

DEE MARGO
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
PETER SVARZBEIN, DISTRICT 1
ALEXSANDRA ANNELLO, DISTRICT 2
CASSANDRA HERNANDEZ-BROWN, DISTRICT 3
SAM MORGAN, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
CLAUDIA ORDAZ PEREZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

January 9, 2018
COUNCIL CHAMBERS, CITY HALL
8:00 AM

ROLL CALL

The City Council met in regular session at the above place and date. Meeting was called to order at 8:07 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Alexsandra Annello, Cassandra Hernandez-Brown, Michiel R. Noe, Henry Rivera and Cissy Lizarraga. Late arrivals: Peter Svarzbein at 8:10 a.m., Sam Morgan at 8:10 a.m. and Claudia Ordaz Perez at 8:16 a.m. The invocation was given by Police, Fire and CIMA Chaplain Sam Faraone followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY POLICE, FIRE AND CIMA CHAPLAIN SAM FARAONE

PLEDGE OF ALLEGIANCE

Students from Ascarate Elementary School at the invitation of District 3
Representative Cassandra Hernandez-Brown

Kendra Milliorn
Christopher Avila
Angel Navarrete
Isela Trujillo
Betty Brown
Weilen Brown

MAYOR'S PROCLAMATIONS

- 1. Crime Stoppers Month**
- 2. Martin Luther King, Jr. Day**

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RECOGNITIONS BY MAYOR

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NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, 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 Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

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CONSENT AGENDA - APPROVAL OF MINUTES:

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1. Goal 6: Set the Standard for Sound Governance and Fiscal Management

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- 1.1. *Motion made, seconded, and unanimously carried to **APPROVE** Minutes for the Regular City Council Meeting of December 19, 2017, the Legislative Review Meeting of the Whole of December 18, 2017, the City Council Work Session of November 27, 2017, and the City Council Work Session of December 18, 2017.
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CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

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2. REQUEST TO EXCUSE ABSENT COUNCIL MEMBERS:

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CONSENT AGENDA - RESOLUTIONS:

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3. Goal 8: Nurture and Promote a Healthy, Sustainable Community

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3.1. *RESOLUTION

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

That the City Manager be authorized to grant an Overhead Electrical Easement to the El Paso Electric Company to provide electrical service to a groundwater well located at the Greater El Paso Landfill at 2300 Darrington Rd., said easement more particularly described as a 1.1323 acre parcel of land as a portion of Sections 16 & 25, Block 78, Township 4, Texas, and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas.

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3.2. *RESOLUTION

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

That the City Manager be authorized to grant Underground Electrical and Transformer Pad Easements to the El Paso Electric Company to provide electrical power for the development of street lighting and irrigation controls at the Northgate Transfer Center and the Metro 31 development, said easements more particularly described as a 0.092 acre and 0.2614 acre portions of LOT 1A, BLOCK 6, NORTHGATE REPLAT C, City of El Paso, El Paso County, Texas.

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CONSENT AGENDA - BOARD RE-APPOINTMENTS:
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4. Goal 6: Set the Standard for Sound Governance and Fiscal Management
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- 4.1. *Motion made, seconded, and unanimously carried to **REAPPOINT** Dalia De Los Santos to the Civil Service Commission by Representative Cissy Lizarraga, District 8.

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5. Goal 7: Enhance and Sustain El Paso's Infrastructure Network
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- 5.1. *Motion made, seconded, and unanimously carried to **REAPPOINT** Maria Smith to the Zoning Board of Adjustment as an alternate member by Representative Henry Rivera, District 7.

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CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:
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6. Goal 6: Set the Standard for Sound Governance and Fiscal Management
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- 6.1. *Motion made, seconded, and unanimously carried that the following tax refunds be **APPROVED**, pending auditor approval.

1. Sun 262 Partners, LTD., in the amount of \$25,914.57, made an overpayment on October 18, 2017 of 2017 taxes.

(Geo. #X26299900000230)

2. Enrique Gutierrez, in the amount of \$2,999.50, made an overpayment on November 21, 2017 of 2017 taxes.

(Geo. #C23199902900950)

This action would allow us to comply with state law which requires approval by the legislative body, of refunds of tax overpayments, greater than \$2,500.00.

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CONSENT AGENDA - BIDS:
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7. Goal 3: Promote the Visual Image of El Paso
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- 7.1. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2018-638 Neighborhood Improvement Program (NIP) Round III-Socorro Parkway Landscaping to Accent Landscaping Contractor's Inc., for an estimated total award of \$87,430.00. This project includes the installation of xeriscape, landscaping, boulders and irrigation on Socorro Road Parkway between Salamanca and Vallarta streets.

Department: Capital Improvement
Award to: Accent Landscaping Contractor's Inc.
El Paso, TX
Item(s): All
Initial Term: 120 Consecutive Calendar Days
Base Bid: \$87,430.00
Total Estimated Award: \$87,430.00
Account No.: 190-4800-29010-580270-PCP16NIPD6B
Funding Source: 2012 Quality of Life Bond

This is a Low bid, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Accent Landscaping Contractor's, Inc. the lowest responsive, responsible bidder.

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.

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8. Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments
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- 8.1.** *Motion made, seconded, and unanimously carried to **REJECT** bids received for Solicitation No. 2018-676 Trailheads Parking Areas as recommended by the Purchasing & Strategic Sourcing and Capital Improvement Departments due to cost per trailhead exceeds the estimated cost. Solicitation will be re-bid in the near future.
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9. Goal 8: Nurture and Promote a Healthy, Sustainable Community
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- 9.1.** *Motion made, seconded, and unanimously carried to **REJECT** the sole bid received for Solicitation No. 2018-595 Neighborhood Improvement Program (NIP) Round II Manhattan Heights Historic Entrance Sign as recommended by the Purchasing & Strategic Sourcing and Capital Improvement Departments due to bid exceeding the cost estimate. Solicitation will be re-bid in the near future.
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CALL TO THE PUBLIC – PUBLIC COMMENT

The following members of the public commented:

1. Mr. Jorge Escamilla
2. Mr. Jud Burgess
3. Ms. Wally Cech

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REGULAR AGENDA - FIRST READING OF ORDINANCES

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10. Goal 3: Promote the Visual Image of El Paso:

Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, 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:

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: Representative Morgan

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- 10.1.** An Ordinance granting Special Permit No. PZST17-00024, to allow for parking spaces (serving another property) and imposing conditions on the property described as Lot 21, Block 2, revised map of Buena Vista Addition, 3469 Magdalena Avenue, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.240 of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3469 Magdalena Avenue. Property Owner: Rosa's Restaurant, LLC. PZST17-00024 THIS A 211 CASE.

PUBLIC HEARING WILL BE HELD ON FEBRUARY 6, 2018

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- 10.2.** An Ordinance changing the zoning of A Portion of Lot C, Block 79, Eastwood Heights, Unit L, 2115 Wedgewood Dr., an addition in the City of EL Paso, El Paso County, Texas from C-1/SC (Commercial/special contract) to G-MU/Special contract (General Mixed Use/special contract) and approving a Master Zoning Plan. The penalty is as provided for in Chapter 20.24 of the El Paso City Code to accommodate an establishment of mixed uses to include Car wash/self-serve, Other retail establishment (low-volume), Office, & office/storage. The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code. Subject Property: 2115 Wedgewood Dr. Owner: Dominguez Properties LTD. PZRZ17-00010

PUBLIC HEARING WILL BE HELD ON FEBRUARY 6, 2018

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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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11. Goal 2: Set the Standard for a Safe and Secure City

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- 11.1.** Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried to **AWARD** Solicitation No. 2018-438 Mast Arm Poles (Re-Bid) to Valmont Industries, Inc. for an initial term estimated award of \$1,265,322.00. The award is to include a two (2) year option amount of \$843,548.00 for a total five (5)

year award of \$2,108,870.00. This is a new contract, the difference is \$31,386.00 more than the previous contract for the initial term of three (3) years. This contract will be used throughout the city in the maintenance and replacement of the traffic signals.

Department:	Streets and Maintenance
Award to:	Valmont Industries, Inc. Valley, NE
Item(s):	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$421,774.00
Initial Term Estimated Award:	\$1,265,322.00 (3 years)
Total Estimated Award:	\$2,108,870.00 (5 years)
Account No.:	532 – 32020 – 531030 – 1000 – P3250
Funding Source:	General Fund – Public Accesses Maintenance & Repair

This is a Low bid, unit price contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to Valmont Industries, Inc., the lowest responsive, responsible bidder

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend that Continental Pole & Lighting be deemed non-responsive due to not bidding on all line items.

12. Goal 6: Set the Standard for Sound Governance and Fiscal Management

- 12.1. Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried to **AWARD** Solicitation No. 2018-431 (Automotive Fuel – Diesel and Unleaded) to Pinnacle Petroleum, Inc. and Rio Valley Biofuels, LLC/Global Alternative Fuels, LLC for an initial term estimated award of \$16,936,201.80. The award is to include a two (2) year optional amount of \$11,290,801.20 for a total five (5) year award of \$28,227,003.00. The difference in cost, based on the comparison to the annual usage from the previous contract, is as follows: (Group 1) unleaded fuel decreased by \$1,069,558.40, (Group 2) diesel fuel decreased by \$1,507,590.00, (Group 3) red dyed diesel decreased by \$7,651.00. Prices are based on the weekly OPIS report. This award will permit for the fueling and continuous use of City vehicles citywide.

Department:	Streets and Maintenance
Award to:	Vendor 1 Pinnacle Petroleum, Inc. Huntington Beach, CA
Item(s):	Group 1
Option:	2 years
Annual Estimated Award:	\$2,493,641.60
Initial Term Estimated Award:	\$7,480,924.80 (3 years)
Option Total:	\$4,987,283.20 (2 years)
Total Estimated Award:	\$12,468,208.00 (5 years)

Award to:	Vendor 2	Rio Valley Biofuels, LLC/Global Alternative Fuels, LLC
		El Paso, TX
Item(s):		Group 2 and 3
Option:		2 years
Annual Estimated Award:		\$3,151,759.00
Initial Term Estimated Award:		\$9,455,277.00 (3 years)
Option Total:		\$6,303,518.00 (2 years)
Total Estimated Award:		\$15,758,795.00 (5 years)
Total Annual Estimated Award:		\$5,645,400.60
Total Initial Term Estimated Award:		\$16,936,201.80 (3 years)
Total Option:		\$11,290,801.20 (2 years)
Total Estimated Award:		\$28,227,003.00 (5 years)
Account No.:		532 – 37020 - 531240 – 3600 – P3710
Funding Source:		Internal Service Fund – Fuel Inventory Purchases

This is a Best Value, unit price contract.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance Departments recommend award as indicated to Pinnacle Petroleum, Inc. and Rio Valley Biofuels, LLC/Global Alternative Fuels, LLC the bidders offering the best value bids.

In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

13. Goal 7: Enhance and Sustain El Paso's Infrastructure Network

- 13.1. Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried to **AWARD** Solicitation 2018-001 South Central Street and Drainage Improvement and Parkway – Phase I to Jordan Foster Construction, LLC for an estimated award of \$10,762,346.60. This project entails smart growth applications, improving drainage and pedestrian safety, providing ADA accessibility; pavement rehabilitation and parkway beautification, signage and striping, landscaping, irrigation, and parkway structures. The new improvements will provide connectivity, walkability and ease of travel for residents, and improve drainage and protect residences from flooding in the neighborhood. The following streets will be improved: Flower Drive, Val Verde Street, Modesto Gomez Channel, and Alicia Drive.

Department:	Capital Improvement
Award to:	Jordan Foster Construction, LLC
	El Paso, TX
Item(s):	All
Term:	525 Consecutive Calendar Days
Base Bid 1:	\$ 1,879,636.60
Base Bid 2:	\$ 462,284.00
Base Bid 3:	\$ 434,012.00
Base Bid 4:	\$ 1,600,029.00

Base Bid 5:	\$ 856,750.00
Base Bid 6:	\$ 2,015,414.00
Base Bid 7:	\$ 439,438.00
Base Bid 8:	\$ 334,512.00
Base Bid 9:	\$ 2,740,271.00
Total Estimated Award:	\$10,762,346.60
Account No.:	190-4740-28900-580270-PCP13ST003Y3G
	190-4740-28900-580510-PCP13ST003Y3C
Funding Source:	2013 Street Infrastructure

This is a Competitive Seal Proposal, Unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Jordan Foster Construction, LLC the bidder offering the best value bid.

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.

14. Goal 8: Nurture and Promote a Healthy, Sustainable Community

- 14.1. Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried to **AWARD** Solicitation No. 2018-576 (Microchips – Animal Services) to Pethealth Services (USA), Inc., for an initial term estimated amount of \$311,850.00. The award is to include a two (2) year option in the amount of \$207,900.00 for a total five (5) year award of \$519,750.00. This is a replacement contract. The price per microchip multiplied by 81,000 units using the current price of \$6.35 is \$514,350.00 compared to the recommended price of \$3.85 per unit, which is \$311,850.00. This results in a savings of \$202, 500.00. Animal Services will use these microchips to tag animals in accordance with Title 7 of the Local Municipal Code.

Department:	Animal Services
Vendor:	Pethealth Services (USA), Inc.
	Rolling Meadows, IL
Item(s):	All
Option to Extend:	One (1) - two (2) year option
Annual Estimated Amount:	\$ 103,950.00
Initial Term Estimated Award:	\$ 311,850.00 (3 Years)
Total Estimated Award:	\$ 519,750.00 (5 Years)

Account No.: 225-2580-25110-531100
Funding Source: Special Revenue Funds - Operating

This is a Low Bid, unit price contract.

The Purchasing & Strategic Sourcing and Animal Services recommend that the contract be awarded to Pethealth Services (USA), Inc., the lowest responsive, responsible bidder. In accordance with this award; the City Manager or designee is authorized to exercise future options as needed.

**REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF
ORDINANCES**

15. Goal 3: Promote the Visual Image of El Paso

ITEMS 15.1 AND 15.2 WERE TAKEN TOGETHER

15.1. ORDINANCE 018751

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 17 TO 28, BLOCK 14, FRANKLIN HEIGHTS ADDITION, 1101 TEXAS AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND LOTS 29 TO 32, BLOCK 14, FRANKLIN HEIGHTS ADDITION, 1125 TEXAS AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM M-1 (LIGHT INDUSTRIAL) TO C-4 (COMMERCIAL). THE PENALTY IS AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 1101 TEXAS AVENUE AND 1125 TEXAS AVENUE. PROPERTY OWNER: GREAT RIVER COMMERCIAL, LLC. PZRZ17-00018.**

Motion duly made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

15.2. ORDINANCE 018752

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST17-00029, TO ALLOW FOR INFILL DEVELOPMENT WITH 100% PARKING REDUCTION AND REDUCTIONS IN REAR YARD SETBACK FROM 10 FEET TO 0 FEET AND SIDE STREET YARD SETBACKS FROM 10 FEET TO 0 FEET ON THE PROPERTY DESCRIBED AS LOTS 17 TO 28, BLOCK 14, FRANKLIN HEIGHTS ADDITION, 1101 TEXAS AVENUE, CITY OF EL PASO, EL PASO COUNTY TEXAS, AND LOTS 29 TO 32, BLOCK 14, FRANKLIN HEIGHTS**

ADDITION, 1125 TEXAS AVENUE, 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: 1101 TEXAS AVE AND 1125 TEXAS AVE. PROPERTY OWNER: GREAT RIVER COMMERCIAL LLC. PZST17-00029.

Motion duly made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

Mayor Pro Tempore Noe commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Raul Garcia, Lead Planner, Planning & Inspections

15.3.

ORDINANCE 018753

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST17-00034, TO ALLOW FOR A 75' GROUND-MOUNTED PERSONAL WIRELESS SERVICE FACILITY ON THE PROPERTY DESCRIBED AS A PORTION OF TRACTS 13,13A, & 14, SECTION 32, BLOCK 79, TOWNSHIP 2, T&P RY CO SURVEYS, 12000 MONTANA AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.455 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 12000 MONTANA AVENUE. PROPERTY OWNER: MEGA U PULL LLC. PZST17-00034**

Motion duly made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE PROPERTY LEGALLY DESCRIBED AS LOTS 25 & 26, BLOCK 2, BASSETT COMMERCIAL COMPLEX UNIT ONE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-O (APARTMENT/OFFICE) DISTRICT TO S-D (SPECIAL DEVELOPMENT) DISTRICT, PURSUANT TO SECTION 20.04.360, AND APPROVING A DETAILED SITE DEVELOPMENT PLAN AND REDUCING THE REAR YARD SETBACK PURSUANT TO SECTION 20.04.150 AND 20.10.360 OF THE EL PASO CITY CODE TO ALLOW FOR RETAIL USE AS PERMITTED IN THE S-D (SPECIAL DEVELOPMENT) ZONE DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 6416 GATEWAY BOULEVARD EAST. PROPERTY OWNER: KART HADASHT HOLDINGS, LLC. PZRZ17-00005**

Motion duly made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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REGULAR AGENDA - OTHER BUSINESS

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16. Goal 7: Enhance and Sustain El Paso's Infrastructure Network

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16.1. RESOLUTION

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

That the City Manager be authorized to sign an Agreement for Professional Services with In*situ Architecture, PLLC., for the project known as "MONTANA RTS FAR EAST TRANSFER CENTER", for an amount not to exceed Four Hundred Ninety Four Thousand Seven Hundred Twenty Five and No/100 Dollars (\$494,725.00); to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if such services are necessary for the proper execution of the project and that the increased amounts are within the appropriate budgets of the project for a total amount of Five Hundred Ninety Four Thousand Seven Hundred Twenty Five and No/100 Dollars (\$594,725.00); and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for the execution of the Agreement.

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and

unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

17. Goal 8: Nurture and Promote a Healthy, Sustainable Community

17.1. RESOLUTION

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

WHEREAS, beginning in 2009, funding for the Homeless Housing and Services Program (HHSP) was established by the Texas Legislature and was earmarked for the eight largest cities in Texas as a flexible source of funds to address each community's homeless needs; and

WHEREAS, for the past seven years, the City Council of El Paso has authorized the City Manager to sign and submit applications to the Texas Department of Housing and Community Affairs (TDHCA) for HHSP grants totaling \$4,185,439 for the first seven rounds of HHSP funding that the City utilized to fund eligible operations, homeless prevention/assistance activities and/or construction/rehabilitation activities in the El Paso community; and

WHEREAS, on August 16, 2017, TDHCA requested that the City submit a combined Program Budget and Performance Statement for the 8th Round of HHSP funding. The contract was released by TDHCA November 9, 2017, for the city's approval; and

WHEREAS, TDHCA secured General Revenue Funds in the amount of \$438,776 to award to the City of El Paso under the 8th Round for the period of September 1, 2017 through August 31, 2018, for eligible homelessness prevention and homeless assistance activities in the El Paso community; and

WHEREAS, the Community and Human Development Department, after obtaining input from the El Paso Coalition for the Homeless members and service providers, recommends awarding the \$438,776 in 8th Round HHSP General Revenue Funds to: (1) Administration Costs (\$31,350); (2) El Paso Human Services (\$38,953); (3) La Posada Home (\$96,000); (4) Project Vida, Inc. (\$172,962); (5) The Salvation Army (\$59,511); and (6) YWCA (\$40,000), as detailed in Exhibit "A" attached hereto.

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

1. That the City Manager, or his designee, be authorized to sign all contracts and documents with the State of Texas, and with the five agencies identified in the recitals above for 8th Round HHSP funds. The City Manager is authorized herein to sign amendments to such contracts which add to or reduce funding when such amendments are consensual,

including the de-obligation of funds by mutual termination; and

2. That the City Manager be authorized to take any actions necessary to accomplish the intent of this resolution and be authorized to sign all Certifications, Performance Reports, and any agreements or related documents for TDHCA or agency HHSP activities upon review by the City Attorney's Office and approval Director of Community Human and Development Department.

Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

18. MAYOR AND COUNCIL

- 18.1. Discussion and action to request the City Manager for an update on the Fire and Police Department's Drones policy, start date/implementation date, staff training, and a public flight demonstration date.

Mr. Mario D'Agustino, El Paso Fire Department Fire Chief presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo commented.

NO ACTION was taken on this item

19. MANAGEMENT UPDATES

- 19.1. Presentation to the El Paso City Council regarding planned and active Street Car marketing efforts headed by the Public Information Office and the Economic and the International Development Department.

Ms. Jessica Herrera, Economic & International Development Director presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo and Representatives Svarzbien and Lizarraga commented.

The following City staff member commented:

1. Mr. Tommy Gonzalez, City Manager

NO ACTION was taken on this item

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- 19.2. Presentation and discussion of the Streets and Maintenance Department's Lean Six Sigma project that focused on decreasing heavy equipment maintenance repair time. This is a continuation of presentations from customer focused projects delivered under the City's Lean Six Sigma program.

Mr. Roman Sanchez, City Manager's Office Performance Officer and Mr. Rene Barraza, Business & Finance Manager of the Streets & Maintenance Department presented a PowerPoint presentation (copy on file in City Clerk's Office).

NO ACTION was taken on this item

19.3. Update on workweek schedule changes.

Ms. Linda Ball-Thomas, Human Resources Director presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo and Representatives Hernandez-Brown and Lizarraga commented.

NO ACTION was taken on this item

19.4. Report on 2017 intake and outcome comparatives, and live release rates.

Ms. Paula Powell, Animal Services Director presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representatives Hernandez-Brown, Noe and Ordaz Perez commented.

The following City staff member commented:

1. Mr. Tommy Gonzalez, City Manager

NO ACTION was taken on this item

The City Council Meeting was **RECESSED** at 9:41 a.m. in order to convene the Mass Transit Board Meeting.

The City Council Meeting was **RECONVENED** at 10:03 a.m.

EXECUTIVE SESSION

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 10:06 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.087 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATIONS 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	

Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and carried to adjourn the Executive Session at 12:11 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Hernandez-Brown.

- EX1.** EP Vida, LLC Hotel Site Lease at the El Paso International Airport and the Chapter 380 Economic Development Program Agreement and Hotel and Convention Services Agreement by and between the City of El Paso and EP Vida, LLC. (551.071, 551.072, and 551.087)

NO ACTION was taken on this item

- EX2.** Economic Incentives for a Convention Center Hotel located in the City of El Paso. (551.071, 551.072, and 551.087)

NO ACTION was taken on this item

- EX3.** Mexican American Cultural Center Project. (551.071, 551.072, 551.087)

NO ACTION was taken on this item

- EX4.** Children's Museum Project (551.071, 551.072, 551.087)

NO ACTION was taken on this item

- EX5.** HD Sunland Park Property, LLC. dba Country Suites by Carlson a/k/a Country Inn & Suites. On EX 7 please include the statute reference (551.071)

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez and carried that the City Attorney's Office be authorized to take any and all action to protect the City's interest and position, both affirmative and defensive in pursuing collection of Hotel Occupancy Tax, penalty and interest currently owed by HD Sunland Park Property, LLC dba Country Suites by Carlson a/k/a Country Inn & Suites under Matter Number 17-1063-118. This Motion is intended to grant broad authority to the Office of the City Attorney to take any action necessary to address these matters, including but not limited to filing a lawsuit and initiate appeals.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

- EX6.** ELP MC Venture, LLC. dba Courtyard by Marriot Airport, (551.071)

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez and carried that the City Attorney's Office be authorized to take any and all action to protect the City's interest and position, both affirmative and defensive in pursuing collection of Hotel Occupancy Tax, penalty and interest currently owed by ELP MC Venture, LLC dba Courtyard by Marriot Airport under Matter Number 17-1063-118. This Motion is intended to grant broad authority to the Office of the City Attorney to take any action necessary to address these matters, including but not limited to filing a lawsuit and initiate appeals.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga
NAYS: None

EX7. High Desert Investors, LP, dba Hilton Garden Inn

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez and carried that the City Attorney's Office be authorized to take any and all action to protect the City's interest and position, both affirmative and defensive in pursuing collection of Hotel Occupancy Tax, penalty and interest currently owed by High Desert Investors, LP dba Hilton Garden Inn under Matter Number 17-1063-118. This Motion is intended to grant broad authority to the Office of the City Attorney to take any action necessary to address these matters, including but not limited to filing a lawsuit and initiate appeals.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga
NAYS: None

EX8. In Re Max Grossman, Relator; Second Court of Appeals, Fort Worth, TX; No. 02-17-00383-CV; Matter No. 17-1001-171.005 (551.071)

NO ACTION was taken on this item

EX9. City of El Paso v. Max Grossman; Second Court of Appeals, Fort Worth, TX; No. 02-17-00384-CV; Matter No. 17-1001-171.006 (551.071)

NO ACTION was taken on this item

EX10. Ex Parte: City of El Paso; Third Court of Appeals; Travis County, TX #03-17-00566-CV; Matter No. 17-1001-171.002 (551.071)

NO ACTION was taken on this item

EX11. Max Grossman v. City of El Paso; 384th District Court, El Paso, TX; Cause No. 2017-DCV-2528; Matter No. 17-1001-171.001 (551.071)

NO ACTION was taken on this item

EX12. Multipurpose Performing Art and Entertainment Center Project (551.071)

NO ACTION was taken on this item

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ADJOURN

Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe and unanimously carried to **ADJOURN** this meeting at 12:15 p.m.
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APPROVED AS TO CONTENT:

Laura D. Prine, Interim City Clerk