

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
MICHIEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
March 27, 2012
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:33 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Emma Acosta, Carl Robinson, Michiel R. Noe, and Cortney Carlisle Niland. Late arrivals: Ann Morgan Lilly at 8:34 a.m. and Steve Ortega, at 8:34 a.m. and Eddie Holguin, Jr., at 8:44 a.m. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. **AUTISM AWARENESS MONTH**
2. **2012 THE INTERNATIONAL YEAR OF COOPERATIVES**
3. **EL PASO FASHION WEEK**

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

Requests to speak must be received by 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.

The following members of the public commented:

1. Mr. John Conwell
2. Mr. Jorge Artalejo
3. Ms. Stephanie Karr
4. Mr. Modesto Cortez

1ST MOTION

Motion made by Representative Acosta, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES** of Council to allow for additional speakers after the sign up period.

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CONSENT AGENDA

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of March 20, 2012.

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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 Modification No. 34 to Contract No. NAS9-01177 by and between the National Aeronautics and Space Administration ("NASA") and the City of El Paso ("Contractor") which will extend the contract performance for the period of April 1, 2012 through June 30, 2012 and that the City Manager be authorized to sign six (6) additional modifications to extend the performance period of the contract for a one-month extension each, if requested by NASA.

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3B.

***RESOLUTION**

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

That the City Manager be authorized to sign a Reaffirmation Agreement between the City of El Paso and Guadalupe Camacho Gamez, which reaffirms the Housing Rehabilitation loan and grant secured by the property located at 1308 Wainwright, El Paso, Texas.

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3C.

***RESOLUTION**

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

THAT the following list of members are appointed to the Animal Shelter Advisory Committee pursuant to Ordinance No. 017746, dated March 6, 2012:

<u>Name</u>	<u>Appointed By</u>	<u>Date Term Expires</u>
Leon, Rene	District 1	6/2015
Giner, Yolanda	District 2	6/2013

Sandoval, Eddie	District 3	6/2013
Melson, Robert	District 4	6/2013
Krasowski, Linda	District 5	6/2015
Hooten, Charles	District 6	6/2015
Nutt, Janice	District 7	6/2013
Gonzalez, Patricia	District 8	6/2015
Lilly, Ann Morgan	Mayor	6/2013
Hoover, Betty	Mayor	6/2013
Freund, Dr. Roger	Mayor	6/2013

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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 and submit DSHS Contract No. #2012-040156 for its Tuberculosis Prevention and Control – Federal program, in the amount of \$280,587 for the City’s 1) basic services and associated activities for tuberculosis (TB) prevention and control and 2) expanded outreach services to individuals of identified special populations who have TB and/or who are at high risk of developing TB.

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3E.

***RESOLUTION**

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

THAT the City Manager be authorized to sign and submit Amendment No. 001A to DSHS Contract No. #2011-038811 for its Public Health Emergency Preparedness program, to increase the budget amount available to the City of El Paso by \$198,210 (for a new total of \$726,725) in order to carry forward funds to the contract, revise due dates for affected reports and to extend the due date for equipment purchases.

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3F.

***RESOLUTION**

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

That the City Council authorizes the City Manager to accept a donation of a Digital X-Ray machine with related accessory components, supplies, setup and training equivalent in value of One HUNDRED and FIFTY THOUSAND AND NO/100 DOLLARS (\$150,000.00) from the El Paso Zoological Society in cooperation from the El Paso Veterinary Medicine Association for use at the El Paso Zoo. The Digital X – Ray equipment is intended for use by Zoo Veterinarian staff in providing improved and efficient diagnostic medical equipment related to the Zoo’s animal collection. City Council authorizes the City Manager to request and sign any necessary documentation required for this donation that does not affect the approved budget of the City of El Paso.

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

BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** William H. Wickline to the Retired and Senior Volunteer Program Advisory Council by Representative Carl L. Robinson District 4.

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5. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPROVE** a Resolution appointing Melanie Bailey to the Board of Directors of the El Paso Housing Finance Corporation to fill the unexpired term that ends November 26, 2012.

