

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

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

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
March 15, 2011
9:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 9:06 a.m. Mayor Pro Tempore Emma Acosta present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Carl Robinson, Eddie Holguin, Jr., and Beto O'Rourke. Absent: Mayor John F. Cook and Representatives Ann Morgan Lilly, Rachel Quintana, and Steve Ortega requested to be excused from the meeting. The invocation was given by Police Chaplain Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. **MISS SHANAYA FASTJE DAY**
2. **FRANKLIN MOUNTAINS POPPIES PRESERVATION DAY**
3. **NATIONAL BRAIN INJURY AWARENESS MONTH**

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

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

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. William Hart Jr.
2. Ms. Lisa Turner
3. Mr. Jorge Artalejo
4. Mr. Lynn Fitzgerald
5. Mr. Manny Hinojosa

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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. Claim of Isidro Gama; Our File No. 10-C-185 (551.071)

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the Claim of Isidro Gama; Our File No. 10-C-185 (551.071).

CONSENT AGENDA

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

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

1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of March 8, 2011.

2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

Mayor John F. Cook and Representatives Ann Morgan Lilly, Steve Ortega, and Rachel Quintana.

3A.

***RESOLUTION**

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

That the Mayor be authorized to sign the following Interlocal Governmental Agreements between the City of El Paso and the below listed Independent School Districts to allow for joint elections between the City and each Independent School District on May 14, 2011 for the purpose of sharing the costs.

- A. El Paso Independent School District
- B. Socorro Independent School District
- C. Ysleta Independent School District

3B.

***RESOLUTION**

For the purpose of conducting and holding a General Election on May 14, 2011, the following election officials are hereby appointed.

1. The persons named in Exhibit "A" attached hereto and made a part hereof for all purposes are appointed Presiding Judges and Alternate Presiding Judges, respectively, for the main early voting station and the branch offices for early voting in the City. Each Presiding Judge shall appoint not less than two but not more than six qualified election clerks to serve at the election, but one of the clerks shall be the Alternate Presiding Judge. If any such Presiding Judge is unable to serve at the election, his or her Alternate Presiding Judge shall serve as Presiding Judge.

2. The persons named in Exhibit "B" attached hereto and made a part hereof for all purposes are appointed Presiding Judges and Alternate Presiding Judges, respectively, for each of the regular election precincts of the City. Each Presiding Judge shall appoint not less than two but not more than six qualified election clerks to serve at the election, but one of the clerks shall be the Alternate Presiding Judge. If any such Presiding Judge is unable to serve at the election his or her alternate Presiding Judge shall serve as Presiding Judge. All election notifications made to Presiding Judges and Alternate Presiding Judges by the El Paso County Elections Administrator are approved.

3. The persons named in Exhibit "C" attached hereto and made a part hereof for all purposes are appointed as a special Canvassing Board/signature verification committee, respectively, to count, canvass and record all early votes and early ballots cast at said election.

4. The persons named in Exhibit "D" attached hereto and made a part hereof for all purposes are hereby appointed as the Central Counting Station Manager, Central Counting Station Judge, Early Voting Ballot Board Chairman, and Tabulating Supervisor respectively, to operate a central counting station to receive and tabulate the voted ballots at said election.

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3C.

***RESOLUTION**

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

That the City Council approves the expenditure of additional available funding in the amount of \$93,500 to J.A.R. Concrete, Inc. dba J.A.R. Construction, Inc. for additional construction costs for EPIA Runway 8R-26L & Taxiway L Extension & Reconstruction of Taxiway W. The change order provides for counterpoise wire or ground wire installations for FAA power and communications systems to be No. 1/0 stranded ground wire. At the time of bid the specification called for No. 6 stranded ground wire. The change order adds no days of contract time for Contract Number 2010-268. The new contract sum, including this change order, is \$6,846,236.10.

Representative Robinson commented.

Mr. Sam Rodriguez, Engineering Division Manager, commented.

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3D.

***RESOLUTION**

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

That the City Manager be authorized to sign a Second Amendment to the Agreement for Professional Services by and between the City of El Paso and Kimley-Horn and Associates, Inc. for a project known as "Runway 8R-26L Extension" to add additional design services for the design of the MALSR approach lighting system as directed by the FAA, at an additional cost of \$20,373.02, thereby extending the contract amount from \$1,039,252.53 to \$1,059,625.55.

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3E.

***RESOLUTION**

WHEREAS, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 25th day of August, 2010, after due notice and hearing, issued an order to EL PASO COUNTY, TEXAS, JOSE ROSALES, ANA MARIA ROSALES AND JOSEFINA ROSALES, record Owners of the hereinafter described property that the structure be demolished within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to demolish and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Development Services Department has reported the cost of doing such work in the amount hereinafter set forth;

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

1. That the City Council determines the actual cost of the demolishing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 8, Block 36, Magoffin's Addition, an addition in the city of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 14, Page 19, Plat Records in the Office of the County Clerk of El Paso County, Texas, more particularly described as 905 Hills Street, El Paso, Texas,

to be \$29,933.19, performed by the Street Department of the City of El Paso, and \$1,055.34, performed by the City Clerk's Office and Development Services Department, making a total of \$30,988.53. The City Council finds that the work was completed on the 30th day of October, 2010, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of \$30,988.53 to be a lien on the above-described property.

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

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

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3F.

***RESOLUTION**

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR A PORTION OF LOT 1, BLOCK 2, YARBROUGH PLACE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO

SECTION 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, on March 4, 1986, City Council rezoned the property described as *a portion of Lot 1, Block 2, Yarbrough Place, City of El Paso, El Paso County, Texas*, from R-F (Ranch and Farm) and R-4 (Residential) to C-1/sc (Commercial/special contract) and as part of the rezoning imposed a condition that prior to the issuance of any building permits, a detailed site development plan must be approved by the Commission and the Mayor and City Council; and,

WHEREAS, the property owner **Zaradieter Partners, L.P.** (the "Owner") is ready to proceed with development and has submitted a detailed site development plan for review; and,

WHEREAS, the detailed site development plan is subject to the development standards in the **C-1/sc (Commercial/special contract) District** regulations and subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission; and,

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

WHEREAS, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

WHEREAS, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code;

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

1. Pursuant to requirements imposed on the subject property described as a portion of Lot 1, Block 2, Yarbrough Place, City of El Paso, El Paso County, Texas by Ordinance No. 8608 passed and approved March 4, 1986, the City Council hereby approves the detailed site development plan submitted by the Applicant. The detailed site development plan is subject to the development standards in the C-1/sc (Commercial/special contract) District.

2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.

3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-1/sc (Commercial/special contract) District regulations.

4. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-1/sc (Commercial/special contract) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

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

..... **4A.**

BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Alisa Jorgensen to the Zoning Board of Adjustment by Representative Beto O'Rourke, District 8.

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4B. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Michael H. Bray as an alternate to the Zoning Board of Adjustment by Representative Beto O'Rourke, District 8.

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4C. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Kenneth J. Gezelius to the Civil Service Commission by Representative Carl L. Robinson, District 4.

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4D. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Gracie Cain as an alternate to the Building and Standards Commission by Representative Carl L. Robinson, District 4.

..... **4E.**
BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Rafael Hernando III to the Fair Housing Task Force by Representative Rachel Quintana, District 5.

..... **5A.**
BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Paul Gilcrease to the Building and Standards Commission by Representative Beto O'Rourke, District 8.

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5B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Joann Wardy to the Revolving Loan Fund Board by Mayor John F. Cook.

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5C. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Judy A. Balmer to the Revolving Loan Fund Board by Mayor John F. Cook.

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6. APPLICATION FOR TAX REFUNDS

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

- A. Southwest Nut Co. in the amount of \$4,162.92 overpayment of 2010 taxes. (PID #2001-000-0414-0078).
- B. Southwest Volvo/Mack Trucks in the amount of \$5,236.22 overpayment of 2010 taxes. (PID #2001-000-0804-0023).

- C. Chase in the amount of \$9,170.87 overpayment of 2010 taxes.
(PID #A462-999-0940-2100).
- D. Sears Holdings Management Corporation in the amount of \$59,726.56 overpayment of 2010 taxes.
(PID #A765-999-002E-0556).
- E. Corelogic c/o PHH Mortgage in the amount of \$2,802.01 overpayment of 2010 taxes.
(PID #B365-999-0020-0300).
- F. Jesus Prieto in the amount of \$5,498.45 overpayment of 2010 taxes.
(PID #C340-999-1430-2300).
- G. Victor & Elizabeth Aguilar in the amount of \$2,962.35 overpayment of 2010 taxes.
(PID #C809-999-0080-1700).
- H. Earl H. Starnes in the amount of \$2,500.00 overpayment of 2010 taxes.
(PID #C818-999-0750-2700).
- I. BAC Tax Services Corporation in the amount of \$2,986.53 overpayment of 2010 taxes.
(PID #C732-999-0150-0100).
- J. William H. Gardner, III in the amount of \$5,684.72 overpayment of 2010 taxes.
(PID #C801-999-0250-1350).
- K. Leon Development, LLC in the amount of \$5,337.27 overpayment of 2010 taxes.
(C849-999-0020-2100).
- L. Blanca Estela Rodriguez in the amount of \$3,170.29 overpayment of 2010 taxes.
(PID #D322-000-0020-0701).
- M. Alejandro & Ana Contreras in the amount of \$3,719.34 overpayment of 2010 taxes.
(PID #D457-000-0080-0300).
- N. North American Title Company in the amount of \$3,540.32 overpayment of 2010 taxes.
(PID #E076-000-0060-4900).
- O. Industry Consulting Group, Inc., in the amount of \$34,743.08 overpayment of 2010 taxes. (PID
#E361-999-0010-0120).
- P. Tri-Properties Partnership in the amount of \$3,082.99 overpayment of 2010 taxes.
(PID #G569-999-0440-0800).
- Q. Larry L. Springsteen in the amount of \$7,968.03 overpayment of 2010 taxes.
(PID #G657-999-0010-3900).
- R. Rita Rubio in the amount of \$3,288.52 overpayment of 2010 taxes.
(PID #H782-000-0010-1100).
- S. Michael Tapia in the amount of \$4,082.63 overpayment of 2010 taxes.
(PID #H788-006-0350-0420).

- T. Hector & Yolanda Hinojos in the amount of \$9,325.09 overpayment of 2010 taxes. (PID #L217-999-005C-0700).
- U. BAC Tax Services Corporation in the amount of \$5,778.31 overpayment of 2010 taxes. (PID #L626-999-0090-0500).
- V. Stephen T. Crye in the amount of \$4,278.52 overpayment of 2010 taxes. (PID #M803-999-0030-0500).
- W. Contemporary Solutions USA, Inc./DBA/Texas Pioneer Title in the amount of \$4,784.40 overpayment of 2010 taxes. (PID #N425-999-0320-3000).
- X. Prologic in the amount of \$35,314.02 overpayment of 2010 taxes. (PID #N495-999-0030-0200).
- Y. Prologic in the amount of \$19,976.52 overpayment of 2010 taxes. (PID #M495-999-0050-0200).
- Z. Prologic in the amount of \$65,620.56 overpayment of 2010 taxes. (PID #N495-999-0060-0100).
- AA. Bank of Texas in the amount of \$2,920.80 overpayment of 2010 taxes. (PID #P585-000-0160-3400).
- BB. BAC Tax Services Corporation in the amount of \$2,600.00 overpayment of 2010 taxes. (PID #P585-000-0050-4100).
- CC. BAC Tax Services Corporation in the amount of \$5,707.32 overpayment of 2010 taxes. (PID #R246-999-0210-0800).
- DD. Texas Title Company in the amount of \$5,660.88 overpayment of 2010 taxes. (PID #S700-999-0020-0300).
- EE. Corelogic c/o CitiMortgage in the amount of \$3,497.18 overpayment of 2010 taxes. (PID #S700-999-0070-1100).
- FF. BAC Tax Services Corporation in the amount of \$3,239.75 overpayment of 2010 taxes. (PID #S912-999-001D-4400).
- GG. Lisa K. Smith in the amount of \$4,616.96 overpayment of 2010 taxes. (PID #T213-999-0140-0100).
- HH. Viva Chaparral Properties, LP., LLP in the amount of \$2,771.28 overpayment of 2010 taxes. (PID #T249-000-0010-0600).
- II. Viva Chaparral Properties, LP., LLP in the amount of \$2,699.16 overpayment of 2010 taxes. (PID #T249-000-0010-0700).
- JJ. Lee Allison in the amount of \$2,722.38 overpayment of 2010 taxes. (PID #T251-999-0050-0500).

- KK. BAC Tax Services Corporation in the amount of \$3,094.38 overpayment of 2010 taxes. (PID #T820-999-0010-0690).
- LL. JOVI in the amount of \$3,000.00 overpayment of 2010 taxes. (PID #U819-999-0010-0701).
- MM. Corelogic c/o CitiMortgage in the amount of \$5,968.19 overpayment of 2010 taxes. (PID #U823-999-0010-0740).
- NN. Prologis North American Properties Fund I LLC in the amount of \$201,296.80 overpayment of 2010 taxes. (PID #V892-999-0010-0150).
- OO. Onna Feuchter in the amount of \$3,417.84 overpayment of 2010 taxes. (PID #V893-999-2240-2500).
- PP. BAC Tax Services Corporation in the amount of \$3,130.56 overpayment of 2010 taxes. (PID #V893-999-5460-8100).
- QQ. McDonald's Corporation in the amount of \$23,282.71 overpayment of 2010 taxes. (PID #X011-999-000C-5900).
- RR. KFOX-TV in the amount of \$23,219.28 overpayment of 2010 taxes. (PID #X214-999-000A-7300).
- SS. Ranchos Real Holdings LLC in the amount of \$3,599.41 overpayment of 2010 taxes. (PID #X578-000-2070-0005).
- TT. Jose Xicali in the amount of \$3,100.91 overpayment of 2010 taxes. (PID #S658-999-0060-2200).

Representative Robinson commented.

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7. INTRODUCTION

Motion made by Representative Byrd, seconded by Representative O'Rourke, and carried **AS REVISED** that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

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

An Ordinance changing the Zoning of all of Tract 8, Section 15, Block 81, TSP 2, T& P R.R. Surveys, City of El Paso, El Paso County, Texas From R-4 (Residential) to C-4 (Commercial). The Penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 6331 Alabama Street, Property Owner: El Maida Shrine Temple ZON10-00109. This is an Appeal Case.

PUBLIC HEARING WILL BE HELD ON APRIL 5, 2011, FOR ITEM 7

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8A. ENGINEERING AND CONSTRUCTION MANAGEMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the award of Solicitation No. 2011-128 for the Clint Cell Lining Cells 7-10, to L.D. Kemp Excavating, Inc., for a total estimated amount of \$3,993,139.20.

ABSENT: Representatives Lilly, Quintana and Ortega

Department: Engineering and Construction Management
Award to: L.D. Kemp Excavating, Inc.
Base Bid: \$3,993,139.20
Total Estimated Completion: \$3,993,139.20
Funding Source: Disposal – garbage collection fees

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 and Environmental Services recommend award as indicated to the lowest responsible and responsive bidder.

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8B. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **AWARD** Solicitation No. 2011-144 for Fire Station #31 to Banes General Contractors, Inc. for an estimated total amount of \$1,823,000. Banes General Contractors, Inc. has provided the highest ranked proposal (89.65).

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

Department: Engineering and Construction Management
Award to: Banes General Contractors, Inc.
Base Bid: \$1,823,000
Total Estimated Completion: \$1,823,000
Funding Source: American Recovery and Reinvestment Act
2010 Certificates of Obligation

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

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 design, but which do not increase the scope of the contract as

awarded, in an amount not to exceed \$25,000.00 per numbered change order without further authorization by City Council.

This is a lump-sum contract. The Engineering & Construction Management Department recommends award to the offeror who submitted the highest ranked proposal.

Mayor Pro Tempore Acosta commented.

Mr. Sam Rodriguez, Engineering Division Manager, commented.

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9. FIRE

Motion made by Representative Byrd, seconded by Representative Robinson, and unanimously carried to **AWARD** Solicitation No. 2011-152 (Scott Health and Safety Proprietary Products) to Fire Service Equipment, Inc. and Daco Fire Equipment for a total estimated award of \$2,234,421.30.

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

Department: Fire
Award to: Vendor 1 Fire Service Equipment, Inc.
El Paso, TX
Items: 1, 2 and 3
Initial Term: 3 years
Option: None
Annual Estimated Award: \$649,849.50
Total Estimated Award: \$1,949,548.50 (3 years)

Award to: Vendor 2 Daco Fire Equipment
Lubbock, TX
Items: 4, 5 and 6
Initial Term: 3 years
Option: None
Annual Estimated Award: \$94,957.60
Total Estimated Award: \$284,872.80 (3 years)
Funding Source: UASI Regional SCBA Project FY08, FY09, and FY10

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

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

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10. ORDINANCE 17514

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM (TAX RESALE) DEED CONVEYING ALL RIGHT, TITLE AND INTEREST IN REAL PROPERTY LOCATED AT 6107 LAGUNA VISTA DR., TO CITY OF EL PASO, IN ACCORDANCE WITH SECTION 34.05 (H) OF THE TAX CODE.**

Representative O'Rourke commented.

Ms. Carmen Perez, Delgado, Acosta, Spencer, Linebarger & Perez, LLP, commented.

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

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

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

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ITEMS 11A. AND 11B. TAKEN TOGETHER

11A. PLANNING AND ECONOMIC DEVELOPMENT

Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **DIRECT** staff to draft a policy to leave ponding areas open for wildlife as a wildlife corridor in instances where ponding areas are located along a riparian corridor, and to bring it back to Council within 90 days.

11B. PLANNING AND ECONOMIC DEVELOPMENT

Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **DIRECT** staff to coordinate with the necessary State agencies, Home Owner Associations, and if necessary, amend Title 19, to provide pedestrian access to designated state trailheads, to not restrict it just to trailheads, to look at the funding issues, and to bring it back to Council within 90 days.

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

Mr. Philip Etiwe, Development Review Manager, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Pro Tempore Acosta and Representatives Holguin, Byrd, Robinson, and O'Rourke commented.

Ms. Joyce Wilson, City Manager, commented.

The following members of the public commented:

1. Mr. Charlie Wakeen, Open Space Advisory Board member
2. Mr. Ken Lovell
3. Ms. Lisa Turner

4. Mr. Manny Hinojosa

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11C. PLANNING AND ECONOMIC DEVELOPMENT

*Motion made, seconded, and unanimously carried to **DELETE** the item regarding a rezoning of Keystone Heritage Park and Rio Bosque to Natural Open Space (NOS) District with Rio Bosque being designated under the Natural Open Space (NOS) District as a wildlife sanctuary.

Representatives Byrd, O'Rourke, and Holguin commented.

Mr. Philip Etiwe, Development Review Manager, and Ms. Lupe Cuellar, Assistant City Attorney, gave legal advice.

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The City Council Meeting **RECESSED** at 10:40 a.m. and **RECONVENED** at 10:49 a.m.
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12A. CITY MANAGER

Status report, discussion and action regarding the 2008 Comprehensive Mobility Plan: Presentation by TxDOT, City and RMA staff.

Mr. Chuck Berry, District Engineer with TXDOT, presented a PowerPoint presentation (copy on file in City Clerk's office).

Ms. Jane Shang, Deputy City Manager of Mobility Services, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives O'Rourke, Acosta, Byrd, and Robinson, commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Roy Gilyard, El Paso MPO, commented.

NO ACTION was taken on this item.
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12B. CITY MANAGER

Presentation by City Staff of the Fiscal Year 2010 Spend Analysis report.

Mr. Bruce Collins, Purchasing Manager, presented a PowerPoint presentation (copy on file in the City Clerks office).

Representative Robinson commented.

Ms. Lisa Turner, citizen, commented.

NO ACTION was taken on this item.
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Motion made by Representative Robinson, seconded by Representative Holguin, and carried to **ADJOURN** this meeting at 12:21 p.m.

ABSENT: Representatives Lilly, Quintana, and Ortega.

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk