

AGENDA FOR REGULAR CITY COUNCIL MEETING

**September 14, 2010
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.

Roll call and Executive Session*
Invocation and Pledge of Allegiance
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, Fire and CIMA Chaplain Sam Faraone
Pledge of Allegiance**

MAYOR’S PROCLAMATIONS

- 1. LIFE INSURANCE AWARENESS MONTH**
- 2. THE REYNOLDS HOME APPRECIATION DAY**
- 3. NATIONAL SUICIDE PREVENTION WEEK**
- 4. EL PASO INTERNATIONAL MARIACHI FESTIVAL MONTH**
- 5. GEORGE ALEXANDER McALMON, JR. 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 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:

Approval of Minutes for the Regular City Council Meeting of August 31, 2010.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

Representative Ann Morgan Lilly

3. RESOLUTION(S):

3A. A resolution authorizing the City Manager to sign a Consent to Assignment and Assumption Agreement by and among the City of El Paso, Valle Non-Profit Housing, Inc. (“Assignor”), and Texas Housing Finance Corporation Special (“Assignee”), consenting to the assignment of Assignor’s rights, duties, and obligations under a Forgivable Loan Agreement (21st Year (1995-1996) Community Development Block Grant Program) and related loan documents to Assignee, concerning the operation of a low-to-moderate income rental housing project located at 5453 Ridge Street, El Paso, Texas. **(District 1)**
[Community and Human Development, William Lilly, (915) 541-4643]

3B. That Centro Cultural Mexicano Paso del Norte and Plum City Lounge be authorized to provide for the sale and service of alcoholic beverages in the closed portion of Mills Street between Mesa Street and Oregon Street from 5:00 pm to 9:00 pm Wednesday, September 15, 2010 (SPL10-00007).
(District 8) [Department of Transportation, Mirian Spencer, (915) 541-4482]

3C. That the City Manager be authorized to sign an Interlocal Agreement by and between the City of El Paso (City) and Clint Independent School District (Clint ISD) whereby the city shall perform plan review and inspections services for Clint ISD for the construction of the new Clint High School. **(All Districts)**
[Engineering and Construction Management, Victor Morrison-Vega, (915) 541-4556]

3D. That the City Manager be authorized to sign an overhead electrical easement to the El Paso Electric Company for the purpose of relocating overhead electrical service onto city property along Roseway, near Zaragosa, El Paso, Texas. The relocation of the electric line is to accommodate the city construction project on Roseway. Said property being more particularly described as a portion of Tracts 106, 107, 108 and 109, North Valumbrosa No. 2, a Subdivision in the City of El Paso, El Paso County, Texas.
(District 6) [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

3E. That the City Manager be authorized to sign an overhead electrical easement to the El Paso Electric Company for the purpose of providing electrical service for city facilities at Radford Street and U.S. Interstate Highway 10 (Saipan area), El Paso, Texas. Said property being more particularly described as a portion of Lot 8, Block 4, Chula Vista, a Subdivision in the City of El Paso, El Paso County, Texas. **(District 3)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 3F. That the El Paso City Council approves the following priority and location under the "Open Space Enhancements" (District 2) project as required by Proposition No. 3 of the Feb. 7, 2004 General Obligation Bond Election: Portland Avenue Open Space Improvements at Portland Avenue and Elm Street: \$49,000. **(District 2)** [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 3G. That the City Manager be authorized to sign a contract between the City of El Paso and Javier Chacon, County Elections Administrator of El Paso County, at an presently estimated cost of \$131,529.37 to provide election services and equipment for the November 2, 2010 City Elections; that the City Manager be authorized to sign amendments to the contract to include revising the estimated election costs due to changes in the calculations based joint election cost sharing. **(All Districts)** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

- 3H. That the Mayor be authorized to sign a Resolution appointing the election officials and election judges for the Special Election for the submission of a measure on November 2, 2010. **(All Districts)**
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

- 3I. A Resolution authorizing the City Manager to sign an Annexation Agreement between the City and County of El Paso, for 1.4405 acres of real property located Southeast of Zaragoza Road and South of the Intersection of Rich Beem Avenue and Volcanic Rock Avenue which will specify the terms and conditions in which the property will be annexed should the City annex the property. That the Deputy Director of Planning prepare an annexation service plan in accordance with Section 43.056 of the Local Government Code.
(East ETJ, Adjacent to Districts 5 and 6)
[Planning and Economic Development, Ernesto Arriola, (915) 541-4723]

- 3J. That the City Manager be authorized to sign the Mission Valley Visitor's Center Operating Agreement by and between the City of El Paso and the El Paso Mission Trail Association for the management and operation of the Mission Valley Transfer Center Visitor's Center, at no cost to the City.
(Districts 6 and 7) [Sun Metro, Jay Banasiak, (915) 534-5810]
POSTPONED FROM 08-10-10, 08-24-10, AND 08-31-10

- 3K. That the City Manager be authorized to sign a Right of Entry for Construction and Property Owner Participation Agreement and an Access Easement Agreement by and between the City of El Paso and Simon Property Group (Texas), L.P., which will allow for cost sharing in the construction of identified improvements, including a sidewalk and ADA accessible ramps, and will grant the City an easement for the pedestrian access, ingress and egress to and from the Eastside Transit Terminal and the intersection of Sunmount Drive and Edison Way.
(District 3)
[Sun Metro, Jay Banasiak, (915) 534-5810]

4. BOARD RE-APPOINTMENT(S):

- 4A. Bernard J. Sargent to the Greater El Paso Civic, Convention, and Tourism Advisory Board as requested by City Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4123]

4B. Kelly M. Sorenson to the Building and Standards Commission, as a regular member, by Representative Susie Byrd, District 2.
[Representative Susie Byrd, (915) 541-4996]

4C. Elizabeth Behrenhausen to the Greater El Paso Civic, Convention, and Tourism Advisory Board by Representative Ann Morgan Lilly.
[Representative Ann Morgan Lilly, (915) 541-4886]

5. BOARD APPOINTMENT:

Maria Carolina Nicolette Robinson to the Construction Board of Appeals.
[Representative Rachel Quintana, (915) 541-4701]

6. MAYOR AND COUNCIL:

6A. DISCRETIONARY FUNDS:

That the City Council declares the expenditure of discretionary funds to support the El Paso International Mariachi Festival 2010 hosted by the El Paso Youth Symphony Orchestra on September 18, 2010, serves a municipal purpose and is authorized. **(Districts 1, 2, 3, and 5)**
[Representative Rachel Quintana (915) 541-4701]

6B. NOTATION OF CAMPAIGN CONTRIBUTION:

For notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contribution by Representative Emma Acosta in the amount of \$1,000.00 from Richard Castro; and in the amount of \$500.00 from Randal O’Leary.
[Representative Emma Acosta, (915) 541-4572]

7. APPLICATIONS FOR TAX REFUNDS:

That the tax refunds listed on the attachment posted with this agenda be approved.
(See Attachment A) **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]

8. REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

8A. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Southwest Sterling, Inc. DBA Southwest Truck Sales of El Paso, Texas; the sole authorized dealer in sales and parts distributor in El Paso, Texas for Sterling trucks proprietary parts, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department: General Services
Funding Source: General Services, Internal Service Fund
Annual Estimated Amount: \$80,000.
Total Estimated Award: \$240,000. (3 years)
Sole Source No.: 2010-252
Districts: All
[Financial Services, Bruce D. Collins, (915) 541-4313]
[General Services, Stuart Ed, Director, (915) 621-6822]

- 8B.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Chastang's Bayou City Autocar, a Texas Association of School Boards (TASB) BuyBoard contractor under Contract No. 281-07 (Vehicles and Heavy Duty Trucks) and to Heil of Texas, a Texas Association of School Boards (TASB) BuyBoard contractor under Contract No. 280-07 (Refuse Bodies, Trailers and Other Bodies), for Rear Loaders.

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: General Services-Fleet Division
 Total Estimated Award: \$410,692 (for 2 units)
 Funding Source: Environmental Services – Vehicular Equipment
 Reference No.: 2011-012
Districts: All
 [Financial Services, Bruce D. Collins, (915) 541-4313]
 [General Services, Stuart Ed, (915) 621-6822]

- 8C.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Sexual Trauma Response Services (STARS), the sole source provider for outreach emergency counseling and follow-up public health services for reported victims of sexual assault, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department: Police
 Annual Estimated Amount \$70,000
 Total Estimated Award: \$210,000 (3 years)
 Funding Source: General Fund-Outside Contracts
 Sole Source No.: 2011-014
Districts: All
 [Financial Services, Bruce D. Collins, (915) 541-4313]
 [Police Department, Eric Shelton, (915) 564-7357]

9. BEST VALUE PROCUREMENT(S):

- 9A.** The award of Solicitation No. 2010-249 Police Patrol Motorcycles to Sanchez & Sons Trucking, Inc. DBA Edge Kawasaki for a total award of \$338,532.75.

Department: General Services
 Award to: Sanchez & Sons Trucking, Inc. DBA Edge Kawasaki
 El Paso, Texas
 Items: Item 1, Option 01, 02 and 06
 Option: To purchase 100% at the same unit price if exercised within 180 days from date of award
 Unit Amount: \$22,568.85 (per unit with option 01, 02 and 06)
 Total Award: \$338,532.75 (for 15 units)
 Funding Source: General Services – Vehicle Replacement Fund
Districts: All

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

Financial Services - Purchasing Division and General Services Department recommend that Barnett Harley Davidson of El Paso, TX be disqualified as non-responsible, and Enforcement Motors, LLC of Tempe, AZ be disqualified as non-responsive, and the contract be awarded as indicated to Sanchez & Sons Trucking, Inc. DBA Edge Kawasaki of El Paso, TX the sole responsive, responsible bidder.

[Financial Services, Bruce D. Collins, (915) 541-4313]

[General Services, Stuart Ed, (915) 621-6822]

- 9B.** The award of Solicitation No. 2010-206 (Traffic Signal Priority Control System, Infrared Activated, Data - Encoded) to Tri-State Electric, Ltd. for an initial term estimated award of \$154,386.54.

Department:	Department of Transportation
Award to:	Tri-State Electric, Ltd. Vinton, TX
Items:	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$154,386.54
Initial Term Estimated Award:	\$463,159.62 (3 years)
Total Estimated Award:	\$771,932.70 (5 years)
Funding Source:	General Fund – Public Access Account
Districts:	All

This is a requirements type contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

Financial Services-Purchasing Division and Department of Transportation recommend award as indicated to Tri-State Electric, Ltd., the bidder offering the best value bid.

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Department of Transportation, Jared Mendoza, (915) 541-4152]

10. BID(S):

The award of Solicitation No. 2010-189 (Niehoff Alternators and Related Parts) to McAdams Group LLC DBA Texas Alternator Starter Service for an initial term estimated award of \$105,000.

Department:	Fire
Award to:	McAdams Group, LLC DBA Texas Alternator Starter Service Austin, TX
Items:	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$35,000

Initial Term Estimated Award: \$105,000 (3 years)
 Total Estimated Award: \$175,000 (5 years)
 Funding Source: General Fund -Vehicle/Heavy
 Equipment Maintenance
Districts: All

This is a requirements type contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

Financial Services-Purchasing Division and Fire Department recommend award as indicated to McAdams Group, LLC DBA Texas Alternator Starter Service, the lowest responsive, responsible bidder.

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Fire Department, Manuel Chavira, (915) 771-1002]

REGULAR AGENDA - INTRODUCTIONS

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 amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits) of the El Paso City Code by adding Angora Loop south from Dyer Street to Railroad Drive to Subsection G, forty miles per hour; the penalty being as provided in Section 12.84.010 (Violation--Penalty) of the El Paso City Code. **(District 4)**
 [Department of Transportation, Ted Marquez, (915) 621-6814]

11B. An Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code) Sections 18.02.103.1.1.6 (Prerequisite to Issuance of Permits) and 18.02.103.9.1.2.1 (Prerequisite to Issuance of Certificate of Occupancy), of the El Paso City Code, to amend the requirements for issuance of conditional building permits and certificates of occupancy for lots with conditional building permits, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code. **(All Districts)**
 [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

11C. An Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code) of the El Paso City Code, by repealing Chapter 18.02 in its entirety and adopting a new Chapter 18.02 in its place, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code. **(All Districts)**
 [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 11D. An Ordinance adopting the 2009 edition of the International Building Code and amending Title 18 (Building and Construction), Chapter 18.08 (Building Code), of the El Paso City Code, to provide for local amendments to the 2009 International Building Code, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code. **(All Districts)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 11E. An Ordinance adopting the 2009 edition of the International Residential Code and amending Title 18 (Building and Construction), Chapter 18.10 (Residential Code), of the El Paso City Code, to provide for local amendments to the 2009 International Residential Code, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code. **(All Districts)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 11F. An Ordinance adopting the 2009 edition of the International Mechanical Code and amending Title 18 (Building and Construction), Chapter 18.12 (Mechanical Code), of the El Paso City Code, to provide for local amendments to the 2009 International Mechanical Code, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code. **(All Districts)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 11G. An Ordinance adopting the 2008 edition of the National Electrical Code and amending Title 18 (Building and Construction), Chapter 18.16 (Electrical Code), of the El Paso City Code, to provide for local amendments to the 2008 National Electrical Code, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code. **(All Districts)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 11H. An Ordinance adopting the 2009 edition of the International Plumbing Code and amending Title 18 (Building and Construction), Chapter 18.20 (Plumbing Code), of the El Paso City Code, to provide for local amendments to the 2009 International Plumbing Code, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code. **(All Districts)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 11I. An Ordinance adopting the 2009 edition of the International Fuel Gas Code and amending Title 18 (Building and Construction), Chapter 18.24 (Gas Code), of the El Paso City Code, to provide for local amendments to the 2009 International Fuel Gas Code, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code. **(All Districts)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 11J. An Ordinance adopting the 2009 edition of the International Existing Building Code and amending Title 18 (Building and Construction), Chapter 18.28 (Existing Building Code), of the El Paso City Code, to provide for local amendments to the 2009 International Existing Building Code, the penalty being as provided in Section 18.02.107 (Violations Penalties) of the El Paso City Code. **(All Districts)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 11K. An Ordinance amending Title 18 (Building and Construction), Chapter 18.46 (Landscape), of the El Paso City Code, to provide additional definitions, clarify the landscape requirements for parking lots, lower the percentage of plants required from the plant list, and add an exemption to the landscape

requirements, the penalty being as provided in Section 18.46.180 (Violations Penalties) of the El Paso City Code. **(All Districts)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

11L. An Ordinance adopting the 2009 edition of the International Energy Conservation Code and amending Title 18 (Building and Construction), to add Chapter 18.70 (Energy Conservation Code), to the El Paso City Code, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code. **(All Districts)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

11M. An Ordinance adopting the 2009 edition of the International Fire Code and amending Title 9 (Health and Safety), Chapter 9.52 (Fire Prevention Code), of the El Paso City Code, to provide for local amendments to the 2009 International Fire Code, the penalty being as provided in Section 9.52.030.19 (Violations and Penalties) of the El Paso City Code. **(All Districts)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

11N. An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.40 (Department of Museums and Cultural Affairs), Section 2.40.030 (Advisory Board – Created – Members – Appointment), Section 2.40.040 (Advisory Board – Members - Terms), 2.40.050 (Advisory Board – Officers and Quorum), 2.40.060 (Art Museum Advisory Board – Duties), 2.40.070 (Cultural Affairs Advisory Board – Duties), 2.40.080 (Museum of History Advisory Board), and 2.40.090 (Museum of Archaeology Advisory Board) of the El Paso City Code to sunset the current boards and to create a central board for the Museums and Cultural Affairs Department to be called the Museums and Cultural Affairs Advisory Board; to codify and clarify the Ordinances creating the Public Art Program and the Public Art Committee and to repeal Ordinances Nos. 16324 and 17165. **(All Districts)** [Museums and Cultural Affairs, Sean McGlynn, (915) 541-4896]

11O. An Ordinance amending Ordinance NO. 016528 to allow for three consecutive two-year terms of office for board members of the board of directors of the Tax Increment Reinvestment Zone Number Five, City of El Paso, Texas. **(District 8)**
[Planning and Economic Development, Kathryn B. Dodson, (915) 541-4670]

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 21, 2010, FOR ITEMS 11A – 11O

11P. An Ordinance releasing conditions placed on property by Ordinance No. 3764 which changed the zoning on a portion of Lot 1 thru 4, Block O-3, Moellers Addition, 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: 3001 E. Paisano Drive. Property Owner: Amado and Rosa Urbina. ZON10-00039 **(District 8)** [Planning and Economic Development, Esther Guerrero, (915) 541-4720]

11Q. An Ordinance changing the zoning of Lot 1, Block 1, BBA Subdivision, City of El Paso, El Paso County, Texas from R-1 (Residential) to R-2 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1365 Loma Verde Drive. Applicant: Mike Pina. ZON10-00022. **(District 6) THIS IS AN APPEAL CASE.**
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]

PUBLIC HEARING WILL BE HELD ON OCTOBER 5, 2010, FOR ITEMS 11P - 11Q

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 9:00 a.m. 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 Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

12. GENERAL SERVICES:

- 12A.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Chastang's Bayou City Autocar, a Texas Association of School Boards (TASB) BuyBoard contractor under Contract No. 281-07 (Vehicles and Heavy Duty Trucks) and to Bridgeport Manufacturing Inc., dba Bridgeport Truck Sales, a Texas Association of School Boards (TASB) BuyBoard contractor under Contract No. 280-07 (Refuse Bodies, Trailers and Other Bodies), for Automated Side Loaders.

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: General Services-Fleet Division
 Total Estimated Award: \$1,809,336 (for 8 units)
 Funding Source: Environmental Services –
 Vehicular Equipment
 Reference No.: 2011-011

Districts: All
 [Financial Services, Bruce D. Collins, (915) 541-4313]
 [General Services, Stuart Ed, (915) 621-6822]

- 12B.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order(s) to Chastang's Bayou City Autocar, a Texas Association of School Boards (TASB) BuyBoard contractor under Contract No. 281-07 (Vehicles and Heavy Duty Trucks) and to Equipment Southwest, a Texas Association of School Boards (TASB) BuyBoard contractor under Contract No. 268-07 (Construction Equipment & Street, Road & Bridge Repair Equipment & Ditching, Trenching & Utility Equipment), for Split Rear Loaders.

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: General Services-Fleet Division
 Total Estimated Award: \$503,815.22 (for 2 units)
 FundingSource: Environmental Services –
 Vehicular Equipment
 Reference No.: 2011-013

Districts: All
 [Financial Services, Bruce D. Collins, (915) 541-4313]
 [General Services, Stuart Ed, (915) 621-6822]

- 12C.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City’s option to extend current Contract 2009-086 (Ambulances) with LFG El Paso Truck Services, LP for three additional ambulances pursuant to the provisions of an award approved by the City Council on March 17, 2009.

Department: General Services – Fleet Division
 Total Estimated Amount: \$595,920
 Funding Source: Vehicle replacement–Buses/Large Trucks
Districts: All
 [General Services, Stuart Ed, (915) 621-6822]
 [Financial Services, Bruce D. Collins, (915) 541-4313]

13. ENGINEERING AND CONSTRUCTION MANAGEMENT:

Discussion and action on the award of Solicitation No. 2010-256 for Citywide Repair or Construction of Parkway Structures 2010-2012 to J.A.R. Construction, Inc., for a total estimated amount of \$3,892,657.50.

Department: Transportation
 Award to: J.A.R. Construction, Inc.
 Base Bid I: \$2,256,277.50
 Base Bid II: \$1,636,380.
 Total Estimated Award: \$3,892.657.50
 Funding Source: 2006 Certificates of Obligation
 Department of Transportation General Fund
 Community Development Block Grant
 Sun Metro
Districts: All

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

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

As a part of this award, upon the review of the City Attorney, the Department of Transportation Director 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 Department of Transportation recommends award as indicated to the lowest responsible bidder.

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
 [Department of Transportation, Daryl W, Cole, (915) 621-6750]

14. HUMAN RESOURCES AND RISK MANAGEMENT:

Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City’s option to extend current Contract 2007-097R Employee Benefits with Aetna Life Insurance Company – TPA and PPO, Medco Health Solutions, Inc. - Pharmacy, and Deer Oaks EAP Services, LLC – EAP for two additional years pursuant to the provisions of an award approved by the City Council on July 10, 2007. The extended contract period will be from October 1, 2010 to September 30, 2012.

Department: Human Resources and Risk Management
 Award to: Vendor 1 Aetna Life Insurance Company
 Hartford, CT
 Items: TPA and PPO Network
 Annual Estimated Amount: \$2,808,000

Award to: Vendor 2 Medco Health Solutions, Inc.
 Franklin Lakes, NJ
 Items: Pharmacy
 Annual Estimated Amount: \$333,167

Award to: Vendor 3 Deer Oaks EAP Services, LLC
 San Antonio, TX
 Items: EAP
 Annual Estimated Amount: \$33,933

Annual Estimated Amount: \$3,175,100 (Vendors 1-3)

Option: One [of One]
 Total Estimated Amount: \$6,350,200 (2 years)
 Funding Source: Health Benefit Fund

Districts: All

[Purchasing Manager, Bruce D. Collins, (915) 541-4313]

[Human Resources and Risk Management, Linda Ball Thomas, (915) 541-4102]

[Human Resources and Risk Management, Irene Y. Morales, (915) 541-4448]

REGULAR AGENDA – PUBLIC HEARINGS

15. PLANNING AND ECONOMIC DEVELOPMENT:

15A. An Ordinance changing the zoning of Tract 5, McElroy Acres, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-2 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 8225 McElroy Avenue. Property Owner: Michael and Lorena Fernandez. ZON10-00037 **(District 7)**
 [Planning and Economic Development, Esther Guerrero, (915) 541-4720]

15B. An Ordinance changing the zoning of a portion of Tract 8J, Block 42, Ysleta Grant, City of El Paso, El Paso County, Texas from R-4 (Residential) to S-D (Special Development), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 327 S. Zaragoza Road. Property Owner: Juan and Teresa Ceballos. ZON10-00041 **(District 6)**
 [Planning and Economic Development, Esther Guerrero, (915) 541-4720]

16. DEPARTMENT OF TRANSPORTATION:

- 16A.** An Ordinance granting a special privilege permitting Big Boy Ice Cream, Inc. to encroach onto a portion of various public rights-of-way with food-vending concessions in the downtown area. **(District 8)**
[Department of Transportation, Kimberly Forsyth, (915) 541-4165]
- 16B.** An Ordinance authorizing the City Manager to terminate all special privilege licenses issued pursuant Ordinance 16013 to food vendors licensed to operate in the public right-of-way in the downtown area. **(District 8)**
[Department of Transportation, Kimberly Forsyth, (915) 541-4165]
- 16C.** An Ordinance amending Ordinance No. 012393 which granted a special privilege to the El Paso Electric Company, owner, and El Paso Parking Inc., Lessee, to permit off-street parking within a portion of Rim Road right-of-way, by extending the term ten years, and revising the consideration, notification and indemnification provisions. SP-9558C **(District 1)**
[Department of Transportation, Mirian Spencer, (915) 541-4482]
POSTPONED FROM 08-31-10

REGULAR AGENDA – OTHER BUSINESS

17. MAYOR AND COUNCIL:

- 17A.** For notation: Appointments of City Representatives to existing and newly created Legislative Review Committees as a result of the reorganization of City Departments as approved by Council on August 24, 2010.
[Representative Emma Acosta, (915) 541-4572]
POSTPONED FROM 08-31-10
- 17B.** Discussion and action that the City Manager, or her designee, is authorized to sign the Contract of Sale attached to this Resolution and all other documents approved by the City Attorney, or his designee, necessary and proper to consummate the purchase of the following described property and the improvements located thereon by the City of El Paso: A 22.833-acre portion of Lot 1A, Block 6, Northgate Replat "C", El Paso, El Paso County, Texas municipally known and numbered as North Park Mall, 9348 Dyer, El Paso, Texas. **(District 4)**
[Mayor's Office, Sylvia Borunda Firth, (915) 541-4656]
- 17C.** Discussion and action regarding a Resolution that R. Alan Shubert, City Engineer for the City of El Paso, be appointed to the Transportation Policy Board for the Metropolitan Planning Organization as a representative of the City of El Paso in lieu of Patricia D. Aduato, effective immediately. **(All Districts)**
[Mayor's Office, Sylvia Borunda Firth, (915) 541-4656]

18. COMMUNITY AND HUMAN DEVELOPMENT:

Discussion and action on a resolution approving the September 2010-August 2011 U.S. Department of Housing and Urban Development Empowerment Zone Planning and Implementation Grant Program Administrative Budget (Agreement No. EZ-99-TX-0013) in accordance with 24 CFR Part 598. **(DISTRICTS 1, 3, 6, 7, and 8)**

[Community and Human Development, William Lilly, (915) 541-4643]

19. ENGINEERING AND CONSTRUCTION MANAGEMENT:

Discussion and action that the City Manager be authorized to sign a Professional Services Agreement between the City of El Paso and Alvidrez Architecture Inc., a Texas Corporation, for a project known as "Sun Metro Administration Operations & Maintenance Facility" for a contract amount of \$2,077,156, and that the City Engineer be authorized to approve up to \$50,000 in additional services, for a total contract amount not to exceed \$2,127,156. **(District 2)**

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

20. GENERAL SERVICES:

Discussion and action that the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso, Texas and the Town of Horizon City, Texas, to provide a mutual benefit to both entities and to those persons served by each entity, and serve a governmental purpose of providing public vehicle maintenance and potential cost savings to the citizens of the City of El Paso and the Town of Horizon City.

(All Districts)

[General Services, Stuart C. Ed, (915) 621-6822]

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 and the Rules of City Council.) 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. The City of El Paso, Texas v. Regina Arditti, et al.; Cause No. 2005-6410. (551.071)
[City Attorney's Office, Laura P. Gordon, (915) 541-4550]

EX2. Legal issues relating to the Richard Lee Subdivision 20 foot right of way. (551.071)
[City Attorney's Office, Laura P. Gordon, (915) 541-4550]

EX3. A 22.833-acre portion of Lot 1A, Block 6, Northgate Replat "C", El Paso, El Paso County, Texas municipally known and numbered as North Park Mall, 9348 Dyer, El Paso, Texas. (551.071 and 551.072) [Mayor's Office, Sylvia Borunda Firth, (915) 541-4656]

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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