

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**

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**DECEMBER 10, 2013  
COUNCIL CHAMBERS, CITY HALL  
8:00 a.m.**

**AND**

**LEGISLATIVE REVIEW MEETING OF THE WHOLE  
300 N. CAMPBELL  
MAIN CONFERENCE ROOM, 2<sup>ND</sup> FLOOR  
DECEMBER 9, 2013  
9:00 a.m.**

### **NOTE:**

- The City Council Agenda has been reorganized as directed by City Council on November 12, 2013 to allow for a **Call to the Public at 8:00 a.m. – 8:30 a.m.** Requests to speak must be received by **8:00 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.
- Executive Session will be scheduled at the end of the meeting or other such time as determined by the Council.

### **ROLL CALL**

### **INVOCATION BY CIMA CHAPLAIN CARLOS CLUGY-SOTO**

### **PLEDGE OF ALLEGIANCE**

**ALICIA R. CHACÓN INTERNATIONAL SCHOOL**

**MIGUEL MAYNES  
DANICA LOPEZ  
NATALIA GONZALES  
ANNABELLE CORDERO**

### **8:00 a.m. – 8:30 a.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](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.

### **MAYOR'S PROCLAMATIONS**

- 1. SUN METRO EMPLOYEE APPRECIATION WEEK**
- 2. CREATIVE KIDS WEEK**
- 3. EL PASO YOUTH SYMPHONY MONTH**

### **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 December 3, 2013.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 212-0049]

#### **2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

#### **3. RESOLUTIONS:**

**3A.** That the City Manager be authorized to sign a Cable Relocation Reimbursable Agreement (AJW-FN-CSA-14-2123) between the City of El Paso and the Federal Aviation Administration ("FAA") whereby the FAA will provide services necessary for the modification or relocation of FAA conduit or cables as part of the Realignment of Taxiway "A" Project at the El Paso International Airport.

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

**3B.** That the City Manager be authorized to sign a Transfer Agreement between the United States of America, acting by and through the Federal Aviation Administration, and the City of El Paso which will transfer ownership of the Runway End Identification Lights and all the infrastructure equipment installed to serve Runway 08 and Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights and all the infrastructure equipment installed to serve Runway 26L at the El Paso International Airport to the FAA.

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

**3C.** That the City Manager be authorized to sign a Lessor's Approval of Assignment of the Butterfield Trail Industrial Park Lease by and among the City of El Paso

("Lessor"), The Kennedy 1978 Trust ("Assignor") and SL EP Industrial, LP ("Assignee") for the following described property: Portions of Lots 7, 8, and 9, 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 26 and 28 Walter Jones Boulevard, 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 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: Portions of Lots 7, 8, and 9, Block 13, Butterfield Trail Industrial Park, Unit Three, El Paso, El Paso County, Texas also municipally known and numbered as 26 and 28 Walter Jones Boulevard, El Paso, Texas.

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

- 3E.** That the City Manager be authorized to sign a Lessor's Approval of Assignment of the Butterfield Trail Industrial Park Lease by and among the City of El Paso ("Lessor"), The Kennedy 1978 Trust ("Assignor") and SL EP Industrial, LP ("Assignee") for the following described property: 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 35 Celerity Wagon St., 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 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 7, Block 13, Butterfield Trail Industrial Park, Unit Three, El Paso, El Paso County, which is also municipally known and numbered as 35 Celerity Wagon St., El Paso, Texas. **(All Districts)**

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

- 3G.** That the City Manager be authorized to sign a First Amendment to Vehicle Rental Concession Agreement by and between the City of El Paso and the following Concessionaires:

- a. Avis Rent A Car System, LLC
- b. Budget Rent A Car of El Paso, Inc.
- c. DTAG Operations, Inc. dba Dollar Rent A Car dba Thrifty Car Rental
- d. EAN Holdings, LLC dba Alamo Rent A Car
- e. EAN Holdings, LLC dba National Car Rental
- f. EAN Holdings, LLC dba Enterprise Rent-A-Car
- g. The Hertz Corporation dba Hertz and Advantage Rent A Car

to amend the location of the Interim Ready/Return Area and to also amend provisions related to each Concessionaires' costs, reporting obligations, and maintenance responsibilities. **(All Districts)**

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

- 3H.** That the City Manager be authorized to sign a Fourth Amendment to the Industrial Site Lease by and between the City of El Paso ("Lessor") and Avis Rent A Car System, Inc. ("Lessee") to allow for an option to extend this Lease through December 31, 2015, and to allow additional options to extend the lease term for the following described property: Lots 3 and 3-A, Block 1-C, El Paso

International Airport Tracts Unit 6 Replat, El Paso, El Paso County, Texas and municipally known and numbered as 6520 Convair Road. **(All Districts)**  
[Airport, Monica Lombraña, (915) 780-4724]

- 3I.** That the City Manager be authorized to sign a Fourth Amendment to the Maintenance Facility and Land Lease For Auto Rental Concession between the City of El Paso and DTG Operations, Inc., dba Dollar Rent A Car dba Thrifty Car Rental, to allow for an option to extend this Lease through December 31, 2015, and to allow additional options to extend the lease term for the following described property: Lot 4, Block 1-B, El Paso International Airport Tracts, City of El Paso, El Paso County, Texas, municipally known as 6511 Allegheny Dr., El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]
- 3J.** That the City Manager be authorized to sign a Third Amendment to the Temporary Land Use Lease between the City of El Paso and DTG Operations, Inc., dba Dollar Rent A Car dba Thrifty Car Rental, to revise the identified time period for the Lessee to exercise an option to extend this Lease through December 31, 2015, and to allow for additional options to extend the lease term for the following described property: A portion of Tract 4A26, Block 2, Ascarate Grant, and a portion of Block 1D, El Paso International Airport Tracts, Unit 5, City of El Paso, El Paso County, Texas. **(All Districts)**  
[Airport, Monica Lombraña, (915) 780-4724]
- 3K.** That the City Manager be authorized to sign a Second Amendment to the Maintenance Facility and Land Lease For Auto Rental Concession between the City of El Paso and Simply Wheelz LLC, dba Advantage Rent A Car, to allow for an option to extend the Lease through December 31, 2015, and additional options for the following described property: Lot 4, Block 1-C, El Paso International Airport Tracts, City of El Paso, El Paso County, Texas, municipally known as 6535 DeHavilland, El Paso, Texas. **(All Districts)**  
[Airport, Monica Lombraña, (915) 780-4724]
- 3L.** That the City Council approves the recommendation of an appointment of a director to the Board of Directors of the El Paso Downtown Management District. **(District 8)** [City Development, Mathew McElroy 541-4670]
- 3M.** That the City Manager be authorized to sign a Contract of Sale between the City of El Paso and First National Bank of Fabens, a Texas corporation, for the purchase of a portion of the property commonly known as 9339 Alameda Avenue, El Paso, Texas more particularly described as A portion of Tract 3-B, Block 47, Ysleta Grant, City of El Paso, El Paso County, Texas, in the amount of \$140,000, and that the City Manager, be authorized to sign any necessary documents to accomplish the intent of this Resolution. **(District 6)**  
[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]
- 3N.** That the City Council approves this change order for the expenditure of additional available funding in the amount of \$133,978 to Urban Associates, Inc. for additional construction costs for the Sun Metro Operations and Maintenance Facility, Solicitation No 2012-074 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 change order. The change order provides for a pre-engineered metal building canopy for the exterior hazardous storage area to comply with requirements to cover any

materials that are deemed hazardous. No additional time is added to contract time. The new contract sum, including this change order is \$28,904,281.60.

**(District 2)**

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

[Mass Transit, Jay Banasiak, (915) 534-5811]

- 30.** That the City Manager be authorized to sign the First Amendment to the Agreement for Professional Services by and between the City of El Paso and ECM International, Inc., a Texas Corporation, for a project known as "Sun Metro Operation and Maintenance Facility" to add additional professional services for extension of Construction Management in the amount of \$65,000 thereby extending the contract amount from \$602,325.50 to \$667,325.50. **(District 2)**  
[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]  
[Mass Transit, Jay Banasiak, (915) 534-5811]
- 3P.** That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(All Districts)**  
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3Q.** A Resolution that the weeks of January 3 through January 18, 2014 be declared "Food for Fines Week" for the El Paso Public Library to waive \$1.00 worth of fines for every canned or non-perishable food donation made to the Martin Luther King (MLK) Canned Food Drive at Library locations up to \$5.00 per day, and that patrons may return overdue items or items previously considered lost without payment of the applicable fines. **(All Districts)**  
[Libraries, Dionne Mack, (915) 543-5412]
- 3R.** That the City Manager be authorized to enter into a Memorandum of Understanding with the El Paso Metropolitan Planning Organization ("MPO") to share information and cooperatively develop and determine the mutual responsibilities of The City, as the principal public transportation operator within the El Paso area, and the MPO in carrying out the Metropolitan Transportation Plan, the Transportation Improvement Program, and the Unified Planning Work Program. **(All Districts)** [Mass Transit, Jay Banasiak, (915) 534-3811]
- 3S.** That the City Manager be authorized to sign the Guggenheim Masterpiece Exhibition Series Agreement by and between the City of El Paso and Solomon R. Guggenheim foundation, a New York education corporation with principal offices at 1071 Fifth Avenue, New York, New York, USA 10128, (the "Guggenheim") to provide for the loan of a series of major artworks from the Guggenheim to the City of El Paso for exhibition at the City's accredited Museum of Art on rotation from October 5, 2014 through October 2, 2016 for the amount of \$200,000 and that the City Manager be authorized to make necessary budget transfers to effectuate this agreement. **(All Districts)**  
[Museums and Cultural Affairs, Ben Fyffe, 915-541-4898]
- 3T.** That the City Manager be authorized to sign a Lease Amendment by and between the City of El Paso and Cyndi Boaz. The purpose of this Lease Amendment is to extend the term of the lease of space occupied by the El Paso Police Department since 1992, for one year beginning February 11, 2014 with one option to extend the lease for one additional year to be exercised by the City Manager. **(All Districts)** [Police, Robert Feidner, (915) 564-7309]

**3U.** Approve a Resolution whereby the City of El Paso requests that the tax roll is hereby approved and constitutes the final 2013 tax roll for all entities, including the Village of Vinton and the correct tax rate for the El Paso County and the Downtown Management District, for which the City Tax Assessor/Collector collects taxes. **(All Districts)** [Tax Office, David Childs, (915) 212-1736]

**3V.** Approve a Resolution whereby the City of El Paso requests the Sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code the following described parcel:

Lot 46, Block 6, Stiles Gardens Addition, an Addition to the City of El Paso, being more particularly described by the map or plat thereof, recorded in Volume 3, Page 9, Plat Records of El Paso County, Texas.

**(All Districts)** [Tax Office, David Childs, (915) 212-1736]

**4. BOARD APPOINTMENT:**

Sam Shallenburger to the Public Service Board Selection Committee by Representative Michiel R. Noe, District 5. [Representative Michiel R. Noe, (915) 212-0005]

**5. APPLICATIONS FOR TAX REFUNDS:**

That the tax refunds listed on the attachment posted with this agenda be approved. (See Attachment B) **(All Districts)** [Tax Office, David Childs, (915) 212-1736]

**6. NOTICE OF CAMPAIGN CONTRIBUTIONS:**

For notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contributions by Representative Lily Limon in the amount of \$500 from the El Paso Apartment Association. [Representative Lily Limon, District 7, (915) 212-0007].

**7. REQUEST TO ISSUE PURCHASE ORDER:**

Request that the Purchasing Director for Purchasing & Strategic Sourcing be authorized to issue a Purchase Order to Spectrum Imaging Technologies, Inc. referencing Contract 2009-083 (Copier Services – Citywide) for a change order for an additional six months in an amount not to exceed \$375,000.

Department:	Information Technology
Award to:	Spectrum Imaging Technologies Inc. El Paso, Texas
Annual Estimated Amount:	\$375,000
Total Estimated Amount:	\$375,000
Account No.:	Various Department Accounts
Funding Source:	General Funds
<b>Districts:</b>	<b>All</b>

[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-0043]  
[Information Technology, Enrique Martinez Jr., (915) 541-4698]

**8. BEST VALUE PROCUREMENTS:**

**8A.** The award of Solicitation No. 2013-268 (Auxiliary Generator Maintenance) to Loftin Equipment Company for an initial term estimated award of \$225,000.

Department: General Services – Facilities Maintenance

Award to:	Division Loftin Equipment Company Phoenix, AZ
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
<b>Districts:</b>	<b>All</b>

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing Department and General Services – Facilities Maintenance Division recommends award as indicated to Loftin Equipment Company, the bidder offering the best value bid.  
[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-0043]  
[General Services, Stuart Ed, (915) 621-6822]

- 8B.** The award of Solicitation No. 2014-025 (Security Guard Services-Fire Department) to Ruiz Protective Services, Inc. for an initial term estimated award of \$219,984.

Department:	Fire Department
Award to:	Ruiz Protective Services, Inc. El Paso, Texas
Items(s):	All
Initial Term:	3 years
Option to Extend:	2 Years
Annual Estimated Award:	\$ 73,328
Initial Term Estimated Award:	\$219,984 (3 years)
Total Estimated Award:	\$366,640 (5 years)
Account No.:	22090-322-1000-522120-P2216
Funding Source:	General Fund
<b>Districts:</b>	<b>All</b>

This is a Best Value, services type contract.

The Purchasing & Strategic Sourcing Department and Fire Department recommend award as indicated to Ruiz Protective Services, Inc. the bidder offering the best value bid.  
[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-0043]  
[Fire, Samuel Pena, (915) 485-5610]

**9. BIDS:**

- 9A.** The award of Solicitation No. 2014-024 for McCombs Landfill Groundwater Monitoring Wells 1A, 2A, 6, 7, 8, & 9 to Yellow Jacket Drilling Services, LLC for an estimated total amount of \$ 318,724.

Department: Engineering and Construction Management  
 Award to: Yellow Jacket Drilling Services, LLC  
 Gilbert, Arizona  
 Base Bid I: \$318,724  
 Total Estimated Award: \$318,724  
 Time for Completion: 90 Consecutive Calendar Days  
 Accounts: 334-34060-580270-3150-PSWM00170  
 334-34130-580270-3150-PESD00140  
 Funding Source: Environmental Services - Capital  
**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 that Layne Christensen Company be deemed non-responsive for failure to acknowledge the amendments to the solicitation and failure to submit the proper bid proposal form and that the contract be awarded as indicated to Yellow Jacket Drilling Services, LLC the lowest and responsive and responsible bidder.

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

**9B.** The award of Solicitation No. 2014-046 for Armijo Park Improvements to Medlock Commercial Contractors, LLC, for an estimated total amount of \$287,141.25.

Department: Engineering and Construction Management  
 Award to: Medlock Commercial Contractors, LLC  
 El Paso, Texas  
 Base Bid: \$281,015.25  
 Option 1: \$6,126.00  
 Total Estimated Award: \$287,141.25  
 Time for Completion: 150 Consecutive Calendar Days  
 Accounts: 471-71240-580270-2400- G7139CD20  
 Funding Source: Community Development 39th Year  
**District: 8**

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 Kaizen Construction Services, LLC be deemed non-responsive for their inability to confirm their bid price and that the contract be awarded as indicated to Medlock Commercial Contractors, LLC, the lowest responsive and responsible bidder.

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

- 9C.** The award of Solicitation No. 2014-040 (Cleaning Supplies – Animal Shelter) to Baron Chemical Co., Inc., Brady Industries of Texas, LLC, Southwestern Mills Distributors, Inc., and Spectrum Paper Co., Inc. for an initial term estimated award of \$145,059.60 (3 Years).

Department:	Environmental Services
Award to Vendor 1:	Baron Chemical Co., Inc. El Paso, TX
Item(s):	2, 4, 18, 19, 22, & 47
Initial Term:	3 Years
Option to Extend:	1 Year
Payment Terms:	2% - 10 Days
Annual Estimated Award:	\$ 3,061.50
Initial Term Estimated Award:	\$ 9,184.50 (3 Years)
Total Estimated Award:	\$ 12,246.00 (4 Years)
Award to Vendor 2:	Brady Industries of Texas, LLC El Paso, TX
Item(s):	5, 6, 10, 21, 28, 30, 31, 33, 34, 35, 41, & 42
Initial Term:	3 Years
Option to Extend:	None
Annual Estimated Award:	\$ 19,832.70
Initial Term Estimated Award:	\$ 59,498.10 (3 Years)
Total Estimated Award:	\$ 59,498.10 (3 Years)
Award to Vendor 3:	Southwestern Mills Distributors, Inc. El Paso, TX
Item(s):	1, 3, 7, 9, 23, 26, 27, 32, & 44
Option to Extend:	1 Year
Annual Estimated Award:	\$ 13,099.80 (Item 11 - \$103.50 subject to tie breaker with Vendor 4)
Initial Term Estimated Award:	\$ 39,299.40 (3 Years)
Total Estimated Award:	\$ 52,399.20 (4 Years)

Award to Vendor 4:	Spectrum Paper Co., Inc. El Paso, TX
Item(s):	8, 12, 13, 14, 15, 16, 17, 20, 24, 25, 29,36,37,38, 39, 40,43,45,46, & 48
Option to Extend:	1 Year
Annual Estimated Award:	\$ 12,255.70 (Item 11 - \$103.50 subject to tie breaker with Vendor 3)
Initial Term Estimated Award:	\$ 36,767.10 (3 Years)
Total Estimated Award:	\$ 49,022.80 (4 Years)
Annual Estimated Award:	\$ 48,353.20
Initial Term Estimated Award:	\$145,059.60 (3 Years)
Total Estimated Award:	\$145,059.60 (3 Years)
Account No.:	334-34050-P3450-3120-531110
Funding Source:	Cleaning Supplies
<b>Districts:</b>	<b>All</b>

This is a Low Bid, Unit Price contract.

Item 11 was submitted at the exact same price by Southwestern Mills Distributors, Inc. (3) and Spectrum Paper Co., Inc. (4) for Chemical Resistant Sprayers \$0.69 Unit price and \$103.50 Annual Price.

Purchasing & Strategic Sourcing Department and Environmental Services recommend award as indicated to Baron Chemical Co., Inc., Brady Industries of Texas, LLC, Southwestern Mills Distributors, Inc., and Spectrum Paper Co., Inc., the bidders offering the lowest bid.

[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-0043]  
[Environmental Services, Ellen Smyth, (915) 621-6703]

**REGULAR AGENDA - INTRODUCTIONS**

**10. 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.**

**10A.** An Ordinance granting to Oneok, Inc., an Oklahoma Corporation, permission and authority to assign and transfer to Onegas, Inc., an Oklahoma Corporation, its rights and obligations under Ordinance No. 15316, by which Oneok, Inc. assumed the right and obligations granted to Southern Union Company under Ordinance No. 014360 as amended by Ordinance No. 014496 which granted certain non-exclusive powers, licenses, rights-of-way, privileges and franchise to construct, operate and maintain in the City of El Paso, Texas a natural gas distribution system. **(All Districts)**  
[City Attorney's Office, Matthew Behrens, (915) 212-1109]

**10B.** An Ordinance vacating a portion of Campbell Street Right-of-Way, adjacent to Lot 16 and the North 4.0 feet of Lot 17, Block 273, Campbell's Addition, City of El

Paso, El Paso County, Texas. Subject Property: 1012 N. Campbell Street. Property Owner: RAL Investments, LLC. SURW13-00008. **(District 8)**  
[City Development, Nelson Ortiz, (915) 541-4931]

- 10C.** An Ordinance vacating a portion of Campbell Street Right-of-Way, adjacent to Lots 11, 12 and 13, Block 273, Campbell's Addition, City of El Paso, El Paso County, Texas. Subject Property: 1020 N. Campbell Street. Property Owner: La Posada Home, Inc. SURW13-00009(1). **(District 8)**  
[City Development, Nelson Ortiz, (915) 541-4931]
- 10D.** An Ordinance vacating a portion of Campbell Street Right-of-Way, adjacent to Lots 14 and 15, Block 273, Campbell's Addition, City of El Paso, El Paso County, Texas. Subject Property: 1014 N. Campbell Street. Property Owner: La Posada Home, Inc. SURW13-00009(2). **(District 8)**  
[City Development, Nelson Ortiz, (915) 541-4931]
- 10E.** An Ordinance vacating a portion of Campbell Street Right-of-Way, adjacent to the South 22 feet of Lot 17 and all of Lots 18, 19 and 20, Block 273, Campbell's Addition, City of El Paso, El Paso County, Texas. Property Owner: Torreon Properties Incorporated. SURW13-00010. **(District 8)**  
[City Development, Nelson Ortiz, (915) 541-4931]
- 10F.** An Ordinance vacating a portion of the North Gate Outlet Channel Right-Of-Way out of Castner Heights Unit One, City Of El Paso, El Paso County, Texas and authorizing the City Manager to sign a Deed Without Warranty to convey a 1.24 acre parcel, more or less, being a portion of the vacated drainage Right-Of-Way to Joseph C. Weissmiller and Iris L. Roland or their successors or assigns. SURW12-00018 **(District 4)** [City Development, Raul Garcia, (915) 541-4935]
- 10G.** An Ordinance granting a Special Privilege License to Mills Plaza Parking, LP for the use of portions of City Right-of-Way along Oregon Street adjacent to the property located at 303 N. Oregon to place one "A" Frame informational sign, one portable valet parking podium, and for a vehicle drop off and pick up zone for valet parking for a term of one year with two one-year options to renew. **(District 8)** (NESV12-00022) [City Development, Shamori Whitt, (915) 541-4477]
- 10H.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow Away Zone), Paragraph A (No Parking or Standing, Tow-Away Zone), of the El Paso City Code, to add a new location in the alley between Stanton Street and Kansas Street, the penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 1)** [Department of Transportation, Ted Marquez, (915) 621-6757]

**PUBLIC HEARING WILL BE HELD ON DECEMBER 17, 2013, FOR ITEMS 10A – 10H**

- 10I.** An Ordinance changing the zoning of a portion of Tracts 5 and 6, Milagro Acres, 5332 Marcillus Avenue, City of El Paso, El Paso County, Texas from C-1 (Commercial) to R-4 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5332 Marcillus Avenue. Property Owner: Olga R. Sanchez. PZRZ13-00031 **(District 4)**  
[City Development, Michael McElroy, (915) 541-4238]

- 10J.** An Ordinance changing the zoning of Tract 4, Block 15, Ysleta Grant, 610 Lomaland Drive, City of El Paso, El Paso County, Texas from R-3 (Residential) to R-F (Ranch and Farm). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 610 Lomaland Drive. Property Owner: David and Debbie Chavez. PZRZ13-00034 **(District 7)**  
 [City Development, Michael McElroy, (915) 541-4238]

**PUBLIC HEARING WILL BE HELD ON JANUARY 2, 2014, FOR ITEMS 10I – 10J**

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 300 N. Campbell, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

**REGULAR AGENDA – OTHER BUSINESS**

**11. MAYOR AND COUNCIL:**

Discussion and action on Strategic Thinking/Planning Project following presentation by Gilbert Moreno from Prestige Consulting Services. [Mayor Oscar Leeser, (915) 541-4145]

**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS**

**12. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

- 12A.** 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
<b>District:</b>	<b>4</b>

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]

[POSTPONED FROM 11-12-2013]

- 12B.** Discussion and action to award Solicitation No. 2014-008 Radford Park to Medlock Commercial Contractors, LLC, for an estimated total amount of \$611,570.72.

Department:	Engineering & Construction Management
Award to:	Medlock Commercial Contractors, LLC
	El Paso, TX
Base Bid I:	\$611,570.72
Total Estimated Award:	\$611,570.72
Time for Completion:	180 Consecutive Calendar Days
Accounts:	4800-190-29010-PCP13PRKA26
Funding Source:	2012 Quality of Life Bonds
<b>District:</b>	<b>2</b>

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]

- 12C.** Discussion and action to award Solicitation No. 2014-065 for Wells Rd. Paving and Drainage Improvements to Martinez Bros. Contractors, LLC. for an estimated total amount of \$668,750.

Department:	Engineering & Construction Management
Award to:	Martinez Bros. Contractors, LLC.

	El Paso, TX
Base Bid:	\$668,750.00
Total Award:	\$668,750.00
Time for Completion:	270 Consecutive Calendar Days
Accounts:	580270 - 190 - 4970 - 38230 – PCP13WELLSRD
Funding Source:	EPWU
<b>District:</b>	<b>7</b>

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]

**13. FINANCIAL SERVICES:**

**13A.** Discussion and action on the award of Solicitation No. 2014-029 (Security Guard Services for City Municipal Buildings) to The Diamond Group for an estimated award of \$892,082.88.

Department:	General Services – Facilities Maintenance Division
Award to:	The Diamond Group Dallas, TX
Item(s):	All
Initial Term:	3 years
Option to Extend:	None
Annual Estimated Award:	\$297,360.96
Total Estimated Award:	\$892,082.88 (3 years)
Account No.:	231-522120-1000-31040-P3120
Funding Source:	General Services Dept - General Fund
<b>Districts:</b>	<b>All</b>

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing Department and General Services – Facilities Maintenance Division recommend award as indicated to The Diamond Group, the bidder offering the best value bid.

Recommend G4S Secure Solutions (USA), Inc. be deemed non-responsive due to failure to acknowledge an Amendment which contained material language and they took exceptions to the contract clauses.

[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-0043]  
 [General Services, Stuart Ed, (915) 621-6822]

- 13B.** Discussion and action on the request that the Director for Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order to (Oracle America, Inc.) a contractor under The Department of Information Resources (DIR), Contract #DIR-VPC-03-018 for the renewal of enterprise maintenance and support services for the amount of \$412,500 annually for a total amount of \$1,312,500 for a three year term. 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 Department of Information Resources (DIR) Cooperative approved by Mayor and City Council on February 27, 2007.

Department:	Information Technology Department
Award to:	Oracle America, Inc. Redwood Shores, CA
Total Estimated Award:	\$ 1,312,500
Account No.:	190-4560-580100-PC121T050
Funding Source:	Capital Improvement Plan FY 12 and FY 13
<b>Districts:</b>	<b>All</b>
Reference No.:	2014-091

This is a Cooperative, 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.

[Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-0043]  
 [Information Technology, Enrique Martinez, Jr., (915) 541-4698]

- 13C.** Discussion and action on the award of Solicitation No. 2014-003 (Work Uniforms) to Bazaar Uniforms & Men's Store, and Premier Uniforms & Tactical Gear for an initial term estimated award of \$371,945.05.

Department:	Fire
Award to:	Bazaar Uniforms & Men's Store El Paso, Texas
Item(s):	Groups: 1,2,3,4,5,6,9,10,13,14,16,20,21
Initial Term:	3 years
Option to Extend:	None
Payment Terms:	Net 30 days
Annual Estimated Award:	\$252,332

Award to:	Premier Uniforms & Tactical Gear El Paso, Texas
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Item(s):	Groups: 7,8,11,12,15,17,18,19
Initial Term:	3 years
Option to Extend:	(2) years
Payment Terms:	Net 30 days
Annual Estimated Award:	\$119,613.05
Initial Term Estimated Award:	\$371,945.05
Total Estimated Award:	\$1,115,835.15
Options:	\$1,355,061.25
Account No.:	322 – 22090 – 531200 – 1000 – P2217
Funding Source:	General Fund - Uniforms
<b>Districts:</b>	<b>All</b>

This is a (low bid), (unit price) type contract.

The Purchasing & Strategic Sourcing Department and El Paso Fire Department recommend award as indicated to Bazaar Uniforms & Men’s Store, and Premier Uniforms & Tactical Gear the lowest responsive, responsible bidder.  
 [Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-0043]  
 [Fire, Samuel Pena, (915) 485-5610]

**REGULAR AGENDA – OTHER BUSINESS**

**14. AIRPORT:**

Discussion and action regarding a Resolution that the City Manager be authorized to sign a Contract for Cleaning Services, by and between the City of El Paso and TIBH Industries, Inc., and Professional Contract Services, Inc. for cleaning services at the El Paso International Airport Terminal. The term of the Contract will be from January 1, 2014 through December 31, 2014. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

**15. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

Discussion and action on a Resolution that the City Manager be authorized to sign the First Amendment to the Agreement for Professional Services by and between the City of El Paso and Demattei Wong Architecture, Inc., a California Corporation, for a project known as “El Paso International Airport Consolidated Rental Car Facility” to add additional professional services for revised scope/fee proposal for Task 1 Program Validation/Concepts through Task 7 Post Construction in the amount of \$833,568 thereby extending the contract amount from \$2,700,000 to \$3,533,568. **(All Districts)**  
 [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

**16. GENERAL SERVICES:**

**16A.** Discussion and action on a Resolution that the City Manager be authorized to sign Amendment #7 to the Professional Services Contract, dated May 17, 2010, between the City of El Paso and Johnson Controls, Inc., a Wisconsin Corporation, to perform utility cost reduction measures, specifically new LED street light upgrades, to implement Phase VII of the City-wide Energy Operational Savings, for an amount of \$7,500,000, which will be funded with a State Energy Conservation Office (SECO) Loan; and, that the City Manager, or her designee, be authorized to execute a State Energy Conservation Office

Revolving Loan Agreement between the City of El Paso and the Texas State Comptroller of Public Accounts in an amount not to exceed \$7,500,000 in order to fund the subject energy efficiency project. These authorizations are subject to final approval by the City Attorney's office of all necessary documents to effectuate the transaction. **(All Districts)** [General Services, Stuart Ed, (915) 621-6822]

- 16B.** Discussion and action on a Resolution that the City Manager be authorized to sign Amendment # 8 to the Professional Services Contract, dated May 17, 2010, between the City of El Paso and Johnson Controls, Inc., a Wisconsin Corporation, to perform utility cost reduction measures, specifically LED Street Light Upgrades in downtown El Paso, to implement Phase VIII of the City-wide Energy Operational Savings, for an amount of \$1,500,000.00, utilizing Downtown Tax Increment Reinvestment Zone (TIRZ) Improvement Funds. This authorization is subject to final approval by the City Attorney's office of all necessary documents to effectuate the transaction. **(All Districts)**  
[General Services, Stuart Ed, (915) 621-6822]

**17. MAYOR AND COUNCIL:**

- 17A.** Discussion and action regarding the appointment of one individual in the Environmental or Health category to the Public Service Board as recommended by the Public Service Board Selection Committee:

Environmental or Health:

Richard Schoephoerster, PhD, PE (eligible for reappointment)

John Walton, PhD, PE

William John Wolff, MPA, MPH, MBA

[Mayor Oscar Leeser, (915) 212-0021]

- 17B.** Discussion and action regarding the appointment of one individual in the Consumer or Citizen Advocacy category to the Public Service Board as recommended by the Public Service Board Selection Committee:

Consumer or Citizen Advocacy:

Christopher Antcliff, J.E.

Richard Bonart, DVM (eligible for reappointment)

Douglas D. Rittman, PhD, PE

[Mayor Oscar Leeser, (915) 212-0021]

- 17C.** Discussion and action regarding placement of parking meters on Stanton Street in the residential area from University to Rim Road.

[Representative Ann Morgan Lilly, (915) 212-0001]

- 17D.** Discussion and action to direct the City Manager to initiate a City sponsored vacation application to permit a right-of-way sign encroachment at 1120 Magoffin. [Representative Cortney Niland, (915) 212-0008]

- 17E.** Discussion and action regarding proposed 2014 Federal Legislative Agenda.  
[Mayor Oscar Leeser, (915) 212-0021]

- 17F.** Discussion and action on the Lincoln Center acquisition status.  
[Representative Lily Limón, (915) 212-0007]

**18. CITY ATTORNEY:**

Discussion and action regarding special election necessary to fill vacancies in Municipal Court No. 4 and City Council District No. 6.  
 [City Attorney's Office, Sylvia Borunda Firth, (915) 212-0033]

**19. CITY MANAGER:**

Discussion and action regarding the Police Crime Laboratory, and privatization or utilization of the Texas Department of Public Safety Crime Laboratory. **(All Districts)**  
 [Police, Michelle Gardner, (915) 564-7301]

**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.** City of El Paso, Texas vs. Greg Abbott, Attorney General, Cause No. D-1-GN-12-003879 (551.071) [City Attorney's Office, Laura P. Gordon, (915) 212-0033]
- EX2.** Claim of Weidner Consulting, Inc., Our File No. 13-1056-011 (551.071)  
 [City Attorney's Office, Laura P. Gordon (915) 212-0033]
- EX3.** PUC Tariff Control No. 42028, Petition of El Paso Electric Company to Amend Rate Schedule NO. 08 – Governmental Street Lighting and Signal Service Rate. (551.071)  
 [City Attorney's Office, Matthew Behrens, (915) 212-1109]
- EX4.** Application to Assign Franchise from ONEOK, Inc. to One Gas, Inc. (551.071)  
 [City Attorney's Office, Matthew Behrens, (915) 212-1109]

**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/>**