

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



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

REVISED

AGENDA FOR REGULAR CITY COUNCIL MEETING

April 8, 2008
Council Chambers, City Hall
8:30 a.m.

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

8:30 a.m.: Roll call and Executive Session*
9:00 a.m.: Invocation and Pledge of Allegiance
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

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

Invocation – Police and Fire Chaplain Sam Faraone
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

- 1. SENIOR GAMES MONTH**
- 2. COMMUNITY DEVELOPMENT WEEK IN EL PASO**

RECOGNITION

AIR DEFENSE ARTILLERY SCHOOL INTERNATIONAL MILITARY OFFICERS

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 { HYPERLINK "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.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of April 1, 2008.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign a State Use Contract – Contract for Cleaning Services - between the City of El Paso and TIBH Industries, Inc. (“TIBH”) and Professional Contract Services, Inc. (“PCSI”) for various cleaning services at the El Paso International Airport terminal building. The term of the contract will be through December 31, 2008, and compensation will be \$37,920.28 per month. **(District 3)** [Airport, Patrick Abeln, (915) 780-4724]

3B. Discussion and action on a Resolution authorizing the City Manager to sign a Facilities Use Agreement with the El Paso Housing Finance Corporation (HFC) whereby the City agrees to provide the use of certain City facilities and services to HFC, subject to reimbursement for costs in accordance with the terms of the Agreement. The Agreement shall be for a term of one year and shall automatically renew for one-year terms as more specified in the Agreement. **(All Districts)** [Community and Human Development, Andrea Tirres, (915) 541-4845]

3C. That the City Manager be authorized to sign and accept on behalf of the City a Drainage and PSB Easement Dedication Deed from Enrique Escobar dedicating to the City a 15-foot wide drainage and PSB easement described as being a portion of Lot 11, Block 10, Borderland Heights Unit Three, City of El Paso, El Paso County, Texas. The area is approximately .04 acres in size which will be used to drain and provide a sewer connection for Santiago Court subdivision, and being more fully described by metes and bounds in Exhibit "A" of the Dedication Deed. Subject Property: 6344 Pascal Street. Applicant: Enrique Escobar. SUB08-00009 **(District 1)**
[Development Services/Planning, Raul Garcia, (915) 541-4935]

3D. A Resolution that the El Paso City Council hereby rename the entire length of the street currently known as Allen Bradley Drive which is located south of Wilkinson Drive and north of James Watt Drive (as identified in Exhibit “A”), and authorizes

the City Manager to take the necessary steps to change the name from Allen Bradley Drive to Ability Drive. This is located within the City of El Paso, El Paso County, Texas. Applicant: ReadyOne Industries SUB08-00001 **(District 7)** [Development Services/Planning, Michelle Padilla, (915) 541-4903]

- 3E.** That the City Manager be authorized to sign a two year Professional Services Agreement between the City of El Paso and AMEC Earth & Environmental, Inc., a Nevada Corporation, to perform consulting services for a project known as "Geotechnical and Material Testing" for a contract amount not to exceed \$400,000. Funding: Applicable projects are required to fund each task. **(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 3F.** That the City Manager be authorized to sign a Professional Services Agreement between the City of El Paso and Landscape Architectural Services, a Sole Proprietorship, to perform consulting services for a project known as "Knight's Drive Landscape and Irrigation" for a contract amount of \$79,912 and that the City Engineer be authorized to approve up to \$25,000 in additional services for a total contract amount not to exceed \$104,912. Funding: 99331117-27263-508016-PCP08ST02. **(Districts 3 & 7)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 3G.** That the City Manager be authorized to sign a Local Project Advance Funding Agreement (LPAFA) between the City of El Paso ("City") and the State of Texas, acting by and through the Texas Department of Transportation ("State"). The scope of work for this Agreement is described as the rehabilitation and upgrade to Oregon Street from Glory Road to San Jacinto Plaza. **(Districts 1 and 8)** [Engineering, R. Alan Shubert, (915) 541-4423]
POSTPONED FROM 04-01-08
- 3H.** That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(Districts 1, 2, 3, 4, 7, 8)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3I.** Request that the City Council approve a Lease Purchase Agreement with Key Government Finance, Inc. (Cisco Systems Capital, financing partner for government and education customers) to finance the licensing and maintenance of the City's IronPort software system to be performed by Momentumcom d/b/a Solid Border, a Department of Information Resources (DIR) vendor (contract #DIR-SDD-255) and Historically Underutilized Business (HUB) vendor (#1331009121300). Further, that the City Manager be authorized to execute the agreement and any other required documentation. **(All Districts)** [Information Technology, Gerald Gordier, (915) 541-4288]

4. BOARD APPOINTMENT:

Norma I. Tena to the Empowerment Zone Advisory Board by Representative Eddie Holguin Jr., District 6. [Representative Eddie Holguin, (915) 541-4178] POSTPONED FROM 03-25-08

5. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

- 5A.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a purchase order to Texas Highway Products LTD under The State of Texas Open Market Purchase Order Contract #1257 for procurement of ITERIS Vantage Edge 2 Vehicle Imaging Video Detection System. This system detects vehicles and changes the traffic lights to allow vehicles to proceed. Participation by the City of El Paso in The State of Texas

Cooperative Purchasing Program was approved by Mayor and Council on March 6, 2007.

Department: Street
Account Nos.: 99331117 – 508027 – 27263 – PCP06ST013
Signal/Flasher Installation \$134,050
99331117 – 508027 – 27263 – PCP06ST021
Loop Detectors \$5,200
32010288 – 503203 – 01101
Traffic Signals, Public Accesses Maint & Repairs, General Fund \$5,200
Funding Source: FY06 CO'S, Signal/Flasher Install CP06, Loop Detectors CP06, Public Accesses-Maint & Rep, Government Operations
Total Est. Award: \$144,450
Reference No.: 2008-181
Districts: All
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

- 5B.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized 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 to an award approved by City Council on February 8, 2005. Contract period is April 1, 2008, to March 31, 2011.

Department: Public Health
Account No.: 41150011 – 502400 – 06330 – G4108AD
Funding Source: WIC Administration – Building Leases
Total Estimated Award: \$54,836.64 (3-year extension)
Districts: All
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

- 5C.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a Purchase Order to Momentumcom d/b/a Solid Border, a Department of Information Resources (DIR) contractor under DIR State Contract DIR-SDD-255, for the licensing and maintenance of IronPort software which is the spam and virus blocking software currently used by the City for inbound email.

Department: Information Technology
Account No.: 502202-01101-39010351
(Data Processing Services Contracts)
Funding Source: FY08 Information Technology General Fund
Financed Amount: \$42,555.88 per year
Total Estimated Award: \$122,655.00 (three year total)
Sole Source No.: 2008-187
Districts: All
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
[Information Services, Gerald Gordier, (915) 541-4288]

6. FIRE DEPARTMENT:

Request that the City Of El Paso accept the tested and approved fire hydrants listed on Attachment B to provide adequate fire protection to existing and new areas. **(All Districts)** [Fire, Roberto Rivera, (915) 771-1000]

REGULAR AGENDA - INTRODUCTIONS

7. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

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

An Ordinance changing the zoning of a portion of Lot 26, Block 3, Lafayette Place Addition, City of El Paso, El Paso County, Texas, from R-3 (Residential) to A-2 (Apartment). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 650 Mauer Road. Applicant: Miguel C. Lopez. ZON07-00145 **(District 7) THIS IS AN APPEAL CASE.**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

PUBLIC HEARING WILL BE HELD ON APRIL 29, 2008, FOR ITEM 7

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

8. ENGINEERING:

Discussion and action on a Resolution that the City Manager be authorized to sign a Professional Services Agreement between the City of El Paso and Walter P. Moore & Associates, Inc., a Texas Corporation, to perform consulting services for a project known as "Upper Valley Traffic Study" for a contract amount of \$597,000, and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$647,000. Funding: 99331117-27263-508016-PST08002. **(Districts 1 & 8)** [Engineering, R. Alan Shubert, (915) 541-4423]

9. FINANCIAL SERVICES:

Discussion and action on the award of Solicitation No. 2008-098 (Animal Shelter Software) to HLP, Inc., for a total estimated award of \$98,700.

Department: Health
Award to: HLP, Inc.
Lakewood, CO
Items: Parts 1 & 2

Option: Five years (years 6 – 10 Support Maintenance)
Account No.: 04250201 – 508010 – 27203 – PMB0002130
Funding Source: FY01 Certificates of Obligation
Total Estimated Award: \$98,700 (includes years 2 – 5 Maintenance)
Districts: All

The Departments of Financial Services, Purchasing Division, and Health recommend the award of Part 1 (Animal Shelter Management Software), and Part 2 (Microchip/Vaccination Database Software) as indicated to the vendor offering the best value bid. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
POSTPONED FROM 04-01-08

REGULAR AGENDA – PUBLIC HEARINGS

10. ENGINEERING:

- 10A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at all Times on Certain Streets), of the El Paso City Code to add a new location on the alley between Crosby Avenue and River Avenue, both sides. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 8)**
[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 10B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.010 (Schedule I – One Way Streets), of the El Paso City Code to delete Paragraph 87. The penalty is provided in Section 12.84.010 of the El Paso City Code. **(District 8)**
[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 10C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII - Restrictions on Parking in Residential Districts), of the El Paso City Code to amend Zone E: No Parking 8:00 a.m. – 4:00 p.m., Monday through Friday. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 4)**
[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 10D.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at All Times on Certain Streets) of the El Paso City Code to add a new location on Third Avenue between Virginia Street and Park Road, south side only. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 8)**
[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

11. MUNICIPAL CLERK:

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.85 (Parking Violations Bureau), Section 12.85.020 (Hearing Officers), of the El Paso City Code to amend the process for the appointment of the Hearing Officer. **(All Districts)**
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

12. POLICE DEPARTMENT:

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.21 (Photographic Traffic Signal Enforcement System), of the El Paso City Code to amend the chapter title, definitions, and processes; and to make appropriate references to State statutes regarding the City's existing Photographic Traffic Signal Enforcement System.

(All Districts) [Police Department, Diana Kirk, (915) 564-7000]

REGULAR AGENDA – OTHER BUSINESS

13. MAYOR AND COUNCIL:

13A. Discussion and action concerning the closure of the San Paulo Collection Site and future prospects for the opening of an alternative Mission Valley collection site. **(District 7)** [Representative Steve Ortega, (915) 541-4108]

13B. Discussion and action asking El Paso Water Utilities to hold public informational meetings in order to explain to the citizens of El Paso how the new water rates are calculated. The public meetings should be held throughout the City in order to assure accessibility to the public. [Representative Eddie Holguin, (915) 541-4178]
POSTPONED FROM 04-01-08

14. ECONOMIC DEVELOPMENT:

Discussion and action to authorize the Mayor to sign an Interlocal Agreement for Economic Development Contract Administration Services by and between the County of El Paso and the City of El Paso for more effective and efficient attraction of business and industry to locate or expand in the City and County of El Paso. **(All Districts)**

[Economic Development, Kathryn B. Dodson, (915) 541-4760]

15. ENGINEERING:

Discussion and action to authorize the City Manager to make the necessary budget adjustments to implement the temporary downtown transit terminal on Franklin Avenue between Santa Fe and Oregon Streets and to modify traffic circulation as necessary including temporary street closures. **(District 8)** [Engineering, R. Alan Shubert, (915) 541-4423]

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.) 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 Elvira Arroyo, Our File No. 07-C-154. (551.771)
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]

EX2. City of El Paso, Texas, vs. El Paso Entertainment, Inc. et al.; Cause No. EP07CA0380KC. (551.071) [City Attorney's Office, Hadley Huchton, (915) 541-4550]

NOTICE TO THE PUBLIC:

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

Hearing Assistance Devices are available upon request.

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

{ HYPERLINK "<http://www.elpasotexas.gov/>" }