

JOHN F. COOK  
MAYOR



JOYCE WILSON  
CITY MANAGER

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

## **AGENDA FOR REGULAR COUNCIL MEETING**

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**February 11, 2013  
COUNCIL CHAMBERS, CITY HALL  
9:00 a.m.**

NOTICE: At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

***PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.***

### **ROLL CALL**

### **INVOCATION BY CIMA CHAPLAIN CARLOS CLUGY-SOTO**

### **PLEDGE OF ALLEGIANCE**

### **MAYOR'S PROCLAMATIONS**

- 1. EL PASO CHILDREN'S HOSPITAL WEEK**
- 2. PINK FOXES BREAST CANCER AWARENESS DAY**

### **CALL TO THE PUBLIC – PUBLIC COMMENT**

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

A sign-up form is available on line at [https://www.elpasotexas.gov/muni\\_clerk/contact\\_public.asp](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.

### **NOTICE**

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.

### **NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the

audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

**REGULAR AGENDA – OTHER BUSINESS**

**1. MAYOR AND COUNCIL:**

Presentation and discussion on Easy Roadway Safety Enhancement.  
[Representative Emma Acosta, (915) 541-4515]

**CONSENT AGENDA**

**2. APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of February 5, 2013.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

**3. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

**4. RESOLUTIONS:**

**4A.** That the Director of Aviation be authorized to sign four separate T-Hangar Rental Agreements by and between the City of El Paso and the U.S. Department of Homeland Security, Customs and Border Protection, Air & Marine Facilities, each for a five year term. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

**4B.** That the City Manager be authorized to sign a Lessor’s Acknowledgment of Assignment by and among the City of El Paso (“Lessor”), PWR12-MAC Industrial Portfolio Southwest LLC (“Assignor”), and PXP Texas, LLC, a Delaware limited liability company, an undivided 50% interest; SoCal Texas, LLC, a Delaware limited liability company, an undivided 5.25% interest, and PEP Texas, LLC, a Delaware limited liability company, an undivided 44.75% interest, (“Assignees”) for the following described property: Lot 1, Block 11, Butterfield Trail Industrial Park Unit Two, Foreign Trade Zone No. 68, City of El Paso, El Paso County, Texas, municipally known and numbered as 25 Butterfield Trail Blvd., El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

**4C.** That the City Manager be authorized to sign a Lessor’s Acknowledgment of Assignment by and between the City of El Paso (“Lessor”), PWR12-MAC Industrial Portfolio Southwest LLC (“Assignor”), and PXP Texas, LLC, a Delaware limited liability company, an undivided 50% interest; SoCal Texas, LLC, a Delaware limited liability company, an undivided 5.25% interest, and PEP Texas, LLC, a Delaware limited liability company, an undivided 44.75% interest (“Assignees”) for the following described property: Portions of Lots 4, 5, 6 and 7, Block 2, Butterfield Trail Industrial Park Unit One, Replat “A”, City of El Paso, El Paso County, Texas, municipally known and numbered as 15 Zane Grey Blvd., El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

- 4D.** That the City Manager be authorized to sign a Lessor's Acknowledgment of Assignment by and between the City of El Paso ("Lessor"), PWR12-MAC Industrial Portfolio Southwest LLC ("Assignor"), and PXP Texas, LLC, a Delaware limited liability company, an undivided 50% interest; SoCal Texas, LLC, a Delaware limited liability company, an undivided 5.25% interest, and PEP Texas, LLC, a Delaware limited liability company, an undivided 44.75% interest ("Assignees") for the following described property: A portion of Lot 5, Block 8, Butterfield Trail Industrial Park Unit One, Replat "A", and all of Lot 6, Block 8, Butterfield Trail Industrial Park, Unit One, Replat "B", City of El Paso, El Paso County, Texas, municipally known and numbered as 11 Leigh Fisher Blvd., El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]
- 4E.** That the City Manager be authorized to sign a Lessor's Acknowledgment of Assignment by and between the City of El Paso ("Lessor"), PWR12-MAC Industrial Portfolio Southwest LLC ("Assignor"), and PXP Texas, LLC, a Delaware limited liability company, an undivided 50% interest; SoCal Texas, LLC, a Delaware limited liability company, an undivided 5.25% interest, and PEP Texas, LLC, a Delaware limited liability company, an undivided 44.75% interest ("Assignees") for the following described property: A portion of Lot 5, Block 1, Butterfield Trail Industrial Park Unit One, Replat "A", City of El Paso, El Paso County, Texas, municipally known and numbered as 7 Leigh Fisher Blvd., El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]
- 4F.** That the City Manager be authorized to sign a First Amendment to the Butterfield Trail Industrial Park Lease by and between the City of El Paso and Sealy SW Property, L.P. to amend the description of the Premises to read as follows: A portion of Lot 7, Block 7, Butterfield Trail Industrial Park Unit Two, an Addition to the City of El Paso, El Paso County, Texas, containing 130,000.8 square feet or 2.9844 acres of land, more or less, and municipally known and numbered as 19 Butterfield Trail Blvd., El Paso, Texas. **(All Districts)**  
[Airport, Monica Lombraña, (915) 780-4724]
- 4G.** A Resolution that sponsorship by the City of El Paso in the Trot for Tots, The Race Against Diabetes and the Independence Day Parade constitutes an important public purpose and benefit to the City of El Paso and its Citizens, and that the El Paso City Manager be authorized to execute agreements between the City of El Paso and the Child Crisis Center, El Paso Diabetes Association and the Rotary Club of West El Paso; the amount of sponsorship by the City shall not exceed \$1000 for Trot for Tots, \$1500 for The Race Against Diabetes, and \$5000 for the Independence Day Parade. **(All Districts)**  
[City Development, Mirian Spencer, (915) 541-4482]
- 4H.** That the City Manager be authorized to sign an Agreement For The Temporary Closure of State Right Of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas for the temporary closure and use of State owned Transmountain Road, US 54, Gateway Boulevard South, and McCombs Street during The 2013 El Paso Marathon on February 24, 2013, and event scheduled to exceed four hours in length and found by the City to serve a public purpose. (LPAR12-00026) **(Districts 1, 2, 4 and 8)**  
[City Development, Mirian Spencer, (915) 541-4482]

- 4I. 1. That the City Manager be authorized to sign the First Amendment Natural Gas Fuel Processing Facility Agreement by and between the City of El Paso and Mansfield Gas Equipment Systems Corporation, a Georgia corporation and wholly owned subsidiary of Mansfield Energy Corporation, extending the date for completion of construction of the fuel processing facility from December 1, 2013 to February 1, 2014 and clarifying the term of the Agreement.
2. That the City Manager be authorized to sign the First Amendment to the Fuel Compressing Station Lease by and between the City of El Paso and Mansfield Gas Equipment Systems Corporation to revise the date when the Compressed natural Gas fuel processing facility and station will be fully operational to February 1, 2014 and to clarify the termination date of the Initial Term identified in the Lease for the following described property:
- A portion of Lot 2, Block 2, Butterfield Trail Aviation Park, Unit Two, El Paso, El Paso County, Texas, consisting of 64,400 square feet of land or 1.478 acres, more or less.
3. That the City Manager be authorized to sign the First Amendment to Lease Agreement by and between the City of El Paso and Mansfield Gas Equipment Systems Corporation, a Georgia corporation and wholly owned subsidiary of Mansfield Energy Corporation, revising the metes and bounds description of the leased premises, extending the date for completion of construction of the fuel processing facility from December 1, 2013 to February 1, 2014 and clarifying the term of the Agreement, for the following described property:
- 5,000 square feet of a portion of Section 17, Block 81, Township 2, T&P RR Co. Surveys, El Paso County, Texas (municipally numbered and known as 5081 Fred Wilson Avenue)
4. That the City Manager be authorized to sign the First Amendment to Lease Agreement by and between the City of El Paso and Mansfield Gas Equipment Systems Corporation, a Georgia corporation and wholly owned subsidiary of Mansfield Energy Corporation, revising the metes and bounds description of the leased premises, extending the date for completion of construction of the fuel processing facility from December 1, 2013 to February 1, 2014 and clarifying the term of the Agreement, for the following described property:
- 9,100 square feet of a portion of Lot 1, Municipal Center Subdivision as recorded in Deed Book No. 2499308, Pg. 16, Instrument No. 49308, County Clerk, El Paso County, Texas, (municipally numbered and known as 1059 Lafayette Dr).

**(All Districts)**

[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

[Mass Transit, Jay Banasiak, (915) 534-5810]

- 4J. That the City Manager be authorized to sign an Underground Electrical Easement to El Paso Electric Company for the provision of electrical power to Gran Vista Estates Unit 1, said easement more particularly described as a portion of Lot 14, Block 1, Gran Vista Estates Unit One, Replat A, City of El Paso, El Paso County, Texas. **(District 7)**

[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4431]

- 4K.** That the City Manager be authorized to sign a Contract of Sale between Tobin Park United Methodist Church, a Texas nonprofit corporation and City of El Paso, Texas, a Texas municipal corporation, for the purchase of the property located on and about 5501 Wren Street, El Paso, Texas (the "Property"), also to be known as 9425 Vicksburg, more particularly described as A portion of Section 1, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas. And that the City Manager, or her designee, be authorized to sign any necessary documents to accomplish the intent of this Resolution. **(District 4)**  
 [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4431]
- 4L.** That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(Districts 1, 2, 4, 5, 6, 7, and 8)**  
 [Environmental Services, Kurt Fenstermacher, (915) 621-6892]
- 4M.** That the City Manager be authorized to sign the Second Amendment to the Lease and Concession Agreement entered on February 8, 2011 by and between the City of El Paso and Daniel H. Morales dba Big Boy Concessions, to extend the term of the Agreement for an additional two years from the effective date of the Second Amendment. **(Districts 1 and 6)**  
 [Mass Transit, Jay Banasiak, (915) 534-5810]
- 4N.** That the Mayor and City Council review and accept the El Paso Police Department's Contact Data (Racial Profiling) Annual Report covering the period of January 1, 2012 through December 31, 2012. **(All Districts)**  
 [Police, Robert Feidner, (915) 564-7309]
- 4O.** That the City Manager be authorized to enter into this Lease Agreement by and between Cyndi Boaz and the City of El Paso, Texas for the purposes of signing this Lease Agreement for the Police Department. **(All Districts)**  
 [Police, Robert Feidner, (915) 564-7309]

**5. BOARD RE-APPOINTMENTS:**

- 5A.** Michael H. Bray to the Zoning Board of Adjustment, as an alternate, by Representative Cortney Carlisle Niland, District 8.  
 [Representative Cortney Carlisle Niland, (915) 541-4268]
- 5B.** Conrad Conde to the Building and Standards Commission, as a regular member, by Representative Michiel R. Noe, District 5.  
 [Representative Michiel R. Noe, (915) 541-4701]
- 5C.** Jesse Sanchez to the Building and Standards Commission, as a regular member, by Representative Michiel R. Noe, District 5.  
 [Representative Michiel R. Noe, (915) 541-4701]
- 5D.** Michael Bray to the Building and Standards Commission, as an alternate, by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]
- 5E.** Angel M. Ochoa to the Building and Standards Commission, as a regular member, by Representative Michiel R. Noe, District 5.  
 [Representative Michiel R. Noe, (915) 541-4701]

**6. BOARD APPOINTMENT:**

Edgar Lopez to the Historic Landmark Commission by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4996]

**7. APPLICATIONS FOR TAX REFUNDS:**

That the tax refunds listed on the attachment posted with this agenda be approved. (See Attachment B) **(All Districts)** [Tax Office, David Childs, (915) 541-4598]

**8. NOTICE OF CAMPAIGN CONTRIBUTIONS:**

For notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contributions by Representative Steve Ortega on January 15, 2013, in the amount of \$1,000 from Raba-Kistner PAC; in the amount of \$500 from Maureen P. Singleton; in the amount of \$1,000 from GC Services; on January 17, 2013, in the amount of \$750 from Tomas Cardenas; in the amount of \$1,000 from Nicolas Salgado; on January 18, in the amount of \$1,000 from Union Pacific Corp. Fund for Effective Government; on January 28, 2013, in the amount of \$1,000 from Cemex Employees PAC; on January 30, 2013, in the amount of \$1,000 from Blanco Ordonez & Wallace, PC; on January 31, 2013, in the amount of \$2,500 from Joe Jr. & Shirley B Rosales; on February 4, 2013, in the amount of \$500 from Rachel B & Gregory Harracksingh; in the amount of \$500 from George Salom Jr. [Representative Steve Ortega, (915) 541-4124]

**9. REQUESTS TO ISSUE PURCHASE ORDERS:**

**9A.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2012-317 (Document Scanning and Shredding Services) with Dataxport Net, LLC to Purchase 100% of Original Contract quantities, up to 365 days pursuant to the provisions of an award approved by the City Council on October 23, 2012. The extended contract period will be from February 22, 2013 to February 21, 2014.

Department:	General Services
Award to:	Dataxport Net, LLC
	El Paso, TX
Option:	N/A
Annual Estimated Amount:	\$0.00
Total Estimated Amount:	\$0.00
Account No.:	999-99998-1000-52150
Funding Source:	Relocation Funding – Financial Services
	Department
<b>Districts:</b>	<b>All</b>

This is a Best Value, service contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [General Services, Stuart Ed, (915) 621-6822]

**9B.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2010-011 (Emergency Lighting, Warning and Communication Mounting Equipment and Installation) with Alamo Industries, Inc. dba Alamo Auto Supply for two additional years pursuant to the provisions of an award approved by the

City Council on March 30, 2010. The extended contract period will be from March 31, 2013 to March 30, 2015.

Department: General Services  
 Award to: Alamo Industries, Inc. dba Alamo Auto Supply  
 El Paso Texas  
 Option: N/A  
 Annual Estimated Amount: \$180,000  
 Total Estimated Amount: \$360,000 (2 years)  
 Account No.: 231-37020-531210-3600-P3711  
 231-37020-531250-3600-P3702  
 Funding Source: Supply Support Fund – Inventory Purchase Materials & Supplies  
 Supply Support Fund – Equipment Outside Repair Services  
**Districts: All**

This is a low bid, service contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [General Services, Stuart Ed, (915) 621-6822]

- 9C. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Toter Incorporated, a contractor under Houston-Galveston Area Council Cooperative (HGAC), Contract #GC01-11 for the purchase of Refuse and Recycling Containers. 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 Houston-Galveston Area Council (HGAC) was approved by Mayor and City Council on May 8, 2007.

