

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

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

**REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
JUNE 3, 2008
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:35 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Melina Castro, Rachel Quintana, Steve Ortega, and Beto O'Rourke. Late arrivals: Eddie Holguin, Jr., at 8:37 a.m. during Executive Session deliberations and Ann Morgan Lilly at 8:38 a.m. during Executive Session deliberations. The invocation was given by Reverend Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

- 1. NATIONAL TRAILS DAY**
- 2. SOCORRO INDEPENDENT SCHOOL DISTRICT TAKS ACHIEVEMENT MONTH**

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.

The following members of the public commented:

1. Mr. Ben Gomersall
2. Mr. Richard Schecter
3. Mr. Jerry Thiedt
4. Mr. Ray Gilbert
5. Mr. Fernando Garcia
6. Mr. Miguel Miranda
7. Ms. Marisol Miranda

Mayor Cook commented.

Ms. Joyce Wilson, City Manager, commented and City Attorney Charlie McNabb gave legal advice.

Mayor Cook and Representatives Castro and Ortega commented.

Mr. Charlie McNabb, City Attorney, gave legal advice.

Ms. Lisa Turner, citizen, commented.

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EX3. Discussion and action regarding strategies and options related to Asarco litigation, bankruptcy, legal issues related to the City's Proof of Claim in the ASARCO Bankruptcy, TCEQ permit process, and other legal matters involving ASARCO. (551.071)

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and carried that the City **SHALL NOT SELL, BUT SHALL RETAIN**, its allowed claim on the ASARCO Paving Contract in relation to the ASARCO LLC bankruptcy proceeding (Case Number 05-21207) in the United States Bankruptcy Court, Southern District of Texas.

AYES: Representatives Lilly, Byrd, Quintana, Holguin, Ortega, and O'Rourke

NAYS: Representative Castro

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CONSENT AGENDA

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

AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of May 27, 2008.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3A.

***RESOLUTION**

That the Director of Aviation be authorized to sign and submit grant applications and related documentation to the Federal Aviation Administration (FAA), and be designated the official representative of the City of El Paso to act in connection with the application process for the Airport Improvement Program (AIP), Project No. 3-48-0077-24-08; and

That upon approval and issuance of such grant by the FAA, the City Manager be authorized to accept and sign the grant agreement, and other necessary documents when the form and substance of those documents has been reviewed and approved by the City Attorney's Office; provided that such authorization shall include the ability to accept and sign multiple agreements and documents, as the FAA grant may be issued in various disbursements; and

That the City Manager be authorized to approve and sign any budget transfers needed to establish appropriations in connection with this grant; and

That the total grant amount shall include a not-to-exceed federal share of \$5,056,183 and a not-to-exceed local share of \$582,606, and will be utilized for the following project:

Reconstruction of Taxiway "J" and "M" - this project will provide for the total reconstruction of portions of El Paso International Airport's Taxiways "J" and "M" and includes the removal of existing asphalt concrete pavement and replacement with Portland cement concrete pavement.

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3B.

***RESOLUTION**

WHEREAS, the City of El Paso entered into a lease agreement with the U.S. Government dated October 31, 2003, to permit the placement, operation and maintenance of a weather observation station in the City's Air Rescue Fire Fighting Building at the El Paso International Airport; and

WHEREAS, the referenced lease is set to expire on September 30, 2008, and the parties desire to extend the term of such lease an additional five years and increase the rental rate;

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

THAT the City Manager be authorized to sign Supplemental Agreement No. 1 to Lease No. DTFA07-04-L-01320 between the City of El Paso (Lessor) and the United States of America, Federal Aviation Administration (Lessee), for a weather observation station at the Air Rescue Fire Fighting building at the El Paso International Airport in order to extend the original lease term an additional five years through September 30, 2013, and increase the rental amount due.

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3C.

***RESOLUTION**

WHEREAS, in accordance with Chapter 18.50 of the El Paso City Code, the City Council of the City of El Paso, by Order dated the 31st day of July 2001, after due notice and hearing, issued an order to Edward J. and Susan M. Jenkins, record Owners of the hereinafter described property that the building be demolished within thirty (30) days and to clean the premises of all weeds, trash, and debris all within 30 days, and the Owner and any mortgagee or lienholder having failed after due notice to comply with such Order, the Street Department of the City of El Paso has been ordered to proceed to demolish the structure and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Development Services Department has reported the cost of doing such work in the amount hereinafter set forth;

