

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
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

AGENDA FOR REGULAR COUNCIL MEETING

**NOVEMBER 12, 2013
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.**

AND

**LEGISLATIVE REVIEW MEETING OF THE WHOLE
300 N. CAMPBELL
MAIN CONFERENCE ROOM, 2ND FLOOR
NOVEMBER 11, 2013
9:00 a.m.**

NOTE:

- The City Council Agenda has been reorganized as directed by City Council on June 25, 2013 to allow for a **Call to the Public at 12:15 p.m. – 12:45 p.m.** Requests to speak must be received by **9:00 a.m.** on the date of the meeting. Three minutes may be allowed for each speaker. Thirty minutes in total will be devoted for Call to the Public.
- 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.
- If items are scheduled for the Executive Session, the Council will move to Executive Session at the end of the Regular Agenda items or after Call to the Public, whichever comes first or as determined by the Presiding Officer.

ROLL CALL

INVOCATION BY CIMA CHAPLAIN CARLOS CLUGY-SOTO

PLEDGE OF ALLEGIANCE

**DIMITRI LYON
NAHOMI LOPEZ
SAVANNAH LOPEZ
JOSEPH MONTERO
NATALIA RAMOS
JESSICA ANGUIANO**

MAYOR'S PROCLAMATIONS

- 1. MARCH OF DIMES PREMATURETY AWARENESS MONTH**
- 2. LIMBS INTERNATIONAL DAY**
- 3. GOVERNMENT ETHICS DAY**

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 November 5, 2013, the Legislative Review of the Whole/Work Session Minutes of October 29, 2013, and the Corrected Minutes for the Regular City Council Meeting of October 1, 2013.

[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 Ground Lessor's Estoppel Certificate and Amendment to the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso ("Lessor") and SL EP Industrial, LP ("Lessee") for the following described property: All of Lot 3 and a portion of Lot 4, Block 12, Butterfield Trail Industrial Park Unit Three, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 22 Spur Drive, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

3B. That the City Manager be authorized to sign a Ground Lessor's Estoppel Certificate and Amendment to the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso ("Lessor") and SL EP Industrial, LP ("Lessee") for the following described property: A portion of Lot 4 and a portion of Lot 5, Block 12, Butterfield Trail Industrial Park Unit Three, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 24 Spur Drive, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

3C. That the City Manager be authorized to sign a Ground Lessor's Estoppel Certificate and Amendment to the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso ("Lessor") and SL EP Industrial, LP ("Lessee") for the following described property: A portion of Lot 3, a portion of Lot 5, and all of Lot 4, Block 13, Butterfield Trail Industrial Park Unit Two; and a portion of Lot 8, Block 13, Butterfield Trail Industrial Park Unit Three, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 25 Spur Drive, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

3D. That the City Manager be authorized to sign a Ground Lessor's Estoppel Certificate and Amendment to the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso ("Lessor") and SL EP Industrial, LP ("Lessee") for the following described property: A portion of Lot 5, Block 13, Butterfield Trail

Industrial Park Unit Two and all of Lot 6 and a portion of Lot 7, Block 13, Butterfield Trail Industrial Park Unit Three, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 27 Spur Drive, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

- 3E.** That the City Manager be authorized to sign a Ground Lessor's Estoppel Certificate and Amendment to the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso ("Lessor") and SL EP Industrial, LP ("Lessee") for the following described property: All of Lot 7 and a portion of Lot 8, Block 12, Butterfield Trail Industrial Park Unit Three, an addition to the City of El Paso, El Paso County, Texas, and municipally known and numbered as 28 Spur Drive, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]
- 3F.** That the City Manager be authorized to sign a Ground Lessor's Estoppel Certificate and Amendment to the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso ("Lessor") and SL EP Industrial, LP ("Lessee") for the following described property: A portion of Lot 1 and a portion of Lot 2, Block 10, Butterfield Trail Industrial Park Unit Two, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 28 Butterfield Trail, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]
- 3G.** That the City Manager be authorized to sign a Ground Lessor's Estoppel Certificate and Amendment to the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso ("Lessor") and SL EP Industrial, LP ("Lessee") for the following described property: A portion of Lot 2 and a portion of Lot 3, Block 10, Butterfield Trail Industrial Park Unit Two, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 40 Butterfield Circle, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]
- 3H.** That the City Manager be authorized to sign a Ground Lessor's Estoppel Certificate and Amendment to the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso ("Lessor") and SL EP Industrial, LP ("Lessee") for the following described property: A portion of Lot 1, a portion of Lot 2, a portion of Lot 3, and a portion of Lot 4, Block 10, Butterfield Trail Industrial Park Unit Two, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 42 Butterfield Circle, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]
- 3I.** That the City Manager be authorized to sign a Lease Agreement between the City of El Paso (Lessor) and Pro-Action, Inc. (Lessee), for approximately 700 square feet in the basement of the building located at 222 South Campbell, to operate "Immunize El Paso", a clinic which provides free or low-cost health services, for an initial term beginning on November 12, 2013 to April 30, 2014 at a rental rate of \$1.00 for the initial term, and the initial term may be extended on a month-to-month basis by the City Manager for a rental rate of \$1.00 per month.
(District 8) [City Development, Memo Sotomayor, (915) 541-4583]
- 3J.** That the City Council declare that the expenditure of District 1 and District 8 discretionary funds in an amount not to exceed \$1,500 to pay toward the cost of a radio communication equipment to be used by NO D.U.I. EL PASO in the course of providing designated driver service trips to individuals from establishments within the El Paso City limits in an effort to reduce alcohol-related

accidents serves as a crime prevention and constitutes an important municipal purpose or benefit to the City and citizens of El Paso and that the City Manager be authorized to sign an agreement by and between the City of El Paso and NO D.U.I. EL PASO to expend the discretionary funds to offset the cost of the purchase of radio communication equipment. Contributing Districts: District 1 \$500, District 8 \$1000. **(Districts 1 and 8)**
[City Manager's Office, Carlos H. Ramirez, (915) 541-4859]

- 3K.** That the Director of the Department of Transportation is hereby authorized and directed to designate 13 offset angle parking spaces on the north side of McConnell Avenue and 9 offset angle parking spaces on the south side of Sheppard Avenue, between Dyer Street and the alley to the east thereof. Said right-of-way shall be used for public parking and cannot be used to satisfy the off-street parking required by City Ordinance for the adjacent property.
(District 2) [Department of Transportation, Keith Bennett, (915) 541-6882]
- 3L.** That the City Manager be authorized to sign an Easement Agreement by and between the City of El Paso and the El Paso Independent School District (EPISD), allowing the City use of EPISD property for the construction, installation and maintenance of a school zone flasher signal on Altura Avenue for Coldwell Elementary School, said easement more particularly described as a portion of (approximately 9 sq. ft.) of Lot 8, Block 58, Government Hill Addition as recorded in Book 11, Page 58, Plat Records, City of El Paso, El Paso County, Texas.
(District 6) [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]
- 3M.** That the City Manager be authorized to sign an Easement Agreement by and between the City of El Paso and Jose L. and Velia R. Rios allowing the City use of property for the construction, installation and maintenance of a school zone flasher signal on Altura Avenue for Coldwell Elementary School, said easement more particularly described as a portion of (approximately 9 sq. ft.) of Lot 25, Block 32, Government Hill Addition as recorded in Book 11, Page 58, Plat Records, City of El Paso, El Paso County, Texas. **(District 6)**
[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]
- 3N.** 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 a Compressed Natural Gas Plant, a component of the Sun Metro Operations and Maintenance Facility, 10151 Montana Avenue, a new City Facility, said easements more particularly described as a portion of Lot 2, Block 1, Butterfield Trail Aviation Park #2, City of El Paso, El Paso County, Texas.
(District 2) [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]
- 3O.** That the City Manager be authorized to sign a Memorandum of Understanding by and between the City of El Paso and Humane Alliance, in order for the City to become National Spay/Neuter Response Team ("NSNRT")-certified and for the City to receive technical support in the set-up and operation of a high-volume spay-neuter clinic, to reduce the overpopulation of unwanted dogs and cats.
(All Districts) [Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3P.** That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(Districts 4, 5, and 8)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]

4. BOARD RE-APPOINTMENTS:

- 4A.** Angelo F. Amoriello to the City Plan Commission by Representative Carl L. Robinson, District 4. [Representative Carl L. Robinson, (915) 541-4400]
- 4B.** John L. Moses to the Historic Landmark Commission by Representative Carl L. Robinson, District 4. [Representative Carl L. Robinson, (915) 541-4400]

5. BOARD APPOINTMENTS:

- 5A.** Richard W. Najera to the Building and Standards Commission, as an alternate member, by Representative Lily Limón, District 7. [Representative Lily Limón, (915) 541-4124]
- 5B.** Hector F. Arellano to Building and Standards Commission, as a regular member, by Representative Lily Limón, District 7. [Representative Lily Limón, (915) 541-4124]
- 5C.** Conrad Carl Conde to the Capital Improvements Advisory Committee by Representative Larry Romero, District 2. [Representative Larry Romero, (915) 541-4416]
- 5D.** Michael Bray to the Building and Standards Commission, as a regular member, by Representative Carl L. Robinson, District 4. [Representative Carl L. Robinson, (915) 541-4400]

6. NOTICE OF CAMPAIGN CONTRIBUTIONS:

- 6A.** For notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contributions by Mayor Oscar Leeser in the amount of \$200 from Pablo Diaz; \$250 from Dennis D. Healy; \$250 from Guy N. Fields III; \$500 from Nancy L. Bombach. [Mayor Oscar Leeser, (915) 541-4145]
- 6B.** For notation only pursuant to Section 2.92.110 of the City Code: receipt of campaign contributions by Representative Michiel R. Noe: Kimberly Smith - \$500; John Fields - \$500; Gregory Bowling - \$500; Randall Bowling - \$500; Linebarger Groggan - \$500; Fred or Maria Loya - \$500; Raymond Palacios - \$1,000; Melanie Wayne - \$1,450; EP Association of Fire Fighters - \$1,000. [Representative Michiel R. Noe, (915) 541-4189]

7. REQUESTS TO ISSUE PURCHASE ORDERS:

- 7A.** Request that the Purchasing Director for the Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order to Tyler Technologies, Inc., the sole source provider for maintenance and support of Municipal Court's existing case management software system in the annual amount of \$119,681.88.

Department:	Municipal Clerk
Award to:	Tyler Technologies, Inc. Plano, TX
Annual Estimated Amount:	\$119,681.88
Funding Source:	Municipal Court Technology Fund 111-11030-52202-2535-PMC00010

Sole Source No.: 2014-066
Districts: All

This is a Sole Source, services contract.
 [Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 541-4313]
 [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

- 7B.** Request that the Purchasing Director of Purchasing & Strategic Sourcing Department be authorized to exercise the City's option to purchase up to 100% of the original contract quantities under Contract No. 2013-249 (Mechanical Broom Sweepers – Re-Bid) with Stewart & Stevenson Truck holdings dba On the Border Freightliner of El Paso pursuant to the provisions of the solicitation and the award approved by the City Council on October 8, 2013.

Department: General Services – Fleet Division
 Award to: Stewart & Stevenson Truck Holdings dba
 On the Border Freightliner of El Paso
 El Paso, TX
 Item(s): All
 Total Estimated Award: \$209,989.00 (1 unit)
 Account No.: 190 – 28310 – 580040 – 4500 – PGSDVRP01
 231 – 37010 – 580540 – 2305
 Funding Source: General Services Department – Capital All
 Years
 General Services Department –
 Environmental Services Fee
Districts: All

This is a Low bid, fixed-price, single (one-time) purchase.
 [Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 541-4313]
 [General Services, Stuart C. Ed, (915) 621-6822]

8. BEST VALUE PROCUREMENTS:

- 8A.** The award of Solicitation No. 2013-301 (Hydraulic Excavator) to Wagner Equipment Co. for a total award of \$376,974.

Department: General Services – Fleet Division
 Award to: Wagner Equipment Co.
 El Paso, TX
 Item(s): All
 Option: None
 Unit Amount: \$376,974 (per unit)
 Total Award: \$376,974 (for 1 unit)
 Account No.: 231 – 37010 – 580540 – 4960 – PSWM00170
 Funding Source: Environmental Services Department –
 Capital Outlay
Districts: All

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

The Purchasing & Strategic Sourcing Department and General Services – Fleet Division recommends award as indicated to Wagner Equipment Co., the bidder offering the best value bid.

Recommend 4 Rivers Equipment LLC be deemed non-responsive due to failure to meet warranty specifications as required under this solicitation.

[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 541-4313]

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

- 8B.** The award of Solicitation No. 2013-302 (Roll-Off Trucks) to RJ Border International, LP for a total estimated award of \$438,300.

Department:	General Services – Fleet Division
Award to:	RJ Border International, LP El Paso, TX
Item(s):	3 Units, O-1, O-2 and O-3
Option to Extend:	None
Unit Amount:	\$146,100 (per unit, with options)
Total Award:	\$438,300 (3 units, with options)
Account No.:	334 – 34060 – 580290 – 3150 - PSWM00170
Funding Source:	Environmental Services Department – Capital Overlay
Districts:	All

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

The Purchasing & Strategic Sourcing Department and General Services – Fleet Division recommend award as indicated to RJ Border International, LP, the bidder offering the best value bid.

[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 541-4313]

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

- 8C.** The award of Solicitation No. 2013-268 (Auxiliary Generator Maintenance) to Cummins Rocky Mountain, LLC for an initial term estimated award of \$225,000.

Department:	General Services – Facilities Maintenance Division
Award to:	Cummins Rocky Mountain, LLC El Paso, TX
Item(s):	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$ 75,000
Initial Term Estimated Award:	\$225,000 (3 years)
Total Estimated Award:	\$375,000 (5 years)
Account No.:	231 – 31040 – 522260 – 1000 – P3120
Funding Source:	General Services Dept - General Fund – Building Facilities Maintenance Contracts
Districts:	All

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing Department and General Services – Facilities Maintenance Division recommends award as indicated to Cummins Rocky Mountain, LLC, the bidder offering the best value bid.

[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 541-4313]

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

- 8D.** The award of Solicitation No. 2014-038 (Household Hazardous Waste Disposal Services) to Stericycle Specialty Waste Solutions, Inc. for an initial term estimated award of \$331,014.15.

Department:	Environmental Services
Award to:	Stericycle Specialty Waste Solutions, Inc. Phoenix, AZ
Item(s):	All
Initial Term:	3 Year
Option to Extend:	2 Years
Annual Estimated Award:	\$110,338.05
Initial Term Estimated Award:	\$331,014.15 (3 Years)
Total Estimated Award:	\$551,690.25 (5 Years)
Account No.:	334-3100-34100-522040-P3410
Funding Source:	Outside Contracts
Districts:	All

This is a Best Value, Service contract.

Purchasing & Strategic Sourcing Department and Environmental Services recommend award as indicated to Stericycle Specialty Waste Solutions, Inc., the bidder offering the best value bid.

[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 541-4313]

[Environmental Services, Ellen Smyth, (915) 621-6703]

9. REQUEST FOR PROPOSAL:

The award of Solicitation No. RFP 2014-014R (Laboratory Services for Municipal Solid Waste Facilities) to Environmental Science & Engineering Corp. for a total estimated award of \$70,440 (3 Years).

Department:	Environmental Services - Landfill
Award to:	Environmental Science & Engineering Corp. Mt. Juliet, TN
Item(s):	All
Initial Term:	3 Years
Option to Extend:	2 Year
Payment Terms:	N30
Annual Estimated Amount:	\$ 23,480
Total Estimated Award:	\$ 70,440 (3 years)
Total Estimated Award:	\$117,400 (5 Years)
Account No.:	3100-334-34130-522040
Funding Source:	Environmental Contracts
Districts:	All

This is an RFP, Service contract.

The Purchasing & Strategic Sourcing Department and Environmental Services recommend award as indicated to Environmental Science & Engineering Corp.(ESC), the highest ranked offeror based on evaluation factors established for this procurement.

[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 541-4313]

[Environmental Services, Ellen Smyth, (915) 621-6703]

10. BIDS:

10A. The award of Solicitation No. 2014-044 for Barker Road Street and Drainage Improvements Phase II to GarCom, Inc., for an estimated total amount of \$316,998.76.

Department:	Engineering and Construction Management
Award to:	GarCom, Inc. El Paso, TX
Base Bid I:	\$151,199.41
Base Bid II:	\$ 45,207.43
Base Bid III:	\$ 66,796.92
Base Bid IV:	\$ 53,795.00
Total Estimated Award:	\$316,998.76
Time for Completion:	120 Consecutive Calendar Days
Accounts:	471-71240-580270-2400-G_713CD014
Funding Source:	38TH Year Community Development Block Grant
District:	3

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.

[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

10B. Request rejection of all bids received for Solicitation No. 2013-287 (Administration of the City El Paso Housing Loan Program for Community and Human Development) as recommended by Purchasing & Strategic Sourcing Department and Community and Human Development Department to service the Loan Program in-house.

Department: Community and Human Development
Districts: All
 [Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 541-4313]
 [Community and Human Development, William Lilly, (915) 541-4643]

- 10C.** The award of Solicitation No. 2014-018 (Pot Hole Patch Truck) to Southwest Truck Sales for a total award of \$145,543.48.

Department: General Services – Fleet Division
 Award to: Southwest Truck Sales
 El Paso, TX
 Item(s): All
 Option: None
 Unit Amount: \$145,543.48 (per unit)
 Total Award: \$145,543.48 (1 unit)
 Account No.: 231 – 37010 – 580540 – 4960 – PSWM00170
 Funding Source: General Services Dept – Cars, Pickups,
 Vans - Capital Outlay
Districts: All

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

The Purchasing & Strategic Sourcing Department and General Services – Fleet Division recommends award as indicated to Southwest Truck Sales, the lowest responsive, responsible bidder.
 [Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 541-4313]
 [General Services, Stuart C. Ed, (915) 621-6822]

REGULAR AGENDA - INTRODUCTIONS

11. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

Public comment typically is not taken during the introduction of ordinances. Public comments are invited at the date of the scheduled public hearing.

- 11A.** An Ordinance vacating a utility easement described as a portion of Tract 1-F, (said portion of Tract 1-F, now known as all of Tract 1-F-6) Block 1, Ascarate Grant, and being a portion of Lot 1, Block 1, Desierto Loma Subdivision, City of El Paso, El Paso County, Texas. SUET13-00001 **(District 7)**
 [City Development, Raul Garcia, (915) 541-4935]

- 11B.** An Ordinance granting a license to United States General Services Administration (Licensee) for construction and operation of security enhancements and temporary structures on a portion of City Right of Way located on City-owned bridge property and on South Zaragoza Road between Loop 375 and abutting the Ysleta Land Port of Entry (Ysleta LPOE) that are necessary to support the Department of Homeland Security, Customs and Border Protection's (DHS-CBP) inspection of outbound vehicular traffic, at no cost to the City. **(District 6)** [Department of Transportation, Ted Marquez, (915) 621-6757]

PUBLIC HEARING WILL BE HELD ON NOVEMBER 19, 2013, FOR ITEMS 11A – 11B

- 11C. An Ordinance granting Special Permit No. PZST13-00008, to allow for infill development with a 50 percent parking reduction on the property described as Tract 4-C, Section 11, Block 81, Township 2, Texas and Pacific Railway Company Surveys, 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: 5000 Riley. Property Owner: RNR Properties. PZST13-00008 **(District 2)**
[City Development, Michael McElroy, (915) 541-4238]

PUBLIC HEARING WILL BE HELD ON DECEMBER 3, 2013, FOR ITEMS 11C

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 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, 300 N. Campbell, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – OTHER BUSINESS

12. CITY DEVELOPMENT:

Discussion and action requesting the City Council to waive the requirement that an application for infill development meet two criteria as stated in Section 20.10.280 when only one factor is met, prior to the submission of a special use permit application for the property located at 5000 Riley, legally described as Tract 4-C, Section 11, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas. **(District 2)** [City Development, Michael McElroy, (915) 541-4238]

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

13. ENGINEERING AND CONSTRUCTION MANAGEMENT:

Discussion and action to award Solicitation No. 2014-007 for Barron Park to Spartan Construction of New Mexico, LLC, for an estimated total amount of \$932,429.50.

Department:	Engineering and Construction Management
Award to:	Spartan Construction of New Mexico El Paso, TX
Base Bid:	\$864,559.31
Option 1:	\$ 35,516.31
Option 2:	\$ 14,329.58
Option 3:	\$ 8,880.30
Option 4:	\$ 9,144.00
Total Estimated Award:	\$932,429.50
Time for Completion:	180 Consecutive Calendar Days
Accounts:	190-29010-580270-4800-PCP13PRKA02
Funding Source:	2012 Quality of Life Bonds
District:	4

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. [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

14. FINANCIAL SERVICES:

14A. Discussion and action on the request for approval for the Purchasing Director to reject all proposals submitted for Solicitation No. 2013-174, Police Uniforms. Purchasing and Strategic Sourcing Department and Police recommend re-bidding because bidders did not meet the specifications delineated within the solicitation. **(All Districts)**

[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 541-4313]
 [Police, Gregory Allen, (915) 564-7308]

14B. Discussion and action on a request that the Purchasing Director for the Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order to Premier Uniforms & Tactical Gear a contractor under Region 19 Contract # 13-6978 (Work Uniforms, Shoes and Related- ESC Region 19 Allied States Cooperative), for Uniforms and Accessories. 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 Purchasing Cooperative was approved by Mayor and City Council on March 4, 2008.

Department:	Police
Award to:	Premier Uniforms & Tactical Gear El Paso, Texas
Annual Estimated Amount:	\$194,892.40
Total Estimated Award:	\$194,892.40
Account No.:	321 - 21090 – 531200 – 1000 – P2103
Funding Source:	Police Supply – General Fund
Districts:	All
Reference No.:	2014-071

This is a Cooperative, (unit price) contract.
 [Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 541-4313]
 [Police, Gregory Allen, (915) 564-7308]

14C. Discussion and action on the award of Solicitation No. 2013-272R (Worker's Compensation Third Party Administrator) to CAS-Claims Administration Services, Inc. for an initial term estimated award of \$2,707,487.50.

Department: Human Resources/Benefit Services

Award to: Claims Administration Services, Inc.
 Tyler, Texas
 Item(s): All
 Initial Term: 5 years
 Option: Two 1 year options
 Annual Estimated Amount: \$ 541,497.50
 Initial Term Estimated Award: \$2,707,487.50 (5 years)
 Total Estimated Award: \$3,790,482.50 (7 years)
 Account No.: 209-14070-522000-3500-P1417
 Funding Source: Worker's Compensation Services
Districts: All

This is an RFP, service 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 Purchasing and Strategic Sourcing and Human Resources/Benefit Services Departments recommend award as indicated to CAS-Claims Administration Services, Inc., the highest ranked offeror based on evaluation factors established for this procurement.

[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 541-4313]
 [Human Resources, Linda Thomas, (915) 541-4102]

- 14D. Discussion and action on the award of Solicitation No. 2014-037 (Application for the Performance of Banking Depository Services) to Wells Fargo Bank, N.A. for a total estimated award of \$3,126,540 which will be offset by revenue.

Department: Office of the Comptroller
 Award to: Wells Fargo Bank, N.A.
 El Paso, TX
 Total Estimated Award: \$3,126,540 (5) Years
 Account No.: Various
Districts: All

This is a Request for Applications service type 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 Purchasing & Strategic Sourcing Department and Office of the Comptroller recommend award as indicated to Wells Fargo Bank, N.A., the highest ranked applicant based on evaluation factors established for this procurement.

[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 541-4313]
 [Office of the Comptroller, Mark Sutter, (915) 541-4014]

REGULAR AGENDA – OTHER BUSINESS

15. ENGINEERING AND CONSTRUCTION MANAGEMENT:

- 15A. Discussion and action that the City Manager be authorized to sign a Local Transportation Project Advance Funding Agreement by and between the City of

El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for Phase I improvements to Winn Road from the intersection at Pan American Drive to the Border Safety Inspection Facility, for a total project cost of \$6,046,783 with a required City participation of \$525,456.

(District 6) [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

- 15B.** Discussion and action that the City Council approves the expenditure of additional available funding in the amount of \$144,975 to Three C's Contractors, Inc. for additional construction costs for the Park Pond Improvements Group 1 – Shawver Park, Capistrano Park and Jamestown Park project. The change order provides for the cutting and disposal of 2 feet of existing material and debris with the proposed baseball field and replacing with 2 feet of suitable material for the Capistrano Park/Pond and adding one hundred (100) days of contract time to contract Number 2013-086. The new contract sum, including this change order is \$1,161,952.25. **(District 7)**

[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

- 15C.** Discussion and action that the City Manager be authorized to sign the Second Amendment to the Agreement for Professional Services by and between the City of El Paso and Alvidrez Architecture Inc., a Texas Corporation, for a project known as “Sun Metro Administration Operations & Maintenance Facility”, to add design services for the addition of 6,000 square feet for administrative uses in the Operational Building and to add landscape design services, for a total increase in services of \$202,931 thereby extending the contract amount from \$2,421,340 to \$2,624,271. **(District 2)**

[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

16. MAYOR AND COUNCIL:

- 16A.** Financial Audit and Oversight Committee Report:

1. For Notation Only: Formal Report of the Financial Audit and Oversight Committee meeting held on October 14, 2013.
2. Discussion and action pertaining specifically to any of the Agenda Items on the October 14, 2013 Agenda of such Financial Audit and Oversight Committee, as follows:
 - a. City Investment Policy for FY 2014.
 - b. City Debt Management Policy for FY 2014.
 - c. System and mechanism utilized in recording actual checks received for specific projects and recording actual expenditures in the month in which they occur and the ability to provide accurate and complete information.
 - d. City of El Paso Internal Audit Charter.
 - e. FY 2014 Annual Internal Audit Plan.
 - f. Audit Plan Updates.
 - g. Sun Metro Lift Operations Data Audit.

(All Districts) [Representative Larry Romero, (915) 541-4416]

- 16B.** Discussion and action to direct the City Manager to allocate \$25,391 for a Christmas lighting project at Shawver Park. The purpose of this is to provide a quality of life project in the east side since San Jacinto Plaza is closed for construction and the Christmas program has been scaled back.

[Representative Eddie Holguin, Jr., (915) 541-4178]

- 16C.** Discussion and action to name the entire Loop 375 the “Cesar Chávez Expressway.” [Representative Lily Limón, (915) 541-4178]
- 16D.** Discussion and action to amend the Resolution adopting the Rules of Order for the El Paso City Council to revise Section 13 – Calling and Order of Agenda Items – to revise Exhibit A – to change the time of Call to the Public to 8:30 a.m. [Representative Carl L. Robinson, (915) 541-4400]
- 16E.** Discussion and action on 2012 Quality of Life Project, Pavo Real pool enclosure project being under budgeted. [Representative Eddie Holguin, Jr., (915) 541-4178]
- 16F.** Discussion and action on collaborating with the El Paso Independent School District and the County of El Paso to create and establish a shared trusted Wi-Fi connection. [Representative Cortney Niland, (915) 541-4123]

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.** 300 N. Campbell, El Paso, Texas (551.071 and 551.072)
[City Attorney's Office, Theresa Cullen, (915) 541-4550]
- EX2.** Claim of Three Legged Monkey L.P. and James Michael Armstrong; Our file no. 13-1001-040.001 (551.071) [City Attorney's Office, Laura P. Gordon (915) 541-4550]
[POSTPONED FROM 11-05-2013]
- EX3.** Cesar Sanchez v. The City of El Paso, et. al., Cause No. EP-13-CV-0235-DB (551.071)
[City Attorney's Office, Kenneth Krohn (915) 541-4550]
[POSTPONED FROM 11-05-2013]
- EX4.** Claim of Empire Roofing Inc., Our file no. 13-1005-671 (551.071)
[City Attorney's Office, Kenneth Krohn (915) 541-4550]
- EX5.** Inquiry into the Affairs and Earnings of Texas Gas Service Company, a Division of ONEOK, Inc. (551.071) [City Attorney's Office, Matthew Behrens, (915) 541-4550]
- EX6.** Application to Assign Franchise from ONEOK, Inc. to One Gas, Inc. (551.071)
[City Attorney's Office, Matthew Behrens, (915) 541-4550]

- EX7.** PUC Docket No. 41763 – Application of El Paso Electric Company to Amend its Certificate of Convenience and Necessity for two additional generating units at the Montana Power Station El Paso County. (551.071)
[City Attorney's Office, Matthew Behrens, (915) 541-4550]
- EX8.** El Paso Electric Company proposed rates for LED streetlights. (551.071)
[City Attorney's Office, Matthew Behrens, (915) 541-4550]
- EX9.** PUC Docket No. 41809 – Application of El Paso Electric Company to Amend its Certificate of Convenience and Necessity for the Proposed Montana Power Station to Montwood Substation 115KV Transmission Line in El Paso County. (551.071)
[City Attorney's Office, Matthew Behrens, (915) 541-4550]

12:15 p.m. – 12:45 p.m. 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.

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.

ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY THURSDAY AT THE ADDRESS BELOW:

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