

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
PETER SVARZBEIN, DISTRICT 1
LARRY ROMERO, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHIEL R. NOE, DISTRICT 5
CLAUDIA ORDAZ, DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

February 9, 2016
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 8:02 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Emma Acosta, Carl Robinson, Michiel Noe, Lilia Limón, and Cortney Niland. Late arrival: Claudia Ordaz at 8:15 a.m. Absent: Larry Romero requested to be excused. The invocation was given by Rabbi Ben Zeidman, followed by the Pledge of Allegiance to the Flag of the United States of America

INVOCATION BY RABBI BEN ZEIDMAN

PLEDGE OF ALLEGIANCE

El Paso Jewish Academy

Dalya Berg
Hana Berg
Jack Berg
Miriam Davidoff
Shana Katan
Darna Rosenfield
Asher Rubin
Moshe Ureste
Shalom Sosa
Ian Terrell

NOTICE TO THE PUBLIC – CONSENT AGENDA

Motion made by Mayor Pro Tempore Noe, seconded by Representative Niland, 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, Acosta, Robinson, Noe, Ordaz, Limón, and Niland

NAYS: None

ABSENT: Representative Romero

CONSENT AGENDA - APPROVAL OF MINUTES:

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

1.1. *Motion made, seconded, and unanimously carried to **APPROVE** Minutes for the Regular City Council Meeting of January 26, 2016, the Legislative Review Meeting of the Whole of January 25 2016, and the Special City Council Meeting of January 25, 2016.

ABSENT: Representative Romero

CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

2. *Motion made, seconded, and unanimously carried to **EXCUSE** Representative Larry Romero from the Regular Council Meeting of February 9, 2016.

ABSENT: Representative Romero

CONSENT AGENDA - ACTION ON THE FOLLOWING RESOLUTIONS:

3. Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development

3.1. *RESOLUTION

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

That the City Manager be authorized to sign two agreements between the City of El Paso and the Federal Aviation Administration (“FAA”), being (1) that certain Memorandum of Agreement No. DTFACN-15-L-00119, pertaining to the lease by the FAA of 3.207 acres of land, more or less, located at the El Paso International Airport, and as described therein, for use as the Air Traffic Control Tower Land Site, and (2) that certain Operation Agreement for Sponsor Traffic Control Tower, pertaining to the operation thereof.

3.2. *RESOLUTION

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

That the City Manager be authorized to sign an Air Cargo Center Agreement by and between the City of El Paso and Science Applications International Corporation regarding the following described property:

That certain office and warehouse space containing approximately 22,022 square feet, more or less, in total, as shown on Exhibit “A” to said Agreement, known as the Air Cargo Center, 301 George Perry

Blvd., Suite C, El Paso, Texas, together with portions of the loading dock, front vehicle parking area, and the rear parking apron, all as set forth therein.

3.3.

***RESOLUTION**

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

That the City Manager be authorized to an Agreement between the Department of Homeland Security, the Transportation Security Administration (TSA), and the City of El Paso, Texas, relating to the El Paso International Airport (EPIA) Main Terminal, being Agreement Number HSTS04-16-H-CT1013, together with any amendments to that Agreement, provided that the City's financial obligations are not increased.

3.4.

***RESOLUTION**

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

1. That the Empowerment Zone Revolving Loan Fund Small Business Loan application and loan funding be approved to Red Lantern LLC, in the amount of \$90,000.00 for leasehold improvements, equipment, fixtures, and furnishings, as recommended by the Director of Community and Human Development; and

2. That the City Manager be authorized to execute any and all loan related documents by and among the City of El Paso, Red Lantern LLC, and loan guarantor(s), required to meet loan program requirements, loan disbursement, and loan securitization upon approval by the City Attorney's Office.

3.5.

***RESOLUTION**

WHEREAS, in January of 2012, the property owner submitted a signed and sealed tax exemption application under the requirements of the El Paso City Code section 3.04.035 for the rehabilitation of the property located at 717 W. Yandell Dr., legally described as 16 Sunset Heights 26 & 27 & S 1/2 of 25 in the City of El Paso, El Paso County, Texas, (the "property") which is a contributing property in the Sunset Heights historic district, and such application was approved by staff;

WHEREAS, the property owner submitted an application to the Historic Preservation Office for Administrative Review of the work to be done on the property in accordance with the requirements of the El Paso City Code Section 20.20.080(E), and the property owner completed the proposed improvements, and the "Reviewing Authority", as defined under El Paso City Code Section 3.04.035.(A)(8) reviewed the application, the supporting documentation, and conducted a site visit to determine if the preservation work was compliant with the application;

WHEREAS, the Reviewing Authority has determined that the work is substantially compliant with the Administrative Review application and the Tax Exemption application, and the requirements of the section 3.04.035 of the El Paso City Code; and

WHEREAS, the Reviewing Authority has determined that the property owner is eligible for an exemption from any increase in the City's portion of the assessed ad valorem taxes for a maximum of ten (10) years.

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

1. Pursuant to section 3.04.035 of the El Paso City Code, the property owner of property described as 16 Sunset Heights 26 & 27 & S 1/2 of 25 in the City of El Paso, El Paso County, Texas, commonly known as 717 W. Yandell Dr., is hereby exempt from any increase in the City's portion of the ad valorem taxes on the value of the improvement for a period of 10 years beginning on January 1, 2017 and ending December 31, 2026, provided that all City Code requirements are met. City Council finds that the value of the improvements is equal to 50% of the assessed value of the improvement on the site prior to preservation, and the base improvement value prior to preservation was \$162,558.

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

4.1. *RESOLUTION

WHEREAS, thousands of individuals utilizing El Paso's public streets are eligible to have their vehicles booted for failure to pay delinquent parking citations; and

WHEREAS, these scofflaws account for over \$ 52 million in uncollected fines and fees owed to the City of El Paso; and

WHEREAS, the City of El Paso will incur increased expenses in sending additional police officers throughout the City to locate and boot the vehicles of these scofflaws; and

WHEREAS, Section 12.85.070A3 of the El Paso City Code permits City Council to reduce the delinquency fine for parking citations for those violators who pay citations, voluntarily, during a declared amnesty period; and

WHEREAS, it has been determined that such a reduction in the delinquency fines and collection fees should maximize revenue collection by serving as an incentive for violators to pay their fines.

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

That the City Council of the City of El Paso declares an amnesty period effective February 22, 2016, through March 5, 2016, ending at 12:00 midnight on March 5, 2016. During this amnesty period, all violators who pay outstanding parking citations will have the total delinquency fees and collection fees reduced to zero leaving only the fine amount to be paid for each delinquent citation which is paid voluntarily.

5. Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments

5.1. *RESOLUTION

WHEREAS, the City Council established the Hispanic Cultural Center Subcommittee on February 24, 2015;

WHEREAS, the Hispanic Cultural Center Subcommittee has recommended the cultural center, be named the Mexican American Cultural Center; and

WHEREAS, the City Council desires to change the name of the Hispanic Cultural Center Subcommittee to the Mexican American Cultural Center Subcommittee, in order to be consistent.

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

That the name of the Hispanic Cultural Center Subcommittee is hereby changed to the Mexican American Cultural Center Subcommittee.

6. Goal 7: Enhance and Sustain El Paso’s Infrastructure Network

6.1. *RESOLUTION

WHEREAS, on April 9, 2013, the City Council entered into contract 2013-011 with Martinez Brothers Contractors, LLC, for the project known as Sun Metro RTS Mesa Project, Contract No. 2013-011 for an amount of \$9,843,770.57; and

WHEREAS, on May 13, 2014, the City Council approved a change order for Contract No. 2013-011 in the amount of \$554,538.05 for additional construction costs, increasing the contract amount to \$10,398,308.62; and

WHEREAS, the City of El Paso’s staff administratively approved additional separate change orders in the amount of \$629,333.85; and

WHEREAS, the City of El Paso desires to approve a change order for additional construction costs in the amount of \$460,019.68.

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

That the City Council approves a Change Order in the amount of Four Hundred Sixty Thousand Nineteen and 68/100 Dollars (\$460,019.68) to Martinez Brothers Contractors, LLC, for additional construction costs for the project for the Sun Metro RTS Mesa Project, Contract No. 2013-011. No additional days will be added to Contract number 2013-011. The new contract sum, including this change order is Eleven Million Four Hundred Eighty Seven Thousand Six Hundred Sixty Two and 15/100 Dollars (\$11,487,662.15).

6.2. *RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and **MNK Architects, Inc.**, for a project known as “**ARCHITECTURAL SERVICES-EPIA**” for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Manager or Designee be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of the Agreement.

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

7.1.

***RESOLUTION**

WHEREAS, Housing Authority of the City of El Paso has proposed a development for affordable rental housing located southwest of Montana Avenue and Rich Beem Boulevard, El Paso, Texas 79938 named Gonzalez Apartments in the City of El Paso, Texas; and

WHEREAS, Housing Authority of the City of El Paso has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2016 At-Risk 9% Housing Tax Credits for Gonzalez Apartments; and

WHEREAS, Housing Authority of the City of El Paso has requested waiver of permit fees in the amount of \$10.00 from the City of El Paso, Texas.

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

1. That the City of El Paso, Texas, acting through its governing body, hereby confirms that it **supports** the proposed **Gonzalez Apartments** located southwest of Montana Avenue and Rich Beem Boulevard, El Paso, Texas 79938 (TDHCA Application number 16354) and that this formal action has been taken to put on record the opinion expressed by the City of El Paso, Texas on February 9, 2016.
2. That the City of El Paso, Texas, acting through its governing body, hereby confirms that it has committed to Housing Authority of the City of El Paso a waiver of \$10.00 in permit fees; these funds shall be used in developing Gonzalez Apartments/ southwest of Montana Avenue and Rich Beem Boulevard, El Paso, Texas 79938/Application number 16354.
3. That for and on behalf of the Governing Body, Richarda Duffy Momsen, City Clerk, is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

***RESOLUTION**

WHEREAS, Tropicana Building II, LLC has proposed a development for affordable rental housing at 14001 Pebble Hills Boulevard, El Paso, Texas 79938 named River Palms in the City of El Paso, Texas; and

WHEREAS, Tropicana Building II, LLC has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2016 Competitive 9% Housing Tax Credits for River Palms; and

WHEREAS, Tropicana Building II, LLC has applied for HOME/CDBG funding in the amount of \$50,000 from the City of El Paso.

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

1. That the City of El Paso, Texas, acting through its governing body, hereby confirms that it **supports** the proposed **River Palms** located at 14001 Pebble Hills Boulevard, El Paso, Texas 79938 (TDHCA Application number 16048) and that this formal action has been taken to put on record the opinion expressed by the City of El Paso, Texas on February 9, 2016.

2. That the City of El Paso, Texas acting through its governing body, hereby confirms that it has committed to Tropicana Building II, LLC \$50,000 in HOME/CDBG program funding in the form of a loan with minimum 15-year term, minimum 30-year amortization, and a maximum interest rate of 3% per annum; these funds shall be used in developing River Palms/14001 Pebble Hills Boulevard, El Paso, Texas 79938/Application number 16048.
3. That for and on behalf of the Governing Body, Richarda Duffy Momsen, City Clerk, is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

***RESOLUTION**

WHEREAS, Ridgestone Estates Ltd. has proposed a development for affordable rental housing at 11371 Ardelle Avenue, El Paso, Texas 79936 named Ridgestone Estates in the City of El Paso, Texas; and

WHEREAS, Ridgestone Estates Ltd. has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2016 Competitive 9% Housing Tax Credits for Ridgestone Estates; and

WHEREAS, Ridgestone Estates Ltd. has applied for HOME/CDBG funding in the amount of \$50,000 from the City of El Paso.

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

1. That the City of El Paso, Texas, acting through its governing body, hereby confirms that it **supports** the proposed **Ridgestone Estates** located at 11371 Ardelle Avenue, El Paso, Texas 79936 (TDHCA Application number 16286) and that this formal action has been taken to put on record the opinion expressed by the City of El Paso, Texas on February 9, 2016.
2. That the City of El Paso, Texas, acting through its governing body, hereby confirms that it has committed to Ridgestone Estates Ltd. \$50,000 in HOME/CDBG program funding in the form of a loan with minimum 15-year term, minimum 30-year amortization, and a maximum interest rate of 3% per annum; these funds shall be used in developing Ridgestone Estates/11371 Ardelle Avenue, El Paso, Texas 79936/Application number 16286.
3. That for and on behalf of the Governing Body, Richarda Duffy Momsen, City Clerk, is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

***RESOLUTION**

WHEREAS, Keystone Place, Ltd. has proposed a development for affordable rental housing at 1331 Pullman Drive, El Paso, Texas 79936 named Keystone Place in the City of El Paso, Texas; and

WHEREAS, Keystone Place, Ltd. has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2016 Competitive 9% Housing Tax Credits for Keystone Place; and

WHEREAS, Keystone Place, Ltd. has applied for HOME/CDBG funding in the amount of \$50,000 from the City of El Paso.

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

1. That the City of El Paso, Texas, acting through its governing body, hereby confirms that it **supports** the proposed **Keystone Place** located at 1331 Pullman Drive, El Paso, Texas 79936 (TDHCA Application number 16273) and that this formal action has been taken to put on record the opinion expressed by the City of El Paso, Texas on February 9, 2016.
2. That the City of El Paso, Texas, acting through its governing body, hereby confirms that it has committed to Keystone Place, Ltd. \$50,000 in HOME/CDBG program funding in the form of a loan with minimum 15-year term, minimum 30-year amortization, and a maximum interest rate of 3% per annum; these funds shall be used in developing Keystone Place/1331 Pullman Drive, El Paso, Texas 79936 /Application number 16273.
3. That for and on behalf of the Governing Body, Richarda Duffy Momsen, City Clerk, is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

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

WHEREAS, Housing Authority of the City of El Paso has proposed a development for affordable rental housing located southeast of Montana Avenue and N. Yarbrough Drive, El Paso, Texas 79935 named Salazar Park in the City of El Paso, Texas; and

WHEREAS, Housing Authority of the City of El Paso has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2016 At-Risk 9% Housing Tax Credits for Salazar Park; and

WHEREAS, Housing Authority of the City of El Paso has requested waiver of permit fees in the amount of \$10.00 from the City of El Paso, Texas.

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

1. That the City of El Paso, Texas, acting through its governing body, hereby confirms that it **supports** the proposed **Salazar Park** located southeast of Montana Avenue and N. Yarbrough Drive, El Paso, Texas 79935 (TDHCA Application number 16352) and that this formal action has been taken to put on record the opinion expressed by the City of El Paso, Texas on February 9, 2016.
2. That the City of El Paso, Texas, acting through its governing body, hereby confirms that it has committed to Housing Authority of the City of El Paso a waiver of \$10.00 in permit fees; these funds shall be used in developing Salazar Park/southeast of Montana Avenue and N. Yarbrough Drive, El Paso, Texas 79935/Application number 16352.
3. That for and on behalf of the Governing Body, Richarda Duffy Momsen, City Clerk, is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

7.2.

***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 Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and the Texas Tech University Health Sciences Center at El Paso ("TTUHSC-EP"), for the period of February 9, 2016 through January 31, 2018, pursuant to which TTUHSC-EP researchers shall develop a regional human dental tissue and fluid bank, analyze said tissue and fluid samples for factors which may contribute to dental disease and chronic health conditions, and disseminate results to City Council and other stakeholders to improve the health status of underserved populations in El Paso, and for which the City shall pay TTUHSC-EP up to \$958,058.00 with funding from the Texas Healthcare and Quality Improvement Program 1115 Demonstration Waiver Program to support Medicaid Waiver projects.

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CONSENT AGENDA - BOARD APPOINTMENTS:
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8. Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments

- 8.1. *Motion made, seconded, and unanimously carried to **APPOINT** Georgina Panahi to the Greater El Paso Civic, Convention, and Tourism Advisory Board by Representative Emma Acosta, District 3.

ABSENT: Representative Romero

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

- 9.1. *Motion made, seconded, and unanimously carried to **APPOINT** Bob R. Brannon to Civil Service Commission by Representative Peter Svarzbein, District 1.

ABSENT: Representative Romero

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

- 10.1. *Motion made, seconded, and unanimously carried to **APPOINT** Omar Veliz to the Construction Board of Appeals by Representative Emma Acosta, District 3.
ABSENT: Representative Romero

- 10.2. *Motion made, seconded, and unanimously carried to **APPOINT** Darrell Tran to the Zoning Board of Adjustment by Representative Cortney Niland, District 8.

ABSENT: Representative Romero

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

- 11.1. *Motion made, seconded, and unanimously carried to **APPOINT** Frederic P. Dalbin to the Regional Renewable Energy Advisory Council by Mayor Oscar Leeser.

ABSENT: Representative Romero

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CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:
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12. Goal 6: Set the Standard for Sound Governance and Fiscal Management

12.1. *Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds listed on the attachment posted with this agenda be approved.

- 1. Michael Andreas in the amount of \$2,893.87 overpayment on December 31, 2015 of 2015 taxes. (Geo. # A462-999-1810-4150)
- 2. Buzz Oates El Paso LLC in the amount of \$5,875.93 overpayment on January 5, 2016 of 2015 taxes. (Geo. # B853-999-0070-0301)
- 3. Dean Foods Company in the amount of \$3,648.44 overpayment on January 14, 2016 of 2015 taxes. (Geo. # E014-999-0650-6100)
- 4. UPF Services LLC in the amount of \$3,217.65 overpayment on December 31, 2015 of 2015 taxes. (Geo. # J187-000-0070-3200)
- 5. Zions Bank in the amount of \$11,799.18 overpayment on December 21, 2015 of 2015 taxes. (Geo. # P679-999-0000-0100)
- 6. Rocky Mountain Mortgage Co. in the amount of \$5,783.86 overpayment on November 5, 2015 of 2015 taxes. (Geo. # V893-999-1500-1300)
- 7. John Trien in the amount of \$2,763.49 overpayment on June 30, 2014 of 2013 taxes. (Geo. # W096-999-0030-8500)

ABSENT: Representative Romero

CONSENT AGENDA - NOTICE FOR NOTATION:

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

13.1. *Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$5,000.00 from Southwest Land Development Services, Inc. for the Familiarization Tours.

ABSENT: Representative Romero

13.2. *Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$5,000.00 from Jobe Materials, L.P. for the Familiarization Tours.

ABSENT: Representative Romero

CONSENT AGENDA - BEST VALUE PROCUREMENTS:

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

14.1. 1ST MOTION

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

2ND AND FINAL MOTION

Motion made by Representative Limón, seconded by Representative Ordaz, and

carried to **AUTHORIZE, AS REVISED** the Director of the Purchasing & Strategic Sourcing Department to exercise the City's option to extend current contract 2013-148 Security Guard Services for Parks Facilities with Mike Garcia Merchant Security, LLC for two (2) additional years pursuant to the provisions of an award approved by the City Council on March 14, 2013. The extended contract period will be from May 14, 2016 to May 13, 2017.

AYES: Representatives Svarzbein, Acosta, Robinson, Ordaz, and Limón
NAYS: Representatives Noe and Niland
ABSENT: Representative Romero

Department: Parks and Recreation
Award to: Mike Garcia Merchant Security, LLC
El Paso, TX
Option: (2) years
Annual Estimated Amount: \$150,220.00
Total Estimated Amount: \$300,440.00 (2 years)
Account No.: 451-51230-522120-1000-P5106
451-51240-522120-1000-P5108
451-51260-522120-1000-P5111
451-51260-522120-1000-P5121
451-51270-522120-1000-P5113
451-51280-522120-1000-P5116
Funding Source: General Fund – Security Contracts

This is a Best Value, services contract.

Mayor Leeser and Representatives Acosta, Robinson, Noe, Limón, and Niland commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Bruce Collins, Director of Purchasing and Strategic Sourcing
3. Ms. Sylvia Firth, City Attorney, gave legal advice.
4. Mr. Tracy Novak, Director of Parks and Recreation
5. Ms. Diana Nunez, Purchasing and Strategic Sourcing

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

15.1. *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 sign Consent to Assignment of Contract No. 2013-271 for High Pressure and Low Pressure and Brake Coupled Hose Line, Hose Machines Rental and Field Service-Rebid from Masthead Industries, Inc. d/b/a Hose Power to Bridgestone HosePower, LLC d/b/a HosePower USA.

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- 15.2.** *Motion made, seconded, and unanimously carried to **AUTHORIZE, AS REVISED** the Director of Purchasing & Strategic Sourcing to exercise the City's option to extend current Contract 2013-271 High Pressure and Low Pressure and Brake Coupled Hose

Line, Hose Machines Rental and Field Service with Masthead Industries, Inc., dba Hose Power for two (2) additional years pursuant to the provisions of an award approved by the City Council on October 22, 2013. The extended contract period will be from October 22, 2016 to October 21, 2018.

ABSENT: Representative Romero

Department: Streets & Maintenance
Award to: Masthead Industries, Inc. dba: Hose Power
El Paso, TX
Option: Two Year
Annual Estimated Amount: \$90,000.00
Total Estimated Amount: \$180,000.00
Account No.: 532 – 37020 – 531210 – 3600 – P3711
532 – 37020 – 531250 – 3600 – P3701
Funding Source: Inventory Purchases Materials and Supplies
(Internal Service Fund)
Equipment Outside Repair Services (Internal Service
Fund)

This is a Best Value, services contract.

CONSENT AGENDA - BIDS:

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

- 16.1.** *Motion made, seconded, and unanimously carried to **AWARD** Solicitation No 2016-483 Supplemental Foliar Nutrients for Sports Turf to Turf Care of Texas, LLC for an initial three (3) year term estimated award of \$84,787.50. The award is to include a two (2) year optional amount of \$56,525.00 for a total five (5) year award of \$141,312.50. The initial performance period is February 9, 2016 through February 8, 2019.

ABSENT: Representative Romero

Department: Parks and Recreation
Award to: Turf Care of Texas, LLC.
McKinney, TX
Item(s): All
Initial Term: 3 years
Option to Extend: 2 years
Annual Estimated Amount: \$28,262.50
Initial Term Estimated Award: \$84,787.50 (3 years)
Total Estimated Amount: \$141,312.50 (5 years)
Account No.: 451-51295-531130-1000-P5120
Funding Source: General Fund

This is a Low Bid, unit price contract.

The Purchasing & Strategic Sourcing Department and Parks and Recreation

Department recommend award as indicated to Turf Care of Texas, LLC, the lowest responsive, responsible bidder. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

Representative Niland commented.

Mr. Tommy Gonzalez, City Manager, commented.

17. Goal 4: Enhance El Paso’s Quality of Life through Recreational, Cultural and Educational Environments

- 17.1.** *Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2016-295 for Jorge Montalvo Park Improvements to PRIME IRRIGATION & LANDSCAPE, INC. for an estimated total amount of \$80,962.50.

ABSENT: Representative Romero

Department: Capital Improvement
Award to: PRIME IRRIGATION & LANDSCAPE, INC.
El Paso, TX
Item(s): All
Term: 75 Consecutive Calendar Days
Total Estimated Award: \$80,962.50
Account No: 580270-190-4800-29010-PCP14NIPD4B-\$67,300.00
580270-451-2210-51480-PCP14NIPD4B-\$13,662.50
Funding Source: 2012 Quality of Life - NIP

This is a Low Bid, unit price contract.

The Purchasing and Strategic Sourcing Department and Capital Improvement Department recommend award as indicated to PRIME IRRIGATION & LANDSCAPE, 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 contract term.

As a part of this award, upon the review of the City Attorney, the Department Head 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.

MAYOR’S PROCLAMATIONS

1. National Girls and Women in Sports Week

2. **El Paso Senior Games Months**
3. **The Hospitals of Providence Sierra Campus Month**
4. **FAFSA Nights**

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8:00 A.M. – 8:30 A.M. CALL TO THE PUBLIC – PUBLIC COMMENT

The following members of the public commented:

1. Mr. Pierre Andre Euzarraga
2. Mr. Roberto Castor
3. Ms. Wally Cech
4. Ms. Mary Legorreta
5. Mr. Robert Cormell
6. Mr. Steven Strumer
7. Mr. Guillermo Glenn

Mayor Leeser and Representatives Acosta, Niland, Noe, and Robinson commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Ellen Smyth, Director of Environmental Services

Motion made by Representative Robinson, seconded by Representative Limón, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the signup period.

ABSENT: Representative Romero

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REGULAR AGENDA - OTHER BUSINESS

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18. MAYOR AND COUNCIL

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18.1. Motion made by Representative Niland, seconded by Representative Svarzbein, and carried to **DIRECT** the City Manager to begin the initial research and conversations on the permits required, the strategic aliases, funding opportunities and dialog with the U.S. and Mexican officials for the El Paso Streetcar Project and/or transnational multimodal transportation solutions, and **BRING BACK** to Council a presentation on possible next steps, enlisting the Regional Mobility Authority to assist the City.

AYES: Representatives Svarzbein, Acosta, Ordaz, Limón, and Niland

NAYS: Representatives Robinson and Noe

ABSENT: Representative Romero

Mayor Leeser and Representatives Niland, Svarzbein, Acosta, Ordaz, and Noe commented.

Mr. Raymond Telles, Executive Director for Camino Real Regional Authority

commented.

REGULAR AGENDA - FIRST READING OF ORDINANCES

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

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

ABSENT: Representative Romero

An Ordinance changing the zoning of the property described as Lots 8 to 11, Block 23, Sunset Heights, 519 Los Angeles Drive, City of El Paso, El Paso County, Texas from R-4/H (Residential/Historic) and A-2/H (Apartment/Historic) to S-D/H (Special Development/Historic). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 519 Los Angeles Drive. Property Owner: Setmax, LLC. PZRZ15-00033

PUBLIC HEARING WILL BE HELD ON MARCH 8, 2016

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

ABSENT: Representative Romero

An Ordinance granting Special Permit No. PZST15-00043 to allow for infill development for reduction in the front setback and the reduction of the separation of structures and a parking reduction on the property described as Lots 8 to 11, Block 23, Sunset Heights, 519 Los Angeles Drive, 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: 519 Los Angeles Drive. Property Owner: Setmax, LLC. PZST15-00043

PUBLIC HEARING WILL BE HELD ON MARCH 8, 2016

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

ABSENT: Representative Romero

An Ordinance changing the zoning of the property described as Lot 13 and part of Lot 14, Sunrise Acres No. 3, 4040 Hercules Avenue. City of El Paso, El Paso County, Texas from A-2/sc (Apartments/special contract) to S-D (Special Development) pursuant to Section 20.04.360 and approving a detailed site development plan pursuant to section 20.04.150 and Section 20.10.360 of the El Paso City Code to allow for commercial 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: 4040 Hercules Avenue. Property Owner: International Cutting

Services, LTD. PZRZ15-00038

PUBLIC HEARING WILL BE HELD ON MARCH 8, 2016

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

ABSENT: Representative Romero

An Ordinance releasing all conditions placed by Special Contract No. 96267 approved on June 23, 1969 on Lot 13 and part of 14, Sunrise Acres No. 3, 4040 Hercules Avenue, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 4040 Hercules Avenue. Property Owner: International Cutting Services, LTD. PZCR15-00005

PUBLIC HEARING WILL BE HELD ON MARCH 8, 2016

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

ABSENT: Representative Romero

An Ordinance changing the zoning of the following parcels: West 89.8 feet of Lot 44, Cinecue Park Subdivision, 8125 Starr Avenue, City of El Paso, El Paso County, Texas from R-F (Ranch-Farm) to R-3 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 8125 Starr Avenue. Property Owners: Michelle Gicelda Zumudio Martinez.; Jorge & Ramona Mota PZRZ15- 00030 THIS IS A 211.

PUBLIC HEARING WILL BE HELD ON MARCH 8, 2016

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

ABSENT: Representative Romero

An Ordinance granting Special Permit No. PZST15-00035, to allow for a Ground-mounted 75' Personal Wireless Service Facility on the property described as a portion of the underlying parcel known as all of Block 130, a portion of Blocks 105, 134, and 135, and a portion of the closed Alhambra, Patterson, and Bosworth Streets in Austin Terrace Third Supplement Map as amended of the Government Hills Addition, 4700 Leeds 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: 4700 Leeds. Property Owner: Cross of Grace Church, Inc. PZST15-00035

PUBLIC HEARING WILL BE HELD ON MARCH 8, 2016

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- 20. Goal 6: Set the Standard for Sound Governance and Fiscal Management:**
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- 20.1. Motion made by Representative Niland, seconded by Representative Acosta, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

ABSENT: Representative Romero

An Ordinance authorizing the City Manager to sign a Contract of Sale with RAKMR I, LTD. for the sale of sixteen parcels owned by the City of El Paso, and being more particularly described as Lots 2, 9, 11 and 13, Block 9, Lots 1, 3, 4 6, 8 and 9, Block 10, Lots 3, 5, 7, 10 and 11, Block 11, and Lot 4, Block 12, Summerlin Subdivision, an addition to the City of El Paso, El Paso County, Texas.

PUBLIC HEARING WILL BE HELD ON FEBRUARY 23, 2016

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

ABSENT: Representative Romero

An Ordinance amending Ordinance No. 018390 which amended Ordinance No. 018031 to establish procedures for members of Council to place items on the agenda for the purpose of deleting the requirement that items placed by members of Council not be scheduled until the second Tuesday following the submittal.

PUBLIC HEARING WILL BE HELD ON FEBRUARY 23, 2016

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

21.1. **1ST MOTION**

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

ABSENT: Representative Romero

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.010 (Schedule I – One-way streets), to add a new location at East First Avenue, Eastbound from Coles Street to its terminus, the penalty being as provided in Section 12.84.010 and Chapter 12.85 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON FEBRUARY 23, 2016

2ND MOTION

Motion made by Mayor Pro Tempore Noe, seconded by Representative Niland, and unanimously carried to **RECONSIDER** the item.

3RD MOTION

Motion made by Mayor Pro Tempore Noe, seconded by Representative Limón, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 12:28 p.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:

ABSENT: Representative Romero

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 NEGOTIATIC

4TH MOTION

Motion made by Representative Niland, seconded by Mayor Pro Tempore Noe, and unanimously carried to adjourn the Executive Session at 3:13 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

ABSENT: Representative Romero

5TH AND FINAL MOTION

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

NOT PRESENT FOR THE VOTE: Representative Ordaz

ABSENT: Representative Romero

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.010 (Schedule I – One-way streets), to add a new location at East First Avenue, Eastbound from Coles Street to its terminus, the penalty being as provided in Section 12.84.010 and Chapter 12.85 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON FEBRUARY 23, 2016

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

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

ABSENT: Representative Romero

An Ordinance amending Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management), Section 9.04.880 (City Abatement), Subsections 9.04.880B and F, to remove the certified mail part of the notice requirement; the penalty being as provided in Section 9.04.630 of the El Paso City Code. .

PUBLIC HEARING WILL BE HELD ON FEBRUARY 23, 2016

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

ABSENT: Representative Romero

An Ordinance granting a non-exclusive franchise to El Paso Sanitation Systems, Inc. to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON FEBRUARY 23, 2016

ITEM 22.3 TAKEN SEPARATELY

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

AYES: Representatives Svarzbein, Acosta, Robinson, Ordaz, Limón, and Niland

NAYS: None

ABSTAIN: Representative Noe

ABSENT: Representative Romero

An Ordinance amending Title 9 (Health and Safety), Chapter 9.44 (Midwives), to delete the entire chapter.

PUBLIC HEARING WILL BE HELD ON FEBRUARY 23, 2016

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

ABSENT: Representative Romero

An Ordinance amending Title 7 (Animals), to create Chapter 7.50 (Department of Animal Services), and Sections thereunder, in the El Paso City Code, to create and establish the functions of the department known as the Department of Animal Services.

PUBLIC HEARING WILL BE HELD ON FEBRUARY 23, 2016

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

ABSENT: Representative Romero

An Ordinance amending Title 7 (Animals), Chapter 7.04 (Definitions and Administration), Section 7.04.010 (Definitions); Chapter 7.08 (Animals Generally), Section 7.08.020 (Abandonment --Reporting Violations); Section 7.08.030 (Restraint); Chapter 7.12 (Dogs and Cats), Section 7.12.010 (Running at Large Prohibited); Section 7.12.020 (Registration, Vaccination, and Microchips Required); Chapter 7.16 (Impoundment), Section 7.16.010 (Notification), Section 7.16.020 (Redemption - Disposition), and Section 7.16.030 (Fees); To Address Trap-Neuter-Return Cats in each identified section; the penalty being as provided in Section 7.04.080 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON FEBRUARY 23, 2016

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

23. Goal 4: Enhance El Paso’s Quality of Life through Recreational, Cultural and Educational Environments

23.1. Motion made by Representative Niland, seconded by Representative Svarzbein, and carried to **AUTHORIZE, AS REVISED** the Director of the Purchasing & Strategic Sourcing Department to issue a Purchase Order(s) to Cengage Learning, Inc., the sole supplier of Career Online High School, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

AYES: Representatives Svarzbein, Acosta, Robinson, Noe, Ordaz, and Niland

NAYS: Representative Limón

ABSENT: Representative Romero

Department: Libraries
Award to: Cengage Learning Inc.
Mason, OH
Initial Term Estimated Award: \$149,500.00 (100 Scholarships)
Option Year 1: \$149,500.00 (100 Scholarships)
Option Year 2: \$179,375.00 (125 Scholarships)
Total Estimated Award: \$478,375.00 (3 years)
Account No.: 453 – 531030 - 53220 - 2329 – PLIB000020
209 – 544240 – 14030 – 1000 – P1410
Funding Source: Library Donations - General Fund & Tuition Assistance Program
Reimbursement
Sole Source No.: 2016-533

This is a Sole Source, service contract.

Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Mayor Leeser and Representatives Acosta, Robinson, Noe, Ordaz, and Limón commented.

The following City staff members commented:

1. Ms. Ellen Smyth, Director of Environmental Services
2. Ms. Dionne Mack, Director of Libraries
3. Ms. Linda Ball Thomas, Director of Human Resources

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

24.1. Motion made by Representative Niland, seconded by Representative Limón, and unanimously carried to **AUTHORIZE, AS REVISED** the Director of Purchasing &

Strategic Sourcing to exercise the City's option to extend current Contract 2013-198 Ford Proprietary Parts & Service for two (2) additional years pursuant to the provisions of an award approved by the City Council on July 9, 2013. The extended contract period will be from July 09, 2016 to July 08, 2018.

ABSENT: Representative Romero

Department:	Streets & Maintenance – Fleet Division
Award to:	Casa Ford, Inc. El Paso, TX
Option:	Two Year
Annual Estimated Amount:	\$460,000.00
Total Estimated Award:	\$920,000.00
Account No.:	532 – 37020 – 531210 – 3600 – P3711 532 – 37020 – 531250 – 3600 – P3701
Funding Source:	Inventory Purchases Materials and Supplies (Internal Service Fund) Equipment Outside Repair Services (Internal Service Fund)

This is a Best Value, Services Contract.

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

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

25.1. ORDINANCE 018463

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST15-00036, TO PERMIT A GROUP RESIDENTIAL FACILITY ON THE PROPERTY DESCRIBED AS LOT 4, BLOCK 7, PEBBLE HILLS SUBDIVISION, 10628 DRILLSTONE DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.265 GROUP RESIDENTIAL FACILITIES OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 10628 DRILLSTONE DRIVE. PROPERTY OWNER: ANA LUISA VEGA. PZST15-00036**

Representative Acosta commented.

Motion duly made by Representative Acosta, seconded by Representative Niland, 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, Acosta, Robinson, Noe, Ordaz, Limón, and Niland

NAYS: None

ABSENT: Representative Romero

Whereupon the Mayor ordered that, the vote having been cast in favor of the

Ordinance, the same be and the same are hereby **ADOPTED**.

REGULAR AGENDA - OTHER BUSINESS

26. Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development

26.1. RESOLUTION

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

That the City Manager be authorized to execute a Chapter 380 Economic Development Program Agreement between the City of El Paso and Texan Waste Equipment, Inc. dba Heil of Texas and its affiliate, LDSR Real Property, a Texas Limited Partnership, for the construction of a Service Facility in the City of El Paso, Texas.

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

NOT PRESENT FOR THE VOTE: Representatives Robinson and Ordaz
ABSENT: Representative Romero

26.2. RESOLUTION

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

That the Mayor is hereby authorized to sign, on behalf of the City of El Paso, an Interlocal Agreement between the City of El Paso (the "City") and the El Paso Downtown Management District (the "DMD") for the DMD to perform certain services, subject to the terms and conditions in the Interlocal Agreement.

Representatives Svarbein and Niland commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Bryan Crowe, Quality of Life Managing Director

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

ABSENT: Representative Romero

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

- 27.1.** Motion made by Representative Niland, seconded by Representative Limón, and unanimously carried to **APPROVE** an appeal for a Special Privilege License to allow Teran Properties, LLC ("applicant") to place a non-motorized corn roaster trailer, vending table, and canopy in one City metered parking space adjacent to the property located at 615 S. El Paso St. and within portions of a state-owned right-of-way in the Downtown Improvement Area. (NESV2015-00022)

ABSENT: Representative Romero

Ms. Elizabeth Gibson, Program Manager – One Stop Shop, presented a PowerPoint presentation (copy on file in City Clerk’s Office).

Representatives Svarbein, Limón, and Niland commented.

27.2. Update on the City’s mobile food vending program.

Ms. Elizabeth Gibson, Program Manager – One Stop Shop, presented a PowerPoint presentation (copy on file in City Clerk’s Office).

Representatives Svarbein, Noe, Ordaz, Limón, and Niland commented.

Mr. Larry Nichols, Director of Planning and Inspections, commented.

NO ACTION taken on this item.

28. Goal 4: Enhance El Paso’s Quality of Life through Recreational, Cultural and Educational Environments

28.1. Discussion and action on update on Spray Parks Projects.

Mr. Bryan Crowe, Quality of Life Managing Director presented a PowerPoint presentation (copy on file in City Clerk’s Office).

Mayor Leeser and Representatives Robinson, Noe, Limón, and Niland commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION taken on this item.

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

29.1. RESOLUTION

WHEREAS, HUD has issued a request for applications for designation of a Promise Zone, a federal/local government partnership initiative seeking to create jobs, increase economic activity, improve educational opportunities, reduce serious and violent crime, leverage private capital, and assist local leaders in navigating federal programs; and

WHEREAS, the City of El Paso’s (“City”) proposed Promise Zone Designation consists of the area identified herein as “Exhibit A,” and

WHEREAS, a Promise Zone designation would help provide El Paso with preferential access to various competitive federal grants as well as technical support from HUD; and

WHEREAS, a Promise Zone designation would further community development efforts already taking place in the proposed zone and provide a base for

future efforts; and

WHEREAS, the City's Promise Zone application is a collaborative effort among the City and Workforce Solutions Borderplex, Inc.

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

1. That the City Council supports the submission to HUD of a Promise Zone application with the City and Workforce Solutions Borderplex, Inc. as co-applicants; and
2. That the City Manager or his designee is hereby authorized to execute and submit all necessary documents related to the City's application; and
3. That if the City is granted the Promise Zone designation, the City Manager is hereby authorized to execute a Memorandum of Understanding with Workforce Solutions Borderplex, Inc. and any other documents necessary for implementing the Promise Zone designation, upon approval of the City Attorney's Office.

Ms. Veronica Soto, Director of Community and Human Development, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Svarzbein commented.

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

ABSENT: Representative Romero

29.2. Animal Services Update.

Mr. Kurt Fenstermacher, Director of Animal Services, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Noe, Ordaz, and Limón commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Sylvia Firth, City Attorney, gave legal advice.

NO ACTION taken on this item.

EXECUTIVE SESSION

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 12:28 p.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:

ABSENT: Representative Romero

- 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 Niland, seconded by Mayor Pro Tempore Noe, and unanimously carried to adjourn the Executive Session at 3:13 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

ABSENT: Representative Romero

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EX1. San Jacinto Plaza Redesign, Solicitation No. 2014-043; Matter No. 12-1004-214 (551.071)

NO ACTION taken on this item.

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EX2. Barron Park, Contract No. 2014-007; Matter No. 13-1004-392 (551.071)

NO ACTION taken on this item.

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EX3. SOAH Docket 473-15-5257 PUC Docket No. 44941 – Application of El Paso Electric Company to Change Rates and Soah Docket N. 473-16-1685 PUC Docket No. 45475, Review of Rate Case Expenses Incurred by El Paso Electric Company and Municipalities in Docket 44941 (551.071)

NO ACTION taken on this item.

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EX4. SOAH Docket No. 473-15-5159 PUC Docket No. 44800 Application of El Paso Electric Company to implement a voluntary Community Solar Pilot Program in Texas. (551.071)

NO ACTION taken on this item.

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EX5. Lopez, Albert and Lexby DOL: 6/14/15 Matter No. 15-1036-494 (551.071)

Motion made by Mayor Pro Tempore Noe, seconded by Representative Limón and unanimously carried that the City Attorney’s Office be authorized to reject the settlement demand made by Albert Lopez and Lexby Lopez in our Matter No. 15-1036-494.

ABSENT: Representative Romero

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EX6. Tierra del Este III Phase V (551.071, 551.072, and 551.087)

Motion made by Mayor Pro Tempore Noe, seconded by Representative Niland and unanimously carried that the CITY OF EL PASO authorizes the City Attorney to engage outside counsel, Bracewell and any necessary related consultants to assist the City on matters related to the Tierra Del Este III Phase V annexation and the creation of public improvement districts.

ABSENT: Representative Romero

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- EX7.** Monthly update from Legal Department regarding pending litigation, claims, real estate transactions and contract negotiations. (Sections 551.071, 551.072, 551.074 and 551.087)

NO ACTION taken on this item.

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ADDITIONS TO THE AGENDA

CONSENT AGENDA - BOARD RE-APPOINTMENT:

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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 **RE-APPOINT** Stuart Schwartz to the Ethics Review Commission by Mayor Oscar Leaser.

ABSENT: Representative Romero

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REGULAR AGENDA - OTHER BUSINESS:

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

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2.1. RESOLUTION

**CITY OF EL PASO FISCAL YEAR 2016
BUDGET AMENDMENT RESOLUTION**

WHEREAS, on August 19, 2014, the City of El Paso passed by Resolution the Fiscal Year 2015 Budget resulting in an operating surplus for the year; and

WHEREAS, the General Fund contains non-expended appropriations from the Fiscal Year 2015 Budget; and

WHEREAS, the City Council desires to transfer non-expended appropriations from the General Fund from the Fiscal Year 2015 Budget to provide funding within the Fiscal Year 2016 Budget for ADA curb cuts and other ancillary street improvements and for recreational facility improvements.

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

1. That the City Manager or his designee is authorized to transfer \$500,000.00 in non-expended funds from Fiscal Year 2015 into the appropriate fund in Fiscal Year 2016 for the purpose of making ADA curb cuts and making other ancillary street improvements.

2. That the City Manager or his designee is authorized to transfer \$140,000.00 in non-expended funds from Fiscal Year 2015 into the appropriate fund in Fiscal Year 2016 for the purpose of making recreational facility improvements.

3. That the City Council hereby Amends the Fiscal Year 2016 Budget to

reflect the above expenditures and authorizes and directs the City Manager or his designee to implement these budget amendments accordingly.

Mayor Leeser and Representatives Svarzbein, Acosta, Robinson, Ordaz, Limón, and Niland commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Ted Marquez, Director of Streets and Maintenance
3. Mr. Bryan Crowe, Quality of Life Managing Director
3. Mr. Tracy Novak, Director of Parks and Recreation
4. Mr. Julio Perez, Sun Metro LIFT Services

The following members of the public commented:

1. Mr. George Zavala
2. Mr. John Eger
3. Ms. Lori Vugteveen
4. Mr. Josue Rodriguez
5. Mr. Frank Lozano
6. Mr. Jose Lara
7. Mr. Raul Zamarripa
8. Mr. Jorge Diaz
9. Mr. Marty Molina

1ST MOTION

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

2ND MOTION

Motion made by Representative Niland, seconded by Representative Limón, and carried to **DELETE** item 1. New and existing park playground equipment and canopies. **MOTION PASSES**

AYES: Representatives Acosta, Ordaz, Limón, and Niland

NAYS: Representatives Svarzbein, Robinson and Noe

ABSENT: Representative Romero

3RD MOTION

Motion made by Representative Acosta, seconded by Representative Limón, and unanimously carried to **APPROVE** item 2. ADA curb cuts and other ancillary street improvements.

ABSENT: Representative Romero

4TH MOTION

Motion made by Representative Niland, seconded by Mayor Pro Tempore Noe, and unanimously carried to **APPROVE** recreational facility improvements that the City Manager identified as necessary, attached in spreadsheet presented.

NOT PRESENT FOR THE VOTE: Representative Robinson

ABSENT: Representative Romero

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The City Council Meeting was **RECESSED** at 11:57 a.m. in order to convene the Mass Transit Board Meeting.

The City Council Meeting was **RECONVENED** at 12:26 p.m.

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ADJOURN

Motion made by Representative Limón, seconded by Representative Niland, and unanimously carried to **ADJOURN** this meeting at 6:07 p.m.

ABSENT: Representative Romero

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk