRIBUTION

*Motion made, seconded, and unanimously carried to **APPROVE** for notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contribution by Representative Susie Byrd on January 2, 2010, in the amount of \$500 from Noel R. Rosenbaum.

7A. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to exercise the City’s Option to purchase up to 100% of the original contract quantities of Contract No. 2009-274 (Scott Health & Safety Proprietary Products) to Fire Service Equipment, Inc. for Self Contained Breathing Apparatus (SCBA) respirators, Airpacks, and parts.

Department: Fire
Funding Source: UASI Grant Budget FY08 and FY09
Items: All
Total Estimated Amount: \$475,000

7B. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue purchase orders to TW TELECOM (Time Warner) for Internet Services under the General Services Administration (GSA) Contract GS-35F-0426R in the estimated amount of \$50,000 and for voice & data services under the Department of Information Resources (DIR) Contract TEXAN 2000-TWT-LS in the estimated amount of \$53,000. Total estimated award amount is \$103,000. Total estimated annual award amount is \$103,000 through January 31, 2011.

Department: Information Technology
Award to: TW TELECOM –
GSA Contract GS-35F-0426R - \$50,000
DIR Contract TEXAN 2000-TWT-LS - \$53,000
Funding Source: FY2010 Information Technology / General Fund
Total Estimated Amount: \$103,000
Reference No.: 2010-133

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8. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2010-079 (Janitorial Services – Municipal Court) to Total Cleaning Services for a total estimated award of \$101,398.68.

Department: Municipal Court
Award to: Total Cleaning Services
El Paso, TX
Items: All
Option: 2 years
Annual Estimated Amount: \$33,799.56
Funding Source: Municipal Court/General Fund
Total Estimated Award: \$101,398.68 (3 year total)

This is a thirty-six month requirements type contract.

The Departments of Financial Services, Purchasing Division, and Municipal Court recommend award to Total Cleaning Services, the vendor offering the best value bid.

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9. INTRODUCTION

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

An Ordinance granting Special Permit No. ZON09-00074 to allow for an infill development and reduce the side street yard setback for a boarding house on the property described as Lots 15 and 16, Block 17, Franklin Heights, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON FEBRUARY 16, 2010, FOR THE ITEM
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10. FINANCIAL SERVICES

Motion made by Representative Lilly, seconded by Representative Robinson, and unanimously carried to **AWARD** Solicitation No. 2009-278R (Public Officials and Employment Practices Liability Insurance) to Illinois National Insurance Company through Wells Fargo Insurance Services of Texas, Inc. for a total estimated amount of \$1,121,696. Contract period is February 1, 2010, through January 31, 2014.

NOT PRESENT FOR THE VOTE: Representative Byrd

Department: OMB – Insurance and Benefits
Award to: Illinois National Insurance Company
New York, NY
Item: Public Officials Errors and Omissions Liability Insurance Policy (E&O)
Option: 2 additional one-year periods
Annual Estimated Amount: \$280,424
Funding Source: Non-Departmental – General Fund – General Liability Insurance
Total Estimated Award: \$1,121,696 (4 years)

This is a four year contract.

The Departments of Financial Services, Purchasing Division, and Office of Management and Budget (OMB) – Insurance and Benefits recommend award as indicated. The review committee based on evaluation factors established for this procurement, recommend award to the highest ranked proposer.

Mr. David Almonte, Director of the Office of Management and Budget, commented.

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11.

ORDINANCE 17268

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 017241 ADOPTED ON DECEMBER 1, 2009, AUTHORIZING THE ISSUANCE OF “CITY OF EL PASO, TEXAS, MUNICIPAL DRAINAGE UTILITY SYSTEM REVENUE BONDS, SERIES 2009A;” AND RESOLVING MATTERS WHICH ARE NECESSARY TO EFFECTUATE SAID ISSUANCE.**

Mayor Cook and Representative Byrd commented.

Mr. Paul Braden, Bond Counsel, gave legal advice and Ms. Marcela Navarette, El Paso Water Utilities, commented.

Mr. Ray Gilbert and Mr. Richard Schecter, citizens, commented.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O’Rourke
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**.

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12A.

ORDINANCE 17269

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 6B, BLOCK 5, UPPER VALLEY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3/SC (RESIDENTIAL/SPECIAL CONTRACT) TO A-2/SC (APARTMENT/SPECIAL CONTRACT), AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

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

The following City staff members commented:

1. Mr. Ted Marquez, Engineering Division Manager
2. Mr. Alan Shubert, City Engineer
3. Ms. Lupe Cuellar, Assistant City Attorney, gave legal advice.
4. Mr. Charlie McNabb, City Attorney, gave legal advice.

Ms. Katy Updike, Chairperson of the City Plan Commission, commented.

Mr. Enrique Escobar, applicant, commented.

The following members of the public commented:

1. Ms. Frances Wever
2. Ms. Victoria Gillett
3. Ms. Carolyn Huchton
4. Mr. Tim Martin
5. Mr. Martin Alvarado, Jr.
6. Ms. Marie Eichelmann
7. Mr. Tony Quintero
8. Mr. Curtis Borden
9. Mr. Rene Casavantes
10. Ms. Dorothy Calhoun
11. Mr. Carlos Jimenez, Developer

1ST MOTION

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow the Mayor to grant additional time to speakers to address the Council.

2ND AND FINAL MOTION

Motion duly made by Representative Lilly, seconded by Representative Ortega, that the Ordinance be **ADOPTED, WITH THE ADDED CONDITION THAT AN 8 FOOT ROCK WALL BE CONSTRUCTED AT THE REAR OF THE PROPERTY PRIOR TO THE BEGINNING OF CONSTRUCTION.** 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, Quintana, Holguin, Ortega, and O'Rourke

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**.

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TAKEN WITH ITEM 3B

12B.

ORDINANCE 17270

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.15 (ROADWAYS), SECTION 19.15.110 (STREET WIDTH AND DESIGN), OF THE EL PASO CITY CODE TO REMOVE 36-FOOT WIDE PAVING WIDTHS ON LOCAL, SINGLE FAMILY RESIDENTIAL STREETS. THE PENALTY AS PROVIDED IN CHAPTER 19.42 OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk’s office).

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

Assistant Fire Chief Michael Calderazzo commented.

Mr. Richard Schecter, Mr. Ray Gilbert, and Ms. Lisa Turner, citizens, commented.

Motion duly made by Representative Byrd, seconded by Representative Ortega, 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, Quintana, Holguin, Ortega, and O’Rourke
NAYS: Representative Robinson

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

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TAKEN WITH ITEM 13B:

13A.

ORDINANCE 17271

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 5 (BUSINESS, TAXES, LICENSES AND REGULATIONS), CHAPTER 5.32 (PUBLIC SWIMMING POOL LICENSES), CLARIFYING THE APPLICATION PROCESSING AND LICENSE ISSUANCE PROVISIONS IN 5.32.060 AND 5.32.070; MOVING THE CORRECTION AND RE-INSPECTION, SUSPENSION, REVOCATION, AND APPEALS PROCESSES TO CHAPTER 9.48; ADDING A WATER SAMPLING FEE TO SECTION 5.32.140 (FEES); THE PENALTY AS IS PROVIDED IN SECTION 5.32.160 OF THE EL PASO CITY CODE.**

Mr. John Garza, Assistant Director of Environmental Services, presented a PowerPoint presentation (on file in the City Clerk’s office).

Mayor Cook and Representatives Holguin, Quintana, O’Rourke, and Ortega commented.

Mr. Charlie McNabb, City Attorney, gave legal advice.

Motion duly made by Representative O'Rourke, seconded by Representative Ortega, 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: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Ortega, and O'Rourke
NAYS: Representative Holguin

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

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TAKEN WITH ITEM 13A

13B.

ORDINANCE 17272

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.48 (PUBLIC SWIMMING POOLS AND SPAS), TO DELETE REFERENCES TO BACTERIOLOGICAL WATER SAMPLING; TO CLARIFY SIGNAGE IN SECTION 9.48.130; TO CLARIFY VIOLATION CATEGORIES IN SECTION 9.48.150; TO CLARIFY SUSPENSION CRITERIA IN SECTION 9.48.250; TO ADD REVOCATION AND APPEAL LANGUAGE IN SECTIONS 9.48.255 AND 9.48.270, RESPECTIVELY; THE PENALTY AS PROVIDED IN SECTION 9.48.260 OF THE EL PASO CITY CODE.**

Mr. John Garza, Assistant Director of Environmental Services, presented a PowerPoint presentation (on file in the City Clerk's office).

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

Mr. Charlie McNabb, City Attorney, gave legal advice.

Motion duly made by Representative O'Rourke, seconded by Representative Ortega, 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, Quintana, Ortega, and O'Rourke
NAYS: Representative Holguin

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

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14. BUDGET TRANSFER

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the item regarding a budget transfer for the funds received from the Agreement for Funding and Implementation of El Paso Particulate Matter Reduction Project to allow for unpaved roads, alley-ways, parking lots and/or medians and to reprogram 2006 Certificate of Obligations in order to increase the facility rehabilitation budget to allow for the renovation of the AB Fall Mansion. Funding source is 2006 Certificates of Obligations.

Increase \$1,497,682.36 to Construction

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15A.

RESOLUTION

That the City Manager be authorized to execute Amendment Number 1 to the Local Transportation Project Advance Funding Agreement for Bridge Replacement or Rehabilitation off the State System between the City of El Paso and the Texas Department of Transportation. Amendment Number 1 provides for TxDOT to perform additional work on the roadway approaches to the Yarbrough Bridge and reconstruction of the intersection of Yarbrough Drive at San Jose Road. The estimated cost of the additional work is \$2,651,950 and is to be paid by the City.

Representatives Acosta, Byrd, and Quintana commented.

Ms. Terry Quezada, Engineering Capital Improvement Program Administrator, commented.

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

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15B. ENGINEERING

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and unanimously carried to **AWARD** Solicitation No. 2010-076 for the Coronado Road Street and Drainage Improvements Phase II to Danny Sander Construction, Inc. for a total estimated amount of \$648,648.

Department: Engineering
Award to: Danny Sander Construction, Inc.
Funding Source: Community Development Block Grant – American Recovery and Reinvestment Act (CDBG – ARRA) and Public Service Board (PSB).
Total Est. Award: \$648,648.00

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

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

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

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

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

Representative Acosta commented.

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15C1.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Quantum Engineering Consultants, Incorporated, a Texas Corporation, for a project known as "Civil Engineering Consulting Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Moreno Cardenas, Inc., a Texas Corporation, for a project known as "Civil Engineering Consulting Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and AIA Engineers, Ltd., a Limited Partnership, for a project known as "Civil Engineering Consulting Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Conde Inc, a Texas Corporation, for a project known as "Civil Engineering Consulting Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Essco International, Inc., a Texas Corporation, for a project known as "Civil Engineering Consulting Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and CEA Group, a Texas Corporation, for a project known as "Civil Engineering Consulting Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Mijares Mora Architects, Inc., a Texas Corporation, for a project known as "Architectural Consulting Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Carl Daniel Architects, a Texas Corporation, for a project known as "Architectural Consulting Services" for an amount not to exceed \$400,000 and that the City Engineer be

authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and ARTchitecture, a Limited Partnership, for a project known as "Architectural Consulting Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Moore Nordell Kroeger Architects, a Texas Corporation, for a project known as "Architectural Consulting Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Martinez Engineering Group, a sole proprietorship, for a project known as "Traffic Engineering Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Walter P. Moore and Associates, Inc., a Texas Corporation, for a project known as "Traffic Engineering Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Huitt-Zollars, Inc, a Texas Corporation, for a project known as "Traffic Engineering Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Landscape Architectural Services, a sole proprietorship, for a project known as "Landscape Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Sites Southwest, LLC, A Texas Corporation, for a project known as "Landscape Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Parkhill, Smith & Cooper, Inc., a Texas Corporation, for a project known as "Electrical Engineering Services" for an amount not to exceed \$200,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$250,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Parkhill, Smith & Cooper, Inc., a Texas Corporation, for a project known as "Mechanical Engineering Services" for an amount not to exceed \$200,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$250,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Frank X. Spencer & Associates, Inc., a Texas Corporation, for a project known as "Survey Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and SLI Engineering, Inc., a Texas Corporation, for a project known as "Survey Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and AMEC Earth & Environmental, Inc., a Texas Corporation, for a project known as "Geotechnical and Materials Testing Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Professional Service Industries, Inc., a Texas Corporation, for a project known as "Geotechnical and Materials Testing Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Raba-Kistner Consultants, Inc., a Texas Corporation, for a project known as "Geotechnical and Materials Testing Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Archana USA, Inc., a Texas Corporation, for a project known as "Geotechnical and Materials Testing Services" for an amount not to exceed \$400,000 and that the City

Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Paragon Project Resources, Inc., a Texas Corporation, for a project known as "Construction Management Services" for an amount not to exceed \$750,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$800,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Parkhill, Smith & Cooper, Inc., a Texas Corporation, for a project known as "Construction Management Services" for an amount not to exceed \$750,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$800,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and ECM International, Inc., a Texas Corporation, for a project known as "Construction Management Services" for an amount not to exceed \$750,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$800,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and AMEC Earth & Environmental, Inc., a Texas Corporation, for a project known as "Environmental Engineering Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Raba-Kistner Consultants, Inc., a Texas Corporation, for a project known as "Environmental Engineering Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Sun City Analytical, Inc., a Texas Corporation, for a project known as "Environmental Engineering Services" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Parkhill Smith & Cooper, Inc, a Texas Corporation, for a project known as "Municipal Solid Waste Engineering" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

RESOLUTION

That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and R. W. Beck, Inc, a Washington Corporation, for a project known as "Municipal Solid Waste Engineering" for an amount not to exceed \$400,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$450,000.

Mr. Alan Shubert, City Engineer, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Quintana, Lilly, Acosta, and Robinson commented.

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Robinson, and unanimously carried to **APPROVE** the Resolutions.

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Motion made by Representative Robinson, seconded by Representative Quintana, and unanimously carried to **ADJOURN** this meeting at 12:03 p.m.
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk