

Agenda Item Form

Agenda Date: 07/13/04

Districts Affected: All

Dept. Head/Contact Information: El Paso Water Utilities, Fred Loweree, (915) 594-5501

Type of Agenda Item:

- | | | |
|--|---|--|
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Staffing Table Changes | <input type="checkbox"/> Board Appointments |
| <input type="checkbox"/> Tax Installment Agreements | <input type="checkbox"/> Tax Refunds | <input type="checkbox"/> Donations |
| <input type="checkbox"/> RFP/ BID/ Best Value Procurement | <input type="checkbox"/> Budget Transfer | <input type="checkbox"/> Item Placed by Citizen |
| <input type="checkbox"/> Application for Facility Use | <input type="checkbox"/> Bldg. Permits/Inspection | <input type="checkbox"/> Introduction of Ordinance |
| <input type="checkbox"/> Interlocal Agreements | <input type="checkbox"/> Contract/Lease Agreement | <input type="checkbox"/> Grant Application |
| <input checked="" type="checkbox"/> Other <u>Personal Services</u> | | |

Funding Source:

- General Fund
 Grant (duration of funds: 12 Months)
 Other Source: Grant Funded

Legal:

- Legal Review Required Attorney Assigned (please scroll down): Lupe Cuellar Approved Denied

Timeline Priority: High Medium Low # of days: _____

Why is this item necessary:

Need to hire this employee to assist as a planning and technical assistance coordinator.

Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:

Salary & Benefits

Statutory or Citizen Concerns:

N/A

Departmental Concerns:

N/A

AGENDA ITEM FORM
CITY OF EL PASO

RESOLUTION

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

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **RODRIGO MERCADO**, to assist the El Paso Water Utilities as a Regional Services Coordinator at a biweekly rate of \$2,307.69 for 40 hours per week. The term of the contract shall be for the period of July 14, 2004 through July 13, 2005.

APPROVED this 13th day of July, 2004.

THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Guadalupe Cuellar
Deputy City Attorney

STATE OF TEXAS)
)
COUNTY OF EL PASO)

PERSONAL SERVICES CONTRACT

This contract entered into by and between the **CITY OF EL PASO**, a home rule municipal corporation hereinafter referred to as "City," and **RODRIGO MERCADO**, hereinafter referred to as "Employee," witnesseth:

WHEREAS, the City, on behalf of the El Paso Water Utilities, desires to employ the Employee as a Regional Services Coordinator; and

WHEREAS, Employee possesses the skills to render said employment to the City.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. SCOPE OF SERVICES. Employee shall perform the services found in Attachment A, attached and made a part hereof, under the terms and conditions hereinafter stated, and the Employee hereby accepts and agrees to perform such services for the El Paso Water Utilities, in El Paso, Texas.

2. TIME OF PERFORMANCE. The services of Employee are to commence on or about July 14, 2004 and be completed by July 13, 2005.

3. COMPENSATION AND METHOD OF PAYMENT. Employee shall be paid at a biweekly rate of Two Thousand Three Hundred Seven and 69/100 Dollars (\$2,307.69).
The employee shall work a minimum of forty (40) hours per week. Employee is classified as an exempt employee under FLSA and is not eligible for overtime. Employee will be paid all holidays authorized by City Council. Employee may be required to provide his own transportation for work related matters and will be reimbursed for mileage at a rate of \$.375 per mile. Total amount of contract shall not exceed \$65,000.00. The City will provide no other fringe benefits. Employee agrees that at no time will he make a claim against the City for more than the rate provided under the terms of this contract.

4. LOCATION OF PERFORMANCE. The place where such services are to be performed is in the El Paso Water Utilities, City and County of El Paso, State of Texas, or such other places as may be directed by the City in order to fulfill the terms of this Contract.

5. LAW GOVERNING CONTRACT. For purposes of determining the place of the Contract and the law governing the same, it is agreed that the Contract is entered into in the City and County of El Paso, State of Texas, and shall be governed by the laws of the State of Texas. Venue shall be in the courts of El Paso County, Texas.

6. COMPLETE AGREEMENT. This agreement constitutes and expresses the entire agreement between the parties hereto in reference to the personal services of the Employee for the City, and in reference to any of the matters or things herein provided for, or hereinbefore discussed or mentioned in reference to such services, all promises, representations and understanding relative thereto herein being merged.

7. TERMINATION. Either party may terminate this contract without cause after ten (10) days written notice to the other party of the intention to terminate this contract, or at any time by mutual agreement of the parties. Should the City have cause to terminate this agreement, the contract may be terminated immediately upon notification to the Employee of the cause for termination. The right to terminate the contract under the provisions specified in this paragraph may be exercised by the Chief Administrative Officer on behalf of the City.

8. MISCELLANEOUS. The City shall provide such office space for Employee as is necessary, in the sole determination of the City, for Employee to carry out his duties under this Contract.

9. NOTICE. Any notices required under this contract shall be sufficient if sent

by Certified Mail, Return Receipt Requested, postage prepaid, to the City or the Employee at the following addresses:

CITY: City of El Paso
El Paso Water Utilities
Attn: General Manager
1154 Hawkins Boulevard
El Paso, Texas

EMPLOYEE: Rodrigo Mercado

IN WITNESS WHEREOF the parties have executed this agreement at El Paso, Texas this 13th day of July, 2004.

CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

EMPLOYEE:

Rodrigo Mercado
SSN:

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Guadalupe Cuellar
Deputy City Attorney

Edmund G. Archuleta, General Manager
El Paso Water Utilities

APPROVED BY THE CIVIL SERVICE COMMISSION:

By: _____, Secretary
Date: 7/8/04

ATTACHMENT A
SCOPE OF DUTIES STATEMENT

REGIONAL SERVICES COORDINATOR

(EPWU CONTRACT POSITION)

General Purpose

Under general direction, as an individual contributor, coordinate comprehensive water and wastewater projects funded by multiple federal and state agencies to serve the region beyond the corporate limits of the City of El Paso

Typical Duties

Plan, develop, implement, functionally manage and evaluate extension of water and wastewater services to residents of colonias and other border areas. Involves: Participate in cooperative international water and wastewater development along the United States and Mexico border by liaising with local, state, federal and Mexican officials on North American Free Trade Agreement (NAFTA) and Integrated Border Environmental Plan (IBEP) related issues. Assist in formulating the Water Utility's master plan for service extension including acquisition of water rights and establishment of rates for out-of-city services and water and wastewater charges. Oversee out-of-city water and wastewater supply and extension contracts and special accounting procedures. Recommend expenditures and arrange for new services.

Identify and pursue funding from governmental and private funding sources and perform complex cost control functions to support projects and to ensure that City residents do not subsidize efforts to extend utilities. Involves: Develop applications for federal, state and local funds for construction of water and wastewater facilities and extension of water and wastewater services including preparation of technical reports, facility plans, requests for qualifications, and requests for proposals. Confer with consultants, elected officials, other water district officials and managers of related state and federal agencies such as the Texas Water Development Boards (TWDB) and Economically Distressed Area Program (EDAP) to request funding. Evaluate and monitor current and proposed project budgets to control expenditures and to maximize program impact.

Monitor and administer non-engineering aspects of highly complex projects to research, design and assess water and wastewater structures, systems and components. Involves: Participate in estimating costs and scheduling at all project levels to ensure construction occurs within allotted time frame and budget. Collaborate with Water Utility operating and engineering personnel, state and federal regulatory agencies, consultants, and contractors on processing construction and project change orders. Prepare periodic status reports for oversight commissions regarding projects, budgets, contracts and problems encountered. Ensure projects administratively comply with environmental and public health regulations, applicable permits, and state or federal funding requirements.

Promote and furnish information about extension of water and wastewater services. Involves: Arrange for public meetings and hearings with residents of colonias, area water district managers and local, state and federal officials. Establish rapport and effective working relationships with neighborhood groups, community activists, government officials and private sector representatives to encourage extension of services. Make presentations to varied audiences and meet with local media to provide interviews pertaining to on-going projects. Answer questions regarding extension of service, and investigate and prepare responses to complaints. Write and issue news releases to the media.

Perform related incidental professional analytical and administrative duties contributing to the realization of City and Utility goals as required. Involves: Substitute, if delegated and as qualified, for coworkers or supervisor during temporary absences by carrying out specifically delegated functions to maintain continuity of normal services, but referring unusual problems or difficult policy issues to next available higher level executive for guidance or action. Assist in various allied management or other professional functions such as by participating in special studies and serving on ad hoc committees as requested. Maintain logs to record activities, and prepare related requested or recurring reports.

ATTACHMENT A
SCOPE OF DUTIES STATEMENT

REGIONAL SERVICES COORDINATOR

(EPWU CONTRACT POSITION)

Minimum Qualifications

Education and Experience: Equivalent to an accredited Bachelor's Degree in Business or Public Administration or a related field, plus eight (8) years of increasingly responsible professional experience in the management and administration of utility or urban development or community services programs or projects fully or partially funded by state or federal grants.

Licenses and Certificates: Texas Class "C" Driver's license or equivalent issued by another state by date of hire.

Special Requirements:

- Work beyond standard workday or workweek hours as necessary.
- Travel to domestic and foreign destinations if necessary.

Rodrigo Mercado, M.P.A.

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Summary of Experience

I have worked in the field of public administration for over fifteen years, hold a bachelor of arts in political science and a master of public administration from the University of Texas at El Paso and Texas A&M University, respectively. I offer experience in directing and coordinating programs and in planning, administering and implementing projects, managing resources and budgets at the local to state level. I have had the opportunity to work with many of the El Paso Water Utilities' staff and many of the water districts and, in the process, acquired considerable technical knowledge and insight of the role of water and wastewater in regional development.

Under minimal supervision, I can analyze situations; evaluate, develop and prioritize and plan goals, objectives; feasibility studies and effectively implement programs and projects. I am very aware of the administrative, regulatory and cultural procedures and protocols and comfortable working with professionals and secular persons in formal and informal settings. I have coordinated and participated in conferences in the United States and Mexico.

Director/Grant Administrator, Planning and Development Department, County of El Paso, 1997-2004 (\$76,500)

Duties: Direct the development and administration of the County's grant funded economic and community development, transportation, special projects and the enforcement of land use and zoning. Accomplishments:

- recognized by the Commissioners' Court for establishing the first planning and community development departments;
- received state recognition as the best community development organization for fiscal year 1999-2000 for its work in the colonias;
- participated or directed the development of comprehensive plans for water, wastewater, solid waste and housing for the County;
- prepared and administered over twenty grants totaling more than \$30 million that significantly impacted the number of county residents without access to a public water;
- implemented, administered, participated and supervised housing, economic and recreational development projects;
- directed the 2000 census for the county in collaboration with localities and HUD;
- prepared bid packages, held bid, pre-construction and construction meetings;
- wrote and published legal notices for public hearings, funding availability, environmental clearances, request for bids, proposals and qualification statements;
- interviewed or assisted selection committees for professional engineering, architectural and, or surveying services;
- collaborated and coordinated interlocal agreements for federal and state funded programs between the county and localities, utility districts, foundations, non-profit organizations and businesses;
- hired, trained and supervised permanent and contracted staff; and

- assisted community based organizations and small communities in establishing partnerships and applying the self-help approach in problem solving.

**Planner, Texas Health and Human Services Commission, Austin, Texas,
Texas Information and Referral Project (1993-1996 \$38,000 RIF)**

Duties: Establish a statewide, county level, information and referral (I&R) network to link people with service providers and service providers to state service networks. Accomplishments:

- facilitated statewide meetings with health and human services providers to establish a single point of contact for each county;
- edited and published the yearly service provider directory (90% coverage);
- served as planning chairperson for the Texas Association of Information and Referral Systems;
- represented the department and at times the Texas Health and Human Services Commission at national and state conferences; and
- provided English/Spanish translations for the Commission and the Governors' Ombudsman Office.

Appropriate Low/No Cost Renewable Technologies Program Coordinator, University of Texas at El Paso (1990-1993 \$37,500 Grant Expired)

Duty: Develop and provide culturally sensitive, sustainable energy education programs for low-income families living in the colonias (underdeveloped, unincorporated communities within a 100 miles of the US/Mexico Border). Accomplishments:

- produced videos, written material and demonstration projects for sustainable energy presentations for diverse groups—students, colonia residents, energy and environmental experts, social service providers and community based groups;
- conducted 300+ presentations, trained trainers and held workshops in thirty-six Texas counties and four Mexican states;
- translated, wrote and edited energy fact sheets that were distributed state wide by the Texas Energy Extension Service at Texas A&M;
- participated in writing the State of Texas Energy Policy Partnership;
- recognized by the Union of Concerned Scientists and presented on cultural diversity and sustainable technology at the Affordable Comfort Housing Conference VI in Pittsburgh and at the World Solar Cooker Conference in Sacramento; and
- supervised directors at UT Permian and Pan American in Odessa and Edinburg; and
- served as the planning chairperson for the Board of Directors for the Texas Association of Information and Referral Services.

1972-84 City of El Paso: Traffic Technician. 1970-72 County of El Paso Draftsman: 1969-70 City and County of Denver Draftsman.

References upon request.