

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

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
OCTOBER 22, 2013
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:40 a.m. Alternate Mayor Pro Tempore Eddie Holguin, Jr. present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Larry Romero, Emma Acosta, Carl Robinson, Michiel R. Noe, and Lilia Limón. Absent: Mayor Oscar Leeser and Cortney Carlisle Niland requested to be excused. The invocation was given by CIMA Chaplain Carlos Clugy-Soto, followed by the Pledge of Allegiance to the Flag of the United States of America.

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PLEDGE OF ALLEGIANCE

ELIANA JIMENEZ

MAYOR'S PROCLAMATION

- 1. FOOD DAY**
- 2. NATIONAL BREAST CANCER AWARENESS MONTH**
- 3. NATIONAL ESTATE PLANNING AWARENESS WEEK**

PRESENTATION

KIWANIS CLUB OF EL PASO

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CONSENT AGENDA

Motion made by Representative Noe, seconded by Representative Romero, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin, and Limón

NAYS: None

ABSENT: Representative Niland

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of October 15, 2013, and the Legislative Review Meeting of the Whole of October 14, 2013.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

*Motion made, seconded, and unanimously carried to **EXCUSE** Mayor Oscar Leeser and Mayor Pro Tempore Cortney Carlisle Niland from the Regular Council Meeting of October 22, 2013.

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3A.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, AREMIDIS PARTNERS LTD, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

288 Vaquero Lane, more particularly described as Lot 1 (10133 Sq. Ft.),
Block 4, Camelot Heights Replat B Subdivision, El Paso, El Paso County,
Texas, PID #C007-999-0040-0100

to be \$161.29, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total of ONE HUNDRED EIGHTY FIVE AND 29/100 DOLLARS (\$185.29). The City Council finds that the work was completed on the 20th day of June, 2013, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED EIGHTY FIVE AND 29/100 DOLLARS (\$185.29) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, ULRICH, MATHEW & WENDOLINE, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

11825 Jim Webb Dr, more particularly described as Lot 59 (4840.50 Sq Ft),
Block 2, Mesquite Hills Subdivision, El Paso, El Paso County, Texas, PID
#M395-999-0020-5900

to be \$117.99, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, making a total of ONE HUNDRED FORTY ONE AND 99/100 DOLLARS (\$141.99). The City Council finds that the work was completed on the 31st day of May, 2013, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY ONE AND 99/100 DOLLARS (\$141.99) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***R E S O L U T I O N**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, URKOST LP, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

10404 Mc Combs St, more particularly described as Lot 2 (194399.56 Sq Ft),
Block 1, Mc Combs Center Subdivision, El Paso, El Paso County, Texas, PID
#M228-999-0010-0200

to be \$480.09, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, making a total of FIVE HUNDRED FOUR AND 09/100 DOLLARS (\$504.09). The City Council finds that the work was completed on the 19th day of March, 2013, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FIVE HUNDRED FOUR AND 09/100 DOLLARS (\$504.09) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, HYDE, ROBERT A JR & ANDREA C, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

6644 Star of India Lane, more particularly described as Lot 47 (5865.00 Sq. Ft.), Block 1, Desert Aire Park Subdivision, El Paso, El Paso County, Texas, PID #D415-999-0010-4700

to be \$117.99, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, making a total of ONE HUNDRED FORTY ONE AND 99/100 DOLLARS (\$141.99). The City Council finds that the work was completed on the 10th day of July, 2013, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FORTY ONE AND 99/100 DOLLARS (\$141.99) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, JAVIER HERNANDEZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

11400 Ardelle Avenue, more particularly described as Lot 1, Block 5, Kimberly Heights Subdivision, El Paso, El Paso County, Texas, PID #K383-999-0050-0100

to be \$126.65, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, making a total of ONE HUNDRED FIFTY AND 65/100 DOLLARS (\$150.65). The City Council finds that the work was completed on the 21st day of December, 2012, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED FIFTY AND 65/100 DOLLARS (\$150.65) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk’s office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, PIERRE J & JONATHAN P HERNANDEZ, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

3900 Rosa Avenue, more particularly described as Lots 1 to 14 (43533 Sq Ft), Block 1, Lincoln Park Subdivision, El Paso, El Paso County, Texas, PID #L314-999-0010-0100

to be \$490.24, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, making a total of FIVE HUNDRED FOURTEEN AND 24/100 DOLLARS (\$514.24). The City Council finds that the work was completed on the 16th day of July, 2013, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FIVE HUNDRED FOURTEEN AND 24/100 DOLLARS (\$514.24) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk’s office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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3B.

***RESOLUTION**

That the City Manager be authorized to enter into an Amendment to the Sun Metro Parking Agreement with the University of Texas at El Paso ("UTEP") that was entered into on April 29, 2008 to increase the number of parking spaces that UTEP is authorized to purchase at the same price per space.

3C.

***RESOLUTION**

That the City Council approves of the appointment of Hector I. Ocaranza, M.D., as the local health authority for a two-year term and sets the total compensation of the health authority at \$48,000.00 for services rendered for that two-year term, pursuant to Section 121.033 of the Texas Health and Safety Code.

Representative Acosta commented.

Ms. Joyce Wilson, City Manager, commented.

3D.

***RESOLUTION**

That the City Council approves a change order for additional work valued at \$132,854.81 to Motorola Solutions, Inc. for equipment exchange, additional training, and support services for the 800 MHz Project 25 Communications System Upgrade and Expansion pursuant to the cooperative contract DIR-SDD-1304. There shall be no additional time added to the contract as a result of this change order. The current contract amount of \$ 20,063,362.00 shall not increase as a result of this change order, but shall be off-set by existing value engineering credits to the project.

Representative Acosta commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Enrique Martinez, Jr., Interim Director for Information Technology

4A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Carla Monsisvais to the Community Development Steering Committee by Representative Eddie Holguin, Jr., District 6.

4B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Irene Silva Pistella to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Larry Romero, District 2.

4C. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Tomas Cardenas, Jr. to the Public Service Board Selection Committee by Representative Larry Romero, District 2.

4D. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Richard Teschner to the Public Service Board Selection Committee by Representative Ann Morgan Lilly, District 1.

4E. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Carlos Gerard Madrid to the City Plan Commission by Representative Lily Limon, District 7.

5. NOTATION OF CAMPAIGN CONTRIBUTIONS

*Motion made, seconded, and unanimously carried to **APPROVE** for notation pursuant to Section 2.92.110 of the City Code: Receipt of campaign contribution by Representative Carl L. Robinson, in the amount of \$500 from Talina and John M. Fields; \$500 from MELCAN LTD., Melanie K. Wayne Gen Partner and George C. Wayne Gen Partner.

6. APPLICATIONS FOR TAX REFUNDS

*Motion made, seconded, and unanimously carried that the following tax refunds be **APPROVED**, subject to auditor approval:

- 1. Ocwen Loan Servicing, LLC in the amount of \$3,079.72 for double payment of 2012 taxes.
(Geo. # E076-000-0060-5200)
- 1. Ocwen Financial Corp. in the amount of \$3,369.08 for double payment of 2011 taxes.
(Geo. # H540-999-0020-2700)
- 2. Ted and Grace Rubio in the amount of \$3,200.00 for double payment of 2013 taxes.
(Geo. # P654-999-0150-1500)
- 3. Ocwen Loan Servicing, LLC in the amount of \$4,077.63 for overpayment of 2012 taxes.
(Geo. # S814-999-0180-2100)
- 4. GECU in the amount of \$2,510.54 for double payment of 2012 taxes.
(Geo. # V893-999-359A-3300)

7. REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Director for the Purchasing and Strategic Sourcing Department to issue a Purchase Order to Mitchell Adding Machine (DBA Mitchell Time & Parking) the sole source authorized provider for Amano McGann revenue control software and equipment used at the Airport Parking Lot, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department:	El Paso International Airport
Award to:	Mitchell Adding Machine (DBA Mitchell Time & Parking) Austin, TX
Annual Estimated Amount:	\$ 99,950
Total Estimated Award:	\$299,850 (3 years)
Account No.:	562-62080-3000-532000

Funding Source: 562-62080-3080-580030-P5000040
 562-62080-3000-522290
 Buildings/Facilities Maintenance Repair
 Building Improvements
 Office Equipment Maintenance Contracts

Sole Source No.: 2014-009

This is a sole source, requirement type contract.

8A. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2013-297 (Spay/Neuter Voucher Program) to Pets Alive-El Paso, Inc. for an initial term estimated award of \$49,951.60.

Department: Environmental Services
 Award to: Pets Alive-El Paso, Inc.
 El Paso, TX
 Item(s): All
 Initial Term: 1 Year
 Option to Extend: 2 Additional 1 Year
 Annual Estimated Award: \$ 49,951.60
 Initial Term Estimated Award: \$ 49,951.60
 Total Estimated Award: \$149,854.80 (3 Years)
 Account No.: 522150-3120-334-34050-P3450
 Funding Source: Outside Contracts

This is a Best Value, Service contract.

The Financial Services - Purchasing & Strategic Sourcing Department and Environmental Services recommend award as indicated to Pets Alive-El Paso, Inc., the bidder offering the best value bid.

8B. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2013-271 (High Pressure and Low Pressure and Brake Coupled Hose Line, Hose Machines Rental and Field Service – Re-Bid) to Masthead Industries, Inc., dba Hose Power for an initial term estimated award of \$270,000.

Department: General Services – Fleet Division
 Award to: Masthead Industries, Inc., dba Hose Power
 El Paso, TX
 Initial Term: 3 years
 Option to Extend: 2 years
 Annual Estimated Award: \$ 90,000
 Initial Term Estimated Award: \$270,000 (3 years)
 Total Estimated Award: \$450,000 (5 years)
 Account No.: 231-531210-3600-37020-P3711
 231-531250-3600-37020-P3701
 Funding Source: General Services Dept – Internal Service
 Fund – Inventory Purchases
 Materials and Supplies and Equipment
 Outside Repair Services

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing Department and General Services – Fleet Division recommends award as indicated to Masthead Industries, Inc., dba Hose Power, the bidder offering the best value bid.

Recommend Southwest Seal & Supply be deemed non-responsive due to the inability to provide a price list for some of the items. The City is unable to verify the discount or mark up as required under this solicitation.

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9A. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2013-289 (Airport Shuttle Buses) to Creative Bus Sales, Inc. for a total award of \$216,660.

Department:	Aviation
Award to:	Creative Bus Sales, Inc. Irving, TX
Item(s):	All
Option:	To purchase 100% at the same unit price if exercised within {180} days from date of award
Unit Amount:	\$ 54,165 (per unit)
Total Award:	\$216,660 (for 4 units)
Account No.:	562 – 580550 – 62220 – 3080 – P5000040
Funding Source:	Buses Large Trucks

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

The Purchasing & Strategic Sourcing Department and Department of Aviation recommend award as indicated to Creative Bus Sales, Inc., the lowest responsive, responsible bidder.

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9B. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2013-270 for Pavo Real Park Improvements to LAB Builders, for an estimated total amount of \$70,757.60.

Department:	Engineering and Construction Management
Award to:	LAB Builders Anthony, TX
Base Bid:	\$65,857.60
Alternate:	\$ 4,900.00
Total Estimated Award:	\$70,757.60
Time for Completion:	120 Consecutive Calendar Days
Accounts:	471-71240-580270-2400-G_713CD017
Funding Source:	38th Year Community Development Block Grant

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 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 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 that J. Carrizal General Construction, Inc. be deemed non-responsive for their inability to confirm their bid price and that the contract be awarded as indicated to LAB Builders, the lowest responsive and responsible bidder.

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9C. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2014-005 for 2014-2015 On-Call Asbestos Abatement Services to Border Demolition and Environmental, Inc. and MFH Environmental Corp., for an estimated total amount of \$200,000 (\$100,000 per year for two years) per asbestos abatement contract for a total award of \$400,000.

Department: Engineering and Construction Management
Award to: Vendor 1 Border Demolition and Environmental, Inc.
El Paso, TX
Base Bid: \$200,000
Total Estimated Award: \$200,000
Time for Completion: Bidder shall substantially complete the project as specified in each individual work order

Department: Engineering and Construction Management
Award to: Vendor 2 MFH Environmental Corp.
El Paso, TX
Base Bid: \$200,000
Total Estimated Award: \$200,000
Time for Completion: Bidder shall substantially complete the project as specified in each individual work order

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 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 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 bidders.

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10A. – 10B1 AND 10B2 INTRODUCTIONS

Motion made by Representative Acosta, seconded by Representative Romero, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

ABSENT: Representative Niland

10A. An Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code), Section 18.02.106 (Permit Fees), Subsection 18.02.106.28 (Starting work without a permit, of the El Paso City Code, to increase the amount of the permit fee for starting work without a permit on commercial property, to establish a permit fee for contractors starting work on residential property without a permit and to establish a permit fee for homeowners starting work on their own residential property without a permit, the Penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON OCTOBER 29, 2013, FOR ITEM 10A

- 10B. 1.** An Ordinance changing the zoning of Lot 12, Block 21, Map #2 of French Addition, 4301 E. Missouri, City of El Paso, El Paso County, Texas from R-5 (Residential) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 4301 E. Missouri. Property Owner: Armando & Irma Araiza. PZRZ13-00022
- 2.** An Ordinance granting Special Permit No. PZST13-00016, to allow for Infill Development with reduced rear, side, and side street setbacks, as well as a 60 percent parking reduction, on the property described as Lots 12 to 16, Block 21, Map #2 of French Addition, 4301 E. Missouri, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 4301 E. Missouri. Property Owner: Armando & Irma Araiza. PZST13-00016

PUBLIC HEARING WILL BE HELD ON NOVEMBER 19, 2013, FOR ITEMS 10B1 AND 10B2

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11A. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Acosta, seconded by Representative Romero, and unanimously carried to **AWARD** Solicitation No. 2013-303 for EPIA Taxiway "A" Realignment to J.A.R. Concrete, Inc. dba J.A.R. Construction, Inc., for an estimated total amount of \$4,644,625.

ABSENT: Representative Niland

Department:	Engineering and Construction Management
Award to:	J.A.R. Concrete, Inc. dba J.A.R. Construction, Inc. El Paso, TX
Base Bid:	\$4,644,625
Total Estimated Award:	\$4,644,625
Time for Completion:	160 Consecutive Calendar Days

Accounts: 562-62330-580270-3080-G620AIP37
Funding Source: FAA Airport Improvement Program (AIP)
90%, EPIA Revenue Funds (10%)

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 an 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.

Ms. Margaret Schroeder, Traffic Engineer for Engineering Department, presented a PowerPoint presentation (copy on file in City Clerk's office).

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11B. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Noe, seconded by Representative Limón, and unanimously carried to **AWARD** Solicitation No. 2013-227 for Zaragoza Road Fiber Optic Interconnect (FM 659) to Tri-State Electric, Ltd., for an estimated total amount of \$799,989.80.

ABSENT: Representative Niland

Department: Engineering and Construction Management
Award to: Tri-State Electric, Ltd.
Vinton, TX
Base Bid I: \$799,989.80
Total Estimated Award: \$799,989.80
Time for Completion: 180 Consecutive Calendar Days
Accounts: 190-38170-580270-4950- PCP10TRAN120
190-28320-580270-4510- PCP10TRAN120
Funding Source: Texas Department of Transportation and
2010 Certificates of Obligation

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 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 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.

Mr. Javier Reyes, Engineering Division Manager, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Noe and Robinson commented.

Mr. Ted Marquez, Director for Department of Transportation, commented.

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11C. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Acosta, seconded by Representative Romero, and unanimously carried to **AUTHORIZE** the City Engineer, Engineering and Construction Management Department to exercise the City's option to extend current Contract 2012-146, Citywide Repair or Construction of Parkway Structures 2012-2014 with J.A.R. Concrete, Inc. dba J.A.R. Construction, Inc. for two additional years pursuant to the provisions of an award approved by City Council on May 8, 2012, NTP issued effective September 4, 2012 to September 3, 2014. The extended contract period will be from September 4, 2014 to September 3, 2016.

ABSENT: Representative Niland

Department:	Engineering and Construction Management
Award to:	J.A.R. Concrete, Inc. dba J.A.R. Construction, Inc.
Base Bid I:	\$1,866,917.00
Base Bid II:	\$1,375,500.00
Option: 2 years	
Total Estimated Amount:	\$3,242,417.00
Funding Sources:	Department of Transportation, General Fund, Community Development Block Grant and Sun Metro

Mr. Ted Marquez, Director for Department of Transportation, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Robinson commented.

Ms. Irene Ramirez, Interim City Engineer, commented.

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12A. PURCHASING AND STRATEGIC SOURCING

Motion made by Representative Lilly, seconded by Representative Romero, and unanimously carried to **AWARD** Solicitation No. RFP 2014-015R (Laboratory Services for Air Quality) to TraceAnalysis, Inc. for initial total estimated award of \$305,715 (3 Years).

ABSENT: Representative Niland

Department: Environmental Services
 Award to: TraceAnalysis, Inc.
 Lubbock, TX
 Item(s): All
 Initial Term: 3 Years
 Option: 2 years
 Annual Estimated Amount: \$101,905
 Initial Term Estimated Award: \$305,715 (3 Years)
 Total Estimated Award: \$509,525 (5 Years)
 Account No.: 3100-34060-522040-G_341318 (Gas Sampling)
 3100-34060-522040-G_341316 (Air Filters)
 3100-34060-522060-G_341318 (Air Filters)
 Funding Source: Federal, State Grant and City Matching
 Funds, Environmental Contract

This is an RFP, Service Contract.

Purchasing and Strategic Sourcing Department and Environmental Services recommend award as indicated to TraceAnalysis, Inc., the highest ranked proposer based on evaluation factors established for this procurement.

Mr. Bruce Collins, Purchasing Director, commented.

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12B. PURCHASING AND STRATEGIC SOURCING

Motion made by Representative Lilly, seconded by Representative Romero, and unanimously carried to **AUTHORIZE** the Purchasing Director, Purchasing and Strategic Sourcing Department to exercise the City's option to extend current Contract 2009-262R (City of El Paso 2009 Employee Supplemental Benefits) with United Concordia Insurance Company, Metropolitan Life Insurance Company, Block Vision of Texas, Inc., Trustmark Insurance Company and Standard Insurance Company for one 2-year period pursuant to the provisions of an award approved by the City Council on October 27, 2009. The extended contract period will be from January 1, 2014 to December 31, 2015.

ABSENT: Representative Niland

Department:	OMB – Insurance and Benefits
Award to: Vendor 1	United Concordia Insurance Company Harrisburg, PA
Option:	One 2-year Period
Award to: Vendor 2	Metropolitan Life Insurance Company Dallas, TX
Option:	One 2-year Period
Award to: Vendor 3	Block Vision of Texas, Inc. Dallas, TX
Option:	One 2-year Period
Award to: Vendor 4	Trustmark Insurance Company

Option:	Lake Forrest, IL One 2-year Period
Award to: Vendor 5	Standard Insurance Company Portland, OR
Option:	One 2-year Period
Annual Estimated Amount:	\$326,000
Total Estimated Amount:	\$652,000 (2 years)
Account No.:	209 – 521200 - 14045 – 3500 – P1414
Funding Source:	Self Insurance Fund – Life Premium

This is a Request for Proposal, Service contract

Mr. Bruce Collins, Purchasing Director, commented.

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13.

R E S O L U T I O N

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

That the City Council approves the expenditure of additional available funding in the amount of Six Hundred Sixty Thousand Nine Hundred Fifty and 00/100 Dollars (\$660,950.00) to J.A.R. Concrete, Inc. dba J.A.R. Construction, Inc., for the Street Resurfacing 2013 project, Solicitation No. 2013-034. This change order provides for additional quantities to increase the capacity for the resurfacing of streets. No additional time will be added to contract time. The new contract sum, including this change order is Three Million Three Hundred Six Thousand Four Hundred Forty One and 60/100 (\$3,306,441.60).

Ms. Irene Ramirez, Interim City Engineer, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Representative Limon commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

Motion made by Representative Lilly, seconded by Representative Romero, and unanimously carried to **APPROVE** the Resolution.

ABSENT: Representative Niland

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14A. MAYOR AND COUNCIL

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the item on the Lincoln Center acquisition status.

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14B. MAYOR AND COUNCIL

Discussion and action on the process used to provide open records requests.

Ms. Juliet Lozano, Communications and Public Affairs Manager, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Representatives Limon, Holguin, and Acosta commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Sylvia Firth, City Attorney, gave legal advice.
3. Ms. Kristen Hamilton, Assistant City Attorney, gave legal advice.

NO ACTION taken on this item.

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The City Council Meeting was **RECESSED** at 9:57 a.m.

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The City Council Meeting was **RECONVENED** at 12:16 p.m.

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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 8:30 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.

The following member of the public commented:

1. Ms. Wally Cech
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Motion made by Representative Romero, seconded by Representative Noe, and unanimously carried to **ADJOURN** this meeting at 12:37 p.m.

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk