

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



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

AGENDA FOR REGULAR CITY COUNCIL MEETING

**October 25, 2011
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 – Border Patrol Chaplain Jesse Alvarez
Pledge of Allegiance**

MAYOR’S PROCLAMATION

BORDER ENERGY WEEK

RECOGNITIONS

- 1. CITY EMPLOYEES**
- 2. JOSE CISNEROS CIELO VISTA BRANCH LIBRARY
IS LEED GOLD CERTIFIED**

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 October 18, 2011, the Special City Council Meeting Minutes of October 18, 2011 (Executive Session – Introduction of an Ordinance amending Title 13, Chapter 13.24, Section 13.24.040) and the Corrected Minutes for the Regular City Council Meeting of September 20, 2011.

[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**3. RESOLUTIONS:**

3A. That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor") and Croucher Family Limited Partnership ("Assignee") for the following described property: Lot 8, Block 7, El Paso International Airport Tracts, Unit 2, City of El Paso, El Paso County, Texas and municipally known and numbered as 7501 Lockheed, El Paso Texas.

(All Districts) [Airport, Monica Lombrana, (915) 780-4724]

3B. That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor") and Croucher Family Limited Partnership ("Assignee") for the following described property: Lot 7, Block 7, El Paso International Airport Tracts, Unit 2, City of El Paso, El Paso County, Texas, municipally known and numbered as 7505 Lockheed, El Paso, Texas.

(All Districts) [Airport, Monica Lombrana, (915) 780-4724]

3C. That the City Manager be authorized to sign a Lessor's Approval of Assignment by and among the City of El Paso ("Lessor"), TFTL Partners ("Assignor"), and TFTL Partners, LLC ("Assignee") for the following described property: Lot 3 and the easterly 120 feet of Lot 2, Block 8, El Paso International Airport Tracts, El Paso, El Paso County, Texas and municipally known and numbered as 7606 Boeing, El Paso, Texas. **(All Districts)** [Airport, Monica Lombrana, (915) 780-4724]

3D. That the City Manager be authorized to sign a Lessor's Approval of Assignment by and among the City of El Paso ("Lessor"), TFTL Partners ("Assignor") and TFTL Partners, LLC ("Assignee") for the following described property: Lots 4, 5 and 6, Block 8, El Paso International Airport Tracts, El Paso, El Paso County, Texas and municipally known and numbered as 7610 Boeing, El Paso, Texas.

(All Districts) [Airport, Monica Lombrana, (915) 780-4724]

- 3E.** That the City Manager be authorized to sign a Lessor's Approval of Assignment by and among the City of El Paso ("Lessor"), TFTL Partners ("Assignor"), and TFTL Partners, LLC ("Assignee") for the following described property: Lots 7 and 8, Block 8, El Paso International Airport Tracts, El Paso, El Paso County, Texas and municipally known and numbered as 7618 Boeing, El Paso, Texas. **(All Districts)** [Airport, Monica Lombrana, (915) 780-4724]
- 3F.** That the City Manager be authorized to sign a Lessor's Approval of Sublease between the City of El Paso ("Lessor"), Cutter Aviation El Paso Limited Partnership ("Lessee") and the Texas Department of Public Safety ("Sublessee") regarding a portion of the premises located at 1771 Shuttle Columbia Drive, El Paso, Texas. **(All Districts)** [Airport, Monica Lombrana, (915) 780-4724]
- 3G.** That the City Manager be authorized to sign a Second Amendment to the La Placita Lease Agreement between the City of El Paso and Paseo Del Sol, Ltd. Co. dba Galeria Del Sol to extend the term of the Lease Agreement an additional one year through December 31, 2012. **(All Districts)** [Airport, Monica Lombrana, (915) 780-4724]
- 3H.** That the City Manager be authorized to sign a Third Amendment to the La Placita Lease Agreement between the City of El Paso and Paseo Del Sol, Ltd. Co. dba La Zia to extend the term of the Lease Agreement an additional one year through December 31, 2012. **(All Districts)** [Airport, Monica Lombrana, (915) 780-4724]
- 3I.** That City Council amend the 2012-2013 Emergency Solutions Grant policies and procedures by: 1) changing the match requirement; 2) changing the proposed funding allocation percentages; and 3) providing for a maximum \$75,000 set-aside to establish a community homeless patrol to assist in the placement of homeless persons and families in available shelters and/or programs. **(All Districts)** [Community and Human Development, William Lilly, (915) 541-4643]
- 3J.** That the City Council approves the expenditure of additional available funding in the amount of \$205,727.78 to Highway Intelligent Traffic Systems Corp. for additional construction costs for Video Surveillance & Count Stations 2009. The change order provides for trenching, rather than boring as required by the original plans, of 2,429 linear feet along Resler Drive from Helen of Troy Drive to High Ridge, adding 56 days of contract time for Contract Number 2010-113. The new contract sum, including this change order, is \$3,038,545.26. Funding source: Texas Department of Transportation **(All Districts)** [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
- 3K.** That the City Manager be authorized to sign an Underground Electrical Easement and Transformer Pad Easement to the El Paso Electric Company for the purpose of providing service for a new runway approach lighting improvement project at the El Paso International Airport, said easement more particularly described as a portion of Section 33, Block 80, Township 2, T & P Surveys and a portion of Tract 1-A, Section 40, Block 80, Township 2, T & P Surveys, City of El Paso, El Paso County, Texas. **(District 2)** [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 3L.** That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(Districts 1, 2, 4, 5, 6, and 7)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3M.** That the City Manager be authorized to sign and submit Contract number 2012-039990 and other related documents for the Texas Department of State Health Services' Special Supplemental Nutrition Program for Women, Infants, and Children, in the amount of \$3,505,733 for the period of October 1, 2011 through March 31, 2012, to provide supplemental food instruments, nutrition education, and counseling to enhance good health care at no cost to low income pregnant and postpartum women, infants and children identified to be at nutritional risk in El Paso, Texas. **(All Districts)** [Public Health, Michael Hill, (915) 771-5702]
- 3N.** That the City Manager be authorized to sign and submit Amendment No. 001A to DSHS Contract No. 2011-037500 for its Tuberculosis Prevention and Control – Federal Program, to increase the budget amount available to the City of El Paso by \$30,455 (for a new total of \$314,386) in order to allow the City to purchase equipment and supplies to determine drug sensitivities for the treatment of tuberculosis. **(All Districts)** [Public Health, Bruce Parsons, (915) 771-5702]
- 3O.** That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and each of the following public entities, for the provision of public health services and related matters, by the City of El Paso, for the period of September 1, 2011 through August 31, 2012:
1. Village of Vinton, Texas;
 2. Town of Clint, Texas; and
 3. City of Socorro, Texas.
- (All Districts)** [Public Health, Bruce Parsons, (915) 771-5702]
- 4. BOARD RE-APPOINTMENTS:**
- 4A.** Larry Nance to the City Plan Commission by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]
- 4B.** Lamar Skarda to the Capital Improvements Advisory Committee by Representative Ann Morgan Lilly, District 1.
[Representative Ann Morgan Lilly, (915) 541-4151]
- 4C.** David Turner to the Parks and Recreation Advisory Board by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]
- 5. REQUESTS TO ISSUE PURCHASE ORDERS:**
- 5A.** Request that the Mayor be authorized to execute an Interlocal Agreement by and between the City of El Paso, Texas and the County of El Paso, whereby both entities agree to combine their efforts, from time to time, for the purchase of goods and services. **(All Districts)** [Financial Services, Bruce D. Collins, (915) 541-4313]
- 5B.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue Purchase Order(s) to Physio-Control, Inc., the sole source provider for LIFEPAK Defibrillator/monitor products for the purchase of cardiac

monitoring and defibrillation supplies in the estimated amount of \$150,000 for the El Paso Fire Department.

Department: Fire Department
 Award to: Physio-Control, Inc.
 Redmond, WA
 Total Estimated Amount: \$150,000
 Account No.: 22010320- 503112- 01101
 Funding Source: General Fund
 Sole Source No.: 2012-042
Districts: All

This is a Sole Source, unit-price contract.
 [Financial Services, Bruce D. Collins, (915) 541-4313]
 [Fire, Wade Warling, (915) 771-1071]

- 5C.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to ESI Companies, Inc, a contractor under the U.S. General Services Administration (GSA) Contract No. GS-07F-0185U for 25 SkyCop camera enclosures with cameras. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

Additionally, it is requested that the City Attorney's Office review and the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department: Police
 Award to: ESI Companies, Inc.
 El Paso, TX
 Total Estimated Amount: \$162,500
 Account No.: 21150010 – 508007 – 05408 – 09-SR-BZ2400006
 Funding Source: Buffer Zone Protection Program Grant (BZPP)
 Reference No.: 2012-043
Districts: All

This is a Cooperative, unit price contract.
 [Financial Services, Bruce D. Collins, (915) 541-4313]
 [Police, Eric Shelton, (915) 564-7357]

- 5D.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Allen Vanguard, Inc., a contractor under the U.S. General Services Administration (GSA) Contract No. GS-07F-0207M respectively, for the purchase of four EOD Enhanced Mobility Suits (Bomb Suits), four Helmets, four Visor Kits, two Vehicle Access Kits and two Tripods for the Bomb Squad.

The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing. Furthermore, Purchasing conducted Request for Information with local uniform and equipment suppliers. Vendors indicated they do not supply specialty items.

Department: Police
 Award to: Allen Vanguard, Inc.

Ogdensburg, NY
 Total Estimated Amount: \$105,841
 Account No.: 21150010 – 508007– 05408 – 09-SR-BZ2400006
 Funding Source: Buffer Zone Protection Program Grant (BZPP)
 Reference No.: 2012-034
Districts: All

This is a Cooperative, unit price contract.
 [Financial Services, Bruce D. Collins, (915) 541-4313]
 [Police, Eric Shelton, (915) 564-7357]

- 5E.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City’s option to extend current Contract 2009-140 (Janitorial Services – Municipal Service Centers and Corrals) with Carefree Janitorial Services and Total Cleaning Services for two additional years pursuant to the provisions of an award approved by the City Council on October 20, 2009. The extended contract period will be from November 2, 2011 to November 2, 2013.

Department: General Services
 Award to: Vendor 1 Carefree Janitorial Services
 El Paso, TX
 Option: One [of One]
 Annual Estimated Amount: \$74,194.56
 Total Estimated Amount: \$148,389.12 (2 years)

Award to: Vendor 2 Total Cleaning Services
 El Paso, TX
 Option: One [of One]
 Annual Estimated Amount \$8,182.44
 Total Estimated Amount: \$16,364.88 (2 years)

Total Estimated Amount: \$164,754 (2 years)
 Account No.: 31010327 – 502206 – 01101
 Funding Source: General Fund – Maintenance Services
 Contract-Janitorial
Districts: All

This is a Best Value, service contract.
 [Financial Services, Bruce D. Collins, (915) 541-4313]
 [General Services, Stuart Ed (915) 621-6822]

6. BIDS:

- 6A.** The award of Solicitation No. 2011-260 for Memorial Park Branch Library Improvements to Blair-Hall Co., Inc. for an estimated total amount of \$321,998. Blair-Hall Co., Inc. has provided the highest ranked proposal (90.34).

Department: Engineering and Construction Management
 Award to: Blair-Hall Co. Inc.
 Base Bid: \$309,998
 Option 1: \$12,000

Total Estimated Completion: \$321,998
 Funding Source: Community Development Block Grant (CDBG)
 36th Year
District: 2

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

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project which are in accordance with applicable law.

This is a lump-sum contract. The Engineering & Construction Management Department recommends award to the offeror who submitted the highest ranked proposal.

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

- 6B.** The award of Solicitation No. 2011-311 (Crack Sealant Material, Hot Applied) to Professional Pavement Products, Inc. for an initial term estimated award of \$151,200.

Department: Aviation
 Award to: Professional Pavement Products, Inc.
 Jacksonville, FL
 Items: All
 Initial Term: 3 years
 Option: None
 Annual Estimated Award: \$50,400.
 Initial Term Estimated Award: \$151,200 (3 years)
 Total Estimated Award: \$151,200
 Account No.: 62620009 – 503211 – 40101
 Funding Source: Airport Cost Centers – Airfield Maintenance
 & Repairs
Districts: All

This is a low bid, unit price 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.

The Financial Services - Purchasing Division and Department of Aviation recommend that Crafcot Texas, Inc. be disqualified as non-responsive and the contract be awarded as indicated to Professional Pavement Products, Inc., the lowest responsive, responsible bidder.

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

[Airport, Monica Lombrana, (915) 780-4724]

- 6C.** The award of Solicitation No. 2011-320 (Traffic Signal Components) to General Traffic Equipment Corporation; Paradigm Traffic Systems, Inc.; and Traffic Parts, Inc. for an initial term estimated award of \$214,417.50.

Department:		Department of Transportation
Award to:	Vendor 1	General Traffic Equipment Corporation Newburgh, NY
Items:		1, 2, 12, 15 and 19
Initial Term:		3 years
Option:		2 years
Annual Estimated Award:		\$9,880

Award to:	Vendor 2	Paradigm Traffic Systems, Inc. Arlington, TX
Items:		13, 14 and 21
Initial Term:		3 years
Option:		None
Annual Estimated Award:		\$45,150

Award to:	Vendor 3	Traffic Parts, Inc. Conroe, TX
Items:		3, 4, 5, 6, 7, 8, 9, 10, 11, 16, 17, 18 and 20
Initial Term:		3 years
Option:		None
Annual Estimated Award:		\$16,442.50

Initial Term Estimated Award:	\$214,417.50 (3 years)
Total Estimated Award:	\$234,177.50 (5 years)
Account No.:	32010288 – 503203 – 01101
Funding Source:	General Fund - Public Access Maintenance & Repairs

Districts: All

This is a low bid, unit price 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.

The Financial Services - Purchasing Division and Department of Transportation recommend award as indicated to General Traffic Equipment Corporation, Paradigm Traffic Systems, Inc. and Traffic Parts, Inc. the lowest responsive, responsible bidders.

[Financial Services, Bruce D. Collins, (915) 541-4313]
[Department of Transportation, Daryl Cole, (915) 621-6750]

- 6D.** The award of Solicitation No. 2011-322 (Guardrails) to Diversified Highway Products and Services, LLC for an initial term estimated award of \$117,894.80.

Department:	Department of Transportation
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Award to: Diversified Highway Products and Services, LLC
 Fort Worth, TX

Items: All

Initial Term: 2 years

Option: None

Annual Estimated Award: \$58,947.40

Initial Term Estimated Award: \$117,894.80 (2 years)

Total Estimated Award: \$117,894.80 (2 years)

Account No.: 32010200 – 503203 – 01101

Funding Source: General Fund – Public Access Maintenance
 & Repairs

Districts: All

This is a low bid, unit price 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.

The Financial Services - Purchasing Division and Department of Transportation recommend award as indicated to Diversified Highway Products and Services, LLC, the lowest responsive, responsible bidder.

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

[Department of Transportation, Daryl Cole, (915) 621-6750]

- 6E.** The award of Solicitation No. 2011-258 (Roll-Off Trucks) to RJ Border Management, LLC dba Border International Trucks, for a total of \$245,698.

Department: General Services

Award to: RJ Border Management, LLC dba Border
 International Trucks
 El Paso, TX

Items: 1, O-1, O-2, O-3

Option: None

Total Award: \$245,698 (Total 2 trucks)

Account: 34010289 – 508029 – 40499 – PSWM0017

Funding Source: Environmental Services Department, Heavy Off
 Road Equipment

Districts: All

This is a fixed-price, single purchase.

The Financial Services - Purchasing Division and General Services recommend award as indicated to RJ Border Management, LLC dba Border International Trucks.

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

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

REGULAR AGENDA - INTRODUCTIONS

7. 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.**

- 7A.** An Ordinance amending Title 2 (Administration and Personnel) Chapter 2.16 (Zoning Board of Adjustment), Section 2.16.020 (Powers), Section 2.16.030 (Variances) and Section 2.16.060 (Administration) of the El Paso City Code to add the authority to approve variances specified in Title 21 (SmartCode) of the El Paso City Code. **(All Districts)**
[Planning and Economic Development, Linda Castle, (915) 541-4029]
- 7B.** An Ordinance vacating all of Crinco Lane within Barnett Harley-Davidson Subdivision and Loma Terrace Addition No. Four-D, City of El Paso, El Paso County, Texas. **(District 7)**
[Planning and Economic Development, Justin Bass, (915) 541-4930]
- 7C.** An Ordinance amending Title 15 (Public Services) Chapter 15.22 (Water and Wastewater Impact Fees) of the El Paso City Code to delete Section 15.22.170 (Certification of Compliance). The penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code. **(All Districts)**
[Planning and Economic Development, Kevin Smith, (915) 541-4903]
- 7D.** An Ordinance vacating a utility easement measuring 10 feet in width, located within a portion of Lots 1 and 2, Block 1, International Industrial Center, City of El Paso, El Paso County, Texas. Applicant: Crawford Properties, Ltd. SUET11-00002 **(District 3)** [Planning and Economic Development, Kevin Smith, (915) 541-4903]
- 7E.** An Ordinance amending Title 18 (Building & Construction), Chapter 18.02 (Building and Construction Administrative Code) Section 18.02.108.5.2. (Bond Requirements), of the El Paso City Code, decreasing the term of the required bond from two years to one year, 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]

PUBLIC HEARING WILL BE HELD ON NOVEMBER 1, 2011, FOR ITEMS 7A – 7E

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

8. FINANCIAL SERVICES:

- 8A1.** Discussion and action that the City Manager be authorized to sign a Consent to Assignment by and between the City of El Paso, C & R Distributing, Inc. and

Western Refining Wholesale, Inc., approving the assignment of all duties, obligations and responsibilities under City of El Paso Contract No. 2008-065 ("Vehicle Fueling Offsite") from C & R Distributing, Inc. ("Assignor") to Western Refining Wholesale, Inc. ("Assignor"). **(All Districts)**
 [Financial Services, Bruce D. Collins, (915) 541-4313]
 [General Services, Stuart Ed (915) 621-6822]

- 8A2.** Discussion and action that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2008-065 (Vehicle Fueling Offsite) with Western Refining Wholesale, Inc. for two additional years pursuant to the provisions of an award approved by the City Council on September 30, 2008. The extended contract period will be from October 8, 2011 to October 7, 2013.

Department:	General Services
Award to:	Western Refining Wholesale, Inc. El Paso, TX
Option:	2 years
Annual Estimated Amount:	\$1,000,000
Total Estimated Amount:	\$2,000,000 (2 years)
Account No.:	37370510 -503124 – 45202
Funding Source:	General Services Internal Service Fund
Districts:	All

This is a low bid, requirements contract.
 [Financial Services, Bruce D. Collins, (915) 541-4313]
 [General Services, Stuart Ed (915) 621-6822]

- 8B.** Discussion and action on the award of Solicitation No. 2011-239R (Vehicle Rental Concessionaire) to The Hertz Corporation dba Hertz and dba Advantage Rent A Car; Avis Rent A Car System, LLC; EAN Holdings, LLC dba Enterprise Rent A Car; DTG Operations, Inc. dba Dollar Rent A Car and dba Thrifty Car Rental; EAN Holdings, LLC dba National Car Rental; EAN Holdings, LLC dba Alamo Rent A Car; and Budget Rent A Car of El Paso, Inc. for an initial term estimated revenue of \$7,871,482.86.

Department:	Aviation
Award to: Vendor 1:	The Hertz Corporation dba Hertz and dba Advantage Rent A Car Park Ridge, NJ
Annual Amount:	\$912,000 (Minimum Annual Guarantee for the first year of the contract)
Award to: Vendor 2:	Avis Rent A Car System, LLC Parsippany, NJ
Annual Amount:	\$893,000 (Minimum Annual Guarantee for the first year of the contract)
Award to: Vendor 3:	EAN Holdings, LLC

Annual Amount:		dba Enterprise Rent A Car Albuquerque, NM \$652,869.46 (Minimum Annual Guarantee for the first year of the contract)
Award to:	Vendor 4:	DTG Operations, Inc. dba Dollar Rent A Car and dba Thrifty Car Rental Tulsa, OK
Annual Amount:		\$462,745 (Minimum Annual Guarantee for the first year of the contract)
Award to:	Vendor 5:	EAN Holdings, LLC dba National Car Rental Albuquerque, NM
Annual Amount:		\$408,043.41 (Minimum Annual Guarantee for the first year of the contract)
Award to:	Vendor 6:	EAN Holdings, LLC dba Alamo Rent A Car Albuquerque, NM
Annual Amount:		\$306,032.56 (Minimum Annual Guarantee for the first year of the contract)
Award to:	Vendor 7:	Budget Rent A Car of El Paso, Inc. El Paso, TX
Annual Amount:		\$301,051 (Minimum Annual Guarantee for the first year of the contract)
Initial Term:		Two years with additional eight, three month extension options
1 st Year Total:		\$3,935,741.43 (total minimum annual guarantee for the first year of the contract)
Initial Term Revenue:		\$7,871,482.86 (2 year total minimum with possible increases based on each year's revenues)
Account:		Revenue Contracts
Funding Source:		Revenue Contracts
Districts:		All

This is an RFP, concession, revenue generating contract with the term of two years with an additional eight, three month extension option.

Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

The Financial Services - Purchasing Division and Department of Aviation recommend award as indicated to The Hertz Corporation dba Hertz and dba Advantage Rent A Car; Avis Rent A Car System, LLC; EAN Holdings, LLC dba Enterprise Rent A Car; DTG Operations, Inc. dba Dollar Rent A Car and dba Thrifty Car Rental; EAN Holdings, LLC dba National Car Rental; EAN Holdings, LLC dba Alamo Rent A Car; and Budget Rent A Car of El Paso, Inc., the highest ranked proposers based on evaluation factors established for this procurement.

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

[Airport, Monica Lombrana, (915) 780-4724]

REGULAR AGENDA – PUBLIC HEARING

9. CITY ATTORNEY:

An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.040 (Hours of Closure); to allow the City Council by Resolution to extend the closing hours of parks and park facilities; the penalty being as provided in Sections 1.08.010 through 1.08.030 of the City Code.

(All Districts) [City Attorney's Office, Elaine S. Hengen, (915) 541-4550]

REGULAR AGENDA – OTHER BUSINESS

10. PARKS AND RECREATION:

Discussion and action on a Resolution that San Jacinto Plaza shall remain open from one a.m. to six a.m. from the date this Resolution is approved through November 13, 2011. **(District 8)** [Parks and Recreation, Nanette Smejkal, (915) 541-4283]

11. MAYOR AND COUNCIL:

11A. Legislative Review Committee Report:

1. For notation only: Formal report of the Economic Development, Planning and Tourism Legislative Review Committee meeting held on September 15, 2011, as submitted by Steve Ortega, Chair; and,
2. Discussion pertaining specifically to any of the agenda items posted on the agenda of said Legislative Review Committee meeting, as follows:
 - a) Discussion and action on an Ordinance amending Title 18 (Building and Construction), Chapter 18.10 (Residential Code), of the El Paso City Code, by adding Section 18.10.265 (Protection of Water Service Entrance) and Section 18.10.266 (Plumbing Within Exterior Walls) to help prevent pipes from freezing during severe weather, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.

[Engineering and Construction Management, Victor Morrison-Vega, (915) 541-4556]

- b) Discussion and action on an Ordinance amending Title 18 (Building and Construction), Chapter 18.20 (Plumbing Code), of the El Paso City Code, by adding Section 18.20.240 (Protection of Water Service Entrance) and Section 18.20.250 (Plumbing Within Exterior Walls) to help prevent pipes from freezing during severe weather, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.
[Engineering and Construction Management, Victor Morrison-Vega, (915) 541-4556]
- c) Discussion and action on an Ordinance amending Title 18 (Building and Construction), Chapter 18.28 (Existing Building Code), of the El Paso City Code, by adding Section 18.28.060 (Plumbing Repairs) to help prevent pipes from freezing during severe weather, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.
[Engineering and Construction Management, Victor Morrison-Vega, (915) 541-4556]
- d) Discussion and action on an Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code) Section 18.02.108.51 (Bond Required), of the El Paso City Code, to allow for additional exceptions to the \$50,000 Bond Requirement, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.
[Engineering and Construction Management, Victor Morrison-Vega, (915) 541-4556]
- e) Discussion and action on amending Titles 19 and 20 to require a Traffic Impact Analysis to include regional modeling for amendments to the Major Thoroughfare Plan (MTP).
[Planning and Economic Development, Mathew McElroy, (915) 541-4193]
- f) Update on Adaptive Reuse for Trolley Inventory.
[Deputy City Manager-Mobility Services, Jane Shang, (915) 541-4686]
- g) Discussion and action on implementing a retail stimulus program in the area immediately surrounding the San Jacinto Plaza area.
[Representative Cortney Niland, (915) 541-4268]

11B. Legislative Review Committee Report:

1. For notation only: Formal report of the Finance, Internal Audit, Engineering/CIP and Management Services Legislative Review Committee meeting held on September 29, 2011, as submitted by Carl L. Robinson, Chair; and,
2. Discussion pertaining specifically to any of the agenda items posted on the agenda of said Legislative Review Committee meeting, as follows:
 - a) Presentation, discussion and action on implementing House Bill 1869, Sections 271.905(a) and 271.9051 of the Texas Local Government Code (local bidding preference), and HB 628.
[Financial Services, Bruce D. Collins, (915) 541-4313]
 - b) Discussion and action on the City's Cooperative Purchasing Policy.
[Financial Services, Bruce D. Collins, (915) 541-4313]

- c) Discussion and action on the City's Internal Audit Plan for FY 2012.
[Internal Audit, Edmundo Calderon, (915) 541-4402]

12. COMMUNITY AND HUMAN DEVELOPMENT:

Discussion and action on a Resolution to approve an Empowerment Zone Revolving Loan Fund Small Business Loan application and loan funding to Cesar Rejino d/b/a ABC Tax Services, in the amount of \$75,000, as recommended by the Director of Community and Human Development; and, that the City Manager be authorized to execute any and all loan related documents by and among the City of El Paso, Cesar Rejino, and loan guarantor(s), required to meet loan program requirements, loan disbursement, and loan securitization upon approval by the City Attorney's Office. **(District 6)**
[Community and Human Development, William Lilly, (915) 541-4643]

13. FINANCIAL SERVICES:

13A. Discussion and action on a Resolution authorizing the City Manager to sign a tax-exempt lease-purchase agreement with Banc of America Public Capital Corp ("BAPCC") in a principal amount not to exceed \$13,588,000 to acquire, purchase, finance and lease certain equipment for energy-efficiency purposes for the City of El Paso. It is also requested that the City Manager of the City of El Paso be authorized to execute any and all necessary documents relating to this lease-purchase agreement, which are necessary to carry out the intent of this agreement. **(All Districts)** [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4011]

13B. Discussion and action that the City Manager be authorized to sign Amendment #2 to the Professional Services Contract, dated May 17, 2010, between the City of El Paso and Johnson Controls, Inc., a Wisconsin Corporation, to perform utility cost reduction measures, specifically LED Street Light Upgrades, to implement Phase III-A of the City-wide Energy Operational Savings, for an amount of \$2,824,000, which will be funded with a State Energy Conservation Office (SECO) Stimulus Program Loan. This authorization is subject to final approval by the City Attorney's Office of the Attachments and Exhibits to Amendment #2. **(All Districts)**
[Financial Services, Bruce D. Collins, (915) 541-4313]
[General Services, Stuart Ed (915) 621-6822]

13C. Discussion and action that the City Manager be authorized to sign Amendment #3 to the Professional Services Contract, dated May 17, 2010, between the City of El Paso and Johnson Controls, Inc., a Wisconsin Corporation, to perform utility cost reduction measures, specifically LED Street Light Upgrades, to implement Phase III-B of the City-wide Energy Operational Savings, for an amount of \$5,000,000, which will be funded with a Tax Exempt Lease/Purchase Agreement with Banc of America. This authorization is subject to final approval by the City's Attorney's Office of the Attachments and Exhibits to Amendment #3. **(All Districts)**
[Financial Services, Bruce D. Collins, (915) 541-4313]
[General Services, Stuart Ed (915) 621-6822]

13D. Discussion and action on a Resolution to approve the City's Investment Policy for Fiscal Year 2012. **(All Districts)**
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4011]

REGULAR AGENDA – PUBLIC HEARING**14. CITY MANAGER / CITY ATTORNEY:**

Public Hearing and discussion and action concerning establishing Interim Temporary Electric Rates. **(All Districts)**

[City Manager's Office, William F. Studer Jr., (915) 541-4215]

[City Attorney's Office, Bertha A. Ontiveros, (915) 541-4550]

REGULAR AGENDA – OTHER BUSINESS**15. CITY MANAGER / CITY ATTORNEY:**

Discussion and action on resetting the date of the Hearing on establishing Interim Temporary Electric Rates to November 8, 2011. **(All Districts)**

[City Manager's Office, William F. Studer Jr., (915) 541-4215]

[City Attorney's Office, Bertha A. Ontiveros, (915) 541-4550]

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.** High Ridge Construction, Inc. vs. City of El Paso; Cause No. 2011-DVC00361 (551.071)
[City Attorney's Office, Kenneth A. Krohn (915) 541-4550]
- EX2.** Empowerment Zone Loan No. EZ-RLF-51, Pedro Mancha d/b/a Mancha's Grocery and Meat Market. (551.071) [City Attorney's Office, Marie Taylor, (915) 541-4550]
- EX3.** Claim of Dolores Hinson, Our File No. 11-C-055 (551.071)
[City Attorney's Office, Karla M. Nieman (915) 541-4550]
- EX4.** Carlos Diaz de Leon, et. al. vs. The City of El Paso, et. al.; Cause No. 08-10-00348-CV (551.071) [City Attorney's Office, Karla M. Nieman (915) 541-4550]
- EX5.** Discussion and action on litigation strategies in pending or contemplated utility rate cases. (551.071) [City Attorney's Office, Charlie McNabb (915) 541-4550]

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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<http://www.elpasotexas.gov/>