

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

**June 8, 2010
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, & CIMA Chaplain Sam Faraone
Pledge of Allegiance**

MAYOR'S PROCLAMATION

- 1. WEST POINT DAY**
- 2. FLAG OBSERVANCE DAY**

RECOGNITIONS

- 1. UTEP - ENGINEERING TRANSPORTATION LAB**
- 2. ALL - AMERICA CITY DELEGATION**

CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

Requests to speak must be received by 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 June 1, 2010.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

Mayor Pro Tempore Emma Acosta

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign the Third Amendment to the Airline Operating Agreement and Terminal Building Lease by and between the City of El Paso and Delta Air Lines, Inc. for the purpose of extending the term to August 31, 2011 and replacing Exhibits "A", "B-1", and "B-2".

(All Districts) [Airport, Monica Lombrana, (915) 780-4793]

3B. That the City Manager is hereby authorized to sign a Temporary Land Use Lease by and between the City of El Paso and EAN Holdings, LLC for the following described property: A portion of Block 2, Tract 4A, Ascarate Grant, City of El Paso, El Paso County, Texas, containing approximately 100,000 square feet of land, and which is located behind Cargo Building 2, located at 6415 Convair Road, El Paso, El Paso County, Texas.

(All Districts) [Airport, Monica Lombrana, (915) 780-4793]

3C. That the City Manager be authorized to sign an Approval of Assignment by and among the City of El Paso ("City"), Enterprise Leasing Company – West, LLC ("Assignor") and EAN Holdings, LLC ("Assignee") of the July 1, 2006 Vehicle Rental Concession Agreement.

(All Districts) [Airport, Monica Lombrana, (915) 780-4793]

3D. That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"), Enterprise Holdings, Inc., formerly known as Enterprise Rent-A-Car Company, ("Assignor"), and EAN Holdings, LLC ("Assignee") for the following described property: Lot 3, Block 1-B, El Paso International Airport Tracts, City of El Paso, El Paso County, Texas, containing 33,115 square feet of land, commonly known as 6400 Convair Road, El Paso, Texas. **(All Districts)** [Airport, Monica Lombrana, (915) 780-4793]

- 3E. That the City Manager be authorized to sign a Surrender of a Temporary Land Use Lease by and between the City of El Paso and Enterprise Leasing Company – West. **(All Districts)** [Airport, Monica Lombrana, (915) 780-4793]

- 3F. That the City Council approves the expenditure of additional available funding in the amount of \$59,415 to Arrow Building Corporation for additional construction costs of the Glory Road Transit Terminal. Change Order 9 provides for labor, materials and equipment for removal and relocation of the existing driveway for the Shoppes at Glory Road, adding no days of contract time [change order number 9] for Contract Number 2009-145. The new contract sum, including change order 9, is \$9,292,982.72.
(District 1) [Engineering, R. Alan Shubert, (915) 541-4423]

- 3G. A resolution to authorize the City Manager to sign a License Agreement by and between the City of El Paso and C.F. Jordan Construction, LLC for the use of City-owned property (4320 Delta) as a temporary construction yard to support the construction project at the University Medical Center and Children's Hospital in El Paso, Texas. **(District 8)** [Financial Services, Liza Ramirez-Tobias, (915) 541-4074]

- 3H. That the Mayor and City Council accept the recommendation from the Citizen's Advisory Committee to name the new Mission Valley Transfer Center located at 9065 Alameda the Nestor A. Valencia Mission Valley Transfer Center.
(All Districts) [Sun Metro, Jay Banasiak, (915) 534-5810]

4. BOARD RE-APPOINTMENT:

Margaret Peg Booker to the Community Development Steering Committee by Representative Rachel Quintana, District 5.
[Representative Rachel Quintana, (915) 541-4701]

5. BOARD APPOINTMENT:

Trinidad Acevedo to the Community Development Steering Committee by Representative Beto O'Rourke, District 8.
[Representative Beto O'Rourke, (915) 541-4268]

6. REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

- 6A. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2007-171 (Proprietary Parts and Service - Dodge/Chrysler Motor Company) with Driveway Dodge, Chrysler, Jeep for two additional years pursuant to the provisions of an award approved by the City Council on July 10, 2007. Extended contract period will be from July 10, 2010 to July 9, 2012.

Department: General Services - Fleet Division
 Option: One [of One]
 Funding Source: Fleet Services Internal Service Fund
 Total Estimated Amount: \$34,000 (Total for 2 year extension)
Districts: All
 [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
 [General Services, Stuart Ed, (915) 621-6822]

- 6B.** Request that the Purchasing Manager of Financial Services, Purchasing Division, be authorized to issue a Purchase Order to OTTO Environmental Systems, the Houston-Galveston Area Council Cooperative Purchasing Program (H-GAC) contractor under Contract No. GC01-09 (Refuse Containers & Lifters) for refuse containers and lifters. Total estimated expenditures are \$215,000.

The participation by the City of El Paso in the Houston-Galveston Area Council (H-GAC) was approved by Mayor and City Council on May 8, 2007.

Department: Environmental Services
 Funding Source: Furniture and Fixtures
 Total Estimated Amount: \$215,000
 Reference No.: 2010-229

Districts: All
 [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
 [Environmental Services, Ellen A. Smyth, (915) 621-6719]

- 6C.** Request that the Purchasing Manager of Financial Services, Purchasing Division, be authorized to exercise the City's option to extend current Contract 2008-084 (Administration of City of El Paso Housing Program for Community and Human Development) with AmeriNational Community Services, Inc. for two additional years pursuant to the provisions of an award approved by the City Council on June 17, 2008. Extended contract period will be from September 1, 2011 to August 31, 2013.

Department: Community and Human Development
 Funding Source: HOME Program Income & CDBG Revolving Loan Funds
 Total Estimated Amount: \$260,000 (Total for two year extension)

Districts: All
 [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
 [Community and Human Development, William L. Lilly, (915) 541-4241]

7. BIDS:

- 7A.** The award of Solicitation No. 2010-195 for the Montoya Heights Subdivision Street & Drainage Improvements Phase I; Mike Ln., Liana Ct., Conifero Ct., & Batiste Ln. to J.A.R. Concrete, Inc. dba J.A.R. Construction, Inc. for a total estimated amount of \$371,126.75.

Department: Engineering
 Award to: J.A.R. Concrete
 Base Bid I: \$304,909.35
 Base Bid II: \$ 66,217.40
 Total Estimated Award: \$371,126.75
 Funding Source: Community Development Block Grant 35th Year
 El Paso Water Utilities

District: 1

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 Department recommends award as indicated to the lowest responsible bidder.

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

- 7B. The award of Solicitation No. 2010-168 for the 2010 Sidewalk Gap Program, to Lomeli & Sons Landscaping Co., Inc. for a total estimated amount of \$176,542.

Department: Engineering
Award to: Lomeli & Sons Landscaping Co., Inc.
Base Bid: \$176,542
Total Estimated Award: \$176,542
Funding Source: 2006 Certificates of Obligation
District(s): All

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 Department recommends award as indicated to the lowest responsible bidder.

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

- 7C. The award of Solicitation No. 2010-156 (Police Uniform Accessories) to Uniforms of Texas, On Time Embroidery, MTM Recognition, and Rocks-AKA-School Wear for a total estimated award of \$62,831.73.

Department: Police Department
Award to: Vendor 1: Uniforms of Texas
El Paso, TX
Item(s): Group I – 1-6, 15-17, 20-21
Group II – 1, 6
Option: 2 Years

Annual Estimated Amount: \$8,655.91

Award to: Vendor 2: On Time Embroidery
Elk Grove Village, IL
Item(s): Group I – 7-11
Option: 2 Years
Annual Estimated Amount: \$3,085

Award to: Vendor 3: MTM Recognition
Del City, OK
Item(s): Group I – 14, 18-19, 22-23
Option: 2 Years
Annual Estimated Amount: \$4,280

Award to: Vendor 4: Rocks-AKA-School Wear
El Paso, TX
Item(s): Group II – 2-5
Option: 1 Year
Annual Estimated Amount: \$4,923

Funding Source: General Fund – Uniforms and Apparel
Total Estimated Award: \$62,831.73 (3 Years)
Districts: All

This is a thirty-six month requirements type 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 Departments of Financial Services, Purchasing Division, and Police recommend award to the lowest responsive, responsible bidders.
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
[Police Department, Eric Shelton, (915) 564-7301]

REGULAR AGENDA - INTRODUCTIONS

8. 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.**

- 8A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits) of the El Paso City Code by amending Subsection G, forty miles per hour, Number 12: Socorro Road from 400 feet southeast of Southside Road and 450 feet southeast of Avenue of the Americas to 400 feet southeast of Southside Road and the southeast city limits; and to delete Number 2 in Subsection H, forty-five miles per hour, Socorro Drive between a point 450 feet southeast of Avenue of the

Americas and the southeast city limits; the penalty being as provided in Section 12.84.010 (Violation--Penalty) of the El Paso City Code. **(District 6)**
 [Engineering/Traffic Division, Ted Marquez, (915) 541-4050] **POSTPONED FROM 05-18-10**

- 8B. An Ordinance authorizing the City Manager of the City of El Paso to sign a quit claim deed to convey to the state of Texas, approximately 31.118 acres of land known as a portion of Fred Wilson Avenue, Marshall Road and Airport Road in the City of El Paso, located in Sections 19 and 30, Block 80, Township 2 and Sections 17, 18, 19 and 20, Block 81, Township 2, Texas and Pacific Railway Company surveys, El Paso County, Texas, said parcel to be included in the state of Texas Spur 601 controlled access highway project; and authorizing the City Manager to sign any and all documents necessary to complete the transfer of the land. **(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 8C. An Ordinance amending Title 9 (Health and Safety), Chapter 9.08 (Junked Vehicles), Section 9.08.020 (Definitions) to amend the definition of junked vehicle; to clarify which entity cancels certificates of Title in 9.08.030 (Abatement); and to clarify appropriate cover of antique and special interest vehicles stored outdoors in 9.08.040C (Exceptions); the penalty as provided in Section 9.08.070 of the El Paso City Code. **(All Districts)**
 [Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 8D. An Ordinance authorizing the City of El Paso to sell the property municipally known and numbered as 800 S. Piedras aka 2914 E. Paisano to International Communications of El Paso, Inc. **(District 8)**
 [Financial Services, Liza Ramirez-Tobias, (915) 541-4074]

PUBLIC HEARING WILL BE HELD ON JUNE 15, 2010, FOR ITEMS 8A –8D

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 BIDS, CONTRACTS, PROCUREMENTS

9. FINANCIAL SERVICES:

- 9A. Discussion and action on the request that the Purchasing Manager of Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract No. 2008-108R (Airport Financial and Planning Services) with Ricondo & Associates, Inc. for twenty-four additional months, pursuant to the provisions to the award approved by City Council on July 22, 2008. Contract period is July 22, 2010 to July 22, 2012.

In addition, the City Manager or designee be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department: Aviation
 Funding Source: Airport Operating Funds

Total Estimated Award: \$750,000 (total for 2 years)

Districts: All

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

[Airport, Monica Lombrana (915) 780-4793]

9B. Discussion and action on the award of Solicitation No. 2010-006 (Police Uniforms) to Uniforms of Texas for a total estimated amount of \$571,949.40.

Department: Police Department

Award to: Vendor 1: Uniforms of Texas

El Paso, TX

Item(s): Group I – 2, 3, 4, 6, 8, 9, 10, 11

Group II – 1, 2, 3, 4, 5, 6

Group III – 1, 2, 3, 5, 6, 7, 8, 9

Group IV – 1, 2, 3, 4, 5, 6

Group V - 1

Option: 2 Years

Annual Estimated Amount: \$156,439.80

Award to: Vendor 2: Uniforms of Texas (Alternate #1)

El Paso, TX

Item(s): Group I – 1, 5, 7, 12

Group III – 4

Option: 2 Years

Annual Estimated Amount: \$34,210.00

Funding Source: General Fund – Uniforms and Apparel

Total Estimated Award: \$571,949.40 (3 Years)

District(s): All

This is a thirty-six (36) month requirements type 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 Departments of Financial Services, Purchasing Division, and Police recommend ServiceWear Apparel be considered non-responsive to the bid and recommend award to Uniforms of Texas, the vendor offering the best value bid.

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

[Police Department, Eric Shelton, (915) 564-7301]

9C. Discussion and action on the award of Solicitation No. 2010-094 (Fleet Vehicles) to Casa Ford, Inc. for a total estimated award of \$570,838.40.

Department: General Services

Award to: Casa Ford, Inc.

El Paso, TX

Items: Group III, Item 1 and

Optional Item Four Wheel Drive

Option: Extending the term of the contract through the manufacturer's build-out date for model year 2012,

2013 and 2014 vehicles.
 Annual Estimated Amount: \$285,419.20
 Funding Source: Vehicular Equipment; Green Fleet Vehicles
 Total Estimated Award: \$570,838.40 (2 years)
Districts: All

This is a twenty four month requirements type 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 Departments of Financial Services, Purchasing Division, and General Services recommend award to Casa Ford, Inc., the sole responsive, responsible bidder for the item as indicated.

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

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

- 9D.** Discussion and action on the award of Solicitation No. 2010-187 (Towing, Storage and Sale of Motor Vehicles) to Sun City Towing and Recovery for a total estimated amount of \$1,500,000.

Department: Police
 Award to: Sun City Towing and Recovery
 El Paso, TX
 Items: All
 Options: (1) Extend 6 month period if the option is exercised prior to the expiration of the original contract term.
 (2) Extend 6 month or 1 year period if option is exercised prior to the expiration of the first 6 month option.
 Funding Source: Abandoned Auto – Restricted Fund
 Total Estimated Award: \$1,500,000
Districts: All

This is a twelve month requirements type contract for Towing, Storage and Sale of Motor Vehicles.

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 Departments of Financial Services, Purchasing Division, and Police recommend award as indicated to the lowest responsive, responsible bidder

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

[Police Department, Eric Shelton, (915) 564-7301]

10. ENGINEERING:

- 10A.** Discussion and action on the award of Solicitation No. 2010-196 for the Montoya Heights Subdivision Street & Drainage Improvements Phase II; Ethel Rd. (Edgar

Rd. to Coates Rd.) and Edgar Rd. (Ethel Rd. to Dead End) to J.A.R. Concrete, Inc. dba J.A.R. Construction, Inc., for a total estimated amount of \$634,517.94.

Department: Engineering
 Award to: J.A.R. Concrete
 Base Bid I \$540,831.56
 Base Bid II \$ 93,686.38
 Total Estimated Award: \$634,517.94
 Funding Source: 2004 General Obligation Bonds
 El Paso Water Utilities

District: 1

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 Department recommends award as indicated to the lowest responsible bidder.
 [Engineering, R. Alan Shubert, (915) 541-4423]

- 10B.** Discussion and action on the award of Solicitation No. 2010-170 for the International Bridges – Stanton Toll Facility and Paso Del Norte Facility Improvements to Urban Associates, Inc. for a total estimated amount of \$12,125,093.44.

Award to: Urban Associates, Inc.

Base Bid 1: Stanton Toll Facility Improvements	\$4,699,538.00
Base Bid 2: Paso Del Norte Facility Improvements	\$4,966,078.00
Base Bid 3: Rehabilitation and Construction of Lions Placita	\$524,711.00
Base Bid 4: Pedestrian Bridge Canopies at Stanton Toll Facility Improvements	\$1,830,367.00
Base Bid 5: Paso Del Norte Public Art Foundation	<u>\$104,399.44</u>
Sum Total Base Bid 1, 2, 3, 4 & 5	\$12,125,093.44

Funding Source: State Infrastructure Banks (SIB) Loan, The American Recovery and Reinvestment Act (ARRA) and 2006 Certificate of Obligation

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

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 design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000.00 per numbered change order without further authorization by City Council.

This is a lump-sum contract. The International Bridges and Engineering Departments recommend award to the offeror who submitted the highest ranked proposal. **(District 8)** [Engineering, R. Alan Shubert, (915)541-4423]

REGULAR AGENDA – PUBLIC HEARINGS

11. DEVELOPMENT SERVICES:

11A. An Ordinance changing the zoning of a portion of Lot 1, Block 42, Ridge View Estates Unit Sixteen, City of El Paso, El Paso County, Texas from R-3A/SC (Residential/Special Contract) to C-1/SC (Commercial/Special Contract), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1451 Redd Road. Property Owner: MS Property, LLC. ZON10-00010 **(District 1)**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

11B. Discussion and action on a request from Chris Malooly, on behalf of Mesa Mountain, LLC, for City Council to grant an exception from the prohibition of the sale of alcoholic beverages within three hundred feet of a school for the property located at 5668 N. Mesa. **(District 1)**
[Development Services/Planning, Linda Castle, (915) 541-4029]

REGULAR AGENDA – OTHER BUSINESS

12. ECONOMIC DEVELOPMENT:

Discussion and action on a Resolution to approve the Empowerment Zone Revolving Loan Fund Small Business Loan application and loan funding be approved to Perspectiva Group, Inc. in the amount of \$350,000 for working capital, acquisition of machinery and equipment, and property rehabilitation, as recommended by the Director of Economic Development and in accordance with the adopted loan program lending guidelines; and that the City Manager be authorized to execute any and all loan related documents between the City of El Paso and Perspectiva Group, 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)**
[Economic Development, Ernesto Gamboa, (915) 541-4811]

13. ENGINEERING:

Discussion and action that the City Council hereby approves and adopts the competitive sealed proposal method for the selection of contractors for the construction of facilities as well as design-build and job order contracts for minor construction methods as the selection methods that provide the best value to the City. That the City Council hereby

approves and adopts the procedures, selection criteria and weight to be given the selection criteria for the competitive sealed proposal method for the selection of contractors for the construction of facilities as set forth in detail in Exhibit "A". Exhibit "A" hereby replaces the criteria and relative weights of the criteria for the competitive sealed proposal selection method adopted in the April 23, 2002 City Council Resolution.

(All Districts) [Engineering, R. Alan Shubert, (915) 541-4423]

TO BE HEARD AT 11:00 A.M. OR LATER (ITEMS 14A AND 14B)

14. UTILITIES:

14A. Discussion and action regarding the application of El Paso Electric Company to change rates, to reconcile fuel costs, to establish formula-based fuel factors, and to establish an energy efficiency cost recovery factor before the Public Utility Commission of Texas, Docket No. 37690 filed December 9, 2009. **(All Districts)**
[Financial Services, Liza Ramirez-Tobias, (915) 541- 4074] [POSTPONED FROM 05-25-10]

14B. Discussion and action regarding cooperation between City of El Paso and El Paso Electric on Solar Renewable Energy Projects. **(All Districts)**
[Environmental Services, Marty Howell, (915) 541-4925]

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.** Discussion and action on the City lease of 10 Civic Center Plaza, El Paso, El Paso County, Texas. (551.071) [City Attorney's Office, Theresa Cullen, (915) 541-4550]
- EX2.** Application of El Paso Electric Company to implement an Interim Fuel Refund (filed May 12, 2010) before the Public Utility Commission of Texas, Docket No. 38253. (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 FRIDAY AT THE ADDRESS BELOW:

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