

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

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

AGENDA FOR SPECIAL CITY COUNCIL MEETING

August 7, 2006
10th Floor Conference Room, City Hall
4:00 p.m.

AGENDA: Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, August 8, 2006. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

AGENDA FOR REGULAR CITY COUNCIL MEETING

August 8, 2006
Council Chambers, City Hall
8:30 a.m.

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

8:30 a.m.: Roll call and Executive Session*
9:00 a.m.: Invocation and Pledge of Allegiance
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

Invocation – Police Chaplain Clift Barnes
Pledge of Allegiance

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/city_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.
30 Minutes total is allotted for speakers.
Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. APPROVAL OF MINUTES: [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of August 1, 2006, Special City Council Meeting of July 10, 2006 (Downtown Redevelopment), Special City Council Meeting of July 13, 2006 (Budget Hearings), Special Joint City Council/City Planning Commissioners Meeting of July 18, 2006, Special City Council Meeting of July 20, 2006 (Budget Hearings), Special City Council Meeting of July 21, 2006 (Budget Hearings), Special City Council Meeting of July 25, 2006 (Agreement to Purchase Buses), Special City Council Meeting of July 26, 2006 (Budget Hearings), and Special City Council Meeting of July 28, 2006 (Budget Wrap-up).

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign a Contract of Sale between the City of El Paso and Cooper Roseway Limited Company for the acquisition of two parcels of land (Parcel 1, containing 3,980 square feet, more or less, being a portion of Tracts 13A and 13A1, Block 46, Ysleta Grant, El Paso, El Paso County, Texas and Parcel 2, containing 3,010 square feet, more or less, being a portion of Tract 13A, Block 46, Ysleta Grant, El Paso, El Paso County, Texas) in the amount of twenty-eight thousand sixty-one and no/100ths dollars (\$28,061.00) to be used for the Roseway Street and Drainage Improvement Project. Project #: PBE04ST127; Fund: 29142; Department: 14200403; Account: 508000. **(District 6)**

[Development and Infrastructure Services, Patricia D. Aduato, (915) 541-4853]

3B. That the City Manager be authorized to sign an Agreement by and between the City of El Paso ("City") and the El Paso Regional Economic Development Corporation ("REDCo") to provide specific, measurable economic development services to the City. The term of this agreement shall be from June 1, 2006, through December 31, 2007. Consideration for the Economic Development Services to be provided by REDCo to the City shall not exceed \$100,000.00

during calendar year 2006 and \$200,000.00 during calendar year 2007. **(All Districts)** [Economic Development, Lucille Ponticelli, (915)-541-4679]

- 3C.** Resolution that the City of El Paso Incentives Policy – Guidelines & Criteria attached hereto as Exhibit “A” are adopted as the City of El Paso incentive policy effective September 1, 2006. **(All Districts)**
[Economic Development, Lucille Ponticelli, (915)-541-4679]
- 3D.** Resolution that the City of El Paso Guidelines & Criteria for Tax Abatement attached hereto as Exhibit “A” be adopted as the City of El Paso tax abatement policy effective September 1, 2006. **(All Districts)**
[Economic Development, Lucille Ponticelli, (915)-541-4672]
- 3E.** That the City Manager be authorized to sign a Professional Services Agreement between the City of El Paso and SGB Engineering, Inc., to perform professional services for a project known as “Central Fire Station Heating And Cooling Improvements” in an amount not to exceed fifty-five thousand five hundred sixty and 00/100 dollars (\$55,560.00). **(District 8)**
[Engineering Department, Rick Conner, (915) 541-4423]
- 3F.** That the City Manager be authorized to sign a Professional Services Agreement between the City of El Paso and Dimensions Architects, Inc., to perform professional services for a project known as “Facility Condition Assessment Services” in an amount not to exceed four hundred ninety-nine thousand nine hundred ninety-nine and 00/100 dollars (\$499,999.00). **(All Districts)**
[Engineering Department, Rick Conner, (915) 541-4423]
- 3G.** That the City Council approves the increase of fees paid to Civil Service Commission Hearing Officers from \$100.00 (one hundred dollars) an hour to \$135.00 (one hundred and thirty-five dollars) an hour. Fund Source: 09010027-502215-01101. [Human Resources, Linda Ball Thomas, (915) 541-4509]
- 3H.** That the City Manager is hereby authorized to execute an interlocal cooperative agreement by and between the City of El Paso and the Public Employee Benefits Alliance in order to cooperatively purchase goods, services, and other items to be used in the City's provision of employee benefits. **(All Districts)**
[Office of Management and Budget, David Almonte, (915) 541-4011]

4. BOARD RE-APPOINTMENTS:

Mr. Mervin H. Moore to the Public Utility Regulatory Board by Representative Jose Alexandro Lozano, District 3.
[Representative Jose Alexandro Lozano, (915) 541-4515]

5. RESIDENTIAL STREET LIGHT(S): Approve installation, power, and maintenance of residential street light(s) at the following location(s):

5A. Between 808 Sierra and 812 Sierra St. at a cost of \$899.00. Funding to be allocated from Account No. 504420, ID 01010002, Fund 01101 by Representative Susie Byrd. [Representative Susie Byrd, (915) 541-4416]

- 5B. Between 4501 Skyline and 4505 Skyline Ave on an existing pole at a cost of \$464.00. Funding to be allocated from Account No. 504420, ID 01010002, Fund 01101 by Representative Susie Byrd. [Representative Susie Byrd, (915) 541-4416]
- 5C. At 4864 Titanic Ave. on an existing pole at a cost of \$464.00. Funding to be allocated from Account No. 504420, ID 01010002, Fund 01101 by Representative Susie Byrd. [Representative Susie Byrd, (915) 541-4416]
- 5D. At 471 Chapel Pl. @ Starr Ave. Cost \$899. Department ID No. 01153010, Account No. 504420, Fund No. 16507, Project No. PD70428. **(District 7)**
[Representative Steve Ortega, (915) 541-4124]
- 5E. At Pendale Rd. @ Kastrin St. Department ID No. 01153030, Account No. 504420, Fund No. 16507, Project No. PD70428. Cost \$1,364. **(District 7)**
[Representative Steve Ortega, (915) 541-4124]

6. ENGINEERING:

Approve Contract Change Order No. 5 to J.A.R. Concrete, Inc. for the Central Business District (CBD) Phase III Project (Contract Number 2005-119). The contract is a unit price contract and this change order is to increase the originally estimated quantities by directing the contractor to construct the GSA Storm Sewer Project in accordance with specifications as part of the CBD Phase III Project. The dollar amount of this change order is \$375,000.00. The new total estimated contract value will be \$12,592,439.43.

Funds Available: PPWFL03047-27707-31255013-508027
Funding Source: GSA (General Services Administration)
Remaining Contingency: \$67,670.34

District(s): 8
[Engineering Department, Rick Conner, (915) 541-4423]

7. FINANCIAL SERVICES:

- 7A. Request that the Purchasing Manager, Financial Services, Purchasing Division be authorized to exercise the City's option to extend the term of the agreement for a one year period, from September 1, 2006, through August 31, 2007, pursuant to the provisions of contract 2003-118, Administration of HUD Loans, with AmeriNational Community Services, Inc., Downey, CA.

Department: Community Development
Amount: \$172,400.00
Account No's: 71150036-09760-502201 G7107HM
Account No's: 71150039-09933-502201 G710RLFAD07
Funding Source: Home Program FY07-Billing/Collecting Agency Contracts and FY07 RFL Admin. FY07 - Billing/Collecting Agency Contracts

District(s): All
[Financial Services, Ray Heredia, (915) 541-4316]

- 7B. Request that the Purchasing Manager for Financial Services be authorized to exercise the City's option to extend the term of the agreement for two (2) additional years from August 20, 2006, to August 20, 2008, pursuant to the

provisions of Contract 2004-211 with TASER International, Inc., Scottsdale, Arizona, for Taser Weapons and Accessories.

Option No.: ONE [OF ONE]
 Amount of Award: \$160,000.00 (total for two years extension)
 Account No's: 21150060-16371-P500231-508007
 Funding Source: Public Safety Equipment-Federal Confiscated Funds
 Department: El Paso Police Department
Districts: All
 [Financial Services, Jesus M. Juarez, (915) 541-4317]

7C. Request that the Purchasing Manager, Financial Services Purchasing Division, be authorized to issue a Purchase Order to SirsiDynix, the sole source developer, manufacturer, and distributor who is the current provider of the Library Automation Software. Maintenance for the Dynix/Horizon Software can only be provided by SirsiDynix. Total amount: \$66,745.68.

Additionally, it is requested that staff be authorized to negotiate, Legal to review, and that the City Manager be authorized to sign any and all additional documents as necessary.

Award Amount is: \$66,745.68
 Funds Available in: 39010351-01101-502402 (\$62,000.00) and
 39101351-01101-502202 (\$4,745.68) Operating accounts.
 Department: Library
Districts: All
 [Financial Services, Ray Heredia, (915) 541-4316]

8. BEST VALUE PROCUREMENT:

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Discussion and action on the award of Powered Ambulance Cots and Stair Chairs (Solicitation No. 2006-125) to Stryker for the total award of \$198,753.60.

Solicitation No. 2006-125 Powered Ambulance Cots and Stair Chairs
 Award to: Stryker
 Fort Worth, TX
 Item(s): #1 (Qty. 20 @ \$8,625.88/each)
 #2 (Qty. 20 @ \$1,941.80/each)
 T-1 (Qty. 6 Trade-Ins @ \$350.00/each)
 T-2 (Qty. 14 Trade-Ins @ \$750.00/each)
 Amount: \$211,353.60
 -\$12,600.00 Less Trade-in Allowance
 \$198,753.60
 Department: Fire
 Funds Available: 508007-29204-04200401-PMB0005004 (\$101,927.12)
 508007-41022-62620020-P500004 (\$10,567.68)
 508012-07181-22150024-G220706 (\$86,258.80)
 Funding Source: 2004 BE Capital Acquisition Fire/Public Safety Equipment,
 Capital Outlay/Public Safety Equipment, and Fire Dept. Grants,
 Medical/Scientific Equipment, respectively

Total Award: \$198,753.60
District (s): All

The Fire and Financial Services Departments recommend award to the Bidder offering the Best Value Bid.

This is a fixed-price, single (one-time) purchase, to purchase powered ambulance cots and stair chairs. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days from the date of award of the contract. No prompt payment discount was offered.

[Financial Services, Barbara Crumley, (915) 541-4315]

9. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

Discussion and action on the award of Sale of Used Peterbilt Automated Side Load Refuse Trucks (Solicitation No. 2006-147) to Ampro Truck Sales for the total award of \$114,510.00. This is a revenue generated contract.

Solicitation No.:	2006-147	Sale of Used Peterbilt Automated Side Load Refuse Trucks
Award to:		Ampro Truck Sales
		Troutdale, OR
Item(s):		Group I, Item No's. 1-10
Amount:		\$114,510.00
Department:		General Services
Funds Available:		N/A – Revenue
Funding Source:		N/A – Revenue
Total Award:		\$114,510.00
District(s):		All

The General Services and Financial Services Departments recommend award to the highest responsive, responsible Bidder.

This is a fixed-price, single (one-time) contract to sell ten (10) surplus Peterbilt automated refuse trucks. [Financial Services, Barbara Crumley, (915) 541-4315]

10. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]

10A. BT2006-1113 POLICE

To appropriate funding to purchase sufficient radios for all assigned personnel.

Increase	\$325,000	to	Miscellaneous Non-Operating Revenues
Increase	\$325,000	to	Communications Equipment

10B. BT2006-1133 AIRPORT

Transfer of funds to cover the cost of constructing the TSA Security Structure.

Increase	\$300,000	to	Fund Balance Transfer
Increase	\$ 2,300	to	Contractual Services
Increase	\$297,700	to	Construction Costs

REGULAR AGENDA**11. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.
Public comments are invited at the date of the scheduled public hearing.**

- 11A.** An ordinance granting to Sign Store a non-exclusive franchise for litter receptacles on sidewalks and other City Property. **(Districts 3, 5, 6, and 7)**
[Environmental Services, Ellen Smyth, (915) 621-6719]
- 11B.** An Ordinance amending Ordinance 8064 (the Classification and Compensation Plan) to amend all positions within the General Services Compensation Plans pursuant to the Classification and Compensation Study completed by the Human Resources Department. [Human Resources, Linda Ball Thomas, (915) 541-4509]
- 11C.** An ordinance relating to the creation of three divisions of Municipal Court Number Four. **(All Districts)** [City Attorney's Office, Charles F. McNabb, (915) 541-4550]
- 11D.** An Ordinance authorizing the City Manager to sign a lease agreement between the City of El Paso and the County of El Paso, Texas, for the lease of the Happiness Senior Citizens Center, located at 563 North Carolina, El Paso, Texas, for a term of one (1) year with automatic renewal not to extend beyond thirty years. **(District 3)**
[Parks and Recreation, Norman C. Merrifield, (915) 541-4910]
- 11E.** An Ordinance amending Title 13 (Streets, Sidewalks & Public Places), Chapter 13.25 (El Paso Zoo), by amending Section 13.25.010 (El Paso Zoo Fees) to remove listed fees and establish criteria and guidelines for the setting of fees; to repeal section 13.25.015 (Parking Fees for El Paso Zoo Patrons); and to amend Section 13.25.020 (El Paso Zoo Parking Lot – Use and Fees) to establish criteria and guidelines for the setting of all parking fees. **(All Districts)**
[Parks and Recreation, Norman C. Merrifield, (915) 541-4910]

PUBLIC HEARING WILL BE HELD ON AUGUST 22, 2006, FOR ITEMS 11A - 11E

- 11F.** An Ordinance changing the zoning of a portion of Lot 2, Block 46, Sun Ridge Subdivision Unit 12, El Paso, El Paso County, Texas, from A-O/SC (Apartment/Office/Special Contract) to C-2/SC (Commercial/Special Contract). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: East of Zaragoza Road, north of Sun Fire Blvd. Applicant: E P Summit. ZON06-00068 **(District 6)**
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 11G.** An Ordinance changing the zoning of a portion of Tract 8, Nellie D. Mundy Survey No. 239, El Paso, El Paso County, Texas, from R-3 (Residential) to C-4 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: north of Talbot Avenue and west of Interstate Highway 10. Applicant: El Paso Outlet Center, LLC. ZON06-00066 **(District 1)**
[Development Services/Planning, Melissa Granado, (915) 541-4730]

- 11H.** An Ordinance amending ninety-five Sections/Subsections of Title 20 (Zoning) of the El Paso City Code by adding and amending provisions relating to personal wireless service facilities, setting forth regulations regarding the construction of personal wireless service facilities, and replacing existing code language with current terminology. The penalty is as provided in Chapter 20.68 of the El Paso City Code. **(All Districts)**
[Development Services/Planning, Kimberly Forsyth, (915) 541-4631]
- 11I.** An Ordinance amending Title 20 (Zoning) of the El Paso City Code by amending Section 20.62.020 (Non-Conforming Uses and Structures), to add Subsection M, regulating non-conforming personal wireless service facilities. The penalty is as provided in Chapter 20.68 of the El Paso City Code. **(All Districts)**
[Development Services/Planning, Kimberly Forsyth, (915) 541-4631]
- 11J.** An Ordinance granting Special Permit No. ZON06-00067 to allow for a planned residential development with private streets, reduced setbacks, and reduced lot depths on All of Tracts 2A, 2C, 2G, 2G1, and 2I, Block 9, Upper Valley Surveys, El Paso, El Paso County, Texas, pursuant to Section 20.12.040 (Zoning) of the El Paso City Code and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Gomez Road, West of Westside Drive. Applicants: Enrique Escobar and Rena Seifts. ZON06-00067 **(District 1)**
[Development Services/Planning, Linda Castle, (915) 541-4029]
- 11K.** An Ordinance changing the zoning of Lot 11 and the northerly 8.66 feet of Lot 12, Block 43, Hart Addition, El Paso, El Paso County, Texas, from A-2 (Apartment) to A-O (Apartment-Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 920 North Stanton. Applicant: The Henderson Partnership. ZON06-00069 **(District 8)**
[Development Services/Planning, Linda Castle, (915) 541-4029]

PUBLIC HEARING WILL BE HELD ON AUGUST 29, 2006, FOR ITEMS 11F – 11K

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

12. INTRODUCTION OF ORDINANCE PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

An Ordinance Levying 2007 Taxes. **(All Districts)**
[Office of Management and Budget, David Almonte, (915) 541-4011]

PUBLIC HEARING WILL BE HELD ON AUGUST 29, 2006, FOR ITEM 12

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

13. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]

13A. BT2006-1118 ENGINEERING

Engineering proposes to transfer \$1,168,480.61 from previous CO issuances to a project for Capital Acquisitions. Funding source is 1993A COs, 2000 COs, 2001 COs, and 2003 COs. All Districts

Decrease	\$1,168,480.61	from	Operating Contingency
Increase	\$1,168,480.61	to	Data Processing Equipment

13B. BT2006-1131 AIRPORT

Transfer of funds to cover the cost of constructing the extension of the Long Term Parking Lot.

Increase	\$1,000,000	to	Fund Balance
Increase	\$ 2,500	to	Contractual Services
Increase	\$ 997,500	to	Construction Costs

13C. BT2006-1132 AIRPORT

Transfer of funds to cover the cost of constructing the passenger terminal modification project.

Increase	\$10,000,000	to	Fund Balance Transfer
Increase	\$ 2,800	to	Contractual Services
Increase	\$ 9,997,200	to	Construction Costs

14. ENGINEERING:

14A. Discussion and action on the award of Park Project No. 6A (Solicitation No. 2006-152) to Jan-Car, Inc., of Horizon City, Texas, for a total amount of \$612,834.00. P-Plus3 D/I and Parks & Recreation Department recommend approval. This amount represents the Base Bid and Alternates 1 through 11.

Bid No:	2006-152	Park Project No. 6A
Location:		Various
Contractor:		Jan-Car, Inc. Horizon City, Texas
Department:		Parks Department
Funds Available:		14101001-PQLPA186-60183-508027 & Project Numbers: P518000808, P518000868, P518000099, and P518000106
Funding Source:		2000 Quality of Life Bonds & Parkland Dedication Funds
Items:	Base Bid	\$493,600.00
	Alternates 1 through 11	\$119,234.00
Total Award:		\$612,834.00
Estimated Completion Date:		Spring 2007
District(s):		1, 2, and 8

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

It is requested that the City Manager of the City of El Paso be authorized to execute a contract and any other necessary documents relating to this Solicitation, which are necessary to carry out the intent of this award.

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 which are within the appropriate budget.

This is a low bid, lump sum project, not a best value contract.
[Engineering Department, Rick Conner, (915) 541-4423]

- 14B. Discussion and action on the award of Reconstruction of Taxiway "H" & "G" and FBO Apron Expansion (Solicitation No. 2006-161) to J. A. R. Concrete, Inc., of El Paso, Texas for an estimated total amount of \$1,934,790.00. The Engineering and Airport Departments recommend approval. The funding source will be an FAA Airport Improvement Program.

Solicitation No. 2006-161	Reconstruction of Taxiway "H" & "G" and FBO Apron Expansion
Award to:	J.A.R. Concrete, Inc. El Paso, Texas
Items: Base Bid I	\$1,934,790.00
Total Award:	\$1,934,790.00
Department:	Airport
Funds Available:	62620031-G620AIP0022-11511-508027
Funding Source:	FAA Airport Improvement Program
Estimated Completion Date:	December 2006
District(s):	2

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

It is requested that the City Manager of the City of El Paso be authorized to execute a contract and any other necessary documents relating to this Solicitation, which are necessary to carry out the intent of this award.

Work under the unit price component is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of the unit price component 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 which are within the appropriate budget.

This is a low bid project, not a best value contract.
 [Engineering Department, Rick Conner, (915) 541-4423]

15. FINANCIAL SERVICES – BEST VALUE PROCUREMENT:

15A. Discussion and action on the award of Museum Exhibits for El Paso Museum of History (Solicitation No. 2006-111) to Split Rock Studios for an estimated total award of \$869,579.00.

Solicitation No.:	2006-111	Museum Exhibits for El Paso Museum of History (Fabrication and Installation)
Award to:		Split Rock Studios Arden Hills, MN
Item(s):		A to Z Gallery Group: Items AZ1.0, AZ2.0, AZ2.1, AZ3.1, AZ3.2, AZ3.4, AZ3.5, AZ3.6, AZ4.0, and AZ5.0 (\$173,248.00)
		Changing Pass A Group: Items CPA1.0, CPA2.0, CPA3.0, CPA4.0, CPA5.0, CPA5.1, CPA6.0, CPA6.1, CPA8.0, CPA9.0, CPA10.0, CPA Deduct 1, and CPA Deduct 3 (\$170,742.00)
		Changing Pass B Group: Items CPB1.0, CPB2.0, CPB3.0, CPB4.0, CPB5.0, CPB6.0, CPB7.0, CPB 8.0, CPB9.0, CPB10.0, CPB11.0, CPB13.0, CPB14.0, and CPB15.0 (\$98,695.00)
		Changing Pass C Group: Items CPC1.0, CPC2.0, CPC5.0, CPC6.0, CPC7.0, CPC8.0, CPC9.0, CPC10.0, and CPC11.0 (\$169,475.00)
		Changing Pass D Group: Items CPD1.0, CPD2.0, CPD2.1, CPD3.0, CPD4.0, and CPD Deduct 1 (\$63,034.00)
Amount:		\$675,194.00 (Fixed Price - Exhibits)
Estimated Additional Amt.:		\$194,385.00 (Additional Exhibits and Ancillary Work)
Total Award:		\$869,579.00 Estimated
Department:		Museums and Cultural Affairs
Funds Available:		PHI05001-26283-31130565-508016 \$50,000.00 PHI05001-26283-31130565-508050 \$55,000.00 PHI05001-60502-31250204-508016 \$570,194.00
Funding Source:		2000 Quality of Life Bonds and 2002 Certificates of Obligation
Total Award:		\$869,579.00 Estimated
District(s):		8

The Museum and Cultural Affairs and Financial Services Departments recommend award to the Bidder offering the Best Value Bid.

This is a fixed-price, single (one-time) purchase for the fabrication and installation of Museum Exhibits for the El Paso Museum of History for the items and amounts indicated above that are fully funded. Bidder agrees to hold prices firm for an additional one hundred eighty (180) days after award. It is further requested that the City Manager be authorized to approve budget transfers as necessary and the department issue Release Notices to the Contractor for additional items not included in the fixed price portion of this award in an estimated amount not to exceed \$124,385.00 as the funding becomes available through fund raising efforts. Additionally, it is requested that the City Manager be authorized to approve increases to the contract for ancillary work based on the hourly rates and the minimum markup on materials submitted by the Bidder in his offer in an estimated amount not to exceed \$70,000.00. No prompt payment discount was offered. [Financial Services, Barbara Crumley, (915) 541-4315]

16. PUBLIC HEARINGS – MAYOR AND COUNCIL:

Introduction and Adoption of the following Ordinance pursuant to Section 3.10 of the El Paso City Charter:

An Emergency Ordinance of the City of El Paso declaring a state of disaster for the City of El Paso, Texas resulting from the flooding due to excessive rain.

Public Hearing will be held today, August 8, 2006, as part of the City Council Meeting. After the Public Hearing, Council may adopt the Ordinance. **(All Districts)**
[City Attorney's Office, Charles F. McNabb, (915) 541-4550]

17. PUBLIC HEARINGS – DEVELOPMENT SERVICES:

An Ordinance changing the zoning of a portion of Tract 5, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County Texas, from C-4 (Commercial) to R-5 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Dyer Street near Mohair. Applicant: Borsberry Family LTD Partnership. ZON06-00041 **(District 4)** [Development Services/Planning, Christina Valles, (915) 541-4930]
POSTPONED FROM 08-01-06

18. PUBLIC HEARINGS – ENVIRONMENTAL SERVICES:

18A. An Ordinance amending Ordinance No. 15703, an Ordinance creating the Brownfields Redevelopment Board, to amend paragraph number one: membership and terms, to allow for the appointment of alternate members to the Board, to redefine the staggered terms, to modify the start dates of such terms; and, paragraph number three: administration, to reassign the administrative staff support to the Environmental Services Department of the City of El Paso. **(All Districts)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]

18B. An Ordinance Repealing Ordinance No. 014680, for the purpose of abolishing the Ad Hoc Waste Tire Disposal Advisory Committee. **(All Districts)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.072 DELIBERATION REGARDING REAL PROPERTY
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074 PERSONNEL MATTERS
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- EX1.** Armando Chacon vs. City of El Paso; Cause No. 2001-4755. (551.071).
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX2.** Discussion and action regarding Lisa A. Elizondo, File No. 06-C-129. (551.071).
[City Attorney's Office, Charles F. McNabb, (915) 541-4550]
- EX3.** Economic development related negotiations with business prospect (SV-0803-1) and the possible offer of financial or other incentives to the subject business prospect. (551.087). [Economic Development, Lucille Ponticelli, (915)-541-4679]
- EX4.** Economic development related negotiations with business prospect (PAD-0803-1) and the possible offer of financial or other incentives to the subject business prospect. (551.087). [Economic Development, Lucille Ponticelli, (915)-541-4679]

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

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