

JOHN F. COOK  
MAYOR



JOYCE WILSON  
CITY MANAGER

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

## **AGENDA FOR REGULAR CITY COUNCIL MEETING**

---

**April 26, 2011  
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.

Roll call and Executive Session\*  
Invocation and Pledge of Allegiance  
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, Fire and CIMA Chaplain Sam Faraone  
Pledge of Allegiance**

### **MAYOR'S PROCLAMATIONS**

- 1. COMMUNITY DEVELOPMENT WEEK**
- 2. PUBLIC SERVICE RECOGNITION WEEK**
- 3. DIA DE LOS NIÑOS/DIA DE LOS LIBROS DAY**

### **RECOGNITIONS**

**BERNIE OLIVAS - STAR ON THE MOUNTAIN AWARD**

**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](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 19, 2011.  
[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 Second Amendment to the Air Cargo Center Agreement by and between the City of El Paso and DHL Express (USA), Inc. to allow an option to extend the lease at 301 George Perry Blvd., Suite G, El Paso, Texas, for an additional four months. **(All Districts)**  
[Airport, Monica Lombrana, (915) 780-4724]

**3B.** That the City Manager be authorized to sign a Multiple Use Agreement with the Texas Department of Transportation (TxDOT), substantially in the form submitted, for the purpose of allowing the City access to TxDOT roadways and right-of-way for the installation of new City bus shelters located along and within TxDOT right-of-way. **(All Districts)**  
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]  
[Sun Metro, Jay Banasiak, (915) 534-5810]

**3C.** That the City Manager be authorized to sign an amendment to Interlocal Agreement between the City of El Paso, County of El Paso, Socorro Police Department and Horizon Police Department to submit a joint application to the U.S. Department of Homeland Security – Operation Stonegarden 2010. The amendment is to reflect actual available amount of \$3,449,715. The funds received under the Operation Stonegarden 2010 program will be shared proportionally. The funding agency requires an Interlocal Agreement to be submitted. No cash match required. **(All Districts)**  
[Police, Eric Shelton, (915) 564-7309]

#### 4. SPECIAL APPOINTMENT:

Appointment of Elizabeth Ruhmann as Assistant City Attorney effective May 31, 2011.  
**(All Districts)** [City Attorney's Office, Charlie McNabb, (915) 541-4550]

**5. BOARD RE-APPOINTMENTS:**

- 5A.** Joann Wardy to the Revolving Loan Fund Board by Mayor John F. Cook.  
[Mayor John F. Cook, (915) 541-4145]
- 5B.** Luis H. De La Cruz to the City Plan Commission by Representative Emma Acosta, District 3. [Representative Emma Acosta, (915) 541-4572]
- 5C.** Frederick Z. Gromand to the City Accessibility Advisory Committee by Representative Emma Acosta, District 3. [Representative Emma Acosta, (915) 541-4572]

**6. BOARD APPOINTMENTS:**

- 6A.** Maximiliano Roman to the Animal Shelter Advisory Committee by Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4268]
- 6B.** Julian Gonzalez Herrell to the Ethics Review Commission by Representative Carl L. Robinson, District 4. [Representative Carl L. Robinson, (915) 541-4400]
- 6C.** Melissa Brandrup to the City Plan Commission by Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4268]

**7. REQUESTS TO ISSUE PURCHASE ORDERS:**

- 7A.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2008-101 (Sexual Assault Services) with Tenet Hospitals, Ltd. dba Sierra Medical Center for two additional years pursuant to the provisions of an award approved by the City Council on June 3, 2008. The extended contract period will be from June 3, 2011 to June 2, 2013.

Department: Police  
 Award to: Tenet Hospitals, Ltd. dba Sierra Medical Center  
 El Paso, TX  
 Option: One [of One]  
 Annual Estimated Amount: \$109,500  
 Total Estimated Amount: \$219,000 (2 years)  
 Funding Source: General Fund – Health Care Provider Services  
**Districts: All**

This is a Best Value, service contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Police, Eric Shelton, (915) 564-7310]

- 7B.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2008-111 (Proprietary Parts & Service – Carrier HVAC Systems) with JIVG Enterprises LLC dba Technical Building Services for one additional year pursuant to the provisions of an award approved by the City Council on May 20, 2008. The extended contract period will be from May 21, 2011 to May 20, 2012.

