

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
EMMA ACOSTA, DISTRICT 3  
CARL ROBINSON, DISTRICT 4  
RACHEL QUINTANA, DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
September 28, 2010  
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:39 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Emma Acosta, Carl Robinson, Rachel Quintana, and Eddie Holguin, Jr. Absent: Ann Morgan Lilly, Steve Ortega and Beto O'Rourke. The invocation was given by, Chaplain Jessie Alvarez followed by the Pledge of Allegiance to the Flag of the United States of America.

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**MAYOR'S PROCLAMATIONS**

1. **SOUTHWEST MINORITY SUPPLIER DEVELOPMENT COUNCIL WEEK**
2. **DOWN SYNDROME AWARENESS MONTH**
3. **McCALL NEIGHBORHOOD CENTER DAY**

**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.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. John Penington
2. Ms. Ellen Penington
3. Mr. Warren Ball
4. Ms. Lisa Turner
5. Mr. Jorge Artalejo

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Motion made by Representative Quintana seconded by Mayor Pro Tempore Acosta, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:39 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

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 Executive Session items listed on the Agenda.

ABSENT: Representatives Lilly, Ortega and O'Rourke

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and unanimously carried to adjourn the Executive Session at 8:59 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

AYES: Representatives Byrd, Acosta, Robinson, Quintana, and Holguin

NAYS: None

ABSENT: Representatives Lilly, Ortega and O'Rourke

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**EX1.**

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Quintana and carried that the Office of the City Attorney not pursue recovery of the City's workers' compensation subrogation interest regarding Lucinda Chavez.

AYES: Representatives Byrd, Acosta, Robinson, Quintana and Holguin

NAYS: None

ABSENT: Representatives Lilly, Ortega and O'Rourke

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**CONSENT AGENDA**

\*Motion made by Mayor Pro Tempore Acosta, seconded by Representative Quintana, 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 Byrd, Acosta, Robinson, Quintana, and Holguin

NAYS: None

ABSENT: Representatives Lilly, Ortega and O'Rourke

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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 September 21, 2010.

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**2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS**

\*Motion made, seconded, and unanimously carried to **EXCUSE** Representatives Ann Morgan Lilly, Steve Ortega and Beto O'Rourke from the Regular City Council meeting of September 28, 2010.

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**3A.**

**\*RESOLUTION**

**WHEREAS**, Plum City Lounge, LLC (hereinafter referred to as “Grantees”) are sponsoring an outdoor concert (hereinafter referred to as “Event”), on Saturday, October 2, 2010 to Sunday, October 3, 2010; and

**WHEREAS**, the Grantees have received administrative approval for a Special Privilege License for the use and closure of City rights-of-way for less than twenty-four (24) hours on portions of the alley between Durango Street and Anthony Street from 2:00 p.m. Saturday, October 2, 2010, to 2:00 a.m. Sunday, October 3, 2010, in conjunction with the proposed Event; and

**WHEREAS**, the City is not a sponsor of the Event and the Grantees assume full responsibility for the planning, coordination, management and production of the Event; and

**WHEREAS**, the Grantees desire to provide for the sale and serving of alcoholic beverages on portions of the City rights-of-way during the Event;

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

That the Grantees be authorized to provide for the sale and serving of alcoholic beverages at the outdoor block party in the closed portion of the alley between Durango Street and Anthony Street from 9:00 p.m. Saturday, October 2, 2010 to 2:00 a.m. Sunday, October 3, 2010.

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**3B.**

**\*RESOLUTION**

That the Mayor be authorized to sign an Interlocal Agreement by and between the City of El Paso and the El Paso County Community College District (EPCC) wherein EPCC will pay the City for installation of conduit and fiber optics serving the EPCC facility at 918 North Oregon Street, El Paso, Texas. Installation will be by City’s Contractor, who is presently constructing the city project known as the Oregon Street Reconstruction. Payment by EPCC will be for all charges by the contractor for the construction work required by EPCC, which shall be at no cost to the City.

Representative Robinson commented.

Ms. Joyce Wilson, City Manager commented.  
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**3C.**

**\*RESOLUTION**

That the City Council approves the expenditure of additional available funding by a change order in the amount of forty five thousand three hundred fifteen and 04/100 dollars (\$45,315.04) to CF Jordan Construction, LLC for additional construction costs for the Oregon Street Rehabilitation project. The change order provides for the purchase and installation of fiber optic cable to serve the El Paso County Community College (EPCC) facility at 918 Oregon, El Paso, adding no days of contract time for Contract Number 2010-117. EPCC will enter into an interlocal agreement with the City that provides for EPCC to pay for all costs of this change order upon approval by the City Council of the interlocal agreement. The new contract sum, including the change order approved herein, is five million six hundred eighty four thousand six hundred sixty and 60/100 dollars (\$5,684,660.60).

Representative Robinson commented.

Ms. Joyce Wilson, City Manager commented.  
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**3D.**

**\*RESOLUTION**

That the City Manager, or her designee, is authorized to sign the Contract of Sale attached to this Resolution and all other documents approved by the City Attorney, or his designee, necessary and proper to consummate the purchase of the following described property and the improvements located thereon by the City of El Paso:

The North 87.50 feet of Lots 15 and 16, Block 1, Franklin Heights Addition, municipally known and numbered as 1030 Myrtle, El Paso, El Paso County, Texas.

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**3E.**

**\*RESOLUTION**

That the City Manager is authorized to sign the Lease and Interlocal Governmental Agreement by and between the City of El Paso and Ysleta Independent School District attached to this Resolution to allow the City of El Paso to construct and maintain a park-like recreational facility for the benefit of citizens of El Paso and constituents of the Ysleta Independent School District on the following described real property owned by the Ysleta Independent School District:

A tract of land being a part of the El Paso County Water Improvement District No.1, South Side Feeder Canal containing 35,605.89 square feet of land or 0.8173 acre, El Paso, El Paso County Texas located adjacent to South Loop Elementary School.

Representative Holguin commented.

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**3F.**

**\*RESOLUTION**

**WHEREAS**, the City of El Paso ("City") has been awarded the American Recovery and Reinvestment Act Broadband Technology Opportunities Program grant for Public Computer Centers (Award No. 48-42-B10570) through the United States Department of Commerce, American Recovery and Reinvestment Act of 2009, Public Law 111-5 (2009) ("ARRA") funds;

**WHEREAS**, the City's use of said funds will be for the Virtual Village: Digital El Paso's Pathway to Success project, expanding the range of technology resources available to the citizens of El Paso; and

**WHEREAS**, the City will provide a non-cash, in-kind match consisting of building space, computer equipment, staffing, utilities, communications, janitorial costs and security at the computer centers.

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

That the City of El Paso accepts the American Recovery and Reinvestment Act Broadband Technology Opportunities Program grant for Public Computer Centers (Award No. 48-42-B10570) and that the City Manager be authorized to sign documentation, including agreements and documents accepting the terms of the grant and allocation of the funds related to the American Recovery and Reinvestment Act Broadband Technology Opportunities Program grant for Public Computer Centers (Award No. 48-42-B10570) in the amount of \$8,395,752.00 for the Virtual Village: Digital El Paso's Pathway to Success project, expanding the range of technology resources available to the citizens of El Paso, with a non-cash, in-kind match of \$3,435,829.00 made by the City of El Paso. The City's in-kind match will consist of building space, computer equipment, staffing, utilities, communications, janitorial costs and security at the computer centers.

Representatives Acosta, Quintana and Holguin commented.

Ms. Carol Brey-Casiano, Director of Libraries, commented.

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**4. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Jose Melendez to the Zoning Board of Adjustment, as a Regular Member, by Representative Steve Ortega. District 7.

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**5A. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Estrella Escobar to the Museums and Cultural Affairs Advisory Board by Mayor John F. Cook.

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**5B. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** William E. Moody to the Museums and Cultural Affairs Advisory Board by Mayor John F. Cook.

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**5C. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Ruben Ray Valencia to the Museums and Cultural Affairs Advisory Board by Representative Rachel Quintana, District 5.

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**5D. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Anna Pilhoefer to the Museums and Cultural Affairs Advisory Board by Representative Steve Ortega, District 7.

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**6. APPLICATIONS FOR TAX REFUNDS**

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

- A. CitiMortgage, Inc. in the amount of \$2,645.91 overpayment of 2009 taxes.  
(PID #C518-999-0060-2100).
- B. CitiMortgage in the amount of \$15,230.89 overpayment of 2009 taxes.  
(PID #C815-999-0010-8300).
- C. Litton Loans Servicing in the amount of \$2,676.57 overpayment of 2009 taxes.  
(PID #H012-999-0240-2500).
- D. Chase Home Finance, LLC in the amount of \$2,626.67 overpayment of 2009 taxes. (PID #L626-999-0110-2400).
- E. CitiMortgage in the amount of \$5,161.82 overpayment of 2009 taxes.  
(PID #P082-999-0050-1500).
- F. Corelogic in the amount of \$5,801.99 overpayment of 2009 taxes.  
(PID #T213-999-0200-0100).

- G. First American AKA Corelogic in the amount of \$6,416.36 overpayment of 2009 taxes.  
(PID #T287-999-0640-2500).
- H. Sierra Title Company in the amount of \$8,344.95 overpayment of 2009 taxes.  
(PID #T287-999-0850-2000).
- I. Larry R. & Deborah L. Stoner in the amount of \$2,724.72 overpayment of 2009 taxes.  
(PID #Y805-999-0140-0138)

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

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order(s) to the El Paso County Hospital District dba University Medical Center of El Paso (UMCEP) to purchase medical supplies and pharmaceutical drugs in conjunction with the ongoing Interlocal Agreement/ Resolution between the City of El Paso and the El Paso County Hospital District approved by City Council on April 25, 1989.

Department: Fire  
 Total Estimated Amount: \$200,000  
 Funding Source: General Fund – Clinical/Medical Supplies  
 Reference No. 2000-153

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**7B. 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(s) to Moore Medical, LLC, a contractor under the Region 19 Cooperative Purchasing Program Contract No. 09-6357, for Medical Supplies.

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: Fire  
 Total Estimated Award: \$200,000  
 Funding Source: General Fund – Clinical/Medical Supplies  
 Reference No.: 2011-028

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

Motion made, seconded, and unanimously carried to **AUTHORIZE, AS REVISED**, the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order(s) to eCivis, Inc., the creator and sole provider of eCivis Grants Research and Grants Tracking and Reporting software, with the stipulation that the vendor provides an updated sole source letter and affidavit each year. This purchase is for the license and service of this software in the estimated amount of \$288,225 beginning October 1, 2010, and ending September 30, 2013.

Department: Financial Services  
 Annual Estimated Amount \$96,075  
 Total Estimated Award: \$288,225 (3-year)  
 Funding Source: General Fund-Computer Related Leases and  
 Police Department General Funds  
 Sole Source No.: 2011-022

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.

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

\*Motion made, seconded, and unanimously carried to **DELETE** the item requesting that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2008-009 (General Vehicle Accessories & Installation) with Alamo Industries, Inc. d/b/a Alamo Auto Supply for two additional years pursuant to the provisions of an award approved by the City Council on October 30, 2007. The extended contract period will be from October 30, 2010 to October 29, 2012.

Department: General Services - Fleet Division  
Option: One [of One]  
Annual Estimated Amount: \$60,000  
Total Estimated Amount: \$120,000 (2 years)  
Funding Source: General Services Internal Service Fund

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

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2008-069 (Janitorial Services - El Paso Department of Public Health Facilities) with Total Cleaning Services and The Eagle Janitorial Services for two additional years pursuant to the provisions of an award approved by the City Council on October 14, 2008. The extended contract period will be from December 1, 2011 to November 30, 2013.

According to contract language, the Option to Extend must be exercised within two years of the initial award date (October 14, 2008); hence the apparently "early" exercise of the option to extend.

The originally awarded amount of \$726,496.28 will be sufficient to cover the additional costs of the remaining two years; hence the request to approve the extension is without an additional dollar amount.

Department: Department of Public Health  
Option: One [of One]  
Funding Source: Maintenance Services Contracts-Janitorial

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**8. BEST VALUE PROCUREMENT**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2010-247 (Mobile Desktop Live Scan Systems) to Identix Incorporated for a total award of \$80,000.

Department: Police  
Award to: Identix Incorporated  
Bloomington, MN  
Items: All  
To purchase 100% at the same unit price if exercised within  
180 days from date of award  
Total Award: \$80,000

Funding Source: COPS Technology FY06 Grant

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

The Financial Services - Purchasing Division and Police Department recommend award as indicated to Identix Incorporated, the bidder offering the best value bid.

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**9A. BID**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2010-199 (Bulk Waste Crane Trucks) to Stewart and Stevenson Truck Holdings, LLC dba On the Border Freightliner of El Paso for a total award of \$317,262.

Department: General Services – Fleet Division  
Award to: Stewart and Stevenson Truck Holdings, LLC dba  
On the Border Freightliner of El Paso  
El Paso, TX  
Items: All  
Option: To purchase 100% at the same unit price if exercised within 180 days from date of award  
Unit Amount: \$164,631 (per unit, with options)  
Trade-In Allowance: \$12,000 total  
Total Award: \$317,262 (for 2 units)  
Funding Source: Environmental Services – Heavy Off Road Equipment

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

The Financial Services - Purchasing Division and Financial Services recommend award as indicated to Stewart and Stevenson Truck Holdings, LLC dba On the Border Freightliner of El Paso, the lowest responsive, responsible bidder.

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**9B. BID**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2010-261 (Veterinary Ultrasound Machine) to UMS Solutions, Inc. DBA Universal Ultrasound (BioSound MyLab 5 Unit) for a total award of \$50,000.

Department: Zoo  
Award to: UMS Solutions, Inc. DBA Universal Ultrasound  
Bedford Hills, NY  
Items: All  
Option: None  
Unit Amount: \$50,000 (BioSound MyLab 5 Unit)  
Total Award: \$50,000 (BioSound MyLab 5 Unit)  
Funding Source: Zoo Gate Operations – Medical Scientific Equipment

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



The Financial Services - Purchasing Division and Zoo recommend that UMS Solutions, Inc. DBA Universal Ultrasound (EXAGO Unit) be disqualified as non-responsive and the contract be awarded as indicated to UMS Solutions, Inc. DBA Universal Ultrasound (BioSound MyLab 5 Unit), the lowest responsive, responsible bidder.

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**10A – 10G INTRODUCTIONS**

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

Representative Byrd commented.

Mr. Mathew McElroy, Planning and Economic Development, commented.

AYES: Representatives Byrd, Acosta, Robinson and Quintana

NAYS: None

ABSTAIN: Representative Holguin

ABSENT: Representatives Lilly, Ortega and O'Rourke

- 10A.** An ordinance amending Title 19 (Subdivisions), Appendix 111 (Mountain Area Defined), of the El Paso City Code to delete a portion of mountain area within the Mountain Development Area (MDA). The penalty is as provided for in Section 19.42 of the El Paso City Code.
- 10B.** An Ordinance amending Title 3 (Revenue and Finance), Chapter 3.04 (Property Taxes), 3.04.035 (Exemption – Historically Significant Sites) of the El Paso City Code to allow for an exception for a specified period of years on the City's portion of property taxes on historically significant properties that are renovated.

**PUBLIC HEARING WILL BE HELD ON OCTOBER 5, 2010, FOR ITEM 10A – 10B**

- 10C.** An ordinance granting Special Permit No. ZON10-00058, to allow for a ground level helistop on the property described as Lot 2, Block 1, Del Sol Medical, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code.
- 10D.** An ordinance releasing conditions placed on property by Ordinance No. 16065 which changed the zoning of a portion of Lot A, Block 179, Eastwood Heights Unit K, City of El Paso, El Paso County, Texas, and which imposed conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 10E.** An ordinance changing the zoning of Parcel of land out of the Original Survey from the Southern Pacific Railroad Reserve and out of Blocks 232, 233, 234, and 235 and the closed and vacated portions of the alleys within said Blocks and the closed and vacated portions of Franklin Street, Florence Street, Ochoa Street, and Virginia Street of Campbell's Addition to the City of El Paso, El Paso County, Texas from M-1/H (Light Manufacturing/Historic) to C-3/H (Commercial/Historic). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 10F.** An Ordinance granting Special Permit No. ZON10-00062, to allow for infill development on the property described as Lots 6 to 8, Block 98, East El Paso Addition, City of El Paso, El Paso County,

Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code.

- 10G.** An Ordinance amending a condition placed on property by Ordinance No. 15891 which changed the zoning of Tract 2 Block 1, Upper Valley Surveys, City of El Paso, El Paso County, Texas, and imposed conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON OCTOBER 19, 2010, FOR ITEMS 10C – 10G**

**11. ENGINEERING AND CONSTRUCTION MANAGEMENT**

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **AWARD** the award of Solicitation No. 2010-268 for EPIA Runway 8R-26L and Taxiway L Extension & Reconstruction of Taxiway W to J.A.R. Construction, Inc., for a total estimated amount of \$6,752,736.10.

Department:	Engineering and Construction Management
Award to:	J.A.R. Construction, Inc.
Base Bid:	\$6,752,736.10
Total Estimated Amount:	\$6,752,736.10
Funding Source:	Federal Aviation Administration Grant, Passenger Facility Charges

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

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 Department recommends award as indicated to the lowest responsible bidder.

Representative Quintana commented.

Mr. Sam Rodriguez, Engineering Division Manager, commented.

**12. FINANCIAL SERVICES**

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **AWARD** the award of Solicitation No. 2010-162 (Grounds Maintenance for El Paso City Parks – Mowing) to Ledesma's for an initial term estimated award of \$2,002,278.75.

Department:	General Services - Land Management
Award to:	Ledesma's El Paso, TX
Items:	All
Initial Term:	3 years
Option to Extend:	2 years

Annual Estimated Award:	\$667,426.25
Initial Term Estimated Award:	\$2,002,278.75 (3 years)
Total Estimated Award:	\$3,337,131.25 (5 years)
Funding Source:	General Services – Land Management

This is a requirements type contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

The Financial Services - Purchasing Division and General Services – Land Management recommend award as indicated to Ledesma's, the bidder offering the best value bid.

Representatives Byrd, Robinson, and Quintana commented

The following City Staff members commented:

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

### 13A. INFORMATION TECHNOLOGY

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to Oracle Corporation, a State Department of Information Resources (DIR) contractor under Contract Number DIR-VPC-03-018, for license updates and technical support and service for various software components for Fiscal Year 2011 in the estimated amount of \$627,758.39.

The participation by the City of El Paso in the Department of Information Resources (DIR) was approved by the Mayor and City Council on February 27, 2007.

Department:	Information Technology
Funding Source	Data Process Services/General Funds
Total Estimated Amount:	\$627,758.39
Reference No.;	2011-002

Mr. Bruce Collins, Purchasing Manager, commented

### 13B. INFORMATION TECHNOLOGY

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City's option to extend current Contract No. 2004-088R (800MHz Trunked Simulcast Radio System/800Mhz Conventional System Fixed Equipment Maintenance) with Motorola, Inc., for one additional year pursuant to the provisions of an award approved by City Council on March 30, 2004. Contract period will be from September 1, 2010, to August 31, 2011.

Department:	Information Technology
Option:	Five [of five]
Funding Source	General Funds
Total Estimated Amount:	\$695,231.76

Reference No.; 2004-088R

Mr. Bruce Collins, Purchasing Manager, commented.

14.

## RESOLUTION

**WHEREAS**, the City Council of the City of El Paso, Texas, has determined that certificates of obligation should be issued under and pursuant to the provisions of V.T.C.A., Local Government Code, Subchapter C of Chapter 271, for the purpose of paying contractual obligations to be incurred for the construction of public works as specified below; and

**WHEREAS**, prior to the issuance of such certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the certificates are to be issued and (iv) the manner in which the City Council proposes to pay the certificates;

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

**SECTION 1:** The City Clerk is hereby authorized and directed to cause notice to be published of the City Council's intention to issue certificates of obligation, in one or more series, in a principal amount not to exceed \$77 million for the purpose of paying contractual obligations to be incurred for (i) the construction of public works, to wit: (a) constructing, resurfacing and improving various streets, roads, bridges, thoroughfares, sidewalks, pathways and related municipal facilities within the City, including lane markings, ADA accessibility, traffic signals, loop detectors, lighting and landscaping related thereto and the acquisition of necessary rights-of-way and land in connection therewith, (b) design, construction and installation of flood control, storm water, drainage improvements, ponding area improvements and related municipal facilities within the City, including the acquisition of rights-of-way, real property and any related demolition necessary in connection therewith, (c) renovating, improving and equipping existing municipal facilities, including fiber optic connectivity, IT facility improvements, ADA improvements, roofing system rehabilitation and replacement, and lighting projects, (d) acquisition, construction and improvement of municipally owned public art projects, (e) design, construction and improvements to transportation and terminal facilities, including the acquisition of necessary land therefore, (f) the purchase of capital equipment, including motor vehicles, for the following city departments: police, fire, transportation, street and public works, and (g) improving and equipping existing City park and recreational facilities, and (ii) professional services rendered in connection therewith, such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's water and sewer system. The notice hereby approved and authorized to be published shall read substantially in the form and content of Exhibit A hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

**SECTION 2:** The City Clerk shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

**SECTION 3:** It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by V.T.C.A., Government Code, Chapter 551, as amended.

**SECTION 4:** This Resolution shall be in force and effect from and after its passage on the date shown below.

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF  
EL PASO, TEXAS. CERTIFICATES OF OBLIGATION

TAKE NOTICE •the City Council of the City of El Paso, Texas, shall convene at 9:00 o'clock A.M. on the 2<sup>nd</sup> day of November, 2010, at its regular meeting place on the second floor of the Municipal Building, 2 Civic Center Plaza, El Paso, Texas, and, during such meeting, the City Council will consider the passage of one or more ordinances authorizing the issuance of certificates of obligation in one or more series in a principal amount not to exceed \$77 million for the purpose of paying contractual obligations to be incurred for (i) the construction of public works, to wit: (a) constructing, resurfacing and improving various streets, roads, bridges, thoroughfares, sidewalks, pathways and related municipal facilities within the City, including lane markings, ADA accessibility, traffic signals, loop detectors, lighting and landscaping related thereto and the acquisition of: necessary rights-of-way and land in connection therewith, (b) design, construction and installation of flood control, storm water, drainage improvements, ponding area improvements and related municipal facilities within the City, including the acquisition of rights-of-way, real property and any related demolition necessary in connection therewith, (c) renovating, improving and equipping existing municipal facilities, including fiber optic connectivity, IT facility improvements, ADA improvements, roofing system rehabilitation and replacement, and lighting projects, (d) acquisition, construction and improvement of municipally owned public art projects, (e) design, construction and improvements to V. transportation and terminal facilities, including the acquisition of necessary land therefore, (f) the purchase of capital equipment, including motor vehicles, for the following City departments: police, fire, transportation, street and public works, and (g) improving and equipping existing . City park and recreational facilities,, and (ii) professional services rendered in connection ' . therewith, and such certificates, are to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's water and sewer system. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of V.T.C.A., Local Government Code, Subchapter C of Chapter 271.

Representatives Byrd, Acosta, Robinson, and Quintana commented.

The following City Staff commented:

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

Ms. Lisa Turner, Citizen, commented.

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and carried to **APPROVE** the Resolution.

AYES: Representatives Byrd, Acosta, Robinson, and Quintana.

NAYS: Representative Holguin

ABSENT: Representatives Lilly, Ortega and O'Rourke

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15.

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

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

That the City Manager be authorized to exercise the City's option to extend the New Markets Tax Credits Consulting Services Agreement (Solicitation No. 2009-260R) by and between the City of El Paso and National Council for Community Development d/b/a National Development Council and to sign an Extension Agreement.

Representative Quintana commented.

Ms. Kathryn Dodson, Director of Planning and Economic Development, commented.

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **APPROVE** the Resolution.

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Motion made by Mayor Pro Tempore Acosta, seconded by Representative Robinson, and unanimously carried to **ADJOURN** this meeting at 10:19 a.m.

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APPROVED AS TO CONTENT:

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Richarda Duffy Momsen, City Clerk