Department: Environmental Services  
 Award to: Toter Incorporated  
 Statesville, NC  
 Total Estimated Amount: \$479,550  
 Account No.: 334-3150-34060-580090-PSWM00170  
 Funding Source: Environmental Services Admin-Furniture and Fixtures  
 Environmental Services-Environmental Services Capital Outlay  
**Districts: All**  
 Reference No.: 2013-137

This is a Cooperative, unit price contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Environmental Services, Kurt Fenstermacher, (915) 621-6892]

- 9D. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Alamo Auto Supply, a contractor under the Region 19 Cooperative Purchasing Program, Contract # 10-6518 (Emergency Vehicle Equipment & Related) for the purchase and installation

of one hundred fifty-four (154) BLAC-RAC Model 1080E vertical weapon mounts for the El Paso Police Department. 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: Police  
 Award to: Alamo Auto Supply  
 El Paso, TX  
 Total Estimated Award: \$101,397.45  
 Account No.: 321-21230-531010-2505-G2110190  
 321-21230-533000-2505-12DJBX0311  
 Funding Source: FY 2009 JAG Grant  
 FY 2012 JAG Grant  
**Districts: All**  
 Reference No.: 2013-121

This is a Cooperative, unit price, service contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Police, Robert E. Fiedner, (915) 564-7309]

- 9E. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Shi Government Solutions, Inc. a contractor under TASB (Buy Board) Contract No. 409-12 (Technology Equipment, Software, Supplies, & Telecommunications Products), for the purchase of a Content Management System (CMS) for the Information Technology Department. 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 Texas Association of School Boards, (Buy Board) was approved by Mayor and City Council on August 21, 2007

Department: Information Technology  
 Award to: Shi Government Solutions, Inc.  
 Austin, TX  
 Cost: \$175,964.20 (Total System Cost)  
 \$ 15,233.20 (Total Estimated Annual Maintenance)  
 (1<sup>st</sup> year)  
 \$ 44,100.00 (Total Estimated Annual Maintenance)  
 (3 years)  
 Total Estimated Award: \$235,297.40  
 Account No.: 999 – 99998 - 531010 – 2322-1% PEG Cable  
 Fee – PIT0010-MISCL  
 Funding Source: Equipment Purchase, PEG Cable Fee Fund  
**Districts: All**  
 Reference No.: 2013-125

This is a Cooperative, unit price contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Information Technology, Miguel Gamino, (915) 541-4746]

- 9F.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2010-120 (Police Motorcycles-Parts, Services and Maintenance) with Sanchez & Sons Trucking, Inc. dba Edge Kawasaki for one additional year pursuant to the provisions of an award approved by City Council on March 23, 2010. The extended contract period will be from March 23, 2013 to March 22, 2014.

Department: General Services  
 Award to: Sanchez & Sons Trucking, Inc. dba Edge  
 Kawasaki  
 El Paso, TX  
 Option: One (of One)  
 Annual Estimated Amount: \$202,000  
 Total Estimated Amount: \$202,000 (1year)  
 Account No.: 231-37020-531210-3600-P3711  
 231-37020-531250-3600-P3702  
 Funding Source: Supply Support Fund-Inventory Purchase  
 Materials & Supplies  
 Supply Support Fund-Equipment Outside  
 Repair Services  
**Districts: All**

This is a Low Bid, unit price contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [General Services, Stuart Ed, (915) 621-6822]

- 9G.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2009-076 Caroline WIC Clinic lease with El Paso A.R.C. Electric, Inc. for Option 1 and Option 2 pursuant to the lease terms of an award approved by the City Council on May, 5, 2009. The extended contract period will be from execution of lease to September 7, 2018.

Department: Public Health  
 Award to: El Paso A.R.C. Electric, Inc.  
 El Paso, TX  
 Item(s): All  
 1st Option to Extend: 3 Years  
 Annual Estimated Amount: \$ 64,000  
 Estimated 3 year Amount: \$194,400  
 2nd Option to Extend: 3 Years  
 Annual Estimated Amount: \$ 72,600  
 Estimated 3 year Amount: \$217,800  
 Total Estimated Amount: \$412,200 (Options 1 + Option 2)  
 Account No.: 341-41240-524000-2140-G4113AD0  
 341-41240-524000-2140-G4113NE0  
 Funding Source: Health District Grants-Buildings Leases-  
 WIC Admin-DSHS  
 Health District Grants-Buildings Leases-  
 WIC Nutrition-DSHS  
**Districts: All**

This is a Best Value, Service contract  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Public Health, Bruce A. Parsons, (915) 771-5702]

**10. BEST VALUE PROCUREMENT:**

The award of Solicitation No. 2013-037 (International Bridges Armored Car Services) to Miracle Delivery Armored Service for an initial term estimated award of \$141,566.40.

Department:	International Bridges
Award to:	Miracle Delivery Armored Service El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option to Extend:	2 Years
Annual Estimated Award:	\$ 47,188.80
Initial Term Estimated Award:	\$141,566.40 (3 Years)
Total Estimated Award:	\$235,944.00 (5 Years)
Account No.:	564-64830-522120-3300
Funding Source:	International Bridges Operations
<b>Districts:</b>	<b>All</b>

This is a Best Value, service contract.

The Financial Services - Purchasing Division and International Bridges recommend award as indicated to Miracle Delivery Armored Service the bidder offering the best value bid.

[Financial Services, Bruce D. Collins, (915) 541-4313]  
 [International Bridges, Said Larbi-Cherif, (915) 533-7428]

**11. REQUEST FOR PROPOSALS:**

The award of Solicitation No. 2013-024R (VOIP Services) to Nexus IS, Inc. and Sigma Technology Solutions, Inc., for an initial term award of \$380,000.

Department:	Information Technology
Award to Vendor #1:	Nexus IS, Inc, Valencia, CA
Item(s):	All
Estimated Annual Amount:	\$ 95,000
Initial Term Award Amount:	\$180,000 (2 Year Total)
Award to Vendor #2:	Sigma Technology Solutions, Inc. San Antonio, TX
Item(s):	All
Estimated Annual Amount:	\$ 95,000
Initial Term Award Amount:	\$180,000 (2 Year Total)
Initial Term:	2 Years
Option:	1 Year
Payment Terms:	Net 30
Initial Term Estimated Award:	\$380,000 (2 Years)

Total Estimated Award: \$570,000 (3 Years)  
 Funding Source: FY 2012 Certificate of Obligation Bonds  
**Districts:** All

This is a RFP, service contract.

The Financial Services - Purchasing Division and Information Technology recommend award as indicated to Nexus IS, Inc. and Sigma Technology Solutions, Inc., the highest ranked proposers based on evaluation factors established for this procurement.

[Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Information Technology, Miguel Gamino, (915) 541-4746]

**12. BIDS:**

**12A.** The award of Solicitation No. 2013-036 (Environmental Services Safety Supplies) to Southwest First Aid and Safety Supply Inc. dba Zee Medical #114 for a total estimated award of \$225,000.

Department: Environmental Services  
 Award to: Southwest First Aid and Safety Supply Inc. dba  
 Zee Medical #114  
 El Paso, TX  
 Item(s): All  
 Term: 3 years  
 Option to Extend: None  
 Annual Estimated Award: \$ 75,000  
 Total Estimated Award: \$225,000 (3 years)  
 Account No.: 334-3100-34030-531230  
 334-3100-34050-531230  
 334-3100-34060-531230  
 334-3100-34080-531230  
 334-3100-34100-531230  
 334-3100-34110-531230  
 334-3100-34100-531230  
 Funding Source: Solid Waste Management  
**Districts:** All

This is a low bid, unit price contract.

The Financial Services - Purchasing Division and Environmental Services Department recommend that GTL Supply Solutions, LLC and Wisco Supply, Inc. be deemed as non-responsive, because catalog pricing could not be verified and the contract be awarded as indicated to Southwest First Aid and Safety Supply Inc. dba Zee Medical #114, the lowest responsive, responsible bidder.

[Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Environmental Services, Kurt Fenstermacher, (915) 621-6892]

**12B.** The award of Solicitation No. 2013-041 Audio Video Conferencing Equipment – La Fe Cultural Technology Center to Diverse Mobile Technologies, LLC, for a total amount of \$74,404.

Department: Library

Award to: Diverse Mobile Technologies, LLC  
 El Paso, Texas  
 Item(s): All  
 Option: Option to purchase additional quantities within 60 days  
 Payment Terms: Net 30  
 Total Estimated Award: \$74,404  
 Account: 453-53200-580100-2501-Grant 4842B10570  
 Funding Source: ARRA BTOP Virtual Village  
**Districts:** All

This is a Low Bid (single one-time) purchase.

The Financial Services - Purchasing Division and Library Department recommend that Howard Technology Solutions and Laser Tech, Inc. be disqualified as non-responsive and the contract be awarded as indicated to Diverse Mobile Technologies, LLC, the lowest responsive, responsible bidder.

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Library, Dionne Mack, (915) 543-5413]

- 12C. The award of Solicitation No. 2013-079 for Sun Metro Far East Temporary Parking Lot to Southwest G.C.E.P., Inc. for a total award of \$99,219.75.

Department: Engineering and Construction Management  
 Award to: Southwest G.C.E.P., Inc.  
 El Paso, TX  
 Base Bid I: \$99,219.75  
 Total Estimated Award: \$99,219.75  
 Time for Completion: 60 Consecutive Calendar Days  
 Account: 560-60000-3200-580000-P6003  
 Funding Source: Sun Metro General Operations - Program P6003 (Finance)  
**District:** 5

That the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only estimated value and will be ordered, performed, invoiced, and paid by measure 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 & Construction Management Department recommends award as indicated to the lowest responsive and responsible bidder.

[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

**REGULAR AGENDA - INTRODUCTIONS****13. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.  
Public comments are invited at the date of the scheduled public hearing.**

- 13A.** Now therefore, be it enacted by the City Council of the City of El Paso, Texas that: (1) Sections 3.2.1 through 3.2.9 inclusive of the agreement enabling the City Manager to establish construction guidelines to erect a baseball stadium on the site of the present City Hall which were adopted on September 18, 2012, by the City Council of the City of El Paso, Texas, be and the same are hereby repealed, (2) that the City Council of the City of El Paso, Texas, its Mayor, John Cook, and any person or corporation or business entity of any type be forbidden from preparing for the demolition of City Hall, and (3) that the demolition of City Hall shall not take place until the citizens of El Paso, Texas, authorize such demolition by voting for it at the next City Election in May, 2013. **(All Districts)** [City Attorney, Sylvia Borunda Firth, (915) 541-4550]
- 13B.** An Ordinance vacating a portion of the North Gate Outlet Channel R.O.W. out of Castner Heights Unit One, City of El Paso, El Paso County, Texas. SURW12-00018. **(District 4)** [City Development, Nathaniel Baker, (915) 541-4192]
- 13C.** An Ordinance granting a Special Privilege License to Texas Tech University Health Sciences Center for the construction, maintenance, use and repair of a surface parking lot within portions of City right-of-way along Alberta Avenue beneath the Reynolds Street Overpass Bridge for a term of four years with a renewable four year term followed by an additional renewable two year term. (NESV12-00039) **(District 3)** [City Development, Mirian Spencer, (915) 541-4482]
- 13D.** An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses and Permits) Subsection F (Fees) to allow flexibility in indentifying annual fees for special privilege licenses and permits granted in the Tax Increment Reinvestment Zones. Penalty is as provided in Section 15.08.125 of the El Paso City Code. **(All Districts)** [City Development, Mirian Spencer, (915) 541-4482]
- 13E.** An Ordinance vacating Carmelo Court, being a 52' Right-Of-Way in Block 1, Las Palmas Commercial Park Replat "A", City of El Paso, El Paso County, Texas. **(District 6)** [City Development, George Pinal, (915) 541-4152]
- 13F.** An Ordinance vacating Alexis Court, being a 52' Right-Of-Way in Block 1, Las Palmas Commercial Park Replat "A", City of El Paso, El Paso County, Texas. **(District 6)** [City Development, George Pinal, (915) 541-4152]
- 13G.** An Ordinance amending Ordinance 017828 allowing a reduction of certain development fees specified in Title 18, Title 19, and Title 20 of the El Paso City Code for areas identified in the City's Sustainable City Centers Incentive Policy, to remove the requirement that the property be zoned smart-code, add additional incentive areas and extend the ending date for the reduction in fees. **(All Districts)** [City Development, Mathew McElroy, (915) 541-4193]

- 13H.** An Ordinance amending Ordinance No. 017917 which granted a Special Privilege License to El Paso Community College permitting the construction, installation, maintenance and repair of 1000 linear foot subsurface fiber optic cable within portions of City right-of-way beneath Rio Grande Avenue between Oregon Street and Kansas Street, to clarify Section 9, Insurance, and Grantee's Liability as a Public Institution of Higher Education. (NESV12-00012)  
**(District 8)** [City Development, Mirian Spencer, (915) 541-4482]
- 13I.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV - Speed Limits), Paragraph 12.88.150 (L) (Speed Limits on Loop 375, the Freeway and Frontage Roads), Sub-Paragraphs 12.88.150(L)(2)(a) and 12.88.150(L)(2)(b)(Speed Limit on the Freeway), to amend existing speed limits, the penalty being as provided in Chapter 1.08 (General Penalty) of the El Paso City Code. **(Districts 5 and 6)**  
[Department of Transportation, Keith Bennett, (915) 621-6882]
- 13J.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV-Speed Limits) to amend Speed Limits on Mesa Street and to delete obsolete temporary Construction Zone Speed Limits on various city streets, the penalty being as provided in Sections 1.08.010-1.08.030 and 6.16.110, of the El Paso City Code. **(All Districts)**  
[Department of Transportation, Keith Bennett, (915) 621-6882]
- 13K.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing and Parking Generally), Section 12.44.180 (Regulations Pertaining to Certain Special Situations), Paragraph 12.44.180(B)(22) reserved for city police department, officially marked vehicles, Subparagraph 12.44.180(B)(22)(b) to relocate reserved police department spaces, the penalty being as provided in Section 12.84.010 and Chapter 12.85 of the El Paso City Code. **(District 8)**  
[Department of Transportation, Keith Bennett, (915) 621-6882]
- 13L.** An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.100 (Campaign Finances), Paragraph 2.92.100 (d) (Required Filings) to require Electronic Filing of Campaign Contribution and Expenditure Reports filed with the City Clerk's Office. **(All Districts)**  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]
- 13M.** An Ordinance amending Title 3 (Revenue and Finance), Chapter 3.04 (Property Taxes), Section 3.04.050 (Delinquent Taxes- Installment Payments) of the El Paso City Code to grant the Tax Assessor the authority to require an initial down payment before or at the time of execution of an installment payment agreement and to prosecute pending tax suits filed prior to the execution of an installment payment agreement and defer enforcement of judgment of such suit for installment payment plans that are current. **(All Districts)**  
[Tax Office, David Childs, (915) 541-4598]
- 13N.** An Ordinance amending Ordinance No. 017351 authorizing the City of EL Paso to sell the property municipally known and numbered as 800 S. Piedras aka 2914 E. Paisano to International Communications of El Paso, Inc. to correct the metes and bounds description for the property and re-allocate the proceeds of sale. **(District 8)** [Representative Cortney Niland, (915) 541-4268]

**PUBLIC HEARING WILL BE HELD ON FEBRUARY 19, 2013, FOR ITEMS 13A – 13N**

- 13O.** An Ordinance granting Special Permit No. PZST12-00019, to allow for a medical treatment facility on the property described as a portion of Tract 9, 8A, and 11, Block 11, Upper Valley Surveys, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 6297 Strahan Road. Property Owner: Gallego Dream Continues, LLC. PZST12-00019 **(District 1)** [City Development, Michael McElroy, (915) 541-4238]
- 13P.** An Ordinance granting Special Permit No. PZST12-00013, to allow for infill development with reduced lot width and cumulative front and rear yard setbacks on the property described as Lot 1 - 13, Block 1, San Angelino Estates, 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. Subject Property: 5701 - 5724 Azzulina Court. Property Owner: Mario Ornelas / ANVIA, LLC. PZST12-00013 **(District 3)** [City Development, Andrew Salloum, (915) 541-4633]
- 13Q.** An Ordinance granting Special Permit No. PZST13-00001, to allow for a small contractor yard on the property described as Lot 45, Block 4, Stiles Gardens, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7127 Stiles Drive. Property Owner: Enrique Escobar. PZST13-00001 **(District 3)** [City Development, Andrew Salloum, (915) 541-4633]
- 13R.** An Ordinance granting Special Permit No. PZST12-00025, to allow for a transitional housing facility on the property described as Lots 11 - 13, Block 273, Campbell Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1020 Campbell Street. Property Owner: La Posada Home, Inc. PZST12-00025 **(District 8)** [City Development, Andrew Salloum, (915) 541-4633]
- 13S.** An Ordinance changing the zoning of real property known as Lot 45, Block 4, Stiles Gardens, City of El Paso, El Paso County, Texas from R-5 (Residential) to C-2 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7127 Stiles Drive. Property Owner: Enrique Escobar. PZRZ12-00039 **(District 3)** [City Development, Andrew Salloum, (915) 541-4633]
- 13T.** An Ordinance to correct an error in Ordinance No. 17904 which amended Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions) of the El Paso City Code to amend Article II (Definitions) through the addition of a definition for Utility Green Space labeled 20.02.1128; renumbering said definition as 20.02.1129; on November 6, 2012, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)** [City Development, Elizabeth Gibson, (915) 541-4730]
- 13U.** An Ordinance amending Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Chapter 21.50 (Building Scale Plans), Chapter 21.70 (Definitions), and Chapter 21.80 (Tables), Section 21.80.240 (Table 16 Special District Standards) of the El Paso City Code to add the Northwest Park Special District and

standards for that district, and to clarify the SmartCode provisions. The penalty being as is provided in Chapter 21.60 of the El Paso City Code. **(All Districts)**  
 [City Development, Elizabeth Gibson, (915) 541-4730]

- 13V.** An Ordinance changing the zoning of a 484.7490 acre parcel of land legally describes as a portion of Nellie D. Mundy Survey No. 246; a portion of Section 9, Block 82, Township 1, Texas and Pacific Railway Company Surveys; and a portion of Tract 1, S. J. Larkin Survey No. 269, all being located within the corporate limits of the City of El Paso, El Paso County, Texas from URD (Urban Reserve District) and R-3 (Residential) to SCZ (SmartCode Zone); and changing the zoning of a 1,175.2332 acre parcel of land legally described as all of S. J. Larkin Survey No. 267; a portion of Nellie D. Mundy Survey No. 246; a portion of Tract 1, S. J. Larkin Survey No. 268; and a portion of Tract 1A, S. J. Larkin Survey No. 269, all being located within the corporate limits of the City of El Paso, El Paso County, Texas from URD (Urban Reserve District) to SCZ (SmartCode Zone). The penalty is as provided for in Chapter 21.60 of the El Paso City Code. Property Owner: City of El Paso. PZRZ12-00041 **(District 1)**  
 [City Development, Elizabeth Gibson, (915) 541-4730]

**PUBLIC HEARING WILL BE HELD ON MARCH 5, 2013, FOR ITEMS 130 – 13V**

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS**

**14. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

Discussion and action to award Solicitation No. 2013-081 for Roadway Pavement Striping 2013 to Roadsafe Traffic Systems, Inc., for an estimated total amount of \$555,030.

Department:	Engineering & Construction Management
Award to:	Roadsafe Traffic Systems, Inc. Phoenix, AZ
Base Bid:	\$555,030
Total Estimated Award:	\$555,030
Time for Completion:	365 Consecutive Calendar Days
Accounts:	532-32160-4351-522270
Funding Source:	Red light camera funds & other capital sources
<b>Districts:</b>	<b>All</b>

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only estimated value and will be ordered, performed, invoiced, and paid by measure 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 the 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 & Construction Management Department recommends award as indicated to the lowest responsive and responsible bidder.

[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

[POSTPONED FROM 01-29-13]

**15. FINANCIAL SERVICES:**

- 15A.** Discussion and action that the Purchasing Manager is authorized to notify The Eagle Janitorial Services, that the City is terminating Contract No. 2008-069 (Janitorial Services – El Paso Department of Public Health Facilities); items 6, 9-14, 16, 17 and 19 for convenience pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses, and that the termination shall be effective as of February 11, 2013.

Department: Public Health

**Districts:** All

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Public Health, Bruce A. Parsons, (915) 771-5702]

- 15B.** Discussion and action that the Purchasing Manager is authorized to notify Total Cleaning Services, that the City is terminating Contract No. 2008-069 (Janitorial Services – El Paso Department of Public Health Facilities); items 1-5 for convenience pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses, and that the termination shall be effective as of February 11, 2013.

Department: Public Health

**Districts:** All

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Public Health, Bruce A. Parsons, (915) 771-5702]

- 15C.** Discussion and action on the award of Solicitation No. 2013-116 (Janitorial Services for WIC Clinics) to The Eagle Janitorial Services for an initial term estimated award of \$644,606.64.

Department: Public Health  
 Award to: The Eagle Janitorial Services  
 El Paso, TX

Item(s): All  
 Initial Term: 3 years  
 Option to Extend: 2 years  
 Annual Estimated Award: \$214,868.88  
 Initial Term Estimated Award: \$644,606.64 (3 years)  
 Total Estimated Award: \$1,074,344.40 (5 years)  
 Account No.: 341-41170-522060-1000

Funding Source:	341-41240-522060-2140-G4113AD0/G4113NEO 341-41300-522060-2140-G4112180 231-31040-522060-1000 General Funds – Public Health TDH WIC Services – Public Health STD/HIV Clinic Grant – Public Health General Funds – General Services
<b>Districts:</b>	<b>All</b>

This is a Best Value, service type contract.

The Financial Services - Purchasing Division and Department of Public Health recommend award as indicated to The Eagle Janitorial Services, the bidder offering the best value bid.

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Public Health, Bruce A. Parsons, (915) 771-5702]

[General Services, Stuart Ed, (915) 621-6822]

**REGULAR AGENDA – OTHER BUSINESS**

**16. DEPARTMENT OF TRANSPORTATION:**

Discussion and action on a Resolution that the City Manager be authorized to sign a Landscape Maintenance Agreement between the City of El Paso and the State of Texas acting by and through the Texas Department of Transportation, for the installation by the State and the maintenance by the City of landscape improvements for 18 medians on Dyer Street, between US 54 and Hondo Pass Avenue. **(Districts 2 and 4)**

[Department of Transportation, Antonio Bustillos, (915) 621-6467]

**17. MAYOR AND COUNCIL:**

**17A.** Discussion on recent lobbying efforts by the County to force the City to annex county land contrary to the City’s annexation policies and procedures.

[Representative Michiel R. Noe, (915) 541-4189]

**17B.** Discussion and action regarding waiving the attorney client privilege and make the ASARCO opinion public. [Mayor John F. Cook, (915) 541-4145]

**18. CITY MANAGER / CITY ATTORNEY:**

Presentation and overview of Ad Hoc City Charter Advisory Committee’s recommendations of proposed City Charter amendments.

**(Public comment and Council action will be taken at the Special City Council Meeting on February 14, 2013 at 1:00 p.m.)**

[City Manager, Joyce Wilson, (915) 541-4071]

[City Attorney’s Office, Sylvia Borunda Firth, (915) 541-4550]

**EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort

routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

- 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 following:

- EX1.** Discussion and action regarding issues related to matters involving the demolition of City Hall, the construction of the new ballpark stadium, the initiative petitions and related litigation. (551.071) [City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]
- EX2.** Rosendo Huerta vs. City of El Paso, Cause Number 2009-1735 (551.071)  
[City Attorney's Office, Laura P. Gordon (915) 541-4550]
- EX3.** Jesus M. Sifuentes vs. City of El Paso, Cause Number 2009-2108 (551.071)  
[City Attorney's Office, Laura P. Gordon (915) 541-4550]
- EX4.** State of Texas vs. State of New Mexico and State of Colorado. (551.071)  
[City Attorney's Office, Laura P. Gordon, (915) 541-4550]
- EX5.** Collection claim against Alex Gutierrez; Our File No. 12-1036-237 (551.071)  
[City Attorney's Office, Laura P. Gordon (915) 541-4550]

**NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY THURSDAY AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov/>