Department: General Services

Award to: JIVG Enterprises LLC dba Technical Building Services  
 El Paso, Texas  
 Option: One [of One]  
 Annual Estimated Amount: \$50,000  
 Total Estimated Amount: \$50,000 (1 year)  
 Funding Source: General Fund – Buildings/Facilities Maintenance Contract  
**Districts: All**

This is a low bid supply contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [General Services, Stuart Ed, (915) 621-6822]

- 7C. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to OverDrive, Inc. the sole source provider of digital book technology and services enabling the Library to lend downloadable popular audio books, eBooks, music, video, and other digital material via the Library’s website with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

This is a thirty-six (36) month contract.

The cost under this 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.

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.

Department: Libraries  
 Award to: OverDrive, Inc  
 Cleveland, OH  
 Initial Term: 3 years  
 Option: Two 2-Year Terms  
 Annual Estimated Amount: \$ 30,000  
 Initial Term Estimated Award: \$ 90,000 (3 years)  
 Total Estimated Award: \$210,000 (7 years)  
 Funding Source: Publications and Subscriptions – General Fund  
 Sole Source No.: 2011-196  
**Districts: All**

This is a Sole Source, services contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Library, Dionne Mack-Harvin, (915) 543-5413]

- 7D. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Sigma Solutions, Inc. a contractor under the Department of Information Resources (DIR) Contract No. DIR-SDD-1385 for a Cisco Wireless Controller, and related hardware and

licenses. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Department of Information Resources (DIR) Cooperative Contracts Program was approved by Mayor and City Council on February 27, 2007.

Department: Libraries  
 Award to: Sigma Solutions, Inc  
 San Antonio, TX  
 Total Estimated Award: \$106,615.40  
 Funding Source: ARRA BTOP Virtual Village  
 Reference No.: 2011-234  
**Districts: All**

This is a Cooperative, unit price contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Library, Dionne Mack-Harvin, (915) 543-5413]

- 7E.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue Purchase Orders to Physio-Control, Inc.; the authorized technical service representative providing manufacturer authorized maintenance and the sole provider for LifePak defibrillators products, parts, accessories, supplies, and service, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

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.

Department: Fire  
 Award to: Physio-Control, Inc.  
 Redmond, WA  
 Annual Estimated Amount: \$96,399.85 (annual installment)  
 Total Estimated Award: \$385,599.40 (4 years)  
 Funding Source: General Fund – Office Equipment Maintenance  
 Sole Source No.: 2011-238  
**Districts: All**

This is a Sole Source, service contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Fire, Terry Kebschull, (915) 771-1076]

**8. BEST VALUE PROCUREMENT:**

The award of Solicitation No. 2011-138 Spay/Neuter Voucher Program to Pets Alive-El Paso, Inc. for an initial term estimated award of \$200,000.

Department: Public Health  
 Award to: Pets Alive-El Paso, Inc.  
 El Paso, TX  
 Items: All  
 Initial Term: 2 years

Option: 2 years  
 Annual Estimated Award: \$100,000  
 Initial Term Estimated Award: \$200,000 (2 years)  
 Total Estimated Award: \$400,000 (4 years)  
 Funding Source: General Fund – Outside Contracts  
**Districts: All**

This is a Best Value services 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 Department and Department of Public Health recommend award as indicated to Pets Alive-El Paso, Inc., the sole responsive, responsible bidder.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Public Health, Michael Hill, (915) 771-5702]

**9. REQUEST FOR PROPOSALS:**

**9A.** The award of Solicitation No. 2011-127R (Golf Course Management Firm) to KemperSports Management, Inc. for a total award of \$371,248.

Department: Aviation  
 Award to: KemperSports Management, Inc.  
 Northbrook, IL  
 Items: All  
 Option: Additional three years upon mutual agreement  
 between parties  
 Annual Amount: Year 1 - \$120,000  
 Year 2 - \$123,711  
 Year 3 - \$127,537  
 Total Estimated Award: \$371,248 (3 years) Fixed Fee plus Incentive Fee:  
 7% of gross annual revenues exceeding \$1,700,000  
 Funding Source: Revenue Contract  
**Districts: All**

This is a Request for Proposal, services contract.

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 Department of Aviation recommend that Landscapes Golf Group be disqualified as non-responsive and the contract be awarded as indicated to KemperSports Management, Inc., the highest ranked proposer based on evaluation factors established for this procurement.

[Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Airport, Monica Lombrana, (915) 780-4724]

- 9B.** The award of Solicitation No. 2011-173R (Comprehensive Airport Liability Insurance) to Wells Fargo Insurance Services USA, Inc. (Phoenix Aviation Managers through Old Republic Insurance Group) for a total award of \$59,644.

Department: Aviation  
Award to: Wells Fargo Insurance Services USA, Inc.  
(Phoenix Aviation Managers through Old Republic Insurance Group)  
El Paso, TX  
Items: All  
Option: None  
Annual Estimated Amount: \$59,644  
Total Estimated Award: \$178,932 (3 years)  
Funding Source: EPIA Enterprise Funds  
**Districts: 2 and 3**

This is a Request for Proposal, services contract.

Annual premiums for years 2 and 3 will be contingent upon loss runs and any State mandated modifiers.

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 Department of Aviation recommend that Texas Municipal League (TML) be disqualified as non-responsive and the contract be awarded as indicated to Wells Fargo Insurance Services USA, Inc. (Phoenix Aviation Managers through Old Republic Insurance Group), the highest ranked proposer based on evaluation factors established for this procurement.

[Financial Services, Bruce D. Collins, (915) 541-4313]  
[Airport, Monica Lombrana, (915) 780-4724]

**10. BID:**

The award of Solicitation No. 2011-191 for the Southside Park Improvements to Prime Irrigation & Landscape, Inc. for a total estimated amount of \$76,752.50.

Department: Engineering and Construction Management  
Award to: Prime Irrigation & Landscape, Inc.  
Base Bid: \$76,752.50  
Total Estimated Completion: \$76,752.50  
Funding Source: Parkland Dedication Funds and 2008 Certificates of Obligation – Neighborhood Improvement Program Round 3.5  
**District: 6**

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.  
[Engineering and Construction Management, R. Alan Shubert, (915)541-4423]

### **REGULAR AGENDA - INTRODUCTIONS**

#### **11. 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.**

**11A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing and Parking Generally), Section 12.44.050 (Angled-Parking - Offset Parking) of the El Paso City Code to allow angle parking in the Central traffic district and the Five Points traffic district. The penalty being as provided in Section 12.85.110 (Fines and Fees) of the El Paso City Code. **(District 8)**  
[Department of Transportation, Ted Marquez, (915) 621-6750]

**11B.** An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), and Chapter 20.10 (Supplemental Use Regulations), Section 20.10.680 (Temporary Uses) of the El Paso City Code to add a definition for fraternal lodge, to amend the definition for a lodge, to allow for fraternal organizations to conduct temporary fund raising activities, to include temporary rental of facilities. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**  
[Planning and Economic Development, Arturo Rubio, (915) 541-4633]

#### **PUBLIC HEARING WILL BE HELD ON MAY 3, 2011, FOR ITEMS 11A – 11B**

**11C.** An Ordinance granting Special Permit No. ZON11-00010, to allow for Infill Development on the property described as north 60 feet of Lot 4, Najera Subdivision, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 418 San Pablo Place. Property Owner: Edmundo A. Lewis. ZON11-00010 **(District 7)**  
[Planning and Economic Development, Esther Guerrero, (915) 541-4720]

**11D.** An Ordinance changing the zoning of a portion of Tract 1, Block 1, Ascarate Grant, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to C-1

(Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: south of Trawood Drive and east of Lee Trevino Drive. Applicant: Vista Hills Country Club. ZON10-00111 (**District 7**)  
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]

- 11E.** An Ordinance amending Title 20 (Zoning), Chapter 20.14 (Off-street Parking, Loading, and Storage Standards), and Appendix C (Minimum Parking Requirements) of the El Paso City Code, to add maximum parking standards and to amend other provisions for vehicle parking requirements. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. (**All Districts**)  
[Planning and Economic Development, Melissa Granado, (915) 541-4730]

### **PUBLIC HEARING WILL BE HELD ON MAY 17, 2011, FOR ITEMS 11C – 11E**

Public Hearings will be held as part of the regular City Council meeting that 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 Thursday, 7:00 a.m. to 6:00 p.m.

### **REGULAR AGENDA – OTHER BUSINESS**

- 12.** Presentation on After-Action Report on Citywide/Regional Response to February 2011 Weather Emergency presented by Fire Chief Otto Drozd.
- Update on regulatory reviews of El Paso Electric and Texas Gas Services.  
[Norman Gordon, Outside Utility Counsel, (915) 541-4550]  
[Finance & Management Support Services, William F. Studer Jr., (915) 541-4777]
  - Final report on city review of Texas Gas Services.  
[Norman Gordon, Outside Utility Counsel, (915) 541-4550]  
[Finance & Management Support Services, William F. Studer Jr., (915) 541-4777]
  - Discussion and action on the procurement of services with an engineering consultant to perform an evaluation and make conclusions and recommendations on the performance of the El Paso Electric Company and the El Paso Water Utility during the weather events from February 2, 2011 to February 7, 2011; and the funding of this project.  
[Engineering and Construction Management, R. Alan Shubert, (915)541-4423]
  - After Incident Report on Citywide/Regional Response to February Weather Emergency. [Fire, Otto Drozd, (915) 771-1016]

### **REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS**

**13. ENVIRONMENTAL SERVICES:**

Discussion and action on the award of Solicitation No. 2011-121 (Asbestos Abatement Services) to Robles & Son's Inc., dba Robles Service Group and MFH Environmental Corporation for an initial term estimated award of \$1,200,000.

Department:	Environmental Services
Award to: Vendor 1	Robles & Son's Inc., dba Robles Service Group Cibolo, Texas

Items: All  
 Initial Term: 3 years  
 Option: Two (one year options)  
 Annual Estimated Award: \$200,000

Award to: Vendor 2 MFH Environmental Corporation  
 El Paso, Texas

Items: All  
 Initial Term: 3 years  
 Option: Two (one year options)  
 Annual Estimated Award: \$200,000

Initial Term Estimated Award: \$1,200,000 (3 years)  
 Total Estimated Award: \$2,000,000 (5 years)  
 Funding Source: Various  
**Districts: All**

This is a Best Value service 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 Environmental Services recommend award as indicated to Robles & Son's Inc., dba Robles Service Group and MFH Environmental Corporation, the bidders offering the best value bid.

[Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Environmental Services, Ellen A. Smyth, (915) 621-6719]

**14. INFORMATION TECHNOLOGY:**

**14A.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Oracle America, Inc., a contractor under Department of Information Resources (DIR) Contract No. DIR-VPC-03-018 for program licenses and support fees needed for new modules necessary for the upcoming re-implementation of PeopleSoft. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing. The participation by the City of El Paso in the Department of Information Resources (DIR) Cooperative Contracts Program was approved by the Mayor and City Council on February 27, 2007.

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.

Department: Information Technology  
 Award to: Oracle America, Inc.  
 Redwood Shores, CA  
 Initial Term: 1 year  
 Option: 2 years (Support only)

Annual Estimated Amount: Year 1: \$1,110,352.26  
 Year 2: \$ 200,227.46  
 Year 3: \$ 200,227.46  
 Total Estimated Award \$1,510,807.18 (3 years)  
 Funding Source: 2010 Certificates of Obligation  
 Reference No.: 2011-231  
**Districts: All**

This is a Cooperative, unit price contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Information Technology, Miguel Gamino, (915) 541-4288]

- 14B.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Hewlett–Packard Company, a contractor under Department of Information Resources (DIR) Contract No. DIR-SDD-1364, for the purchase of a Performance Optimized Datacenter (POD) and power supply and chiller unit as part of the project to modernize and move the City’s server infrastructure out of the City Hall basement and into a more secure site located at the Municipal Service Center, 7968 San Paulo Drive. This location will become the City of El Paso’s Primary Datacenter. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Department of Information Resources (DIR) Cooperative Contracts Program was approved by the Mayor and City Council on February 27, 2007.

Additionally, it is requested that the City Attorney’s Office review and the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department: Information Technology  
 Award to: Hewlett–Packard Company  
 Palo Alto, CA  
 Total Estimated Award: \$2,307,550  
 Funding Source: 2011 Certificates of Obligation  
 Reference No.: 2011-205  
**Districts: All**

This is a Cooperative, unit price contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Information Technology, Miguel Gamino, (915) 541-4288]

- 14C.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Sigma Solutions Inc., a contractor under Department of Information Resources (DIR) Contract No. DIR-SDD-1385, for the purchase of a Cisco network infrastructure consisting of hardware, software, and implementation services both within the POD and to connect the POD network with the Momsen-Dunnegan-Ryan (MDR) disaster recovery datacenter network, which will provide for automated failover in the event of a POD datacenter failure. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Department of Information Resources (DIR) Cooperative Contracts Program was approved by the Mayor and City Council on February 27, 2007.

Additionally, it is requested that the City Attorney's Office review and the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department: Information Technology  
 Award to: Sigma Solutions Inc.  
 San Antonio, TX  
 Total Estimated Award: \$976,573.87  
 Funding Source: IT Capital Acquisitions  
 Reference No.: 2011-204  
**Districts: All**

This is a Cooperative, unit-price contract.

[Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Information Technology, Miguel Gamino, (915) 541-4288]

- 14D.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Hewlett-Packard Company, a contractor under Department of Information Resources (DIR) Contract No. DIR-SDD-1364, for the purchase of HP server equipment, software and support needed to equip the Performance Optimized Datacenter (POD) (\$2.3M) and additional hardware, software, and implementation services needed for the Momsen-Dunnegan-Ryan Disaster Recovery Datacenter (\$1,585,546.04) to complete the configuration replication between the two sites (POD @ MDR) and give the City and County automated failover in the event of a POD failure. This location will become the City of El Paso's Primary Datacenter. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Department of Information Resources (DIR) Cooperative Contracts Program was approved by the Mayor and City Council on February 27, 2007.

Additionally, it is requested that the City Attorney's Office review and the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department: Information Technology  
 Award to: Hewlett-Packard Company  
 Palo Alto, CA  
 Total Estimated Award: \$3,885,546.04  
 Funding Source: 2011 Certificates of Obligation  
 Reference No.: 2011-207  
**Districts: All**

This is a Cooperative, unit price contract.

[Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Information Technology, Miguel Gamino, (915) 541-4288]

- 14E.** Discussion and action on the request that the Purchasing Manager, Financial Services, Purchasing Division be authorized to issue a Purchase Order to Hewlett-Packard Company, a State Department of Information Resources (DIR) contractor under DIR State Contract No. DIR-SDD-1074 for testing, start-up services, and commissioning the Performance Optimized Datacenter (POD) in the amount of \$159,709 and under DIR-SDD-1364 for a Custom 3 year Response Support Service for all hardware and software, one year at a time, in the amount of \$86,108.67, for an annual total of \$245,817.70. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Department of Information Resources (DIR) Cooperative Contracts Program was approved by the Mayor and City Council on February 27, 2007.

Additionally, it is requested that the City Attorney's Office review and the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department:	Information Technology
Award to	Hewlett-Packard Company Palo Alto, CA
Initial Term:	\$ 86,108.67 (Year 1 Custom Support) <u>\$159,709.00</u> (Year 1 Start-up, Testing & Commissioning)
Annual Estimated Amount:	\$245,817.67
Option:	\$ 86,108.67 (Year 2 Custom Support) <u>\$ 86,108.66</u> (Year 3 Custom Support)
Total Estimated Amount	\$418,035.00 (3 Year Total)
Funding Source:	2011 Certificates of Obligation
Reference No.;	2011-208
<b>Districts:</b>	<b>All</b>
	[Financial Services, Bruce D. Collins, (915) 541-4313] [Information Technology, Miguel Gamino, (915) 541-4288]

**15. LIBRARY:**

Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Checkpoint Services, Inc., a contractor under Department of Information Resources (DIR) Contract No. DIR-SDD-890 and DIR-SDD-1630, for Dell Personal Computers, Dell Laptop Computers, Related equipment, and Sophos Anti Virus Software for ARRA BTOP Partner (non-city) intended computers. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Department of Information Resource (DIR) Cooperative Contracts Program was approved by Mayor and City Council on February 27, 2007.

Department:	Libraries
Award to:	Checkpoint Services, Inc El Paso, TX

Total Estimated Award: \$1,266,514.18  
 Funding Source: ARRA BTOP Virtual Village  
 Reference No.: 2011-233  
**Districts: All**

This is a Cooperative, unit price contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Library, Dionne Mack-Harvin, (915) 543-5413]

### **REGULAR AGENDA – PUBLIC HEARINGS**

#### **16. PLANNING AND ECONOMIC DEVELOPMENT:**

- 16A.** An Ordinance changing the zoning of the following real property known as:  
 Parcel 1: A portion of Section 46, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, from C-1 (Commercial) to R-5 (Residential) Parcel 2: A portion out of 318.9530 acre tract of land as recorded in Book 3134, Page 1607, Real Property Records of El Paso County, Texas and also being a portion of Section 46, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas from R-5 (Residential) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Parcel 1: Ventana Avenue, East of Tierra Este Road; Parcel 2: Ventana Avenue, West of Rich Beam Boulevard. Property Owner: GFA, LLC. ZON11-00001 **(District 6)**  
 [Planning and Economic Development, Esther Guerrero, (915) 541-4720]
- 16B.** An Ordinance amending Title 21, (Smart Code), Chapter 21.10 (General To All Plans), Chapter 21.30 (New Community Plans), Chapter 21.40 (Infill Community Scale 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 code and add standards for new zones. 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]

#### **17. ENVIRONMENTAL SERVICES:**

An Ordinance amending Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management), Section 9.04.880 (City Abatement) to amend the notice requirements. The penalty being as provided in Section 9.04.630 of the El Paso City Code.  
**(All Districts)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]

#### **18. PUBLIC HEALTH:**

- 18A.** An Ordinance amending Title 9 (Health and Safety), Chapter 9.12 (Food and Food Handling Establishments), Section 9.12.010 (Definitions) to amend "Mobile Establishment"; Section 9.12.040 (Permit – Approval Process) to remove reference to the 1000 foot separation requirement; Section 9.12.180 (Renewal) to revise the time frame; Section 9.12.800 (Mobile Establishments) in its entirety to remove the Mobile Establishment sticker and the 1000 foot separation requirements; and Section 9.12.810 (Temporary, Recurrent and Seasonal Establishments) to clarify inspection of central preparation facilities and to

exempt permitted mobile establishments from duplicate permit requirements; the penalty as provided in Section 9.12.890 of the El Paso City Code.

**(All Districts)** [Public Health, Michael Hill, (915) 771-5702]

- 18B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.46 (Mobile Food Vendors), Section 12.46.020 (Mobile Food Vending Regulations) to modify certain stopping, standing or parking distance restrictions; to remove the nocturnal sales prohibition and distance limitation regarding a commercial daycare facility; the penalty as provided in Section 12.46.020K. of the El Paso City Code. **(All Districts)** [Public Health, Michael Hill, (915) 771-5702]

### **REGULAR AGENDA – OTHER BUSINESS**

#### **19. MAYOR AND COUNCIL:**

- 19A.** Discussion and action regarding updates to the City of El Paso State Legislative Agenda and matters involving public utilities.  
[Mayor John F. Cook, (915) 541-4015]
- 19B.** Discussion and action on rezoning the City-owned land on the Westside of the Franklin Mountains to Smart Code. [Representative Beto O'Rourke, (915) 541-4268]
- 19C. Legislative Review Committee Report:**
1. For notation: Formal report of the Economic Development, Planning and Tourism Legislative Review Committee meeting held on April 7, 2011, as submitted by Representative Steve Ortega, Chair; and,
  2. Discussion pertaining to the agenda items, as posted on the agenda of said Legislative Review Committee meeting, as follows:
    - a. Staff status report and discussion on Capital Improvement Projects.  
[Engineering and Construction Management, R. Alan Shubert, (915)541-4423]
    - b. Discussion and action on the creation of the City of El Paso Economic Development Incentive Policy for the purpose of job creation, attracting and retaining alternative energy companies, and developing a sustainable Alternative Energy Cluster in the city.  
[Planning and Economic Development, Kathryn B. Dodson, (915) 541-4670]
    - c. Presentation, discussion, and action on a potential Smart Code Master Planned development located near the intersection of I-10 and Executive Center Drive.  
[Planning and Economic Development, Kathryn B. Dodson, (915) 541-4670]
    - d. Presentation, discussion, and action on a potential Smart Code Master Planned development located at the intersection of Joe Battle and Montana Avenue.  
[Planning and Economic Development, Kathryn B. Dodson, (915) 541-4670]
    - e. Discussion and action on a recommendation by the Open Space Advisory Board that the city initiate rezoning of Keystone and Rio Bosque to a Natural Open Space (NOS) District and that both Keystone and Rio

Bosque be designated as a Wildlife Sanctuary under the Natural Open Space (NOS) District.

[Planning and Economic Development, Philip Etiwe, (915) 541-4635]

- f. Discussion and action on a recommendation to amend Title 19 (Subdivisions) to add provisions for development plats and to require restrictive covenants for non-residential subdivision.  
[Planning and Economic Development, Philip Etiwe, (915) 541-4635]
- g. Discussion and action on creating a zoning district for city owned property to be held as an urban reserve until such time as a master plan can be developed for said property.  
[Planning and Economic Development, Mathew McElroy (915) 541-4193]
- h. Discussion and action to approve an Ordinance amending Title 2 (Administration and Personnel), Chapter 2.102 (Neighborhood Association Recognition) of the El Paso City Code in its entirety, to provide as standardized recognition policy; to define terms; to provide criteria for recognition and registration of a neighborhood association or civic association; to establish the responsibilities of a recognized neighborhood association; to clarify the process for suspension or revocation of recognition status; and to clarify the services available to be recognized neighborhood associations.  
[Community Development, Mark Weber, (915) 541-4932]
- i. Discussion and action on economic development related negotiations and possible incentives for business prospect GM-033111. (551.087)  
[Planning and Economic Development, Kathryn B. Dodson, (915) 541-4670]
- j. Discussion and action on economic development related negotiations and possible incentives for business prospect EC- 033111. (551.087)  
[Planning and Economic Development, Kathryn B. Dodson, (915) 541-4670]

**19D.** Discussion and action on a Resolution to adopt the City of El Paso's formal position on the design and development of the Texas Department of Transportation's Loop 375 Southern Corridor Phase II Project, for that portion of the project between Park Street and the Schuster Avenue Extension.

[Mayor John F. Cook, (915) 541-4015]

**20. COMMUNITY AND HUMAN DEVELOPMENT:**

**20A.** Discussion and action on a Resolution that City Council amend the Annual Action Plan (2008-2009) and the 2009-2012 Community Development Block Grant Recovery (CDBG-R) Program by adding a new activity, Stiles Drive - Street and Drainage Improvements from Dodge Road to Bucher Road – Construction, to enable the City to expend its entire \$2,284,192 three-year grant in a timely and efficient manner; and that the City Manager be authorized to take any actions necessary to accomplish the intent of this resolution upon approval by the City Attorney's Office and Director of Community and Human Development Department. **(District 3)**

[Community and Human Development, William Lilly, (915) 541-4643]

**20B.** Discussion and action on a Resolution whereby the City approves and adopts the 2011 Analysis of Impediments to Fair Housing Choice for the City of El Paso,

Texas and confirms the City's continued commitment to affirmatively further fair housing. **(All Districts)**

[Community and Human Development, William Lilly, (915) 541-4643]

- 20C.** Discussion and action on a Resolution to approve an Empowerment Zone Revolving Loan Fund Small Business Loan application and loan funding to Seham's House of Coffee, Inc., in the amount of \$210,000, as recommended by the Director of Community and Human Development; and, that the City Manager be authorized to execute any and all loan related documents by and among the City of El Paso, Seham's House of Coffee, Inc., and loan guarantor(s), required to meet loan program requirements, loan disbursement, and loan securitization upon approval by the City Attorney's Office. **(District 8)**

[Community and Human Development, William Lilly, (915) 541-4643]

## **21. PLANNING AND ECONOMIC DEVELOPMENT:**

- 21A.** Discussion and action that the City Manager be authorized to execute a Chapter 380 Economic Development Program Agreement by and between the City of El Paso and EPT Mesa Development, L.P., EPT Montecillo Development West, L.P., and EPT Montecillo Development East, L.P. (collectively, the "Applicant") in relation to the Applicant's development of a Smart Code Master Planned Community on approximately 292.0754 acres of real property located on North Mesa Avenue, El Paso, Texas. **(All Districts)**

[Planning and Economic Development, Kathryn B. Dodson, (915) 541-4670]

- 21B.** Discussion and action that the City Manager be authorized to execute a Chapter 380 Economic Development Program Agreement by and between the City of El Paso and Cruzero Development, LLC (the "Applicant") in relation to the Applicant's development of a Smart Code Master Planned Community on approximately 228 acres of real property located at the intersection of Joe Battle and Montana Avenue in El Paso, Texas, subject to the inclusion of a metes and bounds property description in the Agreement prior to its execution.

**(All Districts)** [Planning and Economic Development, Kathryn B. Dodson, (915) 541-4670]

## **22. CITY MANAGER:**

City Manager's report of current events and issues:

Discussion and action on Quarterly Financial Report: 2nd Quarter Financial Report for Fiscal Year 2011. **(All Districts)**

[Finance & Management Support Services, William F. Studer Jr., (915) 541-4777]

## **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 Claim of Alberto Lujan, Jr.; Our File No. 10-C-200 (551.071)  
[City Attorney's Office, Karla M. Nieman (915) 541-4550]
- EX2.** Kirk H. Smith vs. City of El Paso, et al; Cause No. EP-08-CA-0147-KC (551.071)  
[City Attorney's Office, Karla M. Nieman (915) 541-4550]
- EX3.** Lease of City property located at 701 Montana Avenue. (551.072)  
[City Attorney's Office, Marie Taylor, (915) 541-4550]
- EX4.** Legal issues relating to the investigations into power outages in El Paso Electric's service area in February 2011 including investigations before the Public Utility Commission of Texas, PUC Docket No. 39134, the Federal Energy Regulatory Commission, Western Electricity Coordinating Council and New Mexico Public Regulation Commission and North American Electric Reliability Corporation. (551.071)  
[City Attorney's Office, Bertha Ontiveros, (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 THURSDAY AT THE ADDRESS BELOW:**

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