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6. APPLICATION FOR TAX REFUNDS

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

- A. AT&T Mobility LLC in the amount of \$2,914.20 overpayment of 2011 taxes.
(PID #0732-999-1057-8742).
- B. AT&T Services, Inc., in the amount of \$14,092.33 overpayment of 2011 taxes.
(PID #0807-999-1084-4834).
- C. Edge Kawasaki in the amount of \$3,951.34 overpayment of 2011 taxes.
(PID #1994-999-2979-0034).
- D. American R.V. Centers LLC in the amount of \$7,204.65 overpayment of 2010 taxes.
(PID #2002-000-3483-0014).
- E. Jose J. & Minerva Rodriguez in the amount of \$4,500.00 overpayment of 2011 taxes.
(PID #A519-000-0030-3100).
- F. Escrow, Inc., in the amount of \$6,311.20 overpayment of 2011 taxes.
(PID #A765-999-001A-0561).
- G. Lucy Rodriguez in the amount of \$2,820.83 overpayment of 2011 taxes.
(PID #B202-999-0330-7400).
- H. Bank of America in the amount of \$4,290.74 overpayment of 2010 taxes.
(PID #B365-999-0010-0300).
- I. Bank of America in the amount of \$4,325.92 overpayment of 2011 taxes.
(PID #B365-999-0010-0300).
- J. Corelogic in the amount of \$4,800.08 overpayment of 2011 taxes.
(PID #C340-999-1360-1900).
- K. Escrow, Inc. in the amount of \$4,492.13 overpayment of 2011 taxes.
(PID #C340-999-0270-3500).
- L. USAA Federal Savings Bank in the amount of \$6,311.99 overpayment of 2011 taxes.
(PID #C340-999-1490-3900).
- M. Juan A. Amigo in the amount of \$4,070.72 overpayment of 2010/2011 taxes.
(PID #C340-999-013A-2300).

- N. Citimortgage, Inc., in the amount of \$4,044.50 overpayment of 2011 taxes.
(PID #C518-999-1420-1100).
- O. William J. & Cheryl Derrick in the amount of \$3,135.82 overpayment of 2011 taxes.
(PID #C801-999-0190-0500).
- P. ADE Joint Venture in the amount of \$2,581.98 overpayment of 2011 taxes.
(PID #E014-999-0840-4100).
- Q. GMAC Mortgage in the amount of \$5,817.28 overpayment of 2011 taxes.
(PID #E090-999-0050-1300).
- R. Fidelity National Title Insurance in the amount of \$6,985.83 overpayment of 2011 taxes.
(PID #E073-999-000G-1600).
- S. Citimortgage, Inc., in the amount of \$5,359.83 overpayment of 2011 taxes.
(PID # F609-999-0180-1200).
- T. Escrow, Inc., in the amount of \$2,716.59 overpayment of 2011 Taxes.
(PID #G686-999-000F-3600).
- U. F. Star Development, LP in the amount of \$3,250.08 overpayment of 2011 taxes.
(PID #G688-999-0003-0001).
- V. F. Star Development, LP in the amount of \$2,927.89 overpayment of 2011 taxes.
(PID #G688-999-0005-0001).
- W. F. Star Development, LP in the amount of \$2,904.13 overpayment of 2011 taxes.
(PID #G688-999-0006-0001).
- X. Chase in the amount of \$7,404.01 overpayment of 2011 taxes.
(PID #H454-999-0040-0950). (PID #F609-999-0020-0300).
- Y. Chase in the amount of \$3,049.46 overpayment of 2011 taxes.
(PID #H770-000-0020-3500).
- Z. Lawyers Title of El Paso in the amount of \$3,751.33 overpayment of 2011 taxes.
(PID #H788-010-0480-0060).
- AA. James Brian Young in the amount of \$7,916.02 overpayment of 2011 taxes.
(PID #L069-999-0020-0700).
- BB. Flagstar/Corelogic in the amount of \$4,081.19 overpayment of 2011 taxes.
(PID #H788-006-0350-0370).
- CC. John Banker in the amount of \$7,222.99 overpayment of 2011 taxes.
(PID #M344-999-0160-0700).
- DD. Ellen Esposito in the amount of \$4,614.48 overpayment of 2011 taxes.
(PID #M576-999-0040-4500).

- EE. Commercial Escrow in the amount of \$4,831.85 overpayment 2011 taxes.
(PID #P327-999-0010-5300).
- FF. Nationstar Mortgage in the amount of \$2,856.07 overpayment of 2011 taxes.
(PID #P588-999-0020-2200).
- GG. Louis O. Telles in the amount of \$2,699.66 overpayment of 2011 taxes.
(PID #Q509-999-0010-0400).
- HH. Johnny L. Hardwick in the amount of \$6,449.32 overpayment of 2011 taxes.
(PID #R246-999-0210-0100).
- II. Frank Delgado in the amount of \$5,593.15 overpayment of 2011 taxes.
(PID #R460-999-0420-8910).
- JJ. Jeanette Tan in the amount of \$5,041.38 overpayment of 2011 taxes.
(PID #R343-999-0020-0700).
- KK. MFC Equity I in the amount of \$3,647.09 overpayment of 2011 taxes.
(PID #S033-999-0030-9100).
- LL. BAC Tax Services Corporation in the amount of \$4,275.54 overpayment of 2011 taxes.
(PID #S138-999-0330-1500).
- MM. BAC Tax Services Corporation in the amount of \$4,960.39 overpayment of 2011 taxes.
(PID #S138-999-0330-1900).
- NN. Anthony A. Becerra in the amount of \$2,787.37 overpayment of 2011 taxes.
(PID #S275-999-0050-2500).
- OO. Wells Fargo Home Mortgage in the amount of \$4,704.27 overpayment of 2011 taxes.
(PID #S380-999-0100-1000).
- PP. Superior Abstract & Title, LLC in the amount of \$3,532.01 overpayment of 2011 taxes.
(PID #S380-999-0040-6300).
- QQ. James B. Nutter and Company in the amount of \$3,293.33 overpayment of 2011 taxes.
(PID #T201-000-0190-1100).
- RR. Network National Title in the amount of \$3,739.56 overpayment of 2011 taxes.
(PID #T201-000-0010-1200).
- SS. Network National Title in the amount of \$2,829.41 overpayment of 2010 taxes.
(PID #T287-999-2170-1030).
- TT. Eduardo Delgadillo in the amount of \$3,091.41 overpayment of 2011 taxes.
(PID #T287-999-0920-1100).
- UU. Matias Grado, Jr., in the amount of \$2,995.98 overpayment of 2011 taxes.
(PID #T820-999-0060-5100).

- VV. BAC Tax Services Corporation in the amount of \$7,276.99 overpayment of 2011 taxes. (PID #U823-999-0010-0520).
- WW. Scot Properties Ltd in the amount of \$5,320.05 overpayment of 2011 taxes. (PID #V893-999-1300-5100).
- XX. River Oaks Properties, Ltd., in the amount of \$19,918.76 overpayment of 2011 taxes. (PID #V893-999-2320-2325).
- YY. Nationstar Mortgage in the amount of \$3,627.29 overpayment of 2010 taxes. (PID #V893-999-5690-1900).
- ZZ. Fidelity National Title in the amount of \$4,643.79 overpayment of 2011 taxes. (PID #V893-999-572A-2700).
- AAA. Commercial Escrow in the amount of \$3,211.19 overpayment of 2011 taxes. (PID #V887-999-0090-3300).
- BBB. BAC Tax Services Corporation in the amount of \$2,870.04 overpayment of 2011 taxes. (PID #W145-999-0770-0300).
- CCC. EPT Mesa Development LP in the amount of \$20,364.53 overpayment of 2011 taxes. (PID #X215-999-0000-6400).
- DDD. Ocwen Loan Servicing LLC in the amount of \$3,122.66 overpayment of 2011 taxes. (PID #N425-999-0450-2750).
- EEE. Docenmuehle Mortgage in the amount of \$12,680.34 overpayment of 2011 taxes. (PID #P327-999-0150-0800).

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7. BID

1ST MOTION AND FINAL

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

Motion made by Representative Acosta, seconded by Representative Robinson, and carried to **AWARD** Solicitation No. 2012-096 (Scrap Tire Disposal Services) to Tres Pesetas, Inc. for an initial term estimated award of \$497,415.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin and Niland
 NAYS: Representatives Noe and Ortega

Department:	General Services, Environmental Services & Code Enforcement
Award to:	Tres Pesetas, Inc. El Paso, TX
Items:	Group A and Group B
Initial Term:	3 years
Option:	None
Annual Estimated Award:	\$165,805
Initial Term Estimated Award:	\$497,415 (3 years)
Total Estimated Award:	\$497,415

Account Nos.: 37370510 – 503125 – 45202
34010294 – 502204 – 40403
Funding Source: General Services Dept.-Internal Service Fund
Environmental Services-Environmental Contracts

This is a Best Value, unit price contract.

The Financial Services - Purchasing Division, General Services, and Environmental Services & Code Enforcement recommend that Chaparral Sand & Gravel, LLC and Road Masters IG, LLC be disqualified as non-responsive and the contract be awarded as indicated to Tres Pesetas, Inc, the vendor offering the best value bid.

Representatives Lilly, Byrd, Acosta, Robinson, and Ortega commented.

The following City Staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Ellen Smyth, Director, Environmental Services
3. Mr. Stuart Ed, Director, General Services
4. Mr. Bruce Collins, Financial Services

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8. INTRODUCTIONS

8A AND 8B TAKEN TOGETHER

Motion made by Representative Acosta, seconded by Representative Niland, 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:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

- 8A.** An Ordinance amending Ordinance No. 017524 which amended Ordinance No. 017109 which vacated a portion of Boston Avenue, to allow another one year extension to complete improvements on the pedestrian walkway and to revise the Quitclaim Deed to reflect the extended time for completion.
- 8B.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.10 (Dedication, Construction Requirements and City Participation), Section 19.10.050 (Roadway Participation Policies-Improvement of Adjacent Perimeter Roads and Utilities) and Chapter 19.15 (Roadways), Section 19.15.050 (General Requirements) of the El Paso City Code to allow for the waiver of the dedication or improvements of adjacent substandard roads when specific criteria are met. The penalty is as provided in Chapter 19.42 of the City of El Paso City Code.

PUBLIC HEARING WILL BE HELD ON APRIL 3, 2012, FOR ITEMS 8A –8B

Representative Byrd commented.

Ms. Kimberly Forsyth, Planning and Economic Development, commented.

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9. GENERAL SERVICES

Motion made by Representative Byrd, seconded by Representative Niland, and unanimously carried to **AWARD** Solicitation No. 2012-135 (Landfill Dozer) to Tom Growney Equipment, Inc. for a total of \$555,900.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

Department: General Services
Award to: Tom Growney Equipment, Inc.
El Paso, TX
Item: Item 1
Option: Option to purchase additional quantity within
180 days of award
Total Award: \$555,900
Account: 34010289 – 508029 – 40499 –PSWM0017
Funding Source: Environmental Services Department,
Heavy Off Road Equipment

This is a Best Value, unit price contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Tom Growney Equipment, Inc., the vendor offering the best value bid.

Mr. Bruce D. Collins, Financial Services, commented.

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10A. THROUGH 10F TAKEN TOGETHER

10A.

RESOLUTION

WHEREAS, the City Council awarded Contract No. 2011-143 (Permit-Based Third Party Residential Building Inspectors) to Bureau Veritas North America, Inc., Code Compliance Inspections PC, ECM International, Inc, and Michelle’s Ventures dba Vision Consultants, Inc., on May 24, 2011, for the Engineering and Construction Management Department; 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 Bureau Veritas North America, Inc., Code Compliance Inspections PC, ECM International, Inc, and Michelle’s Ventures dba Vision Consultants, Inc. that the City is terminating Contract No. 2011-143 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 27, 2012.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

10B.

RESOLUTION

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

That the City Manager be authorized to sign a three year Agreement for Third Party Plan Review and Inspection Services by and between the CITY OF EL PASO and BUREAU VERITAS NORTH AMERICA, INC., for a total contract amount not to exceed THREE MILLION SIX HUNDRED SIXTY THREE THOUSAND AND NO/00 DOLLARS (\$3,663,000.00).

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

10C.

RESOLUTION

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

That the City Manager be authorized to sign a three year Agreement for Third Party Plan Review and Inspection Services by and between the CITY OF EL PASO and CODE COMPLIANCE INSPECTIONS, PC, for a total contract amount not to exceed TWO MILLION TWENTY SIX THOUSAND EIGHT HUNDRED AND NO/00 DOLLARS (\$2,026,800.00).

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

10D.

RESOLUTION

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

That the City Manager be authorized to sign a three year Agreement for Third Party Plan Review and Inspection Services by and between the CITY OF EL PASO and MICHELLE’S VENTURES DBA VISION CONSULTANTS, INC., for a total contract amount not to exceed FOUR MILLION EIGHTY SIX THOUSAND AND NO/00 DOLLARS (\$4,086,000.00).

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

10E.

RESOLUTION

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

That the City Manager be authorized to sign a three year Agreement for Third Party Plan Review and Inspection Services by and between the CITY OF EL PASO and ECM INTERNATIONAL, INC. a Texas Corporation, for a total contract amount not to exceed TWO MILLION THREE HUNDRED FORTY THOUSAND AND NO/00 DOLLARS (\$2,340.000.00).

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

10F.

RESOLUTION

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

That the City Manager be authorized to sign a three year Agreement for Third Party Plan Review and Inspection Services by and Between the CITY OF EL PASO and THE INSTITUTE FOR BUILDING TECHNOLOGY AND SAFETY for a total contract amount not to exceed FOUR MILLION FOUR HUNDRED FORTY THOUSAND AND NO/00 DOLLARS (\$4,440.000.00).

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

Mr. Victor Morrison-Vega, Deputy Director, Engineering and Construction Management, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Representatives Byrd, Acosta, Robinson, and Niland commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Richard Bristol, Engineering and Construction Management, commented.

Ms. Joann Carrizal, Code Compliance Inspections, commented.

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10G.

RESOLUTION

THAT the City Manager be authorized to sign a 50 Year License For Public Use of District Real Property (License L-1300) with the El Paso County Water Improvement District No. 1 (“EPCWID1”) which grants a license to the City of El Paso to reconstruct, operate, install, maintain, inspect, repair, replace, or remove any

and all streets currently crossing EPCWID1 facilities within the City Limits, for a total License fee of ONE MILLION SIX HUNDRED EIGHT THOUSAND SEVEN HUNDRED EIGHTY DOLLARS AND NO/100 (\$1,608,780.00) payable in three (3) annual installments.

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

Representative Lilly commented.

Motion made by Representative Byrd, seconded by Representative Robinson, and unanimously carried to **APPROVE** a Resolution

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

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11.

RESOLUTION

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

That the City Manager be authorized to sign a Citywide Litter Control Contract by and between the city of El Paso and both TIBH Industries, Inc., a private non-profit corporation and the certifying party, and Border TM Industries, Inc. d/b/a Xceed Resources, the performing party, to provide specified cleaning and maintenance services for certain properties managed by the City of El Paso's General Services Department, Environmental Services Department and the Airport. This is a service requirements contract at a currently estimated cost to the City of \$2,705,991.60 for the three-year term of the contract.

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None

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12A. MAYOR AND COUNCIL

Discussion and action concerning unpleasant odors in and around the 900 to 1100 block of Pendale Street.

Ms. Cassandra Brown, Assistant to Representative Ortega presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Holguin and Ortega commented.

Ms. Ellen Smyth, Director, Environmental Services, commented.

Mr. David Ornelas, Compliance Manger, El Paso Water Utilities, commented.

The following members of the public commented:

- 1. Ms. Maricarmen Dominguez, Producto Real
- 2. Mr. Mike Johnson, Unique Products, Inc.
- 3. Ms. Lorena Bolanos, MJ Real Properties, Inc.
- 4. Mr. Van Scott, Textape, Inc.

NO ACTION was taken on this item.

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12B. MAYOR AND COUNCIL

Discussion and action on a joint resolution between the City of El Paso, El Paso County, El Paso School Districts, and Hospital District to request the Central Appraisal District to add more commercial appraisers to their staff to address the growing need to get current commercial values closer to market value.
(All Districts)

Mayor Cook and Representatives Lilly, Robinson, Noe, Holguin, Ortega, and Niland commented.

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. William Studer, Deputy City Manager
- 3. Ms. Sylvia Firth, City Attorney, gave legal advice.

Mr. Snapper Carr, Legislative Representative for the City of El Paso, commented.

NO ACTION was taken on this item

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13. CITY MANAGER

Presentation and action of projects implemented under the Neighborhood Improvement Program. **(All Districts)**

Mr. William Lilly, Director, Community and Human Development commented.

Mr. Mark Weber, Neighborhood Services, presented a PowerPoint presentation (copy on file in City Clerk's office).

NO ACTION was taken on this item.

The City Council Meeting was **RECESSED** at 10:58 a.m. in order to convene the Mass Transit Department Board Meeting.

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The City Council Meeting was **RECONVENED** at 11:29 a.m.

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Motion made by Representative Robinson , seconded by Representative Holguin , and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 11:29 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:

- 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 listed on the Agenda.

NOT PRESENT FOR THE VOTE: Representative Byrd

Motion made by Representative Robinson, seconded by Representative Holguin, and unanimously carried to adjourn the Executive Session at 12:43 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Byrd

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EX1. 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

NO ACTION was taken on this item.

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ADD1.

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

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

THAT the City Manager is hereby authorized to sign, on behalf of the City of El Paso, an Interlocal Agreement between the City of El Paso (the "City") and the Ysleta Independent School District (the "District"), for the purpose of the development and joint use of parks and recreational facilities including a public pathway on District lands, with the improvements being a part of a District project funded by a Community Development Block Grant.

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Motion made by Representative Robinson, seconded by Representative Niland, and unanimously carried to **ADJOURN** this meeting at 12:43 p. m.

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk