

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REVISED

AGENDA FOR REGULAR COUNCIL MEETING

April 24, 2012
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.

AND

LEGISLATIVE REVIEW MEETING OF THE WHOLE
10th FLOOR CONFERENCE ROOM
April 23, 2012
9:00 a.m.

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

PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.

ROLL CALL

INVOCATION by POLICE, CHAPLAIN Charlie Flores

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

1. ARBOR DAY 2012
2. NATIONAL REBUILD DAY

RECOGNITIONS

CITY EMPLOYEES

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

NOTICE

Requests to speak must be received by **8:30 a.m.** on the date of the meeting.
30 Minutes total is allotted for speakers.
Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

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

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of April 17, 2012 and the Special City Council Meeting of April 16, 2012.
[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 First Amendment to Non-Commercial Aviation Ground Lease by and between the City of El Paso and Dade Aviation, Inc. to include the correct legal description for the following described leased premises: A 60,000 square foot parcel, more or less, being Lots 25, 26 and 27, and a vacated portion of Boeing Drive, El Paso International Airport Tracts Unit 2, City of El Paso, El Paso County, Texas, and municipally known and numbered as 7605 Boeing Drive, El Paso, Texas.

(All Districts) [Airport, Monica Lombrana, (915) 780-4724]

3B. That the City Manager be authorized to sign "Supplemental Lease Agreement No. 2" to Lease No. GS-07B-16867 by and between the City of El Paso and the United States of America regarding the Transportation Security Administration's rental of space in the El Paso International Airport Terminal building to allow for the installation and usage of communication equipment. **(All Districts)**

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

- 3C.** That the City Council ratify the award of Parks Upgrade 2010 – Phase I, Solicitation No. 2011-185, to Smart Con, LLC, the lowest responsive bidder, and approve the expenditure of additional available funding in the amount of \$6,043 to Smart Con, LLC for additional construction costs for the project. **(Districts 5 and 8)**
[Engineering and Construction Management Department, R. Alan Shubert, (915) 541-4423]
- 3D.** That the City Manager be authorized to sign that certain Waste Exchange Agreement by and between the City of El Paso and El Paso Disposal, LP and Camino Real Environmental Center, Inc. joined for approval purposes by its parent company Waste Connections, Inc. to allow, on a quarterly basis and at no tipping fee except in certain circumstances, for the City to deposit up to 15,000 tons of acceptable waste in the Camino Real Landfill and to allow for El Paso Disposal, LP to deposit up to 15,000 tons of acceptable waste in the Greater El Paso Regional Landfill. **(All Districts)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3E.** That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(All Districts)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3F.** That the City Manager be authorized to sign a Document Storage & Retrieval System, File Validation and Secure Document Destruction Services Contract by and between the City of El Paso and both TIBH Industries, Inc., a private non-profit corporation and the certifying party, and ReadyOne Industries, Inc., the performing party, to provide specified document storage and retrieval, file validation and secure document destruction services for the City, as managed by the City of El Paso's Records Management Division, by and through the City's General Services Department. **(All Districts)**
[General Services, Stuart Ed, (915) 621-6822]
- 3G.** A Resolution that the City Manager be authorized to sign an Agreement for the Temporary Closure of State Right of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas for the temporary closure and use of State-owned Paisano Drive during Puebla En El Paso on May 5th and 6th, 2012 an event scheduled to exceed four hours in length and found by the City to serve a public purpose (NESV12-00015). **(District 8)**
[Planning and Economic Development, Mirian Spencer, (915) 541-4482]
- 3H.** A Resolution that Entravision Communications and Bordier Enterprizes be authorized to provide for the sale and service of alcoholic beverages at Puebla En El Paso in the closed portion of El Paso Street between West Paisano Drive and San Antonio Avenue from 12:00 p.m. Saturday, May 5, 2012 to 2:00 a.m. Sunday, May 6, 2012 (NESV12-00015). **(District 8)**
[Planning and Economic Development, Mirian Spencer, (915) 541-4482]
- 3I.** A Resolution that Lowbrow Palace, LLC be authorized to provide for the sale and service of alcoholic beverages at the Cinco de Mayo Block Party in the closed portion of Robinson Street between Oregon Street and North Mesa Street from 5:00 p.m. Saturday, May 5, 2012 to 2:00 a.m. Sunday, May 6, 2012 (NESV12-00017). **(District 1)** [Planning and Economic Development, Mirian Spencer, (915) 541-4482]

- 3J.** A Resolution that Lava Entertainment Group, LLC be authorized to provide for the sale and service of alcoholic beverages at the Cinco de Mayo Block Party in the closed portions of West San Antonio Avenue between Durango Street and Anthony Street from 2:00 p.m. Saturday, May 5, 2012 to 2:00 a.m. Sunday, May 6, 2012 (NESV12-00016). **(District 8)**
[Planning and Economic Development, Mirian Spencer, (915) 541-4482]

4. BOARD RE-APPOINTMENTS:

- 4A.** Sergio Vasquez to the Fair Housing Task Force by City Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]
- 4B.** Moises Rodriguez, Jr. to the Capital Improvements Advisory Committee by City Representative Susie Byrd, District 2 [Representative Susie Byrd, (915) 541-4416]

5. NOTICE OF CAMPAIGN CONTRIBUTIONS:

For notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contribution by Representative Ann Morgan Lilly in the amount of \$1000 from Daniel M. Rowe; \$1000 from Linda M. Thomas; \$500 from Richard V. Teschner; \$500 from Bette Azar; \$500 from Ike J. Monty; \$500 from Gary B. Sapp; \$500 from Lynn C. Martin; \$1000 from Maria E. Ortiz; \$1000 from Michael A. Hiatt; \$1000 from Marcus Dyer; \$1000 from Herschel A. Stringfield; \$1000 from Scott Winton; \$779.13 from Stanley P. Jobe. [Representative Ann Morgan Lilly (915) 541-4151]

6. APPLICATIONS FOR TAX REFUNDS:

That the tax refunds listed on the attachment posted with this agenda be approved. (See Attachment B) **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]

7. REQUESTS TO ISSUE PURCHASE ORDERS:

- 7A.** Request rejection of the proposals received for Solicitation No. 2012-111R, (EB-5 Regional Center) as recommended by Financial Services Department – Purchasing Division and Planning and Economic Development Department as bids were deemed non-responsive.

Department: Planning & Economic Development
Districts: All
[Planning and Economic Development, Mathew McElroy, (915) 541-4193]
[Financial Services, Bruce D. Collins, (915) 541-4313]

- 7B.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Kidde Fire Trainers, Inc., the sole source provider for Aqua Mesh Fireplace. This purchase is for the upgrade to the Fire Trainer T-2000 to include Aqua Mesh water bath burner retrofit, gas detection, and computer system located at Fire Training Academy.

Department: Fire
Award to: Kidde Fire Trainers, Inc.
Montvale, NJ

Total Estimated Amount: \$105,000
Account Nos.: 22010096 – 502226 – 01101
22010320 – 503303 – 01101
Funding Source: General Fund
Sole Source No.: 2012-211
Districts: All

This is a Sole Source, services contract.
[Fire, Otto Drozd, (915) 485-5610]
[Financial Services, Bruce D. Collins, (915) 541-4313]

8. BEST VALUE PROCUREMENT:

- 8A.** The award of Solicitation No. 2012-119 (Front Loaders) to Sierra Machinery, Inc., for a total of \$251,526.

Department: General Services
Award to: Sierra Machinery, Inc.
El Paso, TX
Items: 1, O-2, O-3
Option: Purchase 100% of Original Contract
Quantities, up to 365 days
Total Award: \$251,526 (2 vehicles)
Account No: 34010289 – 508029 – 40499 – PSWM0017
Funding Source: Environmental Services Department, Heavy
Off-Road Equipment
Districts: All

This is a Best Value, single (one-time) purchase.

The Financial Services - Purchasing Division and General Services – Fleet Division recommend award as indicated to Sierra Machinery, Inc, the bidder offering the best value bid.

[General Services, Stuart Ed, (915) 621-6822]
[Financial Services, Bruce D. Collins, (915) 541-4313]
POSTPONED FROM 04-10-12

- 8B.** That the Purchasing Manager is authorized to notify Baker & Taylor, Inc. the City is terminating Contract No. 2010-066 pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses, and that the termination shall be effective as of April 24, 2012.

Department: Libraries
Districts: All
[Libraries, Dionne L. Mack-Harvin, (915) 543-5413]
[Financial Services, Bruce D. Collins, (915) 541-4313]

- 8C.** The award of Solicitation No. 2012-106 (Audio/Visual Materials-All Languages, Adult and Juvenile) to Baker & Taylor Inc. for an initial term estimated award of \$360,000.

Department: Libraries

Award to: Baker & Taylor Inc.
Charlotte, NC
Items: All
Initial Term: 3 Years
Option: 2 Years
Annual Estimated Award: \$120,000
Initial Term Estimated Award: \$360,000 (3 Years)
Total Estimated Award: \$600,000 (5 Years)
Account No.: 53010202 – 503103 - 01101
Funding Source: General Fund - Library Materials
Districts: All

This is a Best Value, requirements contract.

The Financial Services - Purchasing Division and Libraries recommend award as indicated to Baker & Taylor Inc., the bidder offering the best value bid.

[Libraries, Dionne L. Mack-Harvin, (915) 543-5413
[Financial Services, Bruce D. Collins, (915) 541-4313]

- 8D.** The award of Solicitation No. 2012-148 (Body Armor) to Galls, LLC for a total estimated award of \$377,300.

Department: Police
Award to: Galls, LLC (Alternate 1)
Lexington, KY
Items: All
Initial Term: 2 Years
Option: None
Annual Estimated Award: \$188,650
Total Estimated Award: \$377,300 (2 Years)
Account No.: 21010060 – 503120 – 01101
Funding Source: General Fund – Uniforms and Apparel Supplies
Districts: All

This is a Best Value, unit price contract.

The Financial Services - Purchasing Division and the Police Department recommend award as indicated to Galls, LLC the bidder offering the best value bid.

[Police, Eric Shelton, (915) 564-7301]
[Financial Services, Bruce D. Collins, (915) 541-4313]

- 8E.** The award of Solicitation No. 2012-151 (Tire Recap, Retread and Casing Repair Services) to R. B. Wicker Tire and Rubber Company, Inc. for an initial term estimated award of \$395,137.50.

Department: General Services
Award to: R.B. Wicker Tire and Rubber Company, Inc.
El Paso, TX
Items: All
Initial Term: 3 Years

Option: 2 Years
Annual Estimated Award: \$131,712.50
Initial Term Estimated Award: \$395,137.50 (3 Years)
Total Estimated Award: \$658,562.50 (5 Years)
Account No.: 37370510 – 503125 - 45202
Funding Source: Internal Service Fund – Equipment, Outside Repairs
Districts: All

This is a Best Value, services contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to R. B. Wicker Tire and Rubber Company, Inc., the bidder offering the best value bid.
[General Services, Stuart Ed, (915) 621-6822]
[Financial Services, Bruce D. Collins, (915) 541-4313]

9. BID:

The award of Solicitation No. 2012-109 (Spanish Language Magazines) to Latin American Periodicals, LLC for an initial term estimated award of \$300,000.

Department: Libraries
Award to: Latin American Periodicals, LLC
Nogales, AZ
Items: All
Initial Term: 3 Years
Option: 2 Years
Annual Estimated Award: \$100,000
Initial Term Estimated Award: \$300,000 (3 Years)
Total Estimated Award: \$500,000 (5 Years)
Account No.: 53010202 – 503103 – 01101
Funding Source: Library Materials – General Fund
Districts: All

This is a low bid, supplies contract.

The Financial Services - Purchasing Division and Libraries recommend award as indicated to Latin American Periodicals, LLC, the sole responsive, responsible bidder.
[Libraries, Dionne L. Mack, (915) 543-5413]
[Financial Services, Bruce D. Collins, (915) 541-4313]

REGULAR AGENDA - INTRODUCTIONS

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

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

10A. An Ordinance amending Title 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 San Antonio Avenue from El Paso Street to Florence Street, the penalty being as provided in Section 12.84.010 and Chapter 12.85 of the El Paso City Code. **(District 8)** [Department of Transportation, Keith Bennett, (915) 621-6882]

- 10B.** An Ordinance granting a franchise to Life Ambulance Service Inc. to operate a non-emergency ambulance transfer service. **(All Districts)**
[Fire, Otto Drozd, (915) 485-5605]
- 10C.** An Ordinance granting a franchise to Elite Medical Transport to operate a non-emergency ambulance transfer service. **(All Districts)**
[Fire, Otto Drozd, (915) 485-5605]
- 10D.** An Ordinance granting a franchise to Dominion Ambulance, LLC to operate a non-emergency ambulance transfer service. **(All Districts)**
[Fire, Otto Drozd, (915) 485-5605]
- 10E.** An Ordinance granting a franchise to American Medical Response Ambulance Service, Inc. to operate a non-emergency ambulance transfer service.
(All Districts) [Fire, Otto Drozd, (915) 485-5605]

PUBLIC HEARING WILL BE HELD ON MAY 1, 2012, FOR ITEMS 10A – 10E

- 10F.** An Ordinance changing the zoning of the following real property known as: Parcel 1: Block 34 excluding Lot 1 and Lot 31, all of Block 35 and Block 36 excluding Lot 1 and Lot 20, City of El Paso, El Paso County, Texas, from R-5/SC (Residential/Special Contract) to RMU (Residential Mixed Use); and, Parcel 2: Lot 1, Block 36, Montwood Heights Unit 8, City of El Paso, El Paso County, Texas, from C-3/SC (Commercial/Special Contract) to RMU (Residential Mixed Use). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: north of Zaragoza Road and east of Joe Battle Boulevard. Property Owner: The Housing Authority of the City of El Paso. PZRZ12-00005 **(District 5)** [Planning and Economic Development, Michael McElroy, (915) 541-4238]
- 10G.** An Ordinance releasing all conditions placed on property by Special Contract No. 56-005 of the following parcels: Parcel 1: a portion of Tract 1 and Tract 2, Bassett Center Subdivision, City of El Paso, El Paso County, Texas, and Parcel 2: a portion of Tract 1 and Tract 2, Bassett Center Subdivision, City of El Paso, El Paso County, Texas, and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: north of I-10 and east of Magruder Street. Property Owner: Bassett Place Real Estate Company, LLC. PZCR12-00001 **(District 3)**
[Planning and Economic Development, Michael McElroy, (915) 541-4238]
- 10H.** An Ordinance changing the zoning for the following parcels of land:
Parcel 1. a portion of Tract 1, all of Tracts 3 and 3A, John Barker Survey No. 10 and Tract 4F2B, A.F. Miller Survey No. 215 and Tracts 6 and 7, I.F. Harrison Survey No. 54 and Montecillo Unit Three Amending Plat save and except Lot 2, Block 2, thereof as recorded in clerk's file no. 20090065237 and save and except 4.6007 acres being Lots 3 and 4, Block 9, Montecillo Unit Three Replat A, recorded in clerk's file No. 20110085971, Real property records City of El Paso, El Paso County, Texas, from C-1, C-2, C-3/C, GMU/C, A-2, R-3, R-3A, R-5, and

M-1 to SCZ (SmartCode zone), and Parcel 2. Tract 4, John Barker Survey No. 10, City of El Paso, El Paso County, Texas from M-3 to SCZ (SmartCode zone); and Parcel 3. Lot 1, Block 3, Kings Hill Replat and Tract 4A, 6G and a portion of Tract 6A, A.F. Miller Survey No. 216 and Tract 21, John Barker Survey No. 10, City of El Paso, El Paso County, Texas, from C-1, C-1/SC, A-O/SC, A-O/C/SC, PR-1/SC and R-3 to SCZ (SmartCode zone). The penalty is as provided for in Chapter 21.60 of the El Paso City Code. Property Owner: EPT Mesa Development, LP PZRZ11-00058. **(Districts 1 and 8)**
[Planning and Economic Development, Laura Kissack, (915) 541-4723]

- 10I.** An Ordinance amending Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Chapter 21.40 (Infill Community Plans), Chapter 21.50 (Building Scale Plans), Chapter 21.70 (Definitions of Terms), and Chapter 21.80 (Tables) of the El Paso City Code to clarify the Smartcode provisions, to calibrate the SmartCode to the local character of the place and local conditions, and to add standards for a new transect zone; the penalty is as provided for in Chapter 21.60 of the El Paso City Code. **(All Districts)**
[Planning and Economic Development, David A. Coronado, (915) 541-4632]

PUBLIC HEARING WILL BE HELD ON MAY 15, 2012, FOR ITEMS 10F –10I

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

11. GENERAL SERVICES:

- 11A.** Discussion and action on the award of Solicitation No. 2012-152 (Off-Site Vehicle Propane Fueling Services) to Heritage Operating LP dba Denman Propane for an initial term estimated award of \$873,000.

Department:	General Services
Award to:	Heritage Operating LP dba Denman Propane El Paso, TX
Items:	All
Initial Term:	3 Years
Option:	2 Years
Annual Estimated Award:	\$ 291,000
Initial Term Estimated Award:	\$ 873,000 (3 Years)
Total Estimated Award:	\$1,455,000 (5 Years)
Account No.:	37370510 – 503124 – 45202
Funding Source:	Internal Service Fund – Fuel Inventory Purchases
Districts:	All

This is a low bid, service contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Heritage Operating LP dba Denman Propane, the lowest responsive, responsible bidder.

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

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

- 11B.** Discussion and action on a Resolution that the Purchasing Manager is authorized to notify Rush Truck Centers of Texas, L.P. dba Rush Truck Center, El Paso that the City is terminating Contract No. 2010-063 pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses, and that the termination shall be effective as of April 24, 2012.

Department: General Services

Districts: All

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

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

- 11C.** Discussion and action on the award of Solicitation No. 2012-172 (Peterbilt Proprietary Parts and Service) to Rush Truck Centers of Texas, L.P. dba Rush Truck Center, El Paso for an initial term estimated award of \$510,000.

Department: General Services

Award to: Rush Truck Centers of Texas, L.P. dba
Rush Truck Center, El Paso
El Paso, TX

Items: All

Initial Term: 3 Years

Option: 2 Years

Annual Estimated Award: \$170,000

Initial Term Estimated Award: \$510,000 (3 Years)

Total Estimated Award: \$850,000 (5 Years)

Account No.: 37370510 – 503125 – 45202

Funding Source: Internal Service Fund – Equipment, Outside
Repairs

Districts: All

This is a low bid, service contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Rush Truck Centers of Texas, L.P. dba Rush Truck Center, El Paso, the sole responsive, responsible bidder.

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

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

- 11D.** Discussion and action on a Resolution that the Purchasing Manager is authorized to notify Border International Trucks that the City is terminating Contract No. 2009-290 pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses, and that the termination shall be effective as of April 24, 2012.

Department: General Services

Districts: All

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

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

- 11E.** Discussion and action on the award of Solicitation No. 2012-171 (Cummins Proprietary Parts and Service) to Rush Truck Centers of Texas, L.P. dba Rush Truck Center, El Paso for an initial term estimated award of \$825,000.

Department:	General Services
Award to:	Rush Truck Centers of Texas, L.P. dba Rush Truck Center, El Paso El Paso, TX
Items:	All
Initial Term:	3 Years
Option:	2 Years
Annual Estimated Award:	\$ 275,000
Initial Term Estimated Award:	\$ 825,000 (3 Years)
Total Estimated Award:	\$1,375,000 (5 Years)
Account No.:	37370510 – 503125 – 45202
Funding Source:	Internal Service Fund – Equipment, Outside Repairs
Districts:	All

This is a low bid, service contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Rush Truck Centers of Texas, L.P. dba Rush Truck Center, El Paso, the lowest responsive, responsible bidder.

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

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

12. INFORMATION TECHNOLOGY:

Discussion and action that the City Manager be authorized to sign a Lease between the City of El Paso and Luther Acquisition Company, L.P. for the lease of the property commonly known as 218 North Campbell, El Paso, Texas more particularly described as Lots 11-14, Block 230, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 2, Page 68, Real Property Records, El Paso County, Texas, and that the City Manager, or her designee, be authorized to sign any necessary documents to accomplish the intent of this Resolution.

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

13. MUNICIPAL CLERK:

Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2009-109 (Security – Municipal Court) with Ruiz Protective Service, Inc. for two additional years pursuant to the provisions of an award approved by the City Council on May 12, 2009. The extended contract period will be from June 1, 2012 to May 31, 2014.

Department:	Municipal Clerk
Award to:	Ruiz Protective Services, Inc. Dallas, TX
Option:	One [of One]
Annual Estimated Amount:	\$258,855.24
Total Estimated Amount:	\$517,710.48 (2 Years)
Account No.:	11153060 – 502212 – 16011

Funding Source: Municipal Court Security Fund
Districts: All

This is a Best Value, services contract.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]
[Financial Services, Bruce D. Collins, (915) 541-4313]

REGULAR AGENDA – OTHER BUSINESS

14. MAYOR AND COUNCIL:

14A. LEGISLATIVE REVIEW COMMITTEE:

1. For notation only: Formal report of the Economic Development, Planning & Tourism Legislative Review Committee meeting held on March 1, 2012, as submitted by Steve Ortega, Chair; and,
2. Discussion and presentation on a Preliminary Market Assessment of Convention Activity for the El Paso Convention & Visitors Bureau.
[El Paso Convention and Visitors Bureau, William Blaziek, (915) 534-0608].
3. Discussion and action on options to create a Green Building Initiative that encourages homebuilders and commercial developers to go beyond the 2009 International Energy Conservation Code.
[Engineering and Construction Management Victor Morrison-Vega, (915) 541-4123].
4. Discussion and action on El Paso's new Comprehensive Plan
[Representative Steve Ortega, (915) 541-4124].

14B. Discussion and presentation by the Texas Department of Transportation (TxDOT) on the Status of Alameda Avenue Phase II Project (Intersection of Paisano and Alameda) and the Interstate 10/US 54 Aesthetics Project (Spaghetti Bowl on I-10). **(District 3)** [Representative Emma Acosta, (915) 541-4515]

14C. Discussion and action to direct staff to amend Title 18 (Building and Construction), Chapter 18.08 (Building Code), Section 18.08.070 (Fences), of the El Paso City Code to amend the standards for electric fences to remove the masonry wall requirement for the perimeter fence associated with the installation of an electric fence. **(All Districts)**
[Representative Michiel Noe, (915) 541-4189]

15. DISCRETIONARY FUNDS:

15A. Discussion and action to authorize the use of District 7 discretionary funds, in an amount not to exceed \$1,000, to cover travel expenses for a member of the Downtown Revitalization Committee to conduct an assessment of the City's downtown buildings to identify the 12 best revitalized buildings and the 12 most endangered buildings, serves a municipal purpose and is authorized.
[Representative Steve Ortega, District 7, (915) 541-4124]

15B. Discussion and action that the City Council declares that the expenditure of District 7 discretionary funds, in the amount of \$500, and District 8 discretionary

funds, in the amount of \$500, to support the Segundo Barrio Futbol Club to host a free soccer summer camp for the children of Segundo Barrio, that will play in a City Parks and Recreation league, serves a municipal purpose and is authorized.

[Representative Steve Ortega, District 7 (915) 541-4124]

[Representative Cortney Niland, District 8 (915) 541-4268]

16. DEPARTMENT OF TRANSPORTATION:

Discussion and action on a Resolution that the City Manager be authorized to sign a Local Project Advance Funding Agreement (LPAFA) between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation. The scope of work for this Agreement is described as the rehabilitation of Country Club Road. **(Districts 1 and 8)**

[Department of Transportation, Daryl Cole, (915) 599-6202]

[Department of Transportation, George Acosta, (915) 599-6202]

17. FIRE:

Discussion and action that the Mayor be authorized to sign a Memorandum of Understanding between the City of El Paso and the Texas Engineering Extension Service for training and reimbursement to the City of El Paso in the event that City of El Paso Fire Department personnel who are Texas Task Force One Members are called to assist in Urban Search and Rescue activities under the authority of the State of Texas Emergency Management Plan and the Robert T. Stafford Disaster Relief and Emergency Act, Public law 93-288, as amended 42 U.S.C.5121, et seq.. **(All Districts)**

[Fire, Otto Drozd, (915) 485-5605]

18. ENVIRONMENTAL SERVICES:

- 18.** 1. Discussion and action that the City Manager be authorized to sign a three year agreement for Veterinary Services – Animal Shelter by and between the City of El Paso and Bernie Ray Page, DVM for a total contract amount not to exceed \$450,000.

Department: Environmental Services and Code Enforcement

Districts: All

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

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

2. Discussion and action that the City Manager be authorized to sign a three year agreement for Veterinary Services - Animal Shelter by and between the City of El Paso and Lawrence Koym, DVM, for a total contract amount not to exceed \$120,000.

Department: Environmental Services and Code Enforcement

Districts: All

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

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

3. Discussion and action that the City Manager be authorized to sign a three year agreement for Veterinary Services – Animal Shelter by and between the City of El Paso and Alvaro Medina, DVM, for a total contract amount not to exceed \$90,000.

Department: Environmental Services and Code Enforcement

Districts: All

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

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

4. Discussion and action that the City Manager be authorized to sign a three year agreement for Veterinary Services - Animal Shelter by and between the City of El Paso and Dennis W. Flosi, DVM, for a total contract amount not to exceed \$45,000.

Department: Environmental Services and Code Enforcement

Districts: All

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

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

19. POLICE:

- 19A.** Discussion and action to approve a Resolution authorizing the City Manager to sign the grant application for including all understandings and assurances contained therein, as well as alter or terminate the grant, to the Texas Auto Burglary & Theft Prevention Authority (ABTPA) for the ABTPA grant program in the amount of \$1,724,422 with a local cash match of \$448,470 and an in-kind match of \$1,595,957 for a total of \$3,768,849.

(All Districts) [Police, Eric Shelton, (915) 494-7455]

- 19B.** Discussion and action that the City Manager be authorized to sign the grant application for the Local Border Security Program FY2012 (LBSP-12) project to the Texas Department of Public Safety including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant in the amount of \$1,096,618.92, from the Texas Department of Public Safety to the City of El Paso Police Department, for the purpose of continuing the efforts of the Police Department to reduce crime in the border community to ultimately improve the quality of life for the residents in the City of El Paso.

(All Districts) [Police, Eric Shelton, (915) 564-7310]

20 CITY MANAGER:

City Manager's report of current events and issues:

- 20A** Discussion and action on the 2nd Quarter Financial Report for FY2012.

(All Districts) [City Manager's Office, William Studer, (915) 541-4217]

- 20B.** Presentation and discussion on a report by BKD, L.L.P. ("BKD") on the independent audit of the City of El Paso ("City") Comprehensive Annual Financial Report (CAFR) for fiscal year ending August 31, 2011. Report will include the audit opinion regarding City financial statements and a brief overview of financial results for the City for the fiscal year ended August 31, 2011. **(All Districts)**

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4011]

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.** The Texas Department of Transportation, et. al. vs. H & W Industrial Services, Inc., et. al.; Cause No. 2010-152 (551.071) [City Attorney's Office, Robert Almonte (915) 541-4550]
- EX2.** Discussion and action on the Estate of Betty Marcus-Randle a/k/a Betty E. Marcus Randle a/k/a Betty E. Marcus-Randle, Cause No. 2011-00813P (551.071) [City Attorney's Office, Kristen L. Hamilton, (915) 541-4550]

NOTICE TO THE PUBLIC:

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

Hearing Assistance Devices are available upon request.

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<http://www.elpasotexas.gov/>