

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

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

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
June 26, 2012
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 Pro Tempore Ann Morgan Lilly present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Emma Acosta, Carl Robinson, Michiel R. Noe, Eddie Holguin, Jr., Steve Ortega, and Cortney Carlisle Niland. Absent: Mayor John Cook. The invocation was given by Police Chaplain Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

.....
MAYOR'S PROCLAMATIONS

- 1. INDEPENDENTS' WEEK**
- 2. OLYMPIC DAY**
- 3. SUN CITY "ALL AIRBORNE" FIESTA VI WEEK**

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 8:30 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. John Conwell
2. Mr. Bill Hart, Jr.
3. Mr. Michael Christian McCafferty
4. Ms. Lisa Turner
5. Mr. Manny Hinojosa
6. Mr. Roberto Castor
7. Ms. Jeri Hallberg
8. Mr. Jorge Artalejo
9. Ms. Luisa Medina

Representatives Byrd, Holguin, and Ortega commented.

Motion made by Representative Byrd seconded by Representative Ortega, and unanimously carried to **SUSPEND THE RULES** of Council to allow for additional speakers after the sign up period.

.....
CONSENT AGENDA

Motion made by Alternate Mayor Pro Tempore Holguin, seconded by Representative Byrd, 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, Acosta, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None

.....
1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of June 19, 2012.

.....
2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

*Motion made, seconded, and unanimously carried to **EXCUSE** Mayor John F. Cook from the Regular Council Meeting of June 26, 2012.

.....
3A.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a Fourth Amendment to Industrial Site Lease by and between the City of El Paso ("Lessor") and 8201 Lockheed, L.P. ("Lessee") to add two options to extend the term of the lease; to amend the permitted uses allowed under the lease; to revise the provisions to allow for a readjustment of ground rental if an option to extend the lease term is exercised, and to include updated indemnification language for the following described property:

All of Lots 7, 12, 13, 14, 15 and 16, Block 9, El Paso International Airport Tracts Unit 7, an addition to the City of El Paso, El Paso County, Texas, consisting of approximately 198,037 square feet of land and municipally known and numbered as 8201 Lockheed, El Paso, Texas.

.....
3B.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a renewal subscription agreement, an order form, and all related materials by and between the **CITY OF EL PASO** and **WEST** for the provision of legal research products, including both Internet and print resources. The renewal subscription agreement shall be for a period of three (3) years, and shall include updates and continuing services for all Internet and print materials.

3C.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

WHEREAS, Townsquare Live Events, LLC (hereinafter referred to as "Grantee") is sponsoring the Downtown Street Festival (hereinafter referred to as "Event"), from Thursday, June 28, 2012 to Sunday, July 1, 2012; and

WHEREAS, Bel Air Optimist Club (hereinafter referred to as "Licensee") has been approved by the Grantee to provide for the sale and service of alcoholic beverages during the Event; and

WHEREAS, the Grantee has received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for more than twenty-four (24) hours for portions of City rights-of-way on Santa Fe Street between Franklin Avenue and San Antonio Street, Sheldon Court between El Paso Street and Santa Fe Street, Main Street between El Paso Street and Santa Fe Street and Durango Street northbound between San Antonio Street and San Francisco Street, in conjunction with the Event; and

WHEREAS, the City is not a sponsor of the Event and the Grantees assume full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, both the Grantee and Licensee desire to provide for the sale and serving of alcoholic beverages on the closed portions of the City rights-of-way during the Event;

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

That Townsquare Live Events, LLC and Bel Air Optimist Club be authorized to provide for the sale and service of alcoholic beverages at the Downtown Street Festival in the closed portions of City rights-of-way on Santa Fe Street between Franklin Avenue and San Antonio Street, Sheldon Court between El Paso Street and Santa Fe Street, and Main Street between El Paso Street and Santa Fe Street from 6:00 pm Friday, June 29, 2012 to 2:00 am Saturday, June 30, 2012 and from 6:00 pm Saturday, June 30, 2012 to 2:00 am Sunday, July 1, 2012.

.....
3D.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

WHEREAS, Kirby Productions, LLC (hereinafter referred to as "Grantee") has received administrative approval for a Special Privilege Permit for the use of portions of City right-of-way along Stanton Street adjacent to the property located at 201 North Stanton Street to install an outdoor patio café; and

WHEREAS, Grantee desires to obtain a permit or license from the Texas Alcoholic Beverage Commission for the sale and service of alcoholic beverages in conjunction with the outdoor patio café; and

WHEREAS, the Texas Alcoholic Beverage Commission requires that the City Council for the City of El Paso approve, as a permissible activity, the sale and service of alcoholic beverages within any City right-of-way; and

WHEREAS, as a prerequisite for approval by the City, Grantee shall obtain and maintain for the duration of the Special Privilege Permit, public liability insurance coverage for personal injury or death and liquor liability insurance, each of which shall name the City as an additional insured; and

WHEREAS, Grantee shall further maintain, for the duration of the Special Privilege Permit, and provide to the City, a current copy of the annual mixed-beverage permit, beverage cartage permit, and mixed beverage late hours permit issued by the Texas Alcoholic Beverage Commission for the sale and service of alcoholic beverages.

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

That the sale and service of alcoholic beverages by Kirby Productions, LLC at the outdoor patio café located within portions of City right-of-way adjacent to 201 North Stanton Street, El Paso, Texas, is a permissible activity.

.....

3E.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a Lease Agreement between the City and La Posada Home, Inc. for the property at 1926-1930 Bassett Avenue to operate a transitional housing program under a Supportive Housing Renewal Grant from the U.S. Department of Housing and Urban Development. The initial term of this Lease shall be for one (1) year, commencing on the Effective Date, yet may be extended for five (5) additional one (1) year terms.

