

OSCAR LEESER
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
LARRY ROMERO, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHIEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

**LEGISLATIVE REVIEW MEETING OF THE WHOLE MINUTES
MAIN CONFERENCE ROOM, 2ND FLOOR
CITY HALL, 300 N. CAMPBELL
August 12, 2013
9:00 A.M.**

The City Council met at the above place and date. Meeting was called to order at 9:11 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Larry Romero, Michiel R. Noe, Lilia Limón, and Cortney Carlisle Niland. Not present: Emma Acosta, Carl Robinson, and Eddie Holguin, Jr.

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3A. RESOLUTION

That the City Manager be authorized to sign a Butterfield Trail Industrial Park Lease by and between the City of El Paso ("Lessor") and 50 Walter Jones Blvd., Inc. ("Lessee") for the following described property: Approximately 240,695 square feet of land being a portion of Lot 1, Block 15, Butterfield Trail Industrial Park Unit III, City of El Paso, El Paso County, Texas, municipally known and numbered as 50 Walter Jones Blvd., El Paso, Texas. **(All Districts)** [Airport, Monica Lombrana, (915) 780-4793]

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Monica Lombrana, Director of Aviation

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3B. RESOLUTION

1. That the City Manager be authorized to execute a Tax Abatement Agreement between the City of El Paso and Hector F. Barraza (the "Applicant"), pursuant to the City's Infill Development Incentive Policy, for the construction of a multifamily rental property development to be located at 2413 Tremont Ave., El Paso, Texas. **(District 2)** [City Development, Marty Howell (915) 383-8217]
2. That the City Manager be authorized to execute a Chapter 380 Economic Development Sales Tax Rebate Program Agreement by and between the City of El Paso and Hector F. Barraza (the "Applicant"), in relation to Applicant's construction of a multifamily rental property development located at 2413 Tremont Ave., El Paso, Texas. **(District 2)** [City Development, Marty Howell (915) 383-8217]

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Marty Howell, Director of Economic Development and Sustainability

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3C. RESOLUTION

That the City Manager be authorized to sign a Local Transportation Project Advance Funding Agreement (LPAFA) by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for Operational Improvements on Paseo Del Norte from Desert Blvd. to North Resler Drive. The total project amount is \$3,094,638 with a local contribution of \$229,774. **(District 1)** [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Irene Ramirez, Interim City Manager

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3D. RESOLUTION

That the City Manager be authorized to sign a Local Transportation Project Advance Funding Agreement (LPAFA) by and between the City of El Paso (the "City") and the State of Texas, acting by and through the Texas Department of Transportation (the "State"), for the design and construction of the Dyer Street Rapid Transit System (RTS), for a total project amount of \$10,403,670 with a local contribution by the City of \$163,400. **(Districts 2, 4, and 8)** [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

Mayor Leeser commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Irene Ramirez, Interim City Manager

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3E. RESOLUTION

That the City Manager be authorized to sign an Agreement for Professional Services by and between the City of El Paso and Moreno Cardenas, Inc., a Texas Corporation, for a project known as "Pebble Hills Extension" for an amount not to exceed \$126,064; and that the City Engineer be authorized to approve up to \$50,000 in additional services, for a total contract amount not to exceed \$176,064; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this agreement. **(District 5)** [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

Ms. Joyce Wilson, City Manager, commented.

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3J. RESOLUTION

That in accordance with Section 3.5 of the City Charter, as revised, the Regular City Council meetings for September 3, 2013, November 26, 2013, and December 24, 2013, are hereby cancelled and to authorize the rescheduling of the Regular City Council meeting from December 31, 2013 to January 2, 2014. **(All Districts)** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Mayor Leeser and Representative Noe commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Sylvia Firth, City Attorney, gave legal advice.

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3K. RESOLUTION

That the City Manager be authorized to sign the Interlocal Cooperation Contract, between the City of El Paso and Texas Department of Public Safety (DPS) Reprographics & Distribution Services which allows the City to purchase supplies from DPS Reprographics & Distribution Services at a later time as needed, from September 1, 2013 through August 31, 2015, for the Police Department's use in conducting DWI breath tests. **(All Districts)** [Police, Robert E. Feidner, (915) 564-7309]

Ms. Joyce Wilson, City Manager, commented.

4G. BOARD RE-APPOINTMENT

Representative Ann Morgan Lilly to the Animal Shelter Advisory Committee by Mayor Oscar Leeser.
[Mayor Oscar Leeser 541-4145]

Ms. Joyce Wilson, City Manager, commented.

5. BOARD APPOINTMENT

Matthew P. Loweree to the City Plan Commission by Representative Emma Acosta, District 3.
[Representative Emma Acosta, (915) 541-4515]

Ms. Joyce Wilson, City Manager, commented.

6. FOR NOTATION

Accept the donation of \$500 from CEA Engineering Group, \$500 from Desert View Homes, Inc., and \$100 from Jack Berg Sales for the District 3 Movies under the Stars. [Representative Emma Acosta, (915) 541-4515]

Ms. Joyce Wilson, City Manager, commented.

7. APPLICATIONS FOR TAX REFUNDS:

That the tax refunds listed on the attachment posted with this agenda be approved.
(See Attachment B) **(All Districts)** [Tax Office, David Childs, (915) 541-4598]

Ms. Joyce Wilson, City Manager, commented.

8A. BEST VALUE PROCUREMENT

The award of Solicitation No. 2013-225 (Grounds Maintenance – City Facilities) to Green Scene, Inc. for an estimated award of \$211,140.

Department:	General Services – Land Management Division
Award to:	Green Scene, Inc. El Paso, TX
Item(s):	All
Initial Term:	3 years
Option to Extend:	None
Payment Terms:	Net 30
Annual Estimated Award:	\$ 70,380
Total Estimated Award:	\$211,140 (3 years)
Account No.:	231 – 31120 - 522210 – 1000 – P3110
Funding Source:	General Fund – Groundskeeping Horti Contracts
Districts:	All

This is a Best Value, service contract.

The Financial Services - Purchasing Division and General Services – Land Management Division recommend award as indicated to Green Scene, Inc., the bidder offering the best value bid.
[Financial Services, Bruce D. Collins, (915) 541-4313]
[General Services, Stuart C. Ed, (915) 621-6822]

Ms. Joyce Wilson, City Manager, commented.

8B. BEST VALUE PROCUREMENT

The award of Solicitation No. 2013-241 (Janitorial Services – Animal Clinics) to The Eagle Janitorial Services for an initial term estimated award of \$137,118.96.

Department:	Environmental Services
Award to:	The Eagle Janitorial Services El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option to Extend:	2 Years
Annual Estimated Award:	\$45,706.32
Initial Term Estimated Award:	\$137,118.96 (3 Years)
Total Estimated Award:	\$228,531.60 (5 Years)
Account No.:	522060-3120-334-34050
Funding Source:	Maintenance Services Contract - Janitorial
Districts:	All

This is a Best Value, Service contract.

The Financial Services - Purchasing Division and Environmental Services recommend award as indicated to The Eagle Janitorial Services, the bidder offering the best value bid.

[Financial Services, Bruce D. Collins, (915) 541-4313]
[Environmental Services, Kurt Fenstermacher, (915) 621-6700]

Ms. Joyce Wilson, City Manager, commented.

9. BID

The award of Solicitation No. 2013-236 Bid for Bus Stop Enhancements Citywide Year 3 to Keystone GC, LLC, for an estimated total amount of \$219,387.85.

Department:	Engineering and Construction Management
Award to:	Keystone GC, LLC El Paso, TX
Base Bid I:	\$219,387.85
Total Estimated Award:	\$219,387.85
Time for Completion:	180 Consecutive Calendar Days
Accounts:	190-28300-580270-4710-PCP09MT0090
Funding Source:	2009 Certificates of Obligation
Districts:	All

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only estimated value and will be ordered, performed, invoiced, and paid by measure quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the

work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a low bid, unit-price contract. The Engineering & Construction Management Department recommends award as indicated to the lowest responsive and responsible bidder. [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

Ms. Joyce Wilson, City Manager, commented.

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10A. INTRODUCTION – AIRPORT

An Ordinance amending Ordinance Number 017862 which established operating procedures and set fees for Foreign-Trade Zone No. 68 and to allow the revisions to Zone Schedule No. 1, Rates, Rules, Charges and Regulations applying at Foreign Trade Zone No. 68, El Paso, Texas, to replace in its entirety Article One, formerly known as “Privileges Of Foreign Trade Zones” with a new Section called “Scope of Foreign Trade Zones”; to make other changes to be consistent when referring to defined terms throughout the Tariff Schedule; to remove Article II for redundancy; to update Section 3.01 regarding merchandise permitted in a zone; to update Section 3.07 regarding exclusion from Zone of Goods or Process Of Treatment; to update the names of required federal forms; to update the admission language in Section 4.17 to allow for blanket admissions; to amend Section 4.27 to require compliance with special orders of the Foreign-Trade Zones Board; to add Section 4.37 regarding grantee liability; to add a fee for alterations to a zone site and to change certain fees in Article V; to add language to amend certain definitions and to add other definitions; and to add Appendices D and E. **(All Districts)** [Airport Foreign Trade Zone, Joe Quinonez, (915) 771-6015]

Ms. Joyce Wilson, City Manager, commented.

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11A. ENGINEERING AND CONSTRUCTION MANAGEMENT

Discussion and action to award Solicitation No. 2013-246 Re-Bid for CNG Fuel Dispensers to D&H Pump Service, Inc., for an estimated total amount of \$2,420,000.

Department:	Engineering and Construction Management
Award to:	D&H Pump Service, Inc.
	El Paso, TX
Base Bid 1:	\$1,398,090
Base Bid 2:	\$ 509,051
Base Bid 3:	\$ 512,859
Total Estimated Award:	\$2,420,000
Time for Completion:	180 Consecutive Calendar Days
Accounts:	560-60070-580270-3210-TX040077
	334-34060-580270-3150-PSWM00170
Funding Source:	Sun Metro FTA Grant & Environmental
Services – Capital projects	
Districts:	4 and 7

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of 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 lump-sum contract. The Engineering & Construction Management and Sun Metro Departments recommend award as indicated to the lowest responsive and responsible bidder.
[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

Ms. Joyce Wilson, City Manager, commented.

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11B. ENGINEERING AND CONSTRUCTION MANAGEMENT

Discussion and action that the City Manager be authorized to sign an Agreement for Professional Services by and between the City of El Paso and Quantum Engineering Consultants, Inc., a Texas Corporation, for a project known as "Pedestrian Pathways Phases I and II" for an amount not to exceed \$568,992.50; and that the City Engineer be authorized to approve up to \$50,000 in additional services, for a total contract amount not to exceed \$618,992.50; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this agreement. **(District 8)** [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Irene Ramirez, Interim City Engineer

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14. CITY ATTORNEY

Discussion and action on a Resolution regarding the City's policy concerning communications in connection with the transaction of official business and the use of personal e-mail accounts.
[City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]

Ms. Joyce Wilson, City Manager, commented.

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The following member of the public commented:

Ms. Lisa Turner

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Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried to **ADJOURN** this meeting at 9:31 a.m.

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APPROVED AS TO CONTENT:

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Richarda Duffy Momsen, City Clerk