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

1. That the City Council determines the actual cost of demolishing the structure and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 2071, Block 85, Mountain View Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 2, Page 23, Plat Records of El Paso County, Texas, more particularly described as 4903 Wichita Circle, El Paso, Texas,

to be \$11,498.65, performed by the Street Department of the City of El Paso, making a total of \$11,498.65. The City Council finds that the work was completed on the 31st day of May 2007, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of \$11,498.65 to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 18.50 of the El Paso City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 30th day of August 2006, after due notice and hearing, issued an order to Loys Walker, record Owner of the hereinafter described property that the primary building and accessory structures be secured within 30 days and to clean the premises of all weeds, trash, and debris all within 30 days, and the Owner and any mortgagee or lienholder having failed after due notice to comply with such Order, the Street Department of the City of El Paso has been ordered to proceed to secure the primary and accessory structures and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Development Services Department has reported the cost of doing such work in the amount hereinafter set forth;

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

1. That the City Council determines the actual cost of securing the primary and accessory structures and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

All of Lots 27 and 28, in Block E of the East El Paso, addition to the City of El Paso, El Paso County, Texas, together with all improvements thereon, more particularly described as 3308 Rivera Avenue, El Paso, Texas,

to be \$1,327.99, performed by the Street Department of the City of El Paso, and \$427.47 performed by the City Clerk's Office, making a total of \$1,755.46. The City Council finds that the work was completed on the 2nd day of February 2007, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of \$1,755.46 to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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3D.

***RESOLUTION**

WHEREAS, on August 21, 2007, City Council adopted Ordinance No. 016727 allowing the City Manager or his or her designee to enter into and sign professional service agreements on behalf of the City;

WHEREAS, on February 4, 2008 the City Manager entered into an Agreement with the Consultant to perform consulting services to assist with the implementation and calibration of the SmartCode for the City of El Paso

WHEREAS, the Agreement fell within the parameters of Ordinance No. 016727; and,

WHEREAS, the City requires the Consultant to perform additional services and such performance will require additional compensation, which would exceed the authority granted under Ordinance No. 016727; and,

WHEREAS, the City desires to continue with the engagement of the Consultant to provide such additional services to complete the implementation and calibration of SmartCode for the City of El Paso;

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

That the City Manager be authorized to sign a Professional Services Agreement between the City of El Paso and Placemakers, LLC, to perform consulting services for a project known as “the implementation and calibration of SmartCode” for a contract amount not to exceed \$20,000.

Representatives Quintana and Castro commented.

Ms. Joyce Wilson, City Manager, commented.

Ms. Lisa Turner, citizen, commented.

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3E.

***RESOLUTION**

That the City Manager be authorized to sign a Contract of Sale between the City of El Paso and Mayra Berumen for the purchase of

Lot 18, Block 47, 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, commonly known as 1014 S. Mesa Street, El Paso, El Paso County, Texas,

to be used for the Stanton Street Toll Plaza Project.

Mayor Cook and Representative Byrd commented.

Ms. Joyce Wilson, City Manager, and Mr. Robert Ramirez, Consumer Affairs Administrator, commented.

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3F.

RESOLUTION

WHEREAS, on July 10, 2006, the City Council (“the Council”) of the City of El Paso passed and approved a Resolution, concerning the preparation and implementation of a Downtown Redevelopment Plan in which the Council expressed its determination that a revitalization strategy is necessary to address the critical needs of the downtown area and that such strategy include opportunities to preserve historically, socially, culturally and architecturally significant structures and places and the use of financial and development incentive strategies to encourage investment; and

WHEREAS, on October 31, 2006, the Council passed and approved Ordinance No. 016487, incorporating the Downtown 2015 Plan (“the Plan”) into the City’s comprehensive plan entitled The Plan for El Paso and directing the City Manager to prepare an Implementation Strategy for execution of the Plan; and

WHEREAS, the Plan identifies a downtown area as the Downtown Historic District; and

WHEREAS, Council has the authority to create one or more areas of potential effect to encourage the preservation of historically significant sites in need of tax relief to encourage their preservation in order to preserve the City’s historic properties; and

WHEREAS, Section 3.04.035 of the City Code provides an exemption from taxation of certain property taxes for renovations completed to historically significant property to encourage the preservation of such properties; and

WHEREAS, the City seeks to designate the area identified in the attached Exhibit “A” as an area of potential effect to encourage the preservation and renovation of properties abutting the Downtown Historic District identified in the Plan; and

WHEREAS, the City Council finds that the designation of the property included in the attached Exhibit “A” as an area of potential effect for tax relief purposes constitutes a benefit to the public, is necessary to assist in the City’s implementation of the Plan and will further encourage the renovation of historically significant sites by property owners;

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

THAT, the area identified in the attached Exhibit “A” be and hereby is designated as an area of potential effect for the purpose of preserving and renovating one or more historically significant sites in need of tax relief to encourage their preservation;

THAT, only those properties located in the attached identified area of potential effect that are not located in a Tax Increment Reinvestment Zone designated by the City of El Paso shall be eligible for the tax relief described in Section 3.04.035 of the City Code.

Mayor Cook and Representatives Holguin and Ortega commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Troy Ainsworth, Historic Preservation Officer
3. Mr. Charlie McNabb, City Attorney, gave legal advice.

Ms. Lisa Turner, citizen, commented.

1ST MOTION

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

2ND AND FINAL MOTION

Motion made by Mayor Pro Tempore Byrd, seconded by Representative O'Rourke, and carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, Quintana, Ortega, and O'Rourke

NAYS: Representatives Castro and Holguin

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3G.

***RESOLUTION**

THAT the Mayor be authorized to sign an Interlocal Agreement by and between the City of El Paso and the Canutillo Independent School District (the "District"), for the District's referral of eligible children in need of dental services and administrative coordination of said referral system in exchange for the City conducting a comprehensive intervention dental program for District students and their families, for a term of June 3, 2008, through August 31, 2008, in accordance with the fee and payment schedule described in the Interlocal Agreement in an amount not to exceed \$8,000 and with services from the City contingent upon the availability of funds.

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4. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Jessie N. Sustaita to the Community Development Steering Committee by Representative Beto O'Rourke, District 8.

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5. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** William Medrano to the Parks and Recreation Advisory Board, filling an unexpired term, by Representative Melina Castro, District 4.

Representative Castro commented.

Mr. Ray Gilbert, citizen, commented.

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6. APPLICATIONS FOR TAX REFUND

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

- A. C Y Properties in the amount of \$5,447.74 overpayment of 2006 taxes.
(PID #06MH-999-0000-0230).
- B. Home Loan Services in the amount of \$3,211.62 overpayment of 2007 taxes.
(PID #P080-999-0070-2300).
- C. AmTrust Bank in the amount of \$3,508.28 overpayment of 2007 taxes.
(PID #C340-999-1070-7300).
- D. Wells Fargo Real Estate Tax Services in the amount of \$3,230.19 overpayment of 2007 taxes.
(PID #E076-000-0010-1600).
- E. Jennifer & Rudy Moreno in the amount of \$3,355.95 overpayment of 2007 taxes.
(PID #E077-000-0050-3400).

- F. LandAmerica Lawyers title of San Antonio in the amount of \$2,611.34 overpayment of 2006 taxes. (PID #F716-999-0260-9200).
- G. Wachovia Mortgage, in the amount of \$3,509.89 overpayment of 2007 taxes. (PID #H788-010-0460-0030)
- H. Wells Fargo in the amount of \$5,813.06 overpayment of 2007 taxes. (PID #H788-014-0030-1400).
- I. AmTrust Bank in the amount of \$3,596.71 overpayment of 2007 taxes. (PID #P654-999-0250-7200).
- J. Wells Fargo in the amount of \$2,941.45 overpayment of 2007 taxes. (PID #R576-999-0110-2900).
- K. Countrywide Tax Services Corp. in the amount of \$7,496.19 overpayment of 2007 taxes. (PID #S365-999-0110-2700).
- L. PHH Mortgage in the amount of \$4,145.97 overpayment of 2007 taxes. (PID #T213-999-0140-2600).
- M. Countrywide Tax Services Corporation in the amount of \$3,022.35 overpayment of 2007 taxes. (PID #V099-000-0020-7400).
- N. Ocwen Loan Servicing, LLC in the amount of \$9,327.43 overpayment of 2007 taxes. (PID #V655-999-0070-3700).
- O. AmTrust Bank in the amount of \$4,129.13 overpayment of 2007 taxes. (PID # V655-999-0210-1600).
- P. Stewart Title in the amount of \$2,865.89 overpayment of 2007 taxes. (PID #V893-999-0690-1700).
- Q. AmTrust Bank in the amount of \$5,818.75 overpayment of 2007 taxes. (PID #V893-999-1370-2500).
- R. AmTrust Bank in the amount of \$3,923.02 overpayment of 2007 taxes. (PID #V893-999-5690-4400).
- S. Restlawn Funeral Home in the amount of \$19,742.78 overpayment of 2007 taxes. (PID #X581-999-2090-2439).

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7. PURCHASING REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager, Financial Services - Purchasing Division, to issue a purchase order to KRONOS Incorporated, the sole source maintenance supporter for the KRONOS 4500 Terminals and Workforce Central Software.

Department: Information Technology
 Account No.: 39010351 – 502202 – 01101
 Funding Source: Information Services, Data Processing Service Contracts, Operating Account

Total Estimated Award: \$196,728.50
Reference No.: 2007-232

Additionally, request authorization for City staff to negotiate, City Attorney's Office to review, and the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this contract.

Representative Quintana commented.

Ms. Joyce Wilson, City Manager, commented.

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8A1.

***RESOLUTION**

WHEREAS, the City awarded Contract No. 2007-200 to TruGreen LP on August 7, 2007, for Herbicide Spraying City Right of Ways; and

WHEREAS, pursuant to Section C 8A of the Contract (Termination for Convenience), the City is authorized to terminate the Contract for convenience; and

WHEREAS, the City has issued a new solicitation for the services in order to increase the estimated units and duration of the contract.

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

That the Director of Purchasing is authorized to notify TruGreen LP that the City is terminating Contract No. 2007-200 pursuant to the provisions and requirements of Section C 8A of the Contract Clauses due to convenience and that the termination shall be effective as of June 3, 2008.

Representative Castro commented.

Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services, commented.

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8A2. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2008-186 (Herbicide Spraying City Right-of-Ways [Rebid]) to Evergreen Lawn Service for a total estimated award of \$143,293.60.

Department: Street
Award to: Evergreen Lawn Service
El Paso, Texas
Items: All
Option: To extend the term of the contract at the same unit price for an additional two-year period if the option is exercised within one year from the date of award.
Account No.: 34010289 – 502221 – 40403
Funding Source: Street Department
Total Estimated Award: \$143,293.60

This is a 12-month services 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 Street recommend award as indicated to the lowest responsive, responsible bidder.

Representative Castro commented.

Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services, commented.

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8B. BID

1ST MOTION

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

2ND AND FINAL MOTION

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, and unanimously carried to **AWARD** Solicitation No. 2008-155 (Vocational Trucks [Rolloff Trucks]) to Southwest Sterling, Inc. d/b/a Southwest Truck Sales for a total award of \$258,232.

Department:	General Services
Award to:	Southwest Sterling, Inc. d/b/a Southwest Truck Sales El Paso, TX
Items:	Item 1 with Option O1A, O1F, O1G, O1H, O1I, and T-2
Option:	To purchase up to 100% of the contract quantity at the same unit price if the option is exercised within 90 days from the date of award.
Account No.:	37150068 – 508006 – 27507 – PFLESVC01
Funding Source:	Equipment Replacement Fund
Total Award:	\$258,232 (2 trucks)

This is a fixed-price, single (one-time) purchase.

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

Representatives Quintana and Castro commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Richarda Momsen, Municipal Clerk
3. Mr. Jeff Belles, Director of General Services
4. Mr. Daryl Cole, Director of Street Department
5. Ms. Ellen Smyth, Director of Environmental Services

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8C. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2008-161 (DCL Safety Lighting, Zaragosa {Bridge} [Rebid]) to Mesa Electrical Contractors, Inc., for a total estimated award of \$52,626.

Department:	Street
Award to:	Mesa Electrical Contractors, Inc. Canutillo, TX
Items:	All
Option:	To purchase up to 100% of the contract quantity at the same unit price if the option is exercised within ninety days from the date of award.
Account No.:	31255013 – 508027 – 27710 – PBR05001
Funding Source:	Federal Capital Projects - Construction-Zaragosa Bridge DCL
Total Estimated Award:	\$52,626

This is a one-time purchase type contract for DCL Safety Lighting.

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

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8D. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2008-191 (Grandview Park Improvements) to P. R. Homes, Inc. for a total estimated amount of \$289,953.

Department:	Engineering
Award to:	P. R. Homes, Inc. El Paso, TX
Base Bid	\$289,953
Account No:	71150069-508027-10058-G7133CD0036
Funding Source:	Community Development
Total Estimated Award:	\$289,953

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 minimum 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 part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and increased funds are appropriated in the budget.

This is a low bid, unit-price contract.

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

Representative Quintana commented.

Ms. Joyce Wilson, City Manager, and Mr. Sam Rodriguez, Engineering Division Manager, commented.

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9A. – 9B. INTRODUCTIONS

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

- 9A.** An Ordinance to adopt United States Green Building Council – Leadership in Energy and Environmental Design (LEED) Silver Certification requirements or an equivalent rating system standard for sustainable development design standards of city-owned buildings of 5,000 square feet and larger.
- 9B.** An Ordinance amending Title 19 (Subdivisions), Article 2 (Subdivision Standards), Section 19.19 (Storm Water Management Requirements), Subsection 19.19.1 (General Provisions), and Article 6 (Definitions), of the El Paso City Code to add a paragraph on arroyo preservation, to designate the role of the Floodplain Administrator, to amend the definition for the Storm Water Administrator, to add a definition for Flood Plan Administrator, and to amend the definition of arroyos. The penalty is as provided for in Section 19.42 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON JUNE 10, 2008, FOR ITEMS 9A – 9B

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10A. FINANCIAL SERVICES

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the award of Solicitation No. 2008-197 (Upper Valley Drainage Improvements Phase II [Charl Ann-Ocotillo]) to JAR Concrete, Inc. d/b/a JAR Construction, Inc., for a total estimated amount of \$1,574,355.80.

Department:	Engineering
Award to:	JAR Concrete, Inc. d/b/a JAR Construction, Inc. El Paso, TX
Base Bid	\$1,574,355.80
Account No:	14200500 – 508027 – 27264 – PSTM06 PW25-0
Funding Source:	Storm 2006
Total Estimated Award:	\$1,574,355.80

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 minimum 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 part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and increased funds are appropriated in the budget.

This is a low bid, unit-price contract.

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

Representative O'Rourke commented.

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10B. FINANCIAL SERVICES

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **AWARD** Solicitation No. 2008-104 (Municipal Court Violation Collection Services) to GC Services Limited Partnership for a total amount of \$8,387,285.

Department: Municipal Clerk
Award to: GC Services Limited Partnership
Houston, TX
Items: All
Option: 5 years
Annual Estimated Amount: \$1,677,457
Account No.: 11010012 – 203220 – 01101
Funding Source: Municipal Court Traffic Violations-Collections
Total Award: \$8,387,285 (5-year total)

The Departments of Financial Services, Purchasing Division, and Municipal Clerk recommend award to GC Services Limited Partnership, the vendor offering the best value bid.

Representatives Castro, Ortega, and Quintana commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Richarda Momsen, Municipal Clerk
3. Mr. Charlie McNabb, City Attorney, gave legal advice.
4. Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services

Mr. Ben Gomersall, citizen, commented.

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10C. FINANCIAL SERVICES

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to **AWARD** Solicitation No. 2008-101 (Sexual Assault Services) to Tenet Hospitals Ltd. d/b/a Sierra Medical Center for a total estimated award of \$328,500.

Department: Police
Award to: Tenet Hospitals Ltd. d/b/a Sierra Medical Center
El Paso, TX
Items: All
Options: 2 years
Annual Estimated Amount: \$109,500
Account No.: 21010072 – 502111 – 01101
Funding Source: Police Operating Funds, Health Care Providers Services
Total Estimated Award: \$328,500

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 maybe 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 sole bidder meeting specification.

Representative Ortega commented.

Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services, commented.

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11. INTRODUCTION AND PUBLIC HEARING – FINANCIAL SERVICES

*Motion made, seconded, and unanimously carried to **DELETE** the introduction and public hearing on an Ordinance authorizing the issuance of City of El Paso, Texas, Hotel Occupancy Tax Revenue Bonds, Series 2008; and resolve matters which are necessary to effectuate said issuance.

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ITEMS TAKEN TOGETHER:

12A.

ORDINANCE 16903

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACTS 1B4 AND 1B4C, S.J. LARKIN SURVEY 266, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-3/C (COMMERCIAL/CONDITIONS) TO R-3A (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

12B.

ORDINANCE 16904

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING A CONDITION PLACED ON PROPERTY BY ORDINANCE NO. 15672, WHICH CHANGED THE ZONING OF A PORTION OF TRACTS 1B4 AND 1B4C, S.J. LARKIN SURVEY NO. 266, CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Philip Etiwe, Development Review Manager, presented a PowerPoint presentation (on file in the City Clerk's office).

Representative Quintana commented.

Motion duly made by Representative Lilly, seconded by Representative Ortega, that the Ordinances be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinances which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinances, the same be and the same are hereby **ADOPTED**.

.....
12C.

ORDINANCE 16905

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.370 (MOUNTAIN DEVELOPMENT), OF THE EL PASO CITY CODE BY ADDING MAXIMUM PERMITTED DENSITY STANDARDS IN THE PMD (PLANNED MOUNTAIN DEVELOPMENT) ZONING DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Philip Etiwe, Development Review Manager, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook commented.

Motion duly made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

.....
12D. PUBLIC HEARING – DEVELOPMENT SERVICES

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOTS 12 AND 13, R. L. DORBANDT ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-4 (RESIDENTIAL) TO P-R II (PLANNED RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Philip Etiwe, Development Review Manager, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Byrd, Ortega, O'Rourke, Holguin, Castro, and Quintana commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Patricia Aduato, Deputy City Manager of Development and Infrastructure Services
3. Mr. Charlie McNabb, City Attorney, gave legal advice.
4. Mr. Manuel Chavira, Assistant Fire Chief

Mr. Ray Mancera, representing the applicant, and Mr. Bill Schlesinger, Project Vida (developer), presented a PowerPoint presentation (on file in the City Clerk's office).

The following members of the public commented:

1. Ms. Ana Duenez, President of the El Paso Lower Valley Association
2. Mr. Armando Rivas, Sr.

3. Ms. Beatrice Sada
4. Mr. JD Cotham
5. Mr. David Dominguez
6. Mr. Mark Benites
7. Mr. Robert Gonzales, Lower Valley/Cedar Grove Association
8. Ms. Minerva Acosta
9. Mr. David Chavez
10. Ms. Susan Austin
11. Mr. Jorge Acosta

1ST MOTION

Motion made by Representative Ortega, seconded by Representative O'Rourke, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow additional speakers after the sign-up period.

NOT PRESENT FOR THE VOTE: Representative Quintana

2ND MOTION

Motion made by Representative Holguin, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Ms. Duenez an additional three minutes to address the Council.

NOT PRESENT FOR THE VOTE: Representatives Castro and Quintana

3RD MOTION

Motion made by Representative Holguin, seconded by Representative Quintana, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Ms. Duenez an additional two minutes to address the Council.

NOT PRESENT FOR THE VOTE: Representative Castro

4TH MOTION

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Ms. Sada an additional seven minutes to address the Council

5TH MOTION

Motion made by Representative O'Rourke, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Ms. Acosta an additional minute to address the Council.

6TH MOTION

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 12:56 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

7TH MOTION

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, and unanimously carried to **ADJOURN** the Executive Session at 1:01 p.m. and **RECONVENE** the meeting of the City Council.

8TH AND FINAL MOTION

Motion duly made by Representative Ortega, seconded by Mayor Pro Tempore Byrd, that the Ordinance be **DENIED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

Whereupon the Mayor ordered that the vote having been cast in denial of the Ordinance, the same be and the same are hereby **DENIED**.

.....
The City Council Meeting **RECESSED** at 1:17 p.m. and **RECONVENED** at 1:49 p.m.
.....

12E.

ORDINANCE 16906

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), SECTION 20.04.380 (APPLICATION REQUIREMENTS), OF THE EL PASO CITY CODE TO ADD A REQUIREMENT FOR A TRAFFIC IMPACT ANALYSIS FOR ZONING APPLICATIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mayor Cook and Representatives Ortega, Lilly, and Quintana commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. John Neal, City Manager's Office
- 3. Mr. Charlie McNabb, City Attorney, gave legal advice.

Motion duly made by Representative Lilly, seconded by Representative Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

.....
12F.

ORDINANCE 16907

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), SECTION 20.04.550 (MAINTENANCE), OF THE EL PASO CITY CODE TO ADD A REQUIREMENT THAT PRIVATE STREETS MEET CITY STANDARDS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Representative Quintana commented.

Mr. John Neal, City Manager's Office, commented.

Motion duly made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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13.

ORDINANCE 16908

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.28 (SPEED LIMITS), SECTION 12.28.010 (GENERALLY), OF THE EL PASO CITY CODE TO PROVIDE FOR REDUCED SPEED LIMITS IN NEW SUBDIVISIONS, FROM 30 MPH TO 25 MPH. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 12.84.010 OF THE EL PASO CITY CODE.**

Mayor Cook and Representatives Castro, Byrd, and Ortega commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Ted Marquez, Engineering Division Manager
- 3. Ms. Richarda Momsen, Municipal Clerk

Motion duly made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

.....
14A. MAYOR AND COUNCIL

*Motion made, seconded, and unanimously carried to **DELETE** the item for discussion and action on authorizing the City Manager to install a streetlight at the dead end of Castile Avenue by Paul Harvey Park with the closest intersection being with Belmar Avenue.

Representatives Quintana and O'Rourke commented.
.....

14B.

RESOLUTION

WHEREAS, the Salt Basin aquifer lying underneath Otero Mesa is estimated to be one of the largest untapped fresh water aquifers in the region and may contain as much as 57 million acre feet of water according to the US Geological Survey;

WHEREAS, the Salt Basin aquifer is a potential future source of drinking water for El Paso and other communities in the region;

WHEREAS, Otero Mesa contains one of the largest intact grasslands remaining in the Chihuahuan Desert, and provides important habitat for many plant and animal species, including pronghorn, mule deer, mountain lions, prairie dogs, the endangered Aplomado Falcon, and more than 200 other bird species;

WHEREAS, Otero Mesa's public lands provide outstanding opportunities for hiking, bird watching, hunting and other types of outdoor recreation for the citizens of El Paso;

WHEREAS, Otero Mesa's grasslands, wildlife, and water are potentially threatened by natural gas and oil development;

WHEREAS, the New Mexico Oil Conservation Division has documented 1400 incidents of groundwater contamination caused by oil and gas activities since 1990;

WHEREAS, the porous geology of the Salt Basin makes the aquifer particularly vulnerable to contamination by oil and gas activities;

WHEREAS, the Doña Ana and Sierra County Commissions have passed resolutions supporting a moratorium on oil or natural gas drilling until a detailed study of the Salt Basin aquifer can be completed;

WHEREAS, Otero Mesa's reserves of natural gas are unproven and not likely to be significant; the Bureau of Land Management has estimated the possible gas reserves in and around Otero Mesa and the Salt Basin aquifer to be low to moderate, and significantly less than in other parts of the region with commercially viable reserves; and

WHEREAS, the City of El Paso wishes to protect Otero Mesa's grasslands, wildlife and water for the enjoyment and benefit of this and future generations.

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

That the City of El Paso calls on the United States Congress to introduce legislation that will provide permanent protection for Otero Mesa's unique and irreplaceable grasslands, wildlife and water from oil and natural gas exploration.

Mayor Cook and Representative O'Rourke commented.

The following members of the public commented:

1. Mr. Kevin Bixby, Director of Southwest Environmental Center in Las Cruces, presented a PowerPoint presentation (on file in the City Clerk's office).
2. Mr. Kevin von Finger
3. Mr. Bill Childress

- 4. Mr. Jose Lopez
- 5. Ms. Lisa Turner
- 6. Mr. Bill Addington, Sierra Club

1ST MOTION

Motion made by Representative O'Rourke, seconded by Representative Quintana, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow additional speakers to address the Council after the sign-up period.

2ND AND FINAL MOTION

Motion made by Representative O'Rourke, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **APPROVE** the Resolution.

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14C.

R E S O L U T I O N

That the City Council declares that the expenditure of discretionary funds to pay permitting costs for block parties held by City-recognized Neighborhood Associations and Neighborhood Watch Groups in conjunction with National Night Out police-community crime and drug prevention activities serves a municipal purpose and is authorized.

Representative Quintana commented.

Mr. Charlie McNabb, City Attorney, and Ms. Elaine Hengen, Senior City Attorney, gave legal advice.

Motion made by Representative Quintana, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **APPROVE** the Resolution.

NOT PRESENT FOR THE VOTE: Representative O'Rourke

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14D. MAYOR AND COUNCIL

Update and briefing by El Paso Water Utilities of Stormwater Maintenance Projects and Progress.

Mayor Cook and Representatives Holguin, O'Rourke, Quintana, Byrd, and Ortega commented.

Mr. David Brosman, El Paso Water Utilities Utility Chief Operations Officer, presented a PowerPoint presentation (on file in the City Clerk's office).

Ms. Joyce Wilson, City Manager, commented.

Mr. John Balliew, El Paso Water Utilities Vice President of Operations and Technical Services, commented.

The following members of the public commented:

- 1. Ms. Diana Greer
- 2. Ms. Heather McMurray
- 3. Mr. Bill Greer
- 4. Mr. Ben Gomersall

Motion made by Representative Quintana, seconded by Representative O'Rourke, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow additional speakers to address the Council after the sign-up period.

NO ACTION, other than the above procedural Motion, was taken on the item.

.....
ITEMS TAKEN TOGETHER:

15A.

R E S O L U T I O N

WHEREAS, Title 19 (Subdivisions) of the El Paso City Code (the "Code") was adopted to promote the health, safety, morals and general welfare of the community by guiding the future growth and development of the city in accordance with The Plan for El Paso and by encouraging the orderly and beneficial development of the city through appropriate growth management techniques and by establishing reasonable standards of design and procedures for subdivisions and resubdivisions of land in order to further the orderly layout and use of land; and,

WHEREAS, the Subdivision Ordinance helps guide the physical development of the community by promoting orderly and healthful design, and particularly by ensuring adequate public facilities and services are available to new development, to include transportation, water, sewerage, schools, parks and other public improvements are available concurrent with development and will have a sufficient capacity to serve the subdivision and to ensure the subdivider provides for the required public improvements attributable to the development; and,

WHEREAS, the City Council of El Paso adopted a new Subdivision ordinance on May 6, 2008 with an effective date of June 1, 2008; and,

WHEREAS, the adopted Subdivision ordinance requires subdivisions to be developed and constructed in accordance with certain design standards;

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

That the City Council of El Paso hereby adopts a Design Standards for Construction Manual, attached as Exhibit "A" regulating the design and construction of specified subdivision improvements.

15B.

R E S O L U T I O N

WHEREAS, Title 19 (Subdivisions) of the El Paso City Code (the "Code") was adopted to promote the health, safety, morals and general welfare of the community by guiding the future growth and development of the city in accordance with The Plan for El Paso and by encouraging the orderly and beneficial development of the city through appropriate growth management techniques and by establishing reasonable standards of design and procedures for subdivisions and resubdivisions of land in order to further the orderly layout and use of land; and,

WHEREAS, the Subdivision Ordinance helps guide the physical development of the community by promoting orderly and healthful design, and particularly by ensuring adequate public facilities and services are available to new development, to include transportation, water, sewerage, schools, parks and other public improvements are available concurrent with development and will have a sufficient capacity to serve

the subdivision and to ensure the subdivider provides for the required public improvements attributable to the development; and,

WHEREAS, the City Council of El Paso adopted a new Subdivision ordinance on May 6, 2008 with an effective date of June 1, 2008; and,

WHEREAS, the adopted Subdivision ordinance requires drainage to be designed and constructed in accordance with certain design standards;

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

That the City Council of El Paso hereby adopts a Drainage Design Manual, attached as Exhibit "A" regulating the drainage design for subdivision plats.

16.

R E S O L U T I O N

WHEREAS, Title 19 (Subdivisions) of the El Paso City Code (the "Code") was adopted to promote the health, safety, morals and general welfare of the community by guiding the future growth and development of the city in accordance with The Plan for El Paso and by encouraging the orderly and beneficial development of the city through appropriate growth management techniques and by establishing reasonable standards of design and procedures for subdivisions and resubdivisions of land in order to further the orderly layout and use of land; and,

WHEREAS, the Subdivision Ordinance helps guide the physical development of the community by promoting orderly and healthful design, and particularly by ensuring adequate public facilities and services are available to new development, to include transportation, water, sewerage, schools, parks and other public improvements are available concurrent with development and will have a sufficient capacity to serve the subdivision and to ensure the subdivider provides for the required public improvements attributable to the development; and,

WHEREAS, the City Council of El Paso adopted a new Subdivision ordinance on May 6, 2008, with an effective date of June 1, 2008; and,

WHEREAS, the adopted Subdivision ordinance requires parks within subdivisions to be developed and constructed in accordance with certain standards;

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

That the City Council of El Paso hereby adopts the Park Facilities Standards, attached as Exhibit "A," regulating the design and construction of park facilities within subdivisions.

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

Mayor Cook and Representatives Quintana, O'Rourke, Ortega, Byrd, and Lilly commented.

Ms. Joyce Wilson, City Manager, and Ms. Nanette Smejkal, Director of Parks and Recreation, commented.

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **APPROVE** the Resolutions.

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15C.

RESOLUTION

WHEREAS, the City of El Paso is required by Chapter 2258 of the Texas Government Code to determine the prevailing rate of per diem wages for each craft or type of worker within the geographic limits of the City for construction of public works;

WHEREAS, pursuant to Texas Government Code Section 2258.022(a)(1) and in conjunction with other local governmental bodies, the City conducted a survey of wages received by classes of workers employed on projects of a character similar to the contract work performed within the El Paso city limits; and

WHEREAS, the City, along with a representative group of contractor and craft/union leaders, reviewed the survey results within the El Paso city limits and the rates established by the U.S. Department of Labor in accordance with the Davis Bacon Act, and agreed to recommend the rates attached hereto as Exhibit A for each craft or type of worker for Building Construction Trades and Heavy Construction and the definitions of the work performed by each craft or type of worker attached hereto as Exhibit B.

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

That the Purchasing Manager is authorized to specify the wage rates attached hereto as Exhibit A for each craft or type of worker for Building Construction Trades and Heavy Construction in the call for bids for any public works contract and in the contract itself and that the City Engineer be authorized to clarify the definitions of work performed by each craft or type of worker attached hereto as Exhibit B, if necessary.

Mr. Rick Talamo, Engineering Capital Projects Manager, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Byrd and Quintana commented.

Mr. John Ruiz, Building Trades, commented.

Motion made by Representative Quintana, seconded by Representative Ortega, and unanimously carried to **APPROVE** the Resolution.

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Motion made by Representative Holguin, seconded by Representative Lilly, and unanimously carried to **ADJOURN** this meeting at 4:16 p.m.

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk