

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



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

MINUTES FOR REGULAR COUNCIL MEETING

February 17, 2015
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: Ann Morgan Lilly, Larry Romero, Emma Acosta, Carl Robinson, Michiel R. Noe, Claudia Ordaz, Lilia Limón, and Cortney Carlisle Niland. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY POLICE CHAPLAIN CARLOS FLORES

PLEDGE OF ALLEGIANCE

Mesa Vista Elementary

Olivia Mercado
Alyssa Garcia
Brianna Velez
Angelina Dominguez

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

The following members of the public commented:

1. Mr. Hector Montes
2. Mr. Eric Murillo
3. Mr. Esqulpula Salinas Calderon
4. Ms. Wally Cech
5. Mr. Manuel Mendoza
6. Ms. Margarita Vasquez
7. Mr. Steven Strumer

8. Mr. Jesus Avalos
9. Mr. Josef Ozer, Border Interfaith