

**JOHN F. COOK**  
MAYOR



**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

**JOYCE WILSON**  
CITY MANAGER

**REGULAR COUNCIL MEETING MINUTES**  
**COUNCIL CHAMBERS**  
March 22, 2011  
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:35 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Emma Acosta, Carl Robinson, Rachel Quintana, Steve Ortega, and Beto O'Rourke. Late arrival: Ann Morgan Lilly at 8:36 a.m. during Executive Session deliberations, Susie Byrd at 8:37 a.m. during Executive Session deliberations, and Eddie Holguin, Jr. at 8:38 a.m. during Executive Session deliberations. The invocation was given by Police, Fire and CIMA Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

**MAYOR'S PROCLAMATIONS**

1. **PURPLE DAY FOR EPILEPSY**
2. **EL PASO COMMISSION FOR WOMEN'S HALL OF FAME INDUCTION DAY**
3. **POISON PREVENTION WEEK**
4. **PERSONAL ATTENDANT APPRECIATION DAY**

Mayor Cook and Representatives Lilly and O'Rourke commented.

**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.

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:

Mr. Jorge Artalejo

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Motion made by Representative Robinson, seconded by Mayor Pro Tempore Acosta, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:35 a.m. pursuant to Section 3.5A of the

El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

NOT PRESENT FOR THE VOTE: Representatives Lilly, Byrd and Holguin

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

Discussion and action on the Executive Session items on the Agenda:

Motion made by Representative Holguin, seconded by Representative Lilly, and unanimously carried to adjourn the Executive Session at 9:26 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Byrd and Quintana

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**EX1.** Petition of Texas Gas Service Company, a Division of ONEOK, Inc. for Review of Ratesetting Action of the City of El Paso before the Railroad Commission of Texas, Gas Utility Docket No. 9988. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd and carried to grant the authority to the City Attorney to file an appeal on behalf of the City of the Final Order of the Railroad Commission of Texas dated December 14, 2010 regarding the Petition of Texas Gas Service Company, a Division of ONEOK, Inc. for Rate Review of Rate Setting Action of the City of El Paso before the Railroad Commission of Texas, Gas Utility Docket No. 9988 and to engage outside counsel to represent the City on this matter.

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

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**EX2.** Texas Board of Architectural Examiners Case #70-11E (Javier Reyes), Austin, Texas. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded Representative Robinson and carried that the City of El Paso authorizes the City Attorney to take any and all action necessary, both affirmative and defensive, as necessary, in connection with the threatened enforcement action asserted by the Texas Board of Architectural Examiners against the city of El Paso or its employees. This Motion is intended to grant broad authority to City Attorney to take action necessary to address these matters, including but not limited to, the initiation and response to, litigation, complaints and any other administrative or judicial proceedings or process, in consultation with the City Manager including authorization to retain outside counsel.

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

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**EX3.** Claim of Isidro Gama; Our File No. 10-C-185 (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd and carried that the City Attorney's Office be authorized to deny claimant's demand in Claim No 10-C-185/Police –Isidoro Gama.

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

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**EX4.** Southside Low Income Housing Development, Corp., Case No. 10-30710, U.S. Bankruptcy Court, Western District of Texas, El Paso Division. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Robinson and carried that outside counsel for the City of El Paso be authorized settlement authority to negotiate settlement in relation to the City's proof of claim in the bankruptcy proceeding styled In re: Southside Low Income Housing Development Corporation, Case Number 10-30710, in the United States Bankruptcy Code, Western District of Texas, El Paso Division; and that the City Manager and outside counsel be authorized to execute and file any and all documents related to such proposed settlement.

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

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**CONSENT AGENDA**

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

AYES: Representatives Byrd, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke  
NAYS: None  
NOT PRESENT FOR THE VOTE: Representative Lilly

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**1. APPROVAL OF MINUTES**

\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of March 15, 2011.

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**2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS**

**NO ACTION** was taken on this item.

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**3A.**

**\*RESOLUTION**

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

That the City Manager be authorized to sign an Underground and Transformer Pad Electrical Easement to the El Paso Electric Company for the purpose of providing electrical service for the Paso Del Norte Pedestrian Toll Plaza located at 1000 S. Santa Fe, El Paso, Texas. Said property being more particularly described as a portion of Lot 11, Block 44, Campbell Addition, El Paso, El Paso County, Texas.

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**3B. ENGINEERING AND CONSTRUCTION MANAGEMENT**

Motion made, seconded, and carried to **DELETE** a Resolution authorizing the City Manager to sign an Overhead Electrical Easement to the El Paso Electric Company for the purpose of providing electrical service for the Paseos Del Sol Park at 12599 Paseo Grande Drive. Said property more particularly

described as a portion of Lot 53, Block 6, Paseos Del Sol Unit 2 Amending, a subdivision in the City of El Paso, El Paso County, Texas.

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**3C.**

**\*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 26<sup>th</sup> day of May, 2010, after due notice and hearing, issued an order to REBECA A. SAENZ, record Owner 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 Owner 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:

Lots 1 and 2, Block 34, Bassett Addition to the City of El Paso, Texas, located at the corner of Bassett Avenue and Palm Street, particularly described as 2230 Bassett Avenue, El Paso, Texas,

to be \$12,409.80, performed by the Street Department of the City of El Paso, and \$996.93, performed by the City Clerk's Office and Development Services Department, making a total of \$13,406.73. The City Council finds that the work was completed on the 5<sup>th</sup> day of November, 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 \$13,406.73 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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**ITEMS 3D AND 3E TAKEN TOGETHER**

**3D.**

**\*RESOLUTION**

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

That the City of El Paso Museums and Cultural Affairs Department Cultural Funding Guidelines (attached hereto as Exhibit "A") be approved, as recommended by the Cultural Affairs Advisory Board and Museums and Cultural Affairs Staff.

3E.

**\*RESOLUTION**

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

That the City of El Paso Museums and Cultural Affairs Department’s KickstArt Downtown Funding Guidelines (attached hereto as Exhibit “A”), which will be funded by revenue from the Hotel Occupancy Tax under the provisions of Texas Tax Code Section 351.101(a)(4),(6), be approved, as recommended by the Museums and Cultural Affairs Advisory Board and the Museums and Cultural Affairs Department Staff.

Mayor Cook and Representatives Acosta, Holguin, and Quintana, commented.

Mr. Sean McGlynn, Director of Museums and Cultural Affairs, commented.

**1ST MOTION**

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

**2ND AND FINAL MOTION**

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

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

NAYS: None

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3F.

**\*RESOLUTION**

**WHEREAS**, the El Paso City Council finds it in the best interest of the citizens of El Paso that the Serious Habitual Offender Comprehensive Action Program FY11 (SHOCAP) be operated for the September 1, 2011 --- August 31, 2012 year; and

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

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

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

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

1. That the El Paso City Council approves submission of the grant application for the Serious Habitual Offender Comprehensive Action Program FY11 (SHOCAP) project to the Office of the Governor, Criminal Justice Division.
2. The City Manager be authorized to sign the grant application including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant in the amount of \$18,674.32,

from the City of El Paso Police Department to the Office of the Governor, Criminal Justice Division, for the purpose of continuing the efforts of the Police Department's Serious Habitual Offender Comprehensive Action Program (SHOCAP).

3. The City of El Paso agrees to provide cash matching funds in the amount of \$17,650.96.
4. The El Paso City Council agrees that the existence of an award will not be used to offset or decrease total salaries, expenses and allowances that the City receives or provides to its Police Department at or after the time the grant is awarded.
5. That the City Manager or her designee or Lt. Alfred Lowe with the El Paso Police Department be authorized to sign Cooperative Working Agreements relating to the grant with the following agencies: El Paso County Sheriff's; El Paso County Attorney's Office, El Paso County Juvenile Probation Department, Child Protective Services, Texas Youth Commission and Communities In Schools-El Paso, Inc., as are approved as to form by the City Attorney or his designee.

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**3G.**

**\*RESOLUTION**

**WHEREAS**, the El Paso City Council finds it in the best interest of the citizens of El Paso that the General Victim Services FY12 program be operated for the time period of September 1, 2011 to August 31, 2012; and

**WHEREAS**, the El Paso City Council agrees to provide applicable matching funds for the said project as required by the Criminal Justice Division - Office of the Governor grant application; and

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

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

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

1. That the El Paso City Council approves submission of the grant application for the General Victim Services FY12 program to the Office of the Governor, Criminal Justice Division.
2. The City Manager or her designee be authorized to sign the grant application including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant in the amount of \$218,351.71 from the City of El Paso Police Department to the Office of the Governor, Criminal Justice Division, for the purpose of continuing the efforts of the Police Department's Victim Services Unit; and that the City Manager or her designee also be authorized to sign any related paperwork, including but not limited to authorization of budget transfers and submit necessary revision to the operational plan; and that the City Manager be authorized to execute on behalf of the City of El Paso, any grant amendments or corrections to the grant agreement which increase, decrease or de-obligate program funds provided that no additional City funds are required, or which decrease the amount of matching funds, and any documents to request and accept an extension of the award ending date for the grant.
3. The City of El Paso agrees to provide cash matching funds in the amount of \$43,671.00.

4. The El Paso City Council agrees that the existence of an award will not be used to offset or decrease total salaries, expenses and allowances that the City receives or provides to its Police Department at or after the time the grant is awarded.

5. That the City Manager or her designee be authorized to sign Cooperative Working Agreements relating to the grant with the following agencies: El Paso County Sheriff's; Court Appointed Special Advocates; Diocesan Migrant and Refugee Services, Inc., Battered Spouse Program; STARS; El Paso County District Attorney, Victim Assistance Program; El Paso County District Attorney, Domestic Violence Unit; El Paso County Attorney's Office, VOCA Protective Orders Program; Center Against Family Violence; Advocacy Center for the Children of El Paso; West Texas Community Supervision and Corrections Department, Victim Services Program; Rio Grande Council of Governments; Family Service of El Paso, Crime Survivors Counseling Program; Transitional Living Center; and the University Medical Center, as are approved as to form by the City Attorney or his designee.

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**4A. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Susan Goodman Novick to the Museum and Cultural Affairs Advisory Board by Representative Beto O'Rourke, District 8.

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**4B. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** David Berchelmann to the Historic Landmark Commission by Representative Steve Ortega, District 7.

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**5. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and carried to **RE-APPOINT** Mary Castillo to the City Accessibility Advisory Committee by Representative Beto O'Rourke, District 8.

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**6A. REQUEST TO ISSUE PURCHASE ORDERS**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City's option to extend current Contract 2008-152 (Grounds Maintenance-City Facilities) with Evergreen Lawn Service of El Paso for two additional years pursuant to the provisions of an award approved by the City Council on May 6, 2008. The extended contract period will be from May 7, 2011 to May 6, 2013.

Department: General Services  
Award to: Evergreen Lawn Service  
El Paso, TX  
Option: One [of One]  
Annual Estimated Amount: \$50,000  
Total Estimated Amount: \$100,000 (2 years)  
Funding Source: General Fund – Groundkeeping

This is a Low Bid, service contract.

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**6B. REQUEST TO ISSUE PURCHASE ORDERS**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to The Armored Group, LLC., a contractor under the U.S. General Services Administration (GSA) Contract No. GS-07F-9375S, for three Ballistic Armored Tactical Transport (B.A.T.T) vehicles. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

Department: Police  
Award to: The Armored Group, LLC.  
Phoenix, AZ  
Total Estimated Award: \$300,000 (For 3 units)  
Funding Source: Operation Border Security FY11  
Reference No.: 2011-188

This is a Cooperative, unit price type contract.

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**6C. REQUEST TO ISSUE PURCHASE ORDERS**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City's option to extend current Contract 2005-084R (Building Space Rental-San Elizario WIC Clinic) with Carlos Martinez for three additional years pursuant to the provisions of an award approved by the City Council on February 8, 2005. The extended contract period will be from April 1, 2011 to March 31, 2014.

Department: Public Health  
Award to: Carlos Martinez  
El Paso, TX  
Option: Two [of Two]  
Annual Estimated Amount: \$18,278.40  
Total Estimated Amount: \$54,835.20 (3 years)  
Funding Source: WIC Administration & WIC Nutrition-Building Leases

This is an RFP, services contract.

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**7. BEST VALUE PROCUREMENT**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2011-129 Document Scanning and Shredding Services to DataXport.Net, LLC for a total award of \$109,370.81.

Department: General Services  
Award to: DataXport.Net, LLC  
El Paso, TX  
Items: All  
Option: None  
Total Award: \$109,370.81  
Funding Source: General Services, Outside Contracts

This is a Best Value, service contract.

The Financial Services - Purchasing Division and General Services recommend that Mel's Enterprises be disqualified as non-responsive and the contract be awarded as indicated to DataXport.Net, LLC, the bidder offering the best value bid.

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**8A. BIDS**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2011-126 for the 2011 Sidewalk Gap Program to CPME, LLC for a total estimated amount of \$458,093.40.

Department:	Engineering and Construction Management
Award to:	CPME, LLC
Base Bid:	\$458,093.40
Total Estimated Completion	\$458,093.40
Funding Source:	2006 Certificates of Obligation

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

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

As a part of this award, upon the review of the City Attorney, the City Engineer 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.

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**8B BIDS**

**1ST MOTION**

Motion made by Representative Robinson, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 8:35 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

NOT PRESENT FOR THE VOTE: Representatives Lilly, Byrd, and Holguin

**2ND MOTION**

Motion made by Representative Holguin, seconded by Representative Lilly, and unanimously carried to **ADJOURN** the Executive Session at 9:26 a. m. and **RECONVENE** the meeting of the City Council.

NOT PRESENT FOR THE VOTE: Representatives Byrd and Quintana

**3RD AND FINAL MOTION**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2011-170 (Vehicle Tracking Devices) to DTC Communications, Inc. for a total award of \$52,040.50.

Department:	Police
Award to:	DTC Communications, Inc.
	Nashua, NH
Items:	All

Option: To purchase 100% at the same unit price if exercised within 180 days from date of award  
Total Award: \$52,040.50  
Funding Source: Operation Border Security Grant FY10

This is a Low Bid, unit-price 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 Police Department recommend award as indicated to DTC Communications, Inc., the sole responsive, responsible bidder.

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**8C.**

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

**WHEREAS**, the City awarded Contract No. 2010-048 to Allied Tube and Conduit Corporation, on December 22, 2009, for two-inch (2") Galvanized Signposts for the Department of Transportation; and

**WHEREAS**, the amount of the Contract awarded has been exceeded and City has notified vendor that the City would rebid the contract and Council would terminate said Contract for convenience pursuant to the provisions of the Contract; and

**WHEREAS**, pursuant to Section C, Paragraph 8A of the Contract (Termination for Convenience), the City is authorized to terminate the Contract for convenience; and

**WHEREAS**, the City desires to terminate the Contract for convenience.

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

That the Purchasing Manager is authorized to notify Allied Tube and Conduit Corporation, that the City is terminating for convenience Contract No. 2010-048 pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses and that the termination shall be effective as of March 22, 2011.

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**8D.**

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

**WHEREAS**, the City awarded Contract No. 2010-048 to Centerline Supply, on December 22, 2009, for two-inch (2") Galvanized Signposts for the Department of Transportation; and

**WHEREAS**, the amount of the Contract awarded has been exceeded and City has notified vendor that the City would rebid the contract and Council would terminate said Contract for convenience pursuant to the provisions of the Contract; and

**WHEREAS**, pursuant to Section C, Paragraph 8A of the Contract (Termination for Convenience), the City is authorized to terminate the Contract for convenience; and

**WHEREAS**, the City desires to terminate the Contract for convenience.

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

That the Purchasing Manager is authorized to notify Centerline Supply, that the City is terminating for convenience Contract No. 2010-048 pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses and that the termination shall be effective as of March 22, 2011.

**8E. BIDS**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2011-087 (Two Inch Galvanized Signposts) to Centerline Supply for an initial term estimated award of \$274,291.50.

Department:	Department of Transportation
Award to:	Centerline Supply Grand Prairie, TX
Items:	All
Initial Term:	3 years
Option:	1 year
Annual Estimated Award:	\$91,430.50
Initial Term Estimated Award:	\$274,291.50 (3 years)
Total Estimated Award:	\$365,722 (4 years)
Funding Source:	General Funds – Public Access – Maintenance & Repair

This is a Low Bid, requirements contract.

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

The Financial Services – Purchasing Division and Department of Transportation recommend award as indicated to Centerline Supply, the lowest responsive, responsible bidder.

**9A. -- 9H. INTRODUCTIONS**

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

- 9A.** An Ordinance authorizing the City Manager of the City of El Paso to sign a special warranty deed and any other documents required, such as, but not limited to, a disclaimer of interest in property or donation agreement, to convey to the State of Texas, approximately 12.080 acres of land known as Parts 1 and 2 of Parcel 14 along and adjacent to the existing Loop 375 being portions of Nellie D. Mundy Survey 246, City of El Paso, El Paso County, Texas, for The State of Texas Loop 375 Highway Project.
- 9C.** An Ordinance amending Title 19 (Subdivisions), Appendix 111 (Mountain Area Defined), of the El Paso City Code to add land to the area identified as the Mountain Development Area (MDA). The penalty being as provided in Section 19.42 of the El Paso City Code.
- 9D.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.20 (Parks and Open Space), Section 19.20.030 (Parkland Calculation) and Section 19.20.050 (Standards for Deeded Parkland), Chapter

19.23 (Lots-Determination and Regulation of Size) and Chapter 19.50 (Definitions) of the El Paso City Code to amend the park size requirements for residential development and parkland characteristics and improvements, to require front build-to lines on plats and to add definitions for build-to line, green, plaza, pocket park, and square. The penalty is as provided in Chapter 19.42 of the City of El Paso City Code.

**9E.** An Ordinance authorizing the City Manager to sign a contract of sale and any other necessary documents between the City of El Paso and the El Paso Collaborative for Community and Economic Development which will allow the City to convey:

Lot 5, Block 98, Sun Valley Addition, an addition to the City of El Paso, El Paso County, Texas, being more particularly described in Volume 1178, Page 362, Deed Records of El Paso County, Texas; also known and numbered as 5629 Hemmingway Drive, El Paso, Texas.

**9F.** An Ordinance authorizing the City Manager to sign a contract of sale and any other necessary documents between the City of El Paso and the El Paso Collaborative for Community and Economic Development which will allow the City to convey:

Lot 2071, Block 85, Mountain View Addition, an Addition to the City of El Paso, El Paso County, Texas, being more particularly described in Volume 2, Page 23, Plat Records of El Paso County, Texas; also known and numbered as 4903 Wichita Circle, El Paso, Texas to the El Paso Collaborative for Community and Economic Development.

**9G.** An Ordinance vacating a portion of Frankfort Street Right-Of-Way, within Blocks 91 & 92, Grandview Addition, an addition to the City of El Paso, El Paso County, Texas.

**9H.** An Ordinance amending Ordinance No. 017471, title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management) to amend the effective date of the Franchise Agreement requirements; the penalty being as provided in Section 9.04.630 of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON MARCH 29, 2011, FOR ITEMS 9A & 9C– 9H**

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

**9B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No stopping or standing - Tow-Away Zone) Paragraph III (Oregon Street) of the El Paso City Code to remove the temporary suspension of No Stopping or Standing Tow-Away Zone between Kerbey Avenue and Robinson Avenue and to extend the No Stopping or Standing Tow-Away Zone from Yandell Drive to Schuster Avenue, the penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON APRIL 12, 2011, FOR ITEM 9B**

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**10. ENGINEERING AND CONSTRUCTION MANAGEMENT**

**1ST MOTION**

Motion made by Representative Ortega, seconded by Representative Quintana, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 10:32 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

**2ND MOTION**

Motion made by Representative Quintana, seconded by Representative Robinson, and unanimously carried to **ADJOURN** the Executive Session and **RECONVENE** the meeting of the City Council at 10:44 a.m.

NOT PRESENT FOR THE VOTE: Representative Acosta

**3RD AND FINAL MOTION**

Motion made by Representative O'Rourke, seconded by Mayor Pro Tempore Acosta, and carried to **REJECT** all bids regarding Solicitation No. 2011-128 for the Clint Cell Lining Cells 7-10, and to re-bid it.

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

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

Mayor Cook and Representatives Robinson, O'Rourke, commented.

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

The following members of the public commented:

- 1. Mr. Edward Saab, Saab Site Developers
- 2. Mr. E. Link Beck, Attorney for Saab Site Developers

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**11.**

**ORDINANCE 17515**

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING A CONDITION PLACED ON PROPERTY BY ORDINANCE NO. 16332 WHICH CHANGED THE ZONING OF LOT 1, BLOCK 1, PLACITAS DE ZARAGOZA, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND WHICH IMPOSED A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

Representative Holguin commented.

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

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

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

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**12A. MAYOR AND COUNCIL**

**1ST MOTION**

Motion made by Representative Robinson, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 8:35 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

NOT PRESENT FOR THE VOTE: Representatives Lilly, Byrd and Holguin

**2ND MOTION**

Motion made by Representative Holguin, seconded by Representative Lilly, and unanimously carried to **ADJOURN** the Executive Session at 9:26 a. m. and **RECONVENE** the meeting of the City Council.

NOT PRESENT FOR THE VOTE: Representatives Byrd and Quintana

**3RD AND FINAL MOTION**

Motion made by Representative O'Rourke, seconded by Representative Robinson, and unanimously carried to **POSTPONE** two weeks the item regarding mobile food vending opportunities in El Paso.

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**12B. MAYOR AND COUNCIL**

Motion made by Representative O'Rourke, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **DIRECT** the City Attorney to work with staff and bring back a residential parking permit Ordinance that allows for two residential parking permits for visitors of residents regardless of vehicle ownership.

Representatives O'Rourke, Acosta, Lilly, commented.

Mr. Ted Marquez, Deputy Director of Department of Transportation, commented and Mr. Charlie McNabb, City Attorney, gave legal advice.

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Motion made by Representative Robinson, seconded by Representative Ortega, and unanimously carried to **ADJOURN** this meeting at 11:10 a.m.  
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APPROVED AS TO CONTENT:

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Richarda Duffy Momsen, City Clerk