

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
MICHIEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

**REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
OCTOBER 23, 2012
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:35 a.m. Mayor Pro Tempore Ann Morgan Lilly present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Emma Acosta, Michiel R. Noe, Steve Ortega, and Cortney Carlisle Niland. Late arrivals: Eddie Holguin, Jr. at 8:40 a.m. and Carl Robinson at 8:42 a.m. Absent: Mayor John F. Cook requested to be excused. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

- 1. FOOD DAY**
- 2. SEASON OF GIVING DAY**
- 3. HUMAN RESOURCES AWARENESS MONTH**

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 members of the public commented:

1. Mr. George Atkins
2. Mr. Richard Schecter
3. Mr. Charles Hooten
4. Mr. Adrian Duran
5. Mr. Ruben Duran
6. Mr. Adan Alvarez
7. Ms. Wally Cech
8. Mr. Salvador Gomez
9. Ms. Lisa Turner

Mayor Pro Tempore Lilly and Representatives Byrd, Holguin, Niland, and Acosta commented.

The following City staff members commented:

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

Motion made by Alternate Mayor Pro Tempore Holguin, seconded by Representative Noe, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Ms. Cech three additional minutes to speak.

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CONSENT AGENDA

Motion made by Representative Niland, seconded by Representative Ortega, 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, Byrd, Acosta, Noe, Holguin, Ortega and Niland
 NAYS: None
 NOT PRESENT FOR THE VOTE: Representative Robinson

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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 16, 2012.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3A.

***RESOLUTION**

That the City Manager be authorized to sign a Lessor’s Approval of Assignment of the Butterfield Trail Industrial Park Lease by and between the City of El Paso (“Lessor”), Time Warner Entertainment-Advance/Newhouse Partnership (“TWEAN”)(“Assignor”) and Time Warner Cable Texas LLC (“Assignee”) for the following described property:

A portion of Lots 4 and 5, Block 6, Butterfield Industrial Park Unit 1, Replat “A”, municipally known and numbered as 7010 Airport Road, City of El Paso, El Paso County, Texas.

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3B.

***RESOLUTION**

That the City Manager be authorized to sign a Lessor Approval of Assignment by and between the City of El Paso, Buzz Oates LLC and Buzz Oates Development Limited Partnership, and Buzz Oates El Paso LLC covering the following described property:

Lots 4, 5 and 6, Block 7, Butterfield Trail Industrial Park Unit One, Replat “A”, an Addition to the City of El Paso, El Paso County, Texas and numbered as 16 Zane Grey, El Paso, Texas; and Lot 1, Block 12, Butterfield Trail Industrial Park Unit Two, an Addition to the City of El Paso, El Paso County, Texas, and numbered as 21 Butterfield Trail, El Paso, Texas.

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3C.

***RESOLUTION**

That the City Manager be authorized to sign a Lessor Approval of Assignment by and between the City of El Paso, Buzz Oates LLC and Buzz Oates Development Limited Partnership; and Buzz Oates El Paso LLC covering the following described property:

Lots 3, 4 and 5, Block 3, Butterfield Trail Industrial Park Unit One, Replat "A", and lot 2, Block 3, Butterfield Trail Industrial Park Unit One Replat "C", municipally known and numbered as #5, 7, 9 & 11 Founders Blvd., City of El Paso, El Paso County, Texas.

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3D.

***RESOLUTION**

That the City Manager be authorized to sign a Lessor Approval of Assignment by and between the City of El Paso, Buzz Oates LLC and Buzz Oates Development Limited Partnership; and Buzz Oates El Paso LLC covering the following described property:

Lot 3, Block 7, Butterfield Trail Industrial Park Unit One, Replat "A", municipally known and numbered as #20 Zane Grey St., City of El Paso, El Paso County, Texas.

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3E.

RESOLUTION

That the City Manager be authorized to sign a Hotel Site Lease by and between the City of El Paso and Mac Hotel Properties I, L.P. for the following described property:

Tract F of Lot 1, Block 19, El Paso International Airport Tracts, Unit 10, City of El Paso, El Paso County, Texas, consisting of 156,116.54 square feet of land and municipally known and numbered as 6789 Boeing Drive, El Paso, Texas.

Representative Acosta commented.

Ms. Monica Lombrana, Director of Aviation, commented.

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR.**

2ND AND FINAL MOTION

Motion made by Representative Byrd, seconded by Representative Niland, and unanimously carried to **APPROVE** the Resolution.

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3F.

RESOLUTION

That the City Manager be authorized to sign an Agreement For Preliminary Engineering Services by and between the City of El Paso and Union Pacific Railroad Company for preliminary engineering and preliminary approval of plans for the construction of the El Paso AAA Ballpark, for an amount not to exceed One Hundred Sixty Two Thousand Nine Hundred Seventy Five and No/00 Dollars (\$162,975.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services, for a total contract amount not to exceed Two Hundred Twelve Thousand Nine Hundred Seventy Five and No/00 Dollars (\$212,975.00); and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this agreement.

Mr. Alan Shubert, City Engineer, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Acosta and Byrd commented.

Ms. Joyce Wilson, City Manager, commented.

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR.**

2ND AND FINAL MOTION

Motion made by Representative Niland, seconded by Representative Ortega, and carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Noe, Ortega and Niland

NAYS: Representatives Robinson and Holguin

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3G.

***RESOLUTION**

That the City Manager be authorized to sign an Underground Electrical and Transformer Pad Easement for the provision of electrical power to Fire Station 37, 12950 RC Poe Boulevard, a new City facility, said easements more particularly described as a portion of Lot 1, Block 103, Tierra Del Este Unit 22, City of El Paso, El Paso County, Texas.

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3H.

***RESOLUTION**

That the City Manager be authorized to sign an Underground Electrical and Transformer Pad Easement to the El Paso Electric Company for the provision of electrical power to the Sun Metro Operations and Maintenance Facility, 10151 Montana Avenue, a new City facility, said easement being more particularly described as a portion of Lot 2, Block 1, Butterfield Trail Aviation Park, Unit 2, City of El Paso, El Paso County, Texas.

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3I.

***RESOLUTION**

That the City Manager be authorized to sign an Underground Electrical and Transformer Pad Easement for the provision of electrical power to Water Well No. 527 located on Airport property, said easement more particularly described as a portion of Lot 4-A-27, Block 2, Ascarate Grant, City of El Paso, El Paso County, Texas.

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3J.

***RESOLUTION**

That the City Manager be authorized to sign an Underground Electrical and Transformer Pad Easement for the provision of electrical power to Water Well No. 525 located on Airport property, said easement more particularly described as a portion of Lot 1, Block 1, Butterfield Trail Aviation Park One, City of El Paso, El Paso County, Texas.

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3K.

RESOLUTION

That the City Manager be authorized to sign an Interlocal Agreement by and between the City of El Paso ("City) and The University of Texas at El Paso ("UTEP"), wherein UTEP will provide professional development training to executive and professional managerial level employees of the City. The term of the

Board Chairman, and Tabulating Supervisor respectively, to operate a central counting station to receive and tabulate the voted ballots at said election.

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3N.

***RESOLUTION**

WHEREAS, the Mayor and City Council accept the recommendation from the Parks and Recreation Advisory Board to rename Tres Sueños #4 Park located at 12961 Enrique Gomez Drive, City of El Paso, El Paso County Texas, as YLAIRAM RUBY MORGA PARK.

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

That the park located at 12961 Enrique Gomez Drive, El Paso, Texas, shall henceforth be renamed and known as YLAIRAM RUBY MORGA PARK; and,

That the Morga Family (“Applicant”) shall incur the customary costs associated with the renaming of a park, such as installing or replacing signs with the park name or any other signs posted or affixed to a facility. Any proposed signs shall be acceptable to both the Parks and Recreation Department and Applicant. (District 5)

Mr. Alfredo Morga, citizen, commented.

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3O.

***RESOLUTION**

WHEREAS, the Mayor and City Council accept the recommendation from the Parks and Recreation Advisory Board to rename Sunset Heights Park located at 631 Stewart Court, City of El Paso, El Paso County Texas, as **JOHN R. KARR PARK**.

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

That the park located at 631 Stewart Court, El Paso, Texas, shall henceforth be renamed and known as JOHN R. KARR PARK; and,

That the Karr Family (“Applicant”) shall incur the customary costs associated with the renaming of a park, such as installing or replacing signs with the park name or any other signs posted or affixed to a facility. Any proposed signs shall be acceptable to both the Parks and Recreation Department and Applicant. (District 8)

The following members of the public commented:

- 1. Ms. Stephanie Karr
- 2. Mr. Joel Guzman

Motion made by Representative Byrd, seconded by Alternate Mayor Pro Tempore Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the signup period.

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3P.

***RESOLUTION**

That the City Manager be authorized to sign an agreement between the Paso del Norte Health Foundation and the City of El Paso for the City to receive a grant in the amount of \$443,960, for 2012 TSK: Focus El Paso for the purpose of reducing repeat births among WIC mothers under the age of 24, with the grant period beginning on October 1, 2012 and ending on September 30, 2014.

3Q.

***RESOLUTION**

That the City Manager be authorized to sign on behalf of the City, the Guiding Principles for the Regional Health Framework posed by the Paso del Norte Health Foundation for the purpose of promoting community wellness among El Paso residents as a key determinant in the success of our education system, our economy, and our society as a whole.

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4. SPECIAL APPOINTMENT

*Motion made, seconded, and unanimously carried that Matthew K. Behrens be **APPOINTED** by the Mayor with a majority vote of the entire Council as an Assistant City Attorney effective October 29, 2012 at a salary of \$70,000 per annum, plus benefits.

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5. APPLICATION FOR TAX REFUNDS

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

- A. HSBC MORTGAGE, in the amount of \$4,940.04 overpayment of 2011 taxes.
(PID # N425-999-0490-4000)
- B. Jorge Lopez, in the amount of \$2,806.00 overpayment of 2011 taxes.
(PID # Q550-999-0060-2100)
- C. Texas Tax Solutions, LLC, in the amount of \$3,977.32 overpayment of 2011 taxes.
(PID # S812-999-0150-3400)
- D. Select Portfolio Servicing, Inc., in the amount of \$2,853.30 overpayment of 2011 taxes.
(PID # V099-000-0190-0900)
- E. New York Community Bank, in the amount of \$7,781.96 overpayment of 2011 taxes.
(PID # V879-999-0020-2500)

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6A. REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to C&M Golf and Grounds Equipment, a contractor under TASB (Texas Association of School Boards) BuyBoard Contract No. 373-11 (Grounds Equipment, Irrigation Parts, Supplies & Installation) for fifty (50) EZGO TXT-E Electric Golf Carts. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the TASB (Texas Association of School Boards) BuyBoard Cooperative Purchasing Program was approved by Mayor and City Council on August 21, 2007.

Department:	Aviation (El Paso International Airport)
Award to:	C&M Golf and Grounds Equipment Waco, Texas
Estimated Award:	\$139,755.36
Total Estimated Award:	\$139,755.36 (for 50 carts)
Account No.:	562 – 62410 – 533030 – 3000
Funding Source:	Other Equipment – Airport Operations

Reference No.: 2013-040

This is a Cooperative, unit price contract.

Representative Acosta commented.

The following City staff members commented:

- 1. Mr. Bruce Collins, Purchasing Manager
- 2. Ms. Monica Lombrana, Director of Aviation

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6B. REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a change order to a Purchase Order for Contract No. 2012-167 (Hirsch Access Control System Upgrade) to Advance Security Contractors, Inc., a contractor under Region 19 Contract 09-6356 for a total estimated award of \$252,577.27. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Region 19 Cooperative Purchasing Program was approved by Mayor and City Council on March 4, 2008.

Department:	Aviation (El Paso International Airport)
Award to:	Advance Security Contractors, Inc. El Paso, TX
Total Estimated Award:	\$252,577.27
Account No.:	562 – 62230 – 580270 – 3080 – PAP00610
Funding Source:	Airport Capital Projects – Construction (CWIP)

This is a Cooperative, unit price contract.

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6C. REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Wingfoot Commercial Tire Systems, LLC, a contractor under TCPN No. R4937 (Automobile Tires) for Duraseal tires. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the TCPN was approved by Mayor and City Council on March 27, 2007.

Department:	General Services
Award to:	Wingfoot Commercial Tire Systems, LLC El Paso, TX
Annual Estimated Amount:	\$279,484
Total Estimated Award:	\$279,484
Account No.:	334 – 34080 – 522280 – 3100
Funding Source:	Environmental Services – Vehicle Heavy Equipment Off Road Maintenance
Reference No.:	2013-055

This is a Cooperative, unit price contract.

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6D. REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City’s option to extend current Contract 2009-289 (Security Guard Services - Police Headquarters) with Ruiz Protective Service, Inc. 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 1, 2012 to October 31, 2014.

Department: Police
Award to: Ruiz Protective Service, Inc.
El Paso, TX
Option: 2 Years
Annual Estimated Amount: \$ 69,987
Total Estimated Amount: \$139,974 (2 years)
Account No.: 321 – 21000 – 522120 – 1000
Funding Source: General Fund – Security Contracts

This is a Best Value, service contract

Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City’s option to extend current Contract 2009-265 (Security Guard Services) with Ruiz Protective Services, Inc. for two additional years pursuant to the provisions of an award approved by City Council on October 13, 2009. The extended contract period will be from November 1, 2013 through October 30, 2015.

Department: Zoo
Award to: Ruiz Protective Services, Inc.
El Paso, TX
Option: None
Annual Estimated Amount: \$229,023.52
Total Estimated Amount: \$458,047.04 (2 Years)
Account: 452 – 52130 – 522120 – 3400
Funding Source: Zoo Gate Revenue Administration–
Building/Facilities Maintenance

This is a Best Value, service contract.

Representative Holguin commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
 2. Mr. Bruce Collins, Purchasing Manager
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7A.

***RESOLUTION**

WHEREAS, on May 10, 2011, the City awarded Contract No. 2011-120 (Elevator Maintenance for Various City Buildings) to American Elevator, for the General Services Department; and

WHEREAS, the amount of the Contract awarded has been exceeded and the City has notified the vendor that the City would rebid the contract and Council would terminate said Contract for convenience pursuant to the provisions of the Contract; and

WHEREAS, pursuant to Section C, Paragraph 8A of the Contract (Termination for Convenience), the City is authorized to terminate the Contract for convenience; and

WHEREAS, the City desires to terminate the Contract for Convenience.

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

That the Purchasing Manager is authorized to notify American Elevator that the City is terminating Contract No. 2011-120 pursuant to the provisions and requirements of Section C, Paragraph 8A of the Contract Clauses, and that the termination shall be effective as of October 23, 2012.

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7B. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-282 (Elevator Maintenance for Various City Buildings) to American Elevator for an initial term estimated award of \$360,000.

Department:	General Services
Award to:	American Elevator
	El Paso, TX
Items:	All
Initial Term:	3 years
Option:	2 years
Annual Estimated Award:	\$120,000
Initial Term Estimated Award:	\$360,000 (3 years)
Total Estimated Award:	\$600,000 (5 years)
Account No.:	231 – 31040 – 522260 – 1000 – P3120
Funding Source:	General Fund – Buildings Facilities Maintenance

This is a Best Value, service contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to American Elevator, the bidder offering the best value bid.

Representative Acosta commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
 2. Mr. Bruce Collins, Purchasing Manager
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7C. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-317 (Document Scanning and Shredding Services) to Dataxport Net, LLC, for a total of \$167,928.11.

Department:	General Services
Award to:	Dataxport Net, LLC El Paso, TX
Items:	Group I and Group II
Option:	Purchase 100% of Original Contract Quantities, up to 365 days
Total Award:	\$167,928.11
Account:	999 – 99998 – 522150 - 1000
Funding Source:	General Fund-Relocation Expenses

This is a Best Value, single (one-time) purchase.

The Financial Services - Purchasing Division and General Services Department recommend award as indicated to Dataxport Net, LLC the bidder offering the best value bid.

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8. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2012-308 (ARFF Safety Equipment - Emergency Triage Shelters [Re-bid]) to National Supply Network, LLC for an initial term estimated award of \$279,825.

Department:	Aviation (El Paso International Airport)
Award to:	National Supply Network, LLC Louisville, KY
Items:	All
Initial Term:	One-Time Purchase
Option:	None
Initial Term Estimated Award:	\$279,825
Total Estimated Award:	\$279,825
Account No.:	562 – 62330 – 580270 – 3080 – G620AIP29
Funding Source:	Airport Capital Projects-Airport Grant
Improvements	

This is a Low Bid, unit price contract.

The Financial Services - Purchasing Division and Aviation recommend that Progressive Emergency Products, LLC be disqualified as non-responsive and the contract be awarded as indicated to National Supply Network, LLC the lowest responsive, responsible bidder.

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9A. – 9B. INTRODUCTIONS

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

NOT PRESENT FOR THE VOTE: Representative Robinson

- 9A. An Ordinance amending Ordinance No. 016874 which granted a special privilege license to ONIHC, L.L.C. permitting the encroachment onto public right-of-way of a sidewalk cafe located at 504 West San Antonio Avenue, to approve the assignment of the special privilege license from ONIHC, L.L.C. to Lava Entertainment Group, LLC and to adjust the annual fee for the special privilege license. (SPL07-00018)
- 9B. An Ordinance granting a special privilege license to Edgar Lopez for the construction, installation, maintenance, use, and repair of a pedestrian bridge and walkway within portions of City right-of-way along Wheeling Avenue adjacent to the property located at 2308 Wheeling Avenue (NESV12-00029)

PUBLIC HEARING WILL BE HELD ON OCTOBER 30, 2012, FOR ITEMS 9A – 9B

10A. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Noe, seconded by Representative Ortega, and unanimously carried to **AWARD** Solicitation No. 2012-166 for Montwood Street and Drainage Improvements to Ultimate Concrete, L.L.C., for a total award of \$11,089,329.84.

NOT PRESENT FOR THE VOTE: Representative Robinson

Department:	Engineering and Construction Management
Award to:	Ultimate Concrete, L.L.C.
	El Paso, TX
Base Bid I:	\$ 8,373,112.49
Base Bid II:	\$ 1,093,991.60
Base Bid III:	\$ 473,992.00
Option No I:	\$ 1,148,233.75
Total Estimated Award:	\$11,089,329.84
Time for Completion:	698 Consecutive Calendar Days
Account:	190-28310-4500-580270-PCP10ST140
Funding Source:	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 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.

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

Representatives Acosta and Byrd commented.

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ITEMS TAKEN TOGETHER

10B. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Acosta, seconded by Representative Noe, and unanimously carried to **AUTHORIZE** the City Engineer, Engineering and Construction Management, to issue a Purchase Order in a total amount of \$20,063,362, to Motorola Solutions, Inc., an approved vendor on the State of Texas, Department of Information Resources Contract DIR-SDD-1304, for the purchase and installation of equipment for the 800MHz Project 25 Radio System Upgrade and expansion, to include a 3 year warranty and maintenance period, and authorize the City Manager to execute any agreements and related documents necessary to effectuate this award.

10C. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Acosta, seconded by Representative Noe, and unanimously carried to **APPROVE** a Resolution authorizing the City Manager to sign a tax-exempt lease-purchase agreement with Motorola Solutions, Inc. in a principal amount not to exceed \$20,063,362 to acquire, purchase, finance and lease certain equipment for the project known as the 800MHz Project 25 Radio System Upgrade and Expansion 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.

Fire Chief Drozd presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Acosta, Noe, Holguin, and Niland commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Carmen Arrieta-Candelaria, Chief Financial Officer

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11. FIRE

Motion made by Representative Byrd, seconded by Representative Acosta, and unanimously carried to **AWARD** Solicitation No. 2012-310 (Ambulance Remounts) to Bridgers Coaches, Inc. dba Taylor Made Ambulances) for an initial estimated award of \$1,221,552.

NOT PRESENT FOR THE VOTE: Representatives Robinson and Noe

Department:	Fire
Award to:	Bridgers Coaches, Inc. dba Taylor Made Ambulances Newport, AR
Items:	All
1st Year Estimated Award:	\$ 502,992 (Based on 7 vehicles)
2 nd Year Estimated Award:	\$ 431,136 (Based on 6 vehicles)
3 rd Year Estimated Award:	\$ 287,424 (Based on 4 Vehicles)
Option:	1 Year
Initial Term Estimated Award:	\$1,221,552
Total Estimated Award:	\$1,628,736 (4 Years)
Account No.:	190 – 28300 – 580060 – 4710– PSTM06PW555

322 – 22090 – 580060 – 4960
Capital Fund and Fire Capital

Funding Source:

This is a Best Value, unit price contract.

The Financial Services - Purchasing Division and Fire Department recommend award to Bridgers Coaches, Inc. dba Taylor Made Ambulances, the vendor offering the best value bid.

Fire Chief Drozd commented.

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12A. GENERAL SERVICES

Motion made by Representative Acosta, seconded by Representative Byrd, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Sierra Machinery, Inc., the sole authorized provider for parts, products, support services and maintenance in El Paso, Texas for Volvo, Doosan and Gradall equipment with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

NOT PRESENT FOR THE VOTE: Representatives Robinson and Noe

Department: General Services
Award to: Sierra Machinery, Inc.
El Paso, TX
Annual Estimated Amount: \$140,000
Total Estimated Award: \$420,000 (3 years)
Account No.: 231 – 37020 – 531210 – 3600 – P3711
231 – 37020 – 531250 – 3600 – P3701
Funding Source: Supply Support Fund – Inventory Purchase –
Materials & Supplies and Supply Support
Fund – Equipment Outside Repair Services
Sole Source No.: 2013-054

This is a sole source, proprietary parts and service contract.

Representatives Ortega and Byrd commented.

The following City staff members commented:

1. Mr. Bruce Collins, Purchasing Manager
2. Mr. Stuart Ed, Director of General Services

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12B. GENERAL SERVICES

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **AWARD** Solicitation No. 2012-283 (Fuel Management System) to C&L Pump Service, Inc. for a total award of \$518,121.57.

NOT PRESENT FOR THE VOTE: Representatives Robinson and Noe

Department: General Services
Award to: C&L Pump Service, Inc.

Items: El Paso, TX
 Option: All
 To purchase 100% at the same unit price if exercised within 180 days from date of award
 Unit Amount: \$518,121.57
 Total Award: \$518,121.57 (for 1 unit)
 Account No.: 231 – 37010 – 580540 – 4960
 334 – 34060 – 580100 – 3150 – PSWM00170
 Funding Source: Other Outside Sources – Cars, Pickups,
 Vans
 Environmental Services Capital – Data
 Processing Equipment

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

The Financial Services - Purchasing Division and General Services recommend award as indicated to C&L Pump Service, Inc, the lowest responsive, responsible bidder.

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12C. GENERAL SERVICES

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **AWARD** Solicitation No. 2012-298 (Paper Sundries) to Spectrum Paper Co., Inc., Baron Chemical Co. and Laun-Dry Supply for an initial term estimated award of \$914,526.00.

NOT PRESENT FOR THE VOTE: Representatives Robinson and Noe

Department: General Services
 Award to: Vendor 1 Spectrum Paper Co., Inc.
 El Paso, TX
 Items: Part A, Items 1, 2, 3, and 4 (Alternate Bid)
 Initial Term: 3 Years
 Option: 1 and 2 Years
 Annual Estimated Award: \$ 58,817.00
 Initial Term Estimated Award: \$ 176,451.00 (3 Years)
 Total Estimated Award: \$ 235,268.00 (4 Years)
 \$ 294,085.00 (5 Years)

Award to: Vendor 2 Baron Chemical Co.
 El Paso, TX
 Items: Part A, Items 5, 6, and 7
 Initial Term: 3 Years
 Option: 1 Year
 Annual Estimated Award: \$ 84,282.50
 Initial Term Estimated Award: \$ 252,847.50 (3 Years)
 Total Estimated Award: \$ 337,130.00 (4 Years)

Award to: Vendor 3 Laun-Dry Supply
 El Paso, TX
 Items: Part B, Items 1-7
 Initial Term: 3 Years
 Option: 1 Year

Annual Estimated Award:	\$ 161,742.50
Initial Term Estimated Award:	\$ 485,227.50 (3 Years)
Total Estimated Award:	\$ 646,970.00 (4 Years)
Annual Estimated Award:	\$ 304,842.00
Initial Term Estimated Award:	\$ 914,526.00 (3 Years)
Total Estimated Award:	\$1,219,368.00 (4 Years)
	\$1,524,210.00 (5 Years)
Account No.:	231 – 31040 – 531110 – 1000 – P3120
Funding Source:	General Services Dept. – General Fund

This is a low bid, unit price contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Spectrum Paper Co., Inc., Baron Chemical Co., and Laun-Dry Supply the lowest responsive, responsible bidders.

Representative Holguin commented.

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13. HUMAN RESOURCES

Motion made by Representative Acosta, seconded by Representative Byrd, and unanimously carried to **AWARD** Solicitation No. 2012-256R (Third Party Administrator for the Self-Insured Health Plan) to Aetna Life Insurance Company – TPA and Network Provider, Deer Oaks EAP Services, LLC – EAP and Express Scripts Inc. – Pharmacy Benefit Manager for an initial term estimated award of \$130,635,417.

NOT PRESENT FOR THE VOTE: Representatives Robinson and Noe

Department:	Human Resources
Award to: Vendor 1	Aetna Life Insurance Company Hartford, CT
Items:	TPA and Network Provider
Option:	Two 2-Year Options
Estimated Annual Fees:	\$ 2,300,000.00 (TPA)
Estimated Annual Claims:	\$ 31,400,000.00 (Network Provider)
Estimated Annual Claims & Fees:	\$ 33,700,000.00
Initial Term Estimated Award:	\$101,100,000.00 (3 Years)
1 st Option Estimated Award:	\$168,500,000.00 (5 Years)
2 nd Option Estimated Award:	\$235,900,000.00 (7 Years)

Award to: Vendor 2	Deer Oaks EAP Services, LLC San Antonio, TX
Items:	Employee Assist Program
Option:	Two 2-Year Options
Estimated Annual Fees:	\$ 45,139.00
Initial Term Estimated Award:	\$ 135,417.00 (3 Years)
1 st Option Estimated Award:	\$ 225,695.00 (5 Years)
2 nd Option Estimated Award:	\$ 315,973.00 (7 Years)

Award to: Vendor 3	Express Scripts (formerly Medco) St Louis, MO
Items:	Pharmacy Benefits Manager

Option:	Two 2-Year Options
Estimated Annual Claims & Fees:	\$ 9,800,000.00
Initial Term Estimated Award:	\$ 29,400,000.00 (3 Years)
1 st Option Estimated Award:	\$ 49,000 000.00 (5 Years)
2 nd Option Estimated Award:	\$ 68,600,000.00 (7 Years)
Initial Term:	3 years
Estimated Annual Award:	\$ 43,545,139.00
Initial Term Estimated Annual Award:	\$130,635,417.00 (3 Years)
1 st Option Estimated Award:	\$217,725,695.00 (5 Years)
Total Estimated Award	\$304,815,973.00 (7 years)
Account Nos.:	209 – 14060 – 521120 - 3500 209 – 14060 – 552000 – 3500 209 – 14060 – 521410 – 3500 209 – 14060 – 521380 – 3500 209 – 14060 – 521420 – 3500
Funding Source:	Health Care Providers Services, TPA Benefits Administrators, Pharmaceutical Administration, Prescription Benefits Payments, EAP Administrators

This is a Request for Proposal, services contract.

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 Human Resources recommend award to the highest ranked proposers as indicated based on evaluation factors established for this procurement.

Ms. Irene Morales, Assistant Director for Human Resources, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Byrd, Ortega, and Acosta commented.

Mr. Bruce Collins, Purchasing Manager, commented.

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14.

RESOLUTION

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

That the City Manager be authorized to sign an Agreement for Professional Services by and between the City of El Paso and CEA Engineering Group, Inc., d/b/a CEA Engineering Group, a Texas Corporation, for a project known as "Central Business District Phase IV" for an amount not to exceed One Million Five Hundred Thirty Five Thousand and No/00 Dollars (\$1,535,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services, for a total contract amount not to exceed One Million Five Hundred Eighty Five Thousand and No/00 Dollars (\$1,585,000.00); and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this agreement.

Representative Byrd and Mr. Sam Rodriguez, Engineering Division Manager, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Niland and Ortega commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Irene Ramirez, Assistant City Engineer
- 3. Ms. Sylvia Firth, City Attorney, gave legal advice.

Motion made by Representative Niland, seconded by Representative Acosta, and unanimously carried to **APPROVE** the Resolution and to **DIRECT** the City Manager to bring final design for the project back to City Council for approval.

NOT PRESENT FOR THE VOTE: Representative Robinson

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15A. MAYOR AND COUNCIL

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **DIRECT** the City Manager to City initiate a street vacation within Block 126, Highland Park, City of El Paso, El Paso County, in accordance with a Resolution, adopted by City Council on February 21, 2012, allowing for an alternate method for determining the fair market value and for determining the compensation for the sale or conveyance of land dedicated to the City as a public street, alley, or easement to the abutting property owner owning the fee simple.

NOT PRESENT FOR THE VOTE: Representative Robinson

Representative Byrd commented.

Mr. Carlos Gallinar, Comprehensive Plan Manager, commented.

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15B.

RESOLUTION

WHEREAS, the Village of Vinton, Texas desires to develop a viable urban community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income;

WHEREAS, certain conditions exist in the Village of Vinton, which represents a threat to the public health and safety of 1,981 residents and 458 households;

WHEREAS, the Village of Vinton is seeking financial assistance from the Texas Water Development Board, in an amount not to exceed \$12,100,000.00 to provide for the costs of Planning, Acquisition, Design and Construction of a Municipal Water System for the eligible grant funding of \$8,470,000.00;

WHEREAS, the Village of Vinton is seeking financial assistance from the Texas Water Development Board, in an amount not to exceed \$22,100,000.00 to provide for the costs of Planning, Acquisition, Design and Construction of a Municipal Waste Water System for the eligible grant funding of \$15,470,000.00;

WHEREAS, the Village of Vinton will also be filing an application to the U.S. Department of Agriculture-Rural Development Program, Rural Utilities Service (RUS) Section 306, Colonia Water and Wastewater Disposal Grant Program to seek eligible grant funding for the design and construction of a Municipal Water System and Municipal Waste Water System; and

WHEREAS, the Village of Vinton plans to adopt a resolution to accept funding from the Border Environment Cooperative Commission in the amount of \$525,000 for 50% of the design cost for a Municipal Waste Water System, and \$5,000,000 for the construction of the same system under the Border Environmental Infrastructure Fund.

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

That the El Paso City Council supports the Village of Vinton’s efforts for a Municipal Water System and Waste Water System to provide a healthier and safer environment for its citizens.

Representative Ortega commented.

Motion made by Representative Ortega, seconded by Representative Niland, and unanimously carried to **APPROVE** the Resolution.

NOT PRESENT FOR THE VOTE: Representative Robinson

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15C.

RESOLUTION

WHEREAS, the City of El Paso, Texas is undergoing a cultural and economic Renaissance;

WHEREAS, this Renaissance is most predominant in Downtown El Paso;

WHEREAS, key elements of the cultural Renaissance are the Plaza Theater, the El Paso Museum of Art, and the El Paso Museum of History;

WHEREAS, the Abraham Chavez Theater’s soaring lobby and superior acoustics are cultural treasures that have received both local and international praise as a world-class performing arts venue; and

WHEREAS, El Pasoans who find sentimental value in preserving and restoring this venue are concerned that it may fall victim to the wrecking ball.

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

That the El Paso City Council is committed to the preservation and restoration of the Abraham Chavez Theatre and is opposed to the demolition of the facility to make room for other purposes.

Representative Niland commented.

Ms. Joyce Wilson, City Manager, commented.

The following members of the public commented:

- 1. Ms. Lisa Turner
- 2. Mr. Prentice Loftin

1ST MOTION

Motion made by Representative Niland, seconded by Representative Ortega, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Loftin two additional minutes to speak.

2ND AND FINAL MOTION

Motion made by Representative Niland, seconded by Representative Ortega, and unanimously carried to **APPROVE** the Resolution.

NOT PRESENT FOR THE VOTE: Representative Robinson

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15D. MAYOR AND COUNCIL

Motion made by Representative Niland, seconded by Representative Ortega, and unanimously carried to **CREATE** a residential housing development incentive for new residential property downtown, issuing one downtown parking permit per unit sold.

NOT PRESENT FOR THE VOTE: Representative Robinson

Representatives Byrd and Niland commented.

The following City staff commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Mathew McElroy, Director of City Development

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15E.

RESOLUTION

WHEREAS, the University of New Mexico, in partnership with the Centro Artistico y Cultural (CAYC) and the Buena Vista Neighborhood Association (BVNA), proposes to submit an environmental education grant to the Environmental Protection Agency (EPA) to support the Buena Vista community in training to become responsible stewards of the proposed Cement Lake Preserve;

WHEREAS, the project will be led by Professor Bill Gilbert, Lannan Endowed Chair in Art & Ecology, Professor Catherine Harris and Professor Jeanette Hart-Mann of the University of New Mexico;

WHEREAS, Professors Gilbert, Harris and Hart-Mann have directed the fall field program entitled Land Arts of the American West (LAAW) and have worked with CAYC and BVNA on a series of successful projects each fall starting in 2009;

WHEREAS, the City of El Paso is supportive of the Buena Vista Environmental Education Project (BVEEP) at the Cement Lake Preserve;

WHEREAS, the partnership between the University of New Mexico, Centro Artistico y Cultural, and the Buena Vista Neighborhood Association seeks to apply for the EPA Two Year Education Grant in the amount not to exceed \$216,000.00 for the beautification and improvement of the Cement Lake Preserve to benefit the educational and aesthetic needs in the Buena Vista Neighborhood;

WHEREAS, the goals of the project to preserve this natural wetland space for El Paso citizens and to develop a sense of community through environmental education programming specific to the wetland site align with the City of El Paso's commitment to its residents; and

WHEREAS, the community of Buena Vista is a historically rich neighborhood nestled in the landscape of El Paso with a long established connection to the Cement Lake Preserve and the Buena Vista Environmental Education Project will assure the Buena Vista community has the knowledge necessary to play an active role in any future planning and development of the Cement Lake Preserve.

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

That the El Paso City Council is committed to the University of New Mexico, the Centro Artistico y Cultural, and the Buena Vista Neighborhood Association's efforts in the Cement Lake Preserve Project to improve the quality of life and education of its citizens of the Buena Vista Neighborhood as well as provide a vibrant educational enrichment and community engagement. The City applauds their efforts to extend outreach of this blossoming partnership to the City of El Paso, Cemex, and the greater El Paso Region

while pursuing the EPA Education Grant to benefit all parties, and looks forward to future possible collaboration on the Cement Lake Preserve Project.

Representative Niland presented a PowerPoint presentation (copy on file in City Clerk’s office).

Representative Byrd commented.

Mr. Jacob Rodriguez, Legislative Aide for Representative Niland, commented.

Mr. Armando Carlos, citizen, commented.

Motion made by Representative Niland, seconded by Representative Acosta, and unanimously carried to **APPROVE** the Resolution.

NOT PRESENT FOR THE VOTE: Representatives Robinson and Holguin

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Motion made by Representative Ortega, seconded by Representative Niland, and unanimously carried to **ADJOURN** this meeting at 11:23 a.m.

NOT PRESENT FOR THE VOTE: Representative Robinson

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk