

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

February 28, 2012
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.

AND

LEGISLATIVE REVIEW MEETING OF THE WHOLE
10th FLOOR CONFERENCE ROOM
February 27, 2012
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 Border Patrol Chaplain, Jesse Alvarez

**A MOMENT OF SILENCE to remember
Sandy Rodriguez from the Parks Department**

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

1. National Brain Injury Awareness Month
2. Women in Construction 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.

NOTICE:

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.

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.

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of February 21, 2012.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

Representative Michiel Noe

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign a Mutual Lease Termination covering the Airport Industrial Site Lease by and between the City of El Paso ("Lessor") and LFCW, LLC ("Lessee") for the property described as Lots 2, 3 and 4, Block 1A, El Paso International Airport Tracts, Unit 4, municipally known and numbered as 6440 Airport Road, City of El Paso, El Paso County, Texas. **(District 3)** [Airport, Monica Lombrana, (915) 780-4724]

3B. That the City Manager be authorized to sign an Industrial Site Lease by and between the City of El Paso ("Lessor") and Airport Park-A-Lot El Paso LLC ("Lessee") for the following real property: All of Lots 2, 3 and 4, Block 1A, El Paso International Airport Tracts, Replat of Unit 4, City of El Paso, El Paso County, Texas, containing 186,100 square feet of land, more or less, and municipally known and numbered as 6440 Airport Road. **(All Districts)**
[Airport, Monica Lombrana, (915) 780-4724]

- 3C.** That the City Manager be authorized to sign the Second Amendment to Lease and Concession Agreement for the Development and Operation of Food and Beverage Concessions at El Paso International Airport (“Concession Agreement”) by and between the City of El Paso (“Lessor”) and Host International, Inc. (“Concessionaire”) to delegate authority to the Director of Aviation to fulfill the Lessor’s obligations required and allowed by the Concession Agreement. **(All Districts)** [Airport, Monica Lombrana, (915) 780-4724]
- 3D.** That the Resolution of the City Council dated January 31, 2012 calling a special election in the City of El Paso for the recall of three members of the City Council is rescinded, and the City Manager is authorized to approve payment of the expenses incurred in preparation for the special election. **(All Districts)**
[City Attorney, Sylvia Borunda Firth, 541-4550]
- 3E.** Coconuts and Kelly Boren be authorized utilize Cleveland Square Park from 1:00 a.m. to 5:00 a.m. Saturday, March 17, 2012 and from 1:00 a.m. to 5:00 a.m. Sunday, March 18, 2012 and to provide for the sale and service of alcoholic beverages at The Rockin’Rolla Sports and Music Fest in Cleveland Square Park and the closed portion of E. Franklin Avenue between N. Santa Fe Street and N. Oregon Street from 12:00 p.m. Saturday, March 17, 2012 to 12:00 a.m. Sunday, March 18, 2012 (NESV12-00002) **(District 8)**
[Department of Transportation, Mirian Spencer, (915) 541-4050]
- 3F.** A resolution that, Townsquare Live Events, LLC and Bel Air Optimist Club be authorized to provide for the sale and service of alcoholic beverages at the Party on the Green St. Patrick’s Celebration in Cleveland Square Park and the closed portion of E. Franklin Avenue between N. Santa Fe Street and N. Oregon Street from 11:00 a.m. to 11:00 p.m. Friday, March 16, 2012. (NESV12-00009) **(District 8)** [Department of Transportation, Mirian Spencer, (915) 541-4050]
- 3G.** That the City Manager be authorized to sign a Contract of Sale between the City Of El Paso and Raul C. and Lidia R. Lucero, husband and wife, for the purchase of property commonly known as 333 and 337 Euclid Street, El Paso, Texas more particularly described as:
- A portion of Lots 1 and 2 and a portion of unnumbered lot, Block 20, BRENTWOOD HEIGHTS ADDITION, an addition to the City of El Paso, El Paso County, Texas, according to the Plat thereof, recorded in Volume 5, Page 56 of the Plat Records of El Paso County, Texas.
- And that the City Manager, or her designee, be authorized to sign any necessary documents to accomplish the intent of this Resolution. **(District 3)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
- 3H.** That the City Council approves the expenditure of additional available funding in the amount of \$363,446.45 to CF Jordan Construction, LLC for an additional construction costs for the Oregon Street Rehabilitation project. The change order provides for the removal of unforeseen thickness of concrete and the resulting additional backfill required and the existence in other locations of bed rock at very high elevations requiring the development of a revised cross section, adding 46 days of contract time to contract Number 2010-117. The new contract sum, including this change order is \$6,327,066.12. **(District 8)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 3I.** That the Purchasing Manager is authorized to notify Texas Industries for the Blind and Handicapped, Inc. ("TIBH"), and Border TM Industries, Inc. d/b/a Xceed Resources ("Border TM Industries"), that the City is exercising the option to extend the City Parks Litter Control Contract entered into by and between the City of El Paso and TIBH and Border TM Industries for an additional three months (February 1, 2012 through April 30, 2012), for the amount of \$137,400 (\$45,800 per month), for the continuation of providing litter control services for the City's General Services Department; and to authorize the City Manager to exercise future options to extend, as needed. **(All Districts)**
[General Services, Stuart Ed, (915) 621-6831]
[Financial Services, Bruce D. Collins, (915) 541-4313]
- 3J.** That the City Manager be authorized to sign and submit the amended contract number 2012-039990-001 and other related documents for the Texas Department of State Health Services' Special Supplemental Nutrition Program for Women, Infants, and Children, to increase the amount to not exceed \$7,011,466 and to extend the contract period for six months so that it is now from October 1, 2011 through September 30, 2012, to provide supplemental food instruments, nutrition education, and counseling to enhance good health care at no cost to low-income pregnant and postpartum women, infants and children identified to be at nutritional risk in El Paso. **(All Districts)** [Health, Michael Hill (915) 771-5702]
- 3K.** Resolution so that the Classification and Compensation Plan be amended, as set forth on the attachment posted with the agenda, as recommended by the Civil Service Commission. (Attachment A) **(All Districts)**
[Human Resources, Linda Ball Thomas, (915) 541-4509]
- 3L.** A Resolution that the City of El Paso accept a donation of the land described below from the El Paso Parks and Recreation Foundation and dedicates the same as parkland to be included in the Billy Rogers Arroyo Park: Lots 7-10 (12,688.0 Sq Ft), Lot 11 and the North ½ of Lot 12 (4,758.0 Sq Ft), Block 195, Alexander Addition, an addition to the City of El Paso, El Paso County, Texas and Lots 1-4 (12,688.0 Sq Ft), Lots 5 and 6 (6,344.0 Sq Ft), Lots 7-10 (12,688.0 Sq Ft) and Lots 16-20 and the South 10 feet of Lot 15 (16,408.0 Sq Ft), Block 204, Alexander Addition, an addition to the City of El Paso, El Paso County, Texas. **(District 1)** [Parks and Recreation, Nanette Smejkal, (915) 541-4283]
- 3M.** 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, 2011 through December 31, 2011. **(All Districts)**
[Police, Robert Feidner, (915) 564-7301]
- 3N.** 1. El Paso Zoo Department respectfully requests consideration and approval of resolution by City Council of \$100,000 donation by El Paso Zoological Society to supplement funding by City of El Paso for new Zoo Master Plan professional services contract. **(All Districts)** [Zoo, Steve Marshall, (915) 521-1850]
2. That the City Manager be authorized to sign the agreement for Professional Services by and between the City of El Paso and WDM Architects, P.A., a Kansas Professional Association, for a project known as "Zoo Master Plan" for an amount not to exceed \$197,750 and that the City Engineer be authorized to

approve up to \$50,000 in additional services for a total contract amount not to exceed \$247,750. **(All Districts)**

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

4. BOARD RE-APPOINTMENTS:

4A. Stephanie Caviness to the Committee on Border Relations by Representative Ann Morgan Lilly, District 1 [Representative Ann Morgan Lilly, (915) 541-4886]

4B. Francisco Ortega to the Ethics Review Commission by Representative Ann Morgan Lilly, District 1 [Representative Ann Morgan Lilly, (915) 541-4886]

4C. Sergio Vasquez to the Fair Housing Task Force as requested by Representative Ann Morgan Lilly, District 1 [Representative Ann Morgan Lilly, (915) 541-4886]

5. BOARD APPOINTMENTS:

5A. Lidia Flynn to the Foster Grandparent Program Advisory Council by Representative Cortney Carlisle Niland, District 8. [Representative Niland, (915) 541-4268]

5B. Eileen Karlsruher to the Ad Hoc Charter Advisory Committee by Representative Cortney Carlisle Niland, District 8. [Representative Niland, (915) 541-4268]

5C. Jerry Romero to the Fair Housing Task Force by Representative Cortney Carlisle Niland, District 8. [Representative Niland, (915) 541-4268]

6. 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, Juan Sandoval, (915) 541-4369]

7. REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

7A. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2009-087 (Allison Proprietary Parts & Service) with Stewart and Stevenson, LLC for one (1) additional year pursuant to the provisions of an award approved by the City Council on March 17, 2009. The extended contract period will be from March 17, 2012 to March 16, 2013.

Department:	Fire
Award to:	Stewart and Stevenson, LLC El Paso, TX
Option:	One [of One]
Annual Estimated Amount:	\$120,000 (\$100,000 - Parts and \$20,000 - Service)
Total Estimated Amount:	\$120,000 (1 year)
Account Nos.:	22010320 – 503118 – 01101 and 22010320 – 502228 – 01101
Funding Source:	General Fund – Vehicle Maintenance Supplies and Vehicle Maintenance Contracts

Districts: All

This is a low bid, requirements contract.

[Fire, Jay Willey, (915) 771-1071]

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

- 7B.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a Purchase Order to Kinloch Equipment and Supply, Inc., a contractor under the TASB Buyboard Cooperative Purchasing Program Contract No. 348-10 for Street Sweeper-Elgin Crosswind Regenerative Air Sweeper. 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 TASB Buyboard Cooperative Purchasing Program was approved by Mayor and City Council on August 21, 2007.

Department: Aviation (El Paso International Airport)
 Award to: Kinloch Equipment and Supply, Inc.
 El Paso, TX
 Estimated Award: \$174,621
 Total Estimated Award: \$174,621
 Account No.: 62620020 – 508005 – 40122 – P500004
 Funding Source: Traffic Control Equipment – Airport Capital Outlay
 Reference No.: 2012-165
Districts: All

This is a Cooperative, unit price contract.

[Aviation, Monica Lombrana, (915) 780-4724]

[Financial Services, Bruce D. Collins, (915) 54104313]

- 7C.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Tiburon, Inc., the sole provider of Fire Records Software and related components to renew on-going maintenance and support, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department: Information Technology
 Award to: Tiburon, Inc.
 Pleasanton, CA
 Total Estimated Award: \$60,453 (1 year)
 Account No.: 39010351 - 502202 – 01101
 Funding Source: General Fund – Data Processing Services Contracts
 Sole Source No.: 2012-173
Districts: All

This is a Sole Source, unit price contract.

[Information Technology, Miguel Gamino, (915) 541-4746]

[Financial Services, Bruce D. Collins, (914) 5410 4313]

- 7D.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Dell Computer Corp d/b/a Dell Marketing LP, a contractor under Department of Information Resources (DIR) Contract No. DIR-SDD-1014 for purchase of additional SQL Server Processor Software Licenses. 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: Dell Computer Corp d/b/a Dell Marketing LP
Round Rock, TX
Total Estimated Award: \$230,059.20
Account No.: 14400500 – 508010 – 27051 – PCP12IT06
Funding Source: 2012-2013 Certificates of Obligation (CIP Plan) –
Data Processing Equipment
Reference No.: 2012-129

Districts: All

[Information Technology, Miguel Gamino, (915) 541-4746]

[Financial Services, Bruce D. Collins, (914) 5410 4313]

- 7E.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order(s) to Sigma Solutions, Inc., a contractor under Department of Information Resources (DIR) Contract No. DIR-SDD-1385 for Cisco VoIP and Network equipment and licenses. 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.

Department: Information Technology
Award to: Sigma Solutions, Inc.
San Antonio, TX
Total Estimated Award: \$137,779.18
Account No.: 14400500 – 27051 – 508010 – PCP12IT03
Funding Source: 2012-2013 Certificates of Obligation Bond-Capital
Funds
Reference No.: 2012-174

Districts: All

This is a Cooperative, unit price contract.

[Information Technology, Miguel Gamino, (915) 541-4746]

[Financial Services, Bruce D. Collins, (914) 5410 4313]

- 7F.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a purchase order for additional expenditures under Contract No. 2009-290 (Cummins Proprietary Parts) to Border International Trucks in the amount of \$89,900. Additional expenditures are in excess of the initial term until a new bid is in place. All options have been exercised.

Department: General Services
Award to: Border International Trucks
El Paso, TX
Items: Items 1 and 2
Total Estimated Award: \$360,000 (4 years)
Additional Expenditures: \$ 89,900
Revised Total: \$449,900
Account No.: 37370510 – 503121 – 45202
Funding Source: Inventory Purchase Material & Supplies –
Internal Service Fund

Districts: All
[General Services, Stuart Ed, (915) 621-6822]
[Financial Services, Bruce D. Collins, (915) 541-4313]

8. REQUEST FOR PROPOSAL:

The award of Solicitation No. 2012-143R (Air Service Development Consulting Services) to InterVISTAS Consulting LLC for an initial term estimated award of \$300,000.

Department: Aviation (El Paso International Airport)
Award to: InterVISTAS Consulting LLC
Bethesda, MD
Items: All
Initial Term: 3 Years
Option: 2 Years
Annual Estimated Award: \$100,000
Initial Term Estimated Award: \$300,000 (3 Years)
Total Estimated Award: \$500,000 (5 Years)
Account No.: 62620001 – 502115 – 40101
Funding Source: Airport Enterprise Funds –
Management Consulting Services

Districts: All

This is a Request For Proposal, service contract.

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.

The Financial Services - Purchasing Division and Aviation (El Paso International Airport) recommend award as indicated to InterVISTAS Consulting LLC, the highest ranked proposer based on evaluation factors established for this procurement.

[Aviation, Monica Lombrana, (915) 780-4793]
[Financial Services, Bruce D. Collins, (915) 541-4313]

9. BID:

The award of Solicitation No. 2012-095 (Heavy Duty Vehicle Body Repair and Painting) to Lewis Body Shop, Inc. for an initial term estimated award of \$150,000.

Department:	General Services
Award to:	Lewis Body Shop, Inc. El Paso, TX
Items:	All
Initial Term:	3 Years
Option:	2 Years
Annual Estimated Award:	\$ 50,000
Initial Term Estimated Award	\$150,000 (3 Year Total)
Total Estimated Award:	\$250,000 (5 Year Total)
Account:	37370510 – 45202 – 503125
Funding Source:	General Services Department, Internal Service Fund
Districts:	All

This is a Best Value, unit price contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Lewis Body Shop, Inc., the vendor offering the best value bid.

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

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

REGULAR AGENDA - INTRODUCTIONS

10. 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.**

10A. An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.102 (Neighborhood Association Recognition) of the El Paso City Code in its entirety. To provide a standardized recognition policy; to define terms; to provide criteria for recognition and registration of a neighborhood association or civic association as a recognized neighborhood association; to establish the responsibilities of a recognized neighborhood association; to clarify the process for suspension or revocation of recognition status; to clarify the services available to recognized neighborhood associations. **(All Districts)**

[Community and Human Development, William Lilly, (915) 541-4643]

10B. An Ordinance authorizing the City Manager to sign a Contract of Sale with Oxford Funding & Investment Group, LLC for the sale of the property at 6212 Fiesta Drive, El Paso, Texas. **(District 8)**

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

10C. An Ordinance amending Title 19 (Subdivisions), Chapter 19.10 (Dedication, Construction Requirements and City Participation), and Chapter 19.15 (Roadways) of the El Paso City Code to remove references to the Development

Coordinating Committee. The penalty is as provided in Chapter 19.42 of the City of El Paso City Code. **(All Districts)**

[Planning and Economic Development, Kimberly Forsyth, (915) 541-4668]

- 10D.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.18 (Traffic Impact Analysis), of the El Paso City Code to amend the Traffic Impact Analysis standards and requirements. The penalty is as provided in Chapter 19.42 of the City of El Paso City Code. **(All Districts)**

[Planning and Economic Development, Kimberly Forsyth, (915) 541-4668]

- 10E.** An Ordinance vacating a utility easement described as a portion of Lots 16 & 17, Block 1, Shadow Mountain Heights "Replat A", City of El Paso, El Paso County, Texas. Applicant: Stuart P. Shiloff and Nancy Shiloff. SUET12-00001 **(District 1)**

[Planning and Economic Development, Justin Bass, (915) 541-4930]

- 10F.** An Ordinance amending Title 7 (Animals), by amending Chapter 7.28 (Animal Shelter Advisory Committee) in its entirety; to combine the Animal Shelter Advisory Committee with the Animal Welfare Advisory Committee and to establish term limits; and to delete Chapter 7.30 of the City Code. **(All Districts)**

[Environmental Services and Code Enforcement, Ellen A. Smyth, (915) 621-6719]

- 10G.** An Ordinance terminating the special privilege license granted by Ordinance No. 017322 to Kelbor Enterprises, Inc. doing business as Coconuts, permitting the encroachment of an outdoor patio café onto a portion of City right-of-way located at 816 Piedras Street and allowing the sale and service of alcoholic beverages as a permissible activity within the outdoor patio café area (SPL09-00035) **(District 8)**

[Department of Transportation, Mirian Spencer, (915) 541-4050]

- 10H.** An Ordinance amending Ordinance 8065 (Civil Service Rules), to amend the entirety of or various sections of Rules Nos. 1, 2, 5, 6, 11, 13, 14, 15, 19, 20, 23, 24 and 29; to delete rules Nos. 3, 4, 7, 8, 9, 10, 12, 18, 21, 22, 25, 26, 27, 28 and 30; and to renumber all remaining and revised Rules consecutively, including those Rules not otherwise amended (Rules 16 and 17).

(All Districts)

[Human Resources, Linda Ball Thomas, (915) 541-4509]

- 10I.** An Ordinance amending Ordinance 8064 (Classification and Compensation Plan), to amend the Ordinance in its entirety. **(All Districts)**

[Human Resources, Linda Ball Thomas, (915) 541-4509]

- 10J.** An Ordinance amending Title 9 (Health and Safety), Chapter 9.11 (Tree Care), Section 9.11.010 (General Provisions) of the El Paso City Code to amend the definition of Arboricultural Specifications Manual. The penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code. **(All Districts)**

[Planning and Economic Development, Mathew McElroy, (915) 541-4193]

- 10K.** An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.04 (Street and Sidewalk Construction and Maintenance), Section 13.04.045 (Sidewalks in New Development) of the El Paso City Code to remove reference to the Development Coordinating Committee. The penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code. **(All Districts)**

[Planning and Economic Development, Mathew McElroy, (915) 541-4193]

- 10L.** An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals) Section 15.08.120 (Special Privilege Licenses and Permits) of the El Paso City Code to amend the staff designated to accept, review, process and approve applications. The penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code. **(All Districts)**
[Planning and Economic Development, Mathew McElroy, (915) 541-4193]
- 10M.** An Ordinance amending Title 15 (Public Services), Chapter 15.20 (Stormwater Management), Section 15.20.110 (Stormwater Discharge from Construction Activities) of the El Paso City Code to provide for appeals to be sent to the Construction Board of Appeals. The penalty being as provided in Section 15.20.150 of the El Paso City Code. **(All Districts)**
[Planning and Economic Development, Mathew McElroy, (915) 541-4193]
- 10N.** An Ordinance amending the City of El Paso's Comprehensive Plan, "The Plan for El Paso," and the Year 2025 General Land Use Map. **(All Districts)**
[Planning and Economic Development, Mathew McElroy, 9915) 541-4056]
- 10O.** An Ordinance authorizing the City Manager to sign a Contract of Sale and any other necessary documents between the City of El Paso and La Frontera Conservation Fund which will allow the City to convey Lots 1 through 10, both inclusive, Block 1, Satterthwaite Addition, City of El Paso, El Paso county, Texas; also known and numbered as 601 N. Oregon, El Paso, Texas. **(District 8)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4428]

PUBLIC HEARING WILL BE HELD ON MARCH 6, 2012, FOR ITEMS 10A – 10O

- 10P.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.20 (Parks and Open Space), Section 19.20.060 (Exclusions from Dedication Requirement), of the El Paso City Code to add an exclusion for properties covered under an Adaptive Reuse Overlay. The penalty is as provided in Chapter 19.42 of the City of El Paso City Code. **(District 8)**
[Planning and Economic Development, Kimberly Forsyth, (915) 541-4668]
- 10Q.** An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions) and Chapter 20.10 (Supplemental Use Regulations) of the El Paso City Code, to add a definition for adaptive reuse and to establish standards for an Adaptive Reuse Overlay. The penalty is as provided for in Chapter 20.24 of the City of El Paso City Code. **(District 8)**
[Planning and Economic Development, Kimberly Forsyth, (915) 541-4668]
- 10R.** An Ordinance amending Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Article III (Detailed Site Development Plan Approval Process), Section 20.04.150 (Procedure) of the El Paso City Code to amend the administrative approval process for detailed site development plans. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**
[Planning and Economic Development, Arturo Rubio, (915) 541-4633]
- 10S.** An Ordinance amending Title 20 (Zoning), Appendix B (Table of Density and Dimensional Standards), Subpart C (Building Setbacks) in the A (Apartment) and C (Commercial) Zoning Districts, to amend the setback requirements. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)** [Planning and Economic Development, Arturo Rubio (915) 541-4633]

- 10T.** An Ordinance amending Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.680 (Temporary Uses), of the El Paso City Code in its entirety to amend the application process and standards for temporary uses. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)** [Planning and Economic Development, Arturo Rubio (915) 541-4633]

PUBLIC HEARING WILL BE HELD ON MARCH 20, 2012, FOR ITEMS 10P – 10T

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 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

11. INFORMATION TECHNOLOGY:

- 11A.** Discussion and action on issuance of a change order to a Purchase Order for Contract No. 2011-149R (PeopleSoft Re-Implementation Project) to CherryRoad Technologies Inc.

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

Department:	Information Technology
Award to:	CherryRoad Technologies Inc. Morris Plains, NJ
Total Estimated Award:	\$956,816.
Account No.:	\$696,724.46 – 14400500-508010-27051-PCP12IT06 \$260,091.54-14400500-508010-27051-PCP12IT08
Funding Source:	2012-2013 Certificates of Obligation
Districts:	All

[Information Technology, Miguel Gamino, (915) 541-4288]
[Financial Services, Bruce D. Collins, (915) 541-4313]

- 11B.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to M&S Technologies, Inc. a contractor under Department of Information Resources (DIR) Contract No. DIR-SDD-1531, for installation and maintenance of data load balancing devices. 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.

Department:	Information Technology
Award to:	M&S Technologies, Inc. Dallas, TX

Total Estimated Award: \$124,151.40
 Account No.: 14400500 – 508010 – 27051 – PCP12IT06
 Funding Source: 2012-2013 Certificates of Obligation CIP Plan
 Reference No.: 2012-175
Districts: All

This is a Cooperative, unit price contract.
 [Information Technology, Miguel Gamino, (915) 541-4288]
 [Financial Services, Bruce D. Collins, (951) 541-4313]

- 11C.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to KRONOS, Inc., the sole source provider for the purchase of InTouch Clocks, Workforce for Managers, and Educational Training Points, Products, and Consulting, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department: Information Technology
 Award to: KRONOS, Inc.
 Irving, TX
 Total Estimated Award: \$305,800
 Account No.: 14400500 – 508010 – 27051 – PCP12IT06
 Funding Source: 2012-2013 Certificates of Obligation CIP Plan
 Sole Source No. 2012-181
Districts: All

[Information Technology, Miguel Gamino, (915) 541-4288]
 [Financial Services, Bruce D. Collins (915) 541-4313]

12. FIRE:

Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Frazer Ltd. a contractor under Houston Galveston Area Council Cooperative (HGAC) Contract No. AM04-10 for six emergency ambulance vehicles. 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 Cooperative (HGAC) was approved by Mayor and City Council on May 8, 2007.

Department: Fire
 Award to: Frazer, Ltd.
 Houston, TX
 Total Estimated Award: \$1,114,250 (6 Units)
 Account No.: 22010320 – 508007 – 27717
 Funding Source: General Fund
 Reference No.: 2012-076
Districts: All

This is a Cooperative, unit price contract.
 [Fire, Terry K. Kebschull, (915) 771-1076]
 [Financial Services, Bruce D. Collins, (915) 541-4313]

13. GENERAL SERVICES:

- 13A.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract No. 2009-064 (McNeilus Proprietary Parts and Service) to McNeilus Truck and Manufacturing for two additional years pursuant to the provisions of an award approved by the City Council on March 3, 2009. The extended contract period will be from March 3, 2012 to March 2, 2014.

Department: General Services
Award to: McNeilus Truck and Manufacturing
Hutchins, TX
Option to Extend: One [of One]
Annual Estimated Award: \$ 600,000
Total Estimated Award: \$1,200,000 (2 years)
Account No.: 37370510 – 503121 – 45202
Funding Source: Inventory Purchasing Material & Supplies-
Internal Service Fund
Districts: All

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

- 13B.** Discussion and action on the award of Solicitation No. 2012 -133 for the Schwabe Street and Cooley Avenue Street and Drainage Improvements to JAR Concrete, Inc. for a total estimated amount of \$1,634,006.20

Department: Engineering and Construction Management
Award to: JAR Concrete, Inc.
Base Bid I: \$1,071,765.00
Base Bid II: \$ 242,560.30
Base Bid III: \$ 171,592.90
Option I: \$ 148,088.00
Total Estimated Completion: \$1,634,006.20
Funding Source: Certificates of Obligation 2012-13, Community
Development 37th Year and PSB Capital Projects
District: 7

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 and Construction Management Department recommends award as indicated to the lowest responsible bidder.

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

REGULAR AGENDA – OTHER BUSINESS

14. MAYOR AND COUNCIL:

14A. LEGISLATIVE REVIEW COMMITTEE REPORT

1. For notation only: Formal report of the Finance, Internal Audit, Engineering/CIP and Management Services Legislative Review Committee meeting held on January 26, 2012, at 1:00 p.m. in Council chambers. The report is being submitted by LRC Chair, Representative Carl Robinson; and,
2. Discussion pertaining specifically to any of the agenda items posted on the agenda of said Legislative Review Committee meeting, as follows:
 - a) Approval of Minutes for the Finance, Internal Audit, Engineering/CIP & Management Services meeting of September 29, 2011.
 - b) Discussion and action regarding amending Section 2.92.070 of the Ethics Ordinance regarding the requirements relating to board and commission member financial disclosure filings, to include revising the provision that members of the boards and commissions that only have advisory duties file only upon appointment or reappointment or when required to report a significant change as provided in Section 2.92.070 A 5.
[City Manager's Office, Joyce A. Wilson, (915) 541-4844]
 - c) Discussion and action on the City's Debt Management Policy.
[Comptroller, Dr. Mark Sutter, (915) 541-4014]
 - d) Discussion and action concerning a presentation by Mr. Frederick Dalbin regarding City sanction of alternatives to LEED certification to include Green Globes.
[Representative Steve Ortega, (915) 541-4108]

14B. LEGISLATIVE REVIEW COMMITTEE REPORT:

1. For Notation: Formal Report of the Health, Safety and Community Services Legislative Review Committee meeting held on January 26, 2012, as submitted by Eddie Holguin, Chair; and,
2. Discussion 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 to increase the number of meetings required for the Neighborhood Associations to be recognized. Currently required only once a year; requesting an increase of 3 times a year.
[Community and Human Development, William Lilly (915) 541-4241]

- b. Discussion and action on an Ordinance amending Title 2 (Administration and Personnel), Chapter 2.102 (Neighborhood Association Recognition) of the El Paso City Code in its entirety. To provide a standardized recognition policy; to define terms; to provide criteria for recognition and registration of a neighborhood association or civic association as a recognized neighborhood association; to establish the responsibilities of a recognized neighborhood association; to clarify the process for suspension or revocation of recognition status; to clarify the services available to recognized neighborhood associations.

[Community and Human Development, Mark Weber, (915) 541-4918]

14C. LEGISLATIVE REVIEW COMMITTEE REPORT:

For notation only: Formal report of the Council Rules and Intergovernmental Relations Legislative Review Committee meeting held on January 19, 2012, at 9:00 a.m. in the Mayor's Board Room. The item on the agenda was discussion and action regarding Wage Theft. The report is being submitted by Chairman John F. Cook. [Mayor John F. Cook, (915) 541-4145]

- 14D.** Discussion and action regarding the appointment of the following individuals to the advisory Downtown Revitalization Committee:

- 1. Dr. Robert Alexander González, Director & Associate Professor of the College of Architecture, Texas Tech University at El Paso
- 2. Michaele Pride, Associate Dean of the School of Architecture & Planning (SAAP) Architectural Program, University of New Mexico
- 3. Robert Parker, Assistant Director of Planning and Construction, University of Texas at El Paso

[Representative Steve Ortega, (915) 541- 4124]

15. DEPARTMENT OF TRANSPORTATION:

Discussion and action that the City Engineer is hereby authorized and directed to designate seven offset angle parking spaces on the west side and six offset angle parking spaces on the east side of Luna Street, between Montana Avenue and the alley to the north of the property located at 3329 Montana Avenue. Said right-of-way shall be used for public parking and cannot be used to satisfy the off-street parking required by City Ordinance for the adjacent property. **(District 8)**

[Department of Transportation, Keith Bennett, (915) 621-6882]

16. CITY ATTORNEY'S OFFICE:

Discussion and action on a Resolution to suspend the effective date for rates within the City of El Paso for the Statement of Intent to increase rates filed with the City on February 1, 2012. **(All Districts)** [City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]

17. ENVIRONMENTAL SERVICES:

Discussion and action regarding a Resolution that the City Manager is hereby authorized to negotiate with the U.S. Army to develop a Cooperative Agreement for the development of a collaborative system for the disposal and resource recovery of municipal solid waste (MSW), and the generation of renewable energy from waste-to-

energy (WTE) technologies and/or other renewable and alternative energy technologies; and to present said Agreement to City Council for approval upon the conclusion of the negotiations. **(All Districts)** [Environmental Services, Ellen Smyth (915) 621-6719]

18. CITY MANAGER:

City Manager's report of current events and issues:

Presentation of City Ethics Training for Elected Officials and update of training for department heads and employees. **(All Districts)**
[City Manager's Office, Leila Melendez, (915) 541-4859]

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.** Patriot Place, Ltd., Bankruptcy Case No. 11-31024-hcm. (551.071)
[City Attorney's Office, Theresa Cullen, (915) 541-4550]
- EX2.** Application of El Paso Electric Company to Change Rates and Reconcile Fuel Costs, Public Utility Commission of Texas Docket 40094, SOAH Docket 473-12-4275 (551.071)
[City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]
- EX3.** Application of El Paso Electric Company to Amend its Certificate of Convenience and Necessity for Five Solar Power Generation Projects, Public Utility Commission of Texas Docket No. 39973. (551.071) (All Districts) [Sylvia Borunda Firth, City Attorney, (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.

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