Representative Robinson commented.

Ms. Joyce Wilson, City Manager

Ms. Jane Tomchik, Real Estate Services, commented.

.....

3F.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign the Second Amendment to the Agreement for Professional Services by and between the City of El Paso and Lockwood, Andrews & Newnam, Inc., a Texas Corporation, for a project known as "Mesa Corridor Rapid Transit System (Mesa Corridor RTS)" to add the additional design services, surveys and evaluations in the amount of Two Hundred Twenty Eight Thousand Five Hundred Twenty Four and No/00 Dollars (\$228,524), thereby extending the contract amount from \$1,492,292.52 to \$1,720,816.52 and extending the contract time from 225 calendar days to 303 calendar days.

.....

3G.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

WHEREAS, for FY2010, the City received a Texas Commission on Environmental Quality (“TCEQ”) Local Air Program grant under Contract Number 582-10-90258, and extended the term of and increased the funding for Contract No. 582-10-90258 through Amendments #1 to Amendment #3 during subsequent years, to conduct compliance investigations on behalf of TCEQ; and

WHEREAS, for FY2013, TCEQ seeks to extend the term of Contract No. 582-10-90258, through Amendment #4 to cover the period of September 1, 2012 through August 31, 2013 in an amount of \$317,863, with a new cash match from the City in the amount of \$156,559, which shall result in a total contract amount of \$1,277,874 for the entire term of the contract; and

WHEREAS, as Amendment #1 to Contract No. 582-10-90258 calls for matching funds, in accordance with Ordinance No. 16016, the document requires City Council approval.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign Local Air Program grant Amendment #4 to contract No. 582-10-90258 by and between the City of El Paso and the Texas Commission of Environmental Quality (“TCEQ”), in the amount of \$474,422 to extend the contract current period to include September 1, 2012 through August 31, 2013, to conduct compliance investigations on behalf of TCEQ at permitted air sources including, but not limited to, gasoline stations, paint shops, auto body shops and cabinet shops. City matching funds for one third of the amount of the total FY2013 grant are required in the amount of \$156,559. The City Manager is authorized to approve necessary budget transfers to designate the required matching funds.

.....
3H.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That City Council ratifies Texas Health and Human Services Commission (“HHSC”) Contract No. #529-11-0001-00024 for the Information & Referral Services program, including all past amendments to that contract, to allow the City to provide social services community resource information to the public through the 2-1-1 program; and,

That the City Manager be authorized to sign and submit Amendment Three to HHSC Contract No. #529-11-0001-00024 for the Information & Referral Services program, to add \$875.47 to the total contract amount not to exceed \$425,753.51, for additional services provided in reference to the Texas Department of Agriculture (TDA) Summer Nutrition Program calls received in the El Paso region and data reports that the City is required to submit to HHSC weekly, with the amended terms ending on August 31, 2012, and that the City Manager be authorized to sign any amendments thereto to extend the project for up to twelve months, to make adjustments to the contract program budget that do not change the contract amount, and to sign all related certifications, upon review by the City Attorney’s Office.

3I.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a Service Agreement by and between the City of El Paso ("CITY") and Vicki Scuri, for the amount of \$283,000.00 to assist with the final design, construction documents and construction oversight and management for the I-10 and Airway interchange portion of the I-10 Corridor Aesthetic Improvement Project identified in the 2008 Comprehensive Mobility Plan in collaboration with the Camino Real Regional Mobility Authority ("CRRMA") and TxDOT, costs to be covered according to the Interlocal Agreement between the City and the CRRMA entered on November 11, 2010.

.....
4A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Richard Behrenhausen to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Ann Morgan Lilly, District 1.

.....
4B BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Juan Godinez to the Tax Increment Reinvestment Zone Number 6 Board of Directors by Representative Emma Acosta, District 3.

.....
5. NOTICE OF CAMPAIGN CONTRIBUTIONS

*Motion made, seconded, and unanimously carried to **APPROVE** the notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contribution by Mayor John F. Cook in the amount of \$100 from Patrick Abel; \$100 from Rose Acevedo; \$100 from Judith Ackerman; \$500 from Ralph Adame; \$150 from Carlos Aguilar; \$50 from Louise Allin; \$100 from Robert Anders; \$100 from Kumi Barcena; \$100 from Woody Bare; \$100 from Richard Baron; \$100 from Cynthia Bilbe; \$100 from Kelly Blough; \$25 from Mary Boesen; \$100 from Robert Brewer; \$1,000 from Joseph and Phyllis Calcaterra; \$30 from Sybille Campbell; \$50 from Lisa Candelaria; \$50 from Daniel Carreon; \$40 from Ed Chambless; \$50 from Robert Clark; \$300 from Veronica Cook; \$600 from Tram Cook; \$100 from Nieves and Alberto Corona; \$100 from Bryan Crowe; \$400 from Mike Dipp; \$10 from Karly Dreher; \$50 from Thomas Dzurko; \$25 from Scott Edmunds; \$100 from Ellen Eyberg; \$100 from Ildefonso and Estelita Faeldog; \$20 from Terri Flickinger; \$300 from Richard Ford; \$50 from Marcia Fountain; \$50 from Chris Frias; \$50 from Angelica Garcia; \$125 from Roy Gilyard; \$100 from Sid Glandon; \$100 from Elsa Gomez; \$200 from Sonja Goreham; \$50 from James Graham; \$10 from Patricia Greenfield; \$100 from Felipe Gutierrez; \$30 from Jeanne Hendrix; \$50 Carl Howard; \$150 from Gary Ivory; \$500 from Stanley Jobe; \$1,000 from Travis Johnson; \$20 from Peggy Kingman; \$100 from David Kruzich; \$15 from Armando Landin; \$200 from Jeremy Lane; \$500 from Elizabeth Leal; \$50 from Robert Lingle; \$50 from Joan Lopez; \$310 from Joseph Lorkowski; \$100 from Peter Love; \$50 from Tyrone Mansfield; \$100 from Marisa Marquez; \$110 from Richard Mattersdorff; \$10 from Elvia Maynez; \$150 from Matthew McElroy; \$50 from Esequiel Meza, Jr.; \$50 from Robert Minnie; \$10 from Robert Montes; \$25 from Mark and Susana Moore; \$100 from John Neal; \$100 from Jose Nevarez; \$100 from Robert Niland; \$50 from Tom Olsen; \$250 from Melissa O'Rourke; \$500 from Refugio and Edna Partida; \$50 from Roland Perez; \$200 from Edward Ralko; \$50 from Dusty Rhodes; \$10 from Jack Richmond; \$100 from Roberto Rico; \$100 from Ed Roden-Lucero; \$40 from Steven Roehling; \$25 from Vaughn Roney; \$300 from Noel Rosenbaum; \$50 from John and Constance Russell/Crawford; \$100 from Sally Ponzio; \$50 from Everett Saucedo; \$100 from Ruben Schaeffer; \$100 from Kitty Schild; \$20 from William Schlesinger; \$250 from Stuart Schwartz; \$500 from William Smallwood; \$100 from Elba-Maria Stell; \$50 from Lee Sterne; \$25 from Annette Stone; \$30 from Todd Stuart; \$1,000 from Richard Teschner; \$20 from Roxanne Varela; \$100 David Veloz; \$100 from Gabriel Videla; \$200 from Richard Vorba; \$35 from Rick Wadley; \$100 from Barbara Walker; \$50 from Barbara Walker; \$20 from Cynthia Zamora; and \$1,000 from El Pasoans for Equality PAC

Representative Holguin commented.

Ms. Joyce Wilson, City Manager, commented.

.....
6. DONATION

1st MOTION

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

For Notation: Accept the donation of \$1,500 from Castro Enterprises for Movies at the Vista Del Valle Park.
(District 3)

Representative Acosta commented.

NO ACTION was taken on this item.

.....
7. APPLICATIONS FOR TAX REFUNDS

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

- A. Benjamin L. Crow in the amount of \$3,181.62 overpayment of 2011 taxes.
(PID #C818-999-0370-2400).
- B. Nationstar Mortgage in the amount of \$2,713.51 overpayment of 2011 taxes.
(PID #E077-000-0110-2100).
- C. Corelogic Tax Service in the amount of \$2,958.17 overpayment of 2011 taxes.
(PID #L197-000-0010-7000).
- D. J P Future, LLC in the amount of \$2,516.15 overpayment of 2011 taxes.
(PID #M436-999-000B-6600).
- E. Network National Title in the amount of \$3,810.35 overpayment of 2011 taxes.
(PID #S137-999-0130-2100).
- F. Alberto Ortiz in the amount of \$2,933.90 overpayment of 2011 taxes.
(PID #V897-999-0200-9900-2011).
- G. Allegiance Title Company in the amount of \$2,718.94 overpayment of 2011 taxes.
(PID #A670-999-0050-3500).
- H. Mission Senior Community, Inc., in the amount of \$8,568.35 overpayment of 2011 taxes.
(PID #T249-000-0010-01B0).....

.....
8A. REQUEST TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and unanimously carried to **REJECT** the two bids received for Solicitation No. 2012-164, (ARFF Safety Equipment – Emergency Triage Shelters) as recommended by Financial Services Department – Purchasing Division and the Department of Aviation because the bids cited multiple exceptions to the bid specifications, therefore the bids were non-responsive. A new solicitation will be issued.

Department: Aviation

.....
8B. REQUEST TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Engineering and Construction Management Department to issue a purchase order to Musco Sports Lighting, a contractor under the Texas Buy Board Purchasing Cooperative, Contract No. 346-10 for Control Link installation at Blackie Chesher Park, Marty Robbins Park, Galatzan Park, and Irwin Lambka Park. Total estimated expenditures are \$96,395.

Department: Parks and Recreation
Award to: Musco Sports Lighting
Base Bid: \$96,395
Total Estimated Completion: \$96,395
Funding Source: FY2012 and 2013 Certificates 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.

This is a Texas Buy Board contract that includes procurement and installation

.....
8C. REQUEST TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City’s option to extend current Contract 2009-163 (Security Guard Services for City Municipal Building) with Ruiz Protective Service, Inc. for two additional years pursuant to the provisions of an award approved by the City Council on October 6, 2009. The extended contract period will be from October 7, 2012 to October 6, 2014.

Department: General Services
Award to: Ruiz Protective Service, Inc.
El Paso, TX
Option: One [of One]
Annual Estimated Amount: \$195,070
Total Estimated Amount: \$390,140 (2 years)
Account No.: 31010327 – 502212 – 01101
Funding Source: General Services – General Fund

This is a Best Value, service contract.

.....
8D. REQUEST TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Toter Incorporated, a contractor under Houston-Galveston Area Council (HGAC) Contract No. GC01-11 (Refuse & Recycling Containers & Lifters), for 96 Gallon EVR II Universal Nestable Container. 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 Houston-Galveston Area Council (HGAC) was approved by Mayor and City Council on May 8, 2007.

Department: Environmental Services and Code Enforcement
Award to: Toter Incorporated
Statesville, NC
Total Award: \$456,875 (for 10,000 units)
Account No.: 34010289 – 508009 – 40499 - PSWM0010
Funding Source: Environmental Services – Furniture and Fixtures
Reference No.: 2012-264

This is a Cooperative, unit price contract.

.....
8E. REQUEST TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Physio-Control, Inc, the sole source provider for LIFEPAK Defibrillator/monitor products for the purchase of cardiac monitoring and defibrillation supplies in the estimated amount of \$200,000 for the El Paso Fire Department.

Department: Fire
Award to: Physio-Control, Inc.
Redmond, WA
Total Estimated Amount: \$200,000
Account No.: 22010320 – 503112 – 01101
Funding Source: General Fund
Sole Source No.: 2012-266

This is a Sole Source, unit-price contract.

Representative Byrd commented.

Mr. Bruce Collins, Financial Services, commented.

.....
8F. REQUEST TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Moore Medical, LLC, a contractor under Texas Association of School Boards (TASB BuyBoard) Contract No. 363-10 (Public Safety & Fire House Supplies & Equipment), for medical supplies. 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 Texas Association of School Boards (TASB BuyBoard) was approved by Mayor and City Council on August 21, 2007.

Department: Fire
Award to: Moore Medical, LLC
Farmington, CT
Total Estimated Award: \$150,000
Account No.: 22010320 – 503112 – 01101
Funding Source: General Fund – Clinical /Medical Supplies
Reference No.: 2012-267

This is a Cooperative, unit price contract.

8G. REQUEST TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Siddons-Martin Emergency Group LLC, the sole source provider of Pierce proprietary parts and service, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department: Fire
Award to: Siddons-Martin Emergency Group LLC
Houston, TX
Total Estimated Amount: \$200,000
Account No.: 22010320 – 503118 – 01101
Funding Source: General Fund – Vehicle Maintenance Supplies
Sole Source No.: 2012-268

This is a Sole Source, unit price contract.

Representative Byrd commented.

Mr. Bruce Collins, Financial Services, commented.

.....
8H. REQUEST TO ISSUE PURCHASE ORDERS

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to the El Paso County Hospital District dba University Medical Center of El Paso (UMCEP) to purchase medical supplies and pharmaceutical drugs in conjunction with the ongoing Interlocal Agreement/ Resolution between the City of El Paso and the El Paso County Hospital District approved by City Council on April 25, 1989.

Department: Fire
Award to: El Paso County Hospital District dba
University Medical Center of El Paso (UMCEP)
El Paso, TX
Total Estimated Amount: \$150,000
Account No.: 22010320 – 503112 – 01100
Funding Source: General Fund – Clinical Medical Supplies
Reference No.: 2000-153

.....
9. REQUEST FOR PROPOSAL

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-207R (Specific Accela Configuration Services Expertise - Animal Services) to TruePoint Solutions, Inc. for a total award of \$132,000.

Department: Environmental Services and Code Enforcement
Award to: TruePoint Solutions, Inc.
Loomis, CA
Items: All
Option: None
Total Award: \$132,000
Account No.: 34010281 – 502202 – 40403
Funding Source: Environmental Services – Data Process Services Contract

This is an RFP, service contract.

The Financial Services - Purchasing Division and Environmental Services and Code Enforcement recommend award as indicated to TruePoint Solutions, Inc., the sole proposer for this procurement.

.....
10A. BIDS

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-149 (Crack Seal Material) to Crafcot Texas, Inc. for a total estimated award of \$324,000.

| | |
|-------------------------|--|
| Department: | Department of Transportation |
| Award to: | Crafcot Texas, Inc. San Antonio, TX |
| Items: | All |
| Term: | 3 years |
| Option: | None |
| Annual Estimated Award: | \$108,000 |
| Total Estimated Award: | \$324,000 (3 Years) |
| Account No.: | 32010200 – 503203 – 01101 |
| Funding Source: | General Fund - Public Access Maintenance & Repairs |

This is a low bid, unit price contract.

The Financial Services - Purchasing Division and Department of Transportation recommends award as indicated to Crafcot Texas, Inc., the lowest responsive, responsible bidder.

.....
10B. BIDS

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-179 for Facility Rehabilitation Roof Re-Coating W. W. Cowan Recreation Center (Shawver Pool) to Basic IDIQ, Inc. for an estimated total amount of \$46,498.96. Basic IDIQ, Inc has provided the highest ranked proposal (96.7).

| | |
|-----------------------------|---|
| Department: | Engineering and Construction Management |
| Award to: | Basic IDIQ, Inc. |
| Base Bid: | \$46,498.96 |
| Total Estimated Completion: | \$46,498.96 |
| Funding Source: | 2006 Certificates 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 project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a unit price contract. The Engineering and Construction Management Department recommends award to the offeror who submitted the highest ranked proposal.

.....
10C. BIDS

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-203 for the Tula Irrobali Park Playground Improvements project to Sunlight Enterprises Co., Inc. for a total estimated amount of \$147,602.

Department: Engineering and Construction Management
Award to: Sunlight Enterprises Co. LLC
Base Bid: \$147,602
Total Estimated Completion: \$147,602
Funding Source: Community Development Block Grant

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 project, which are in accordance with applicable law.

This is a low bid, lump sum contract. The Engineering and Construction Management Department recommends award as indicated to the lowest responsible bidder.

.....
**ITEM 11A – 11D TAKEN TOGETHER
INTRODUCTIONS**

Motion made by Representative Niland, 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:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

11A. An Ordinance repealing Ordinance No. 017708 dated January 17, 2012 which granted a special privilege license to Mary Stillinger and Enriqueta Godinez, permitting the maintenance and repair of a 2,199 square foot portion of an existing masonry wall with wrought iron fencing within portions of City right-of-way on Farrell Drive between Cindy Drive and Kathy Drive and Kathy Drive between Stevens Road and Farrell Drive adjacent to the property legally described as Lots 15 and 16, Richard Lee Subdivision, City of El Paso, El Paso County, Texas, thereby terminating the special privilege license (SPL11-00040).

11B. An Ordinance vacating a portion of an 18' alley out of Block 47, Bassett Addition, City of El Paso, El Paso County, Texas. Applicant: El Paso Water Utilities. SUB10-00307

PUBLIC HEARING WILL BE HELD ON JULY 3, 2012, FOR ITEMS 11A – 11B

11C. An Ordinance changing the zoning of the following real property known as: Parcel 1: Portion of Section 27, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, from C-2/c (Commercial/condition) to A-O/c (Apartment-Office/condition); and Parcel 2: Portion of Section 27, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, from PR-I (Planned Residential I) to A-O (Apartment-Office), the penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Rich Beem Boulevard at Eastbrook Drive. Property Owner: Tropicana Development, Inc. PZRZ12-00007

11D. An Ordinance releasing all conditions placed on property by Ordinance No. 016385 which changed the zoning of a portion of Section 27, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Rich Beem Boulevard at Eastbrook Drive. Property Owner: Tropicana Development, Inc. PZCR12-00004

PUBLIC HEARING WILL BE HELD ON JULY 17, 2012, FOR ITEMS 11C –11D

.....
12.1. THROUGH 12.4 TAKEN TOGETHER AND VOTED SEPERATELY

12.1 CITY MANAGER

Discussion and action on a presentation of the Downtown Sports Complex Study as developed by Urban Design+. **(All Districts)**

Mr. William Studer, Deputy City Manager, presented a PowerPoint presentation (copy on file in City Clerk's office).

Ms. Carmen Arrieta-Candelaria, Chief Financial Officer, Financial Services, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mr. Tom Paci, Vice President, Turner Construction, Sports, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mr. David Bower, Populous, Sports Architects, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mr. Paul Braden, Outside Bond Counsel, Fulbright and Jaworski, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Pro Tempore Lilly and Representatives Byrd, Acosta, Robinson, Noe, Holguin, Ortega, and Niland

Ms. Joyce Wilson, City Manager, commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

NO ACTION was taken on this item.

.....
12.2 CITY MANAGER

Discussion and action on a presentation of the financial impacts of a downtown stadium. **(All Districts)**

NO ACTION was taken on this item.

.....
12.3

RESOLUTION

WHEREAS, the City of El Paso has received an unsolicited proposal by a group of private investors seeking to acquire a Triple-A Minor League Baseball Franchise ("Team") and locate it in El Paso;

WHEREAS, the private investors desire to partner with the City of El Paso to construct and operate a public sports facility (“Ballpark”) in Downtown El Paso in which the Team will be the primary tenant;

WHEREAS, the City Council recognizes that the development of a Ballpark in Downtown El Paso will serve as a valuable catalyst for redevelopment of downtown, will create economic activity and jobs, and will enhance the of quality of life for citizens city-wide; and

WHEREAS, the City Council desires to work with the private investors to relocate the Team to El Paso and will build the Ballpark.

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

1. **Public/Private Partnership.** That the City Manager is authorized to sign the Term Sheet with Mountain Star Sports Group, LLC (“Investors”) attached to this Resolution as Exhibit “A” in order to signal the creation of the public/private partnership and the intent of the City Council to construct the Ballpark in the event the Investors are able to purchase the Team and relocate it to El Paso.

2. **Location of Ballpark.** Having reviewed all the possible sites for the Ballpark, the City Council has determined that the site currently occupied by City Hall, the Insights Museum, the Community Garden and the supporting parking areas fronting on Franklin Street allows for the best redevelopment opportunity and authorizes the City Manager to take measures to complete the planning for the redevelopment of such site and to take steps to make the site available for the construction, including termination of leasehold interests.

3. **Relocation of City Hall.** The City Manager is authorized to move forward to formulate long term and short term execution plans for the relocation of City operations from the City Hall site to other locations in the downtown area to allow for the construction of the Ballpark.

4. **Financing Ballpark Construction.** The City Manager is authorized to proceed with the proposed financing plan, which ultimately may be modified to include the possible use of (i) a venue hotel occupancy tax if approved by the voters at a duly-called election; (ii) lease revenue bonds issued by a local government corporation formed by the City; and/or (iii) other debt obligations issued by or on behalf of the City for the construction and development of the Ballpark.

5 **Final Contract.** The City Manager or her designee is authorized to negotiate a contract containing the terms and conditions set forth in the attached Term Sheet for the construction and future operations and maintenance of the Ballpark and to present it to City Council for consideration upon completion of the negotiations.

1st MOTION

Motion made by Alternate Mayor Pro Tempore Holguin, seconded by Representative Robinson, and carried to **DELETE** the non compete clause in the contract. **THE MOTION FAILED.**

AYES: Representatives Acosta, Robinson, and Holguin

NAYS: Representatives Lilly, Byrd, Noe, Ortega, and Niland

2ND AND FINAL MOTION

Motion made by Representative Niland, seconded by Representative Noe, and carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Noe, Holguin and Niland

NAYS: Representatives Robinson and Holguin

.....
12.4 CITY MANAGER

A RESOLUTION PROVIDING FOR THE PLANNING, ACQUISITION, ESTABLISHMENT, DEVELOPMENT AND CONSTRUCTION OF A SPORTS AND COMMUNITY VENUE PROJECT AND DESIGNATING THE METHOD OF FINANCING THE PROJECT PURSUANT TO CHAPTER 334 OF THE LOCAL GOVERNMENT CODE.

WHEREAS, if approved at an election, the City Council (the "Council") of the City of El Paso (the "City") intends to plan, acquire, establish, develop, and construct a sports and community venue project under the authority and subject to the provisions of Chapter 334, Local Government Code (the "Act"); and

WHEREAS, this Resolution is adopted pursuant to the requirements of and in conformity with Section 334.021 of the Act;

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

The Council hereby authorizes and, subject to approval at an election, designates, the acquisition, establishment, development and construction of a sports and community venue project within the City of the type described and defined in and permitted by the Act and described in summary form as follows:

Stadium Project

A multipurpose coliseum, stadium or other type of area or facility that is planned for use for one or more professional or amateur sports events, including minor league baseball games, and related infrastructure, all as permitted and defined in Section 334.001(4)(A) of the Act.

The Council designates the following method of financing as the method of financing the City wants to use to finance the Stadium Project:

The imposition of a tax on the occupancy of a room in hotel located within the City at a rate not to exceed two percent (2%) of the cost of such room on persons who, under a lease, concession, permit, right of access, license, contract or agreement, pays for the use or possession or for the right to the use or possession of a room that is in a hotel, costs \$2 or more each day and is ordinarily used for sleeping, as and to the extent authorized by Subchapter H of the Act.

If this Resolution and the Stadium Project are approved by the voters of the City at an election held in accordance with the Act and other applicable law, the Council intends to and will adopt an ordinance that levies and orders the collection of the hotel occupancy tax identified in subsection (a) of this Section at the rate of two percent (2%) of the price paid for a room in a hotel, in accordance with Subchapter H of the Act.

The City Manager or her designee is authorized and directed to send a copy of this Resolution to the Texas Comptroller of Public Accounts, together with other information as may be requested by the Comptroller, for a determination that the implementation of this Resolution will not have a significant negative fiscal impact on State revenue.

The City Manager or her designee shall place on the Council's agenda an order or ordinance calling an election under Section 334.024 of the Act on the question of approving and implementing this Resolution upon the first of the following to occur: (1) receiving written notice from the Comptroller that implementation of this Resolution will not have a significant negative fiscal impact on State revenue; or (2) the expiration of thirty (30) days from the date the Comptroller received a copy of this Resolution, if no such written notice is provided by the Comptroller.

If the method of financing described in Section 2 is approved at the election ordered by the City, as contemplated in Section 4, the Council, by resolution, shall establish the Stadium Venue Project Fund as the

venue project fund required by Section 334.042 of the Act. All proceeds from any approved hotel occupancy tax, and any other revenue the City by ordinance determines is appropriate for use in financing the Stadium Project shall be deposited to the venue project fund and shall be used exclusively for the purposes permitted in Section 334.042 of the Act.

This Resolution shall take effect immediately from and after its passage.

The following members of the public commented:

1. Mr. Richard Schecter, citizen
2. Mr. Bill Hart, Jr., citizen
3. Mr. Bill Blaziek, General Manager, El Paso Convention and Visitors Bureau
4. Mr. Tim Floyd, University of Texas – El Paso
5. Ms. Veronica Escobar, El Paso County Judge
6. Mr. Bob Cook, REDCO
7. Ms. Veronica Soto, Downtown Management District
8. Mr. Steve Kaplowitz, Regent Broadcasting
9. Ms. Mariana Chew, citizen
10. Ms. Luisa Elberg, citizen
11. Mr. Kipper Gray, Kipps Cheesesteak
12. Mr. Scott Joslove, Texas Hotel and Lodging Association
13. Mr. Danny Padilla, General Manager, Hyatt Place Hotel.
14. Mr. Joe Frandina, Owner, Holiday Inn Express
15. Mr. Rick Lefleur, citizen
16. Mr. Neal Remz, Budget Rent a Car
17. Ms. Anessa Anchondo-Rivera, citizen
18. Mr. Xavier Miranda, citizen
19. Ms. Elaine Hayes, citizen
20. Mr. David Pearlman, Diablos Baseball Investors
21. Ms. Lisa Turner, citizen
22. Mr. Salvador Gomez, citizen
23. Mr. Bill Palmer, citizen
24. Mr. Carlos Hisa Lt. Governor, Tiqua Tribe
25. Mr. Carl Moss, Tiqua Tribe
26. Mr. Dan Barrett, Barnett Sports Group
27. Dr. Ana Perez, citizen
28. Ms. Maryann Dodson, Insights Museum
29. Mr. Josh Hunt, Mountain Start Sports Group
30. Ms. Alejandra de al Vega Foster, Mountain Start Sports Group
31. Mr. Woody Hunt, Mountain Start Sports Group
32. Mr. Paul Foster, Mountain Start Sports Group

Motion made by Representative Niland, seconded by Representative Noe, and carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Noe, Holguin and Niland

NAYS: Representatives Robinson and Holguin

.....
13A. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **AUTHORIZE** the City Manager to enter into a contract for minor construction, repair, rehabilitation or alteration of city owned facilities with Basic IDIQ, Inc., a Texas Corporation, in the amount not to exceed \$750,000 over a one year period. This is a "job order contract" as allowed pursuant to Texas Local Government Code Section 271.120. Basic IDIQ, Inc. competitively bid for job order contracting services and was selected by the Harris County Department of Education. The Contractor is entitled to perform only the work issued by individual project work orders.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin, Ortega and Niland
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Noe

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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin, Ortega and Niland
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Noe

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

.....
13B. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **AWARD** bid 2012-213R (Equipment for New Facility Mass Transit Department) to El Paso Automated Office & Industrial Systems, Global Finishing Solutions, LLC, Mesa Equipment, Ross & White Company, for an estimated award of \$3,014,236.80.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin, Ortega and Niland
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Noe

| | |
|--------------------|---|
| Award to Vendor 1: | El Paso Automated Office & Industrial Systems Base Bid 1, 2, 3, 4, 5, 7, 9, 10, 11, 12 |
| Option: | To purchase 100% of the original contract quantities at the same unit price if the option is exercised within 30 days from the date of award of the contract. |
| Estimated Award: | \$1,959,548.80 |
| Award to Vendor 2: | Global Finishing Solutions, LLC |
| Item(s) | Base Bid 14 |
| Option: | To purchase 100% of the original contract quantities at the same unit price if the option is exercised within 60 or 90 days from the date of award of the contract. |
| Estimated Award: | \$474,000 |
| Award to Vendor 3: | Mesa Equipment |
| Item(s) | Base Bid 13 |

Option: To purchase 100% of the original contract quantities at the same unit price if the option is exercised within 60 days from the date of award of the contract.

Estimated Award: \$82,950

Award to Vendor 4: Ross & White Company
Item Base Bid 6
Option: To purchase 100% of the original contract quantities at the same unit price if the option is exercised within 60 days from the date of award of the contract.

Estimated Award: \$497,738

Total Estimated Award: \$3,014,236.80
Account No.: 14400100 - 508004 – 27265- PCP09MT008
Funding Source: FY 2009 Certificates of Obligation

This is a low bid, unit price contract.

The Engineering and Construction Management Department recommend award as indicated to El Paso Automated Office & Industrial Systems, Global Finishing Solutions, LLC, Mesa Equipment, and Ross & White Company, the lowest, responsive, responsible bidders.

.....
14. GENERAL SERVICES

Motion made by Representative Byrd, seconded by Representative Robinson, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Wagner Equipment Co., the sole source provider for the purchase of Caterpillar Genuine Parts, Product, Support Service and Maintenance, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin, Ortega and Niland
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Noe

Department: General Services
Award to: Wagner Equipment Co.
El Paso, TX
Annual Estimated Amount: \$230,000
Total Estimated Award: \$690,000 (3 Years)
Account Nos.: 37370510 – 503121 – 45202
37370510 – 503125 – 45202
Funding Source: General Services – Internal Service Fund
Sole Source No.: 2012-262

This is a Sole Source, supplies contract.

Mr. Bruce Collins, Financial Services, commented.

.....
15. INTERNATIONAL BRIDGES

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks Solicitation No. 2012-193 (Single Space Parking Meters) to IPS, Group, Inc. for an initial term estimated award of \$1,708,080.

Department: International Bridges
 Award to: IPS Group, Inc.
 San Diego, CA
 Items: All
 Initial Term: 5 Years
 Option: None
 Annual Estimated Award: \$1,032,720 First Year, then
 \$ 168,840 each for Years 2, 3, 4 and 5
 Initial Term Estimated Award: \$1,708,080 (5 Years)
 Total Estimated Award: \$1,708,080 (5 Years)
 Account No.: Internal Financing through the Bridges Enterprise Fund
 Funding Source: Internal Financing through the Bridges Enterprise Fund

This is a low bid, service contract.

That the City Council authorizes the City Manager to execute any and all documents related to this transaction, and make any necessary budget transfers necessary to implement this project. The costs will be capitalized and payment budgeted annually from parking meter revenues over a period not to exceed the life of the assets.

The Financial Services - Purchasing Division and International Bridges recommend award as indicated to IPS Group, Inc., the lowest responsive, responsible bidder, and that Duncan Parking Technologies, Inc. be disqualified as non-responsive.

.....
16. LIBRARIES

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Sirsi Corporation dba SirsiDynix, the sole source provider for integrated library services system software upgrades, training and annual maintenance, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin, Ortega and Niland
 NAYS: None
 NOT PRESENT FOR THE VOTE: Representative Noe

Department: Libraries
 Award to: Sirsi Corporation dba SirsiDynix
 Huntsville, AL
 Annual Estimated Amount: \$143,089.36 (Year 1)
 \$ 83,731.00 (Year 2)
 \$ 86,242.93 (Year 3)
 \$ 88,830.22 (Year 4)
 \$ 91,495.12 (Year 5)
 \$ 94,239.98 (Year 6)
 \$ 97,067.18 (Year 7)
 Total Estimated Award: \$684,695.79 (7 Years)

Funding Source: 2012-2013
Certificates of Obligation CIP Plan (1st Year)
General Fund (Years 2 thru7)
Account Nos.: 14400500 – 508010 – 27051 - PCP12IT08 (1st Year)
39010351 – 502202 – 01101 (Years 2 thru 7)
Sole Source No.: 2012-229

This is a Sole Source, supply and service contract.

Ms. Dionne Mack, Director of Libraries, commented.

.....
17. POLICE

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **AWARD** Solicitation No. 2012-198 (Lease of Unmarked Police Vehicles) to Enterprise Holdings, Inc. dba EAN Holdings, LLC for a total estimated award of \$1,500,000 (3 Years).

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin, Ortega and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

Department: Police
Award to: Enterprise Holdings, Inc. dba
EAN Holdings, LLC
El Paso, TX
Items: Group I: Automobiles, Items 2 and 3
Group II: Trucks, Item 1 thru 4
Group III: Vans, Item 1
Group IV: Special Purpose Vehicles, Items 1 thru 4
Optional Equipment: Items 1 thru 5
Miscellaneous: Items 1 and 2
Term: 3 Years
Option: None
Annual Estimated Award: \$ 500,000
Total Estimated Award: \$1,500,000 (3 Years)
Account Nos.: 21150040 – 502408 – 05446 – G12SW0007A55
21150040 – 502408 – 05447 – G12SW0007A56
21150040 – 502408 – 05448 – G12SW0007A57
21150040 – 502408 – 05449 – G12SW0007A58
21150040 – 502408 – 05450 – G12SW0007A59
21150040 – 502408 – 05451 – G12SW0007A60
21150002 – 502408 – 05948 – G211202
Funding Source: High Intensity Drug Trafficking Area (HIDTA) and
Auto Burglary and Theft Prevention Authority (ABTPA) Grant

This is a low bid, unit price contract.

The Financial Services - Purchasing Division and El Paso Police Department recommend award as indicated to Enterprise Holdings, Inc., dba EAN Holdings, LLC, the lowest responsive, responsible bidder.

Mr. Bruce Collins, Financial Services, commented.

18. PLANNING AND ECONOMIC DEVELOPMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** twelve weeks the public hearing on an Ordinance granting Special Permit No. PZST11-00013, to allow for infill development with reduced lot width on the property described as all of Lots 21 and 20 Except the Westerly 3 Feet of 20, Block 73D, Logan Heights Addition First Revised Plat, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3604 Keltner Avenue. Property Owner: Stone Nest LLC. PZST11-00013.

.....
19. CITY DEVELOPMENT

*Motion made, seconded, and unanimously carried to **DELETE** the item regarding an application to name the Reynolds Street overpass (located south of Durazno and north of Alameda Avenue) as "Regent Francis Overpass" and that the City provide funding for the application to be processed.

.....
20A.

RESOLUTION

WHEREAS, on November 25, 2005, the City of El Paso (the "**City**") adopted a Debt Management Policy that set forth the parameters for issuing new debt as well as managing the outstanding debt portfolio, identifies the types and amounts of permissible debt and ensures that the City maintains a solid bond rating in order to minimize borrowing costs and preserving access to credit;

WHEREAS, the City has reviewed its debt management policy at least bi-annually in accordance with the provisions of the Policy requiring Council review;

WHEREAS, the City last reviewed and amended the City's Debt Management Policy on February 14, 2012; and

WHEREAS, the City now desires to further amend the City's Debt Management Policy to revise Section 5.2 regarding the use of Certificates of Obligation.

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

That the City hereby adopts the amended City of El Paso Debt Management Policy which revision is attached hereto as **Exhibit A** and incorporated herein by reference.

Representative Holguin, commented.

Motion made by Representative Byrd, seconded by Representative Acosta, and carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Ortega and Niland

NAYS: Representative Holguin

NOT PRESENT FOR THE VOTE: Representative Noe

.....
20B.

RESOLUTION

WHEREAS, the El Paso City Council approved its revised Debt Management Policy on February 14, 2012 which sets forth the parameters for issuing new debt for the City of El Paso and such policy shall be further revised by City Council concurrent with this action; and

WHEREAS, the Debt Management Policy establishes the types of bonds that may be used to fund capital improvement projects at the lowest costs possible and states that Certificates of Obligation are an appropriate debt instrument for infrastructure-related capital projects (and non-quality of life projects); and

WHEREAS, the El Paso City Council has directed that issuances for proposed capital projects and utilizing Certificates of Obligation be brought forward annually starting in 2010 and thereafter; and

WHEREAS, on May 24, 2012, City Council approved a listing of Street Infrastructure capital projects to be undertaken in Fiscal Years 2013 through 2019 for which the City would need to issue long term debt; and

WHEREAS, the City Staff recommends that the El Paso City Council approve the revision of the City of El Paso Street Infrastructure Capital Plan for FY2013 - 2019 to add capital projects totaling \$218.4 million (\$218,400,000.00) to include capital projects by fiscal year as set forth in Exhibit "A", and authorize the issuance of Certificates of Obligation as the source for the Plan pursuant to the City's Debt Management Policy.

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

1. **THAT** the El Paso City Council approves the City of El Paso Street Infrastructure Capital Plan for FY 2013 - 2019 to add capital projects totaling \$218.4 million (\$218,400,000.00) to include capital projects by fiscal year as set forth in the attached Exhibit "A" and authorizes the use of Certificates of Obligation as the source for the Plan pursuant to the City's Debt Management Policy;
2. **THAT** the City Manager be authorized, subject to annual budgeting requirements, to establish the funding sources for the capital plan enumerated in the "Capital Program" for Fiscal Years 2013 through 2019 and make all necessary budget transfers at the appropriate times for execution of the capital projects; and
3. **THAT** the City Manager be directed to pursue the actions and execute documents necessary to implement the project, subject to annual budgeting requirements and final Council approvals.

Motion made by Representative Byrd, seconded by Representative Acosta, and carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Ortega and Niland

NAYS: Representative Holguin

NOT PRESENT FOR THE VOTE: Representative Noe

.....
21A. MAYOR AND COUNCIL

*Motion made, seconded, and unanimously carried to **DELETE** the item to remove the fence around the playground equipment that is adjacent to Pavo Real Recreation Center.

.....
21B. MAYOR AND COUNCIL

1st MOTION

Motion made by Representative Byrd, seconded by Representative Holguin, and carried to **KEEP** Charter election in November 2012. **THE MOTION FAILED.**

AYES: Representatives Byrd, Acosta and Holguin
NAYS: Representatives Lilly, Robinson, Ortega and Niland
NOT PRESENT FOR THE VOTE: Representative Noe

2nd AND FINAL MOTION

Motion made by Representative Ortega, seconded by Representative Niland, and carried to **CONDUCT** Charter election in May 2013.

AYES: Representatives Lilly, Robinson, Ortega and Niland
NAYS: Representatives Byrd, Acosta and Holguin
NOT PRESENT FOR THE VOTE: Representative Noe

.....
22. CITY MANAGER

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **DELETE** the Quarterly Update on Activities from El Paso Electric Company. EPE Representatives.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin, Ortega and Niland
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Noe

.....
Motion made by Representative Ortega, seconded by Representative Niland, and unanimously carried to **ADJOURN** this meeting at 3:27 p.m.
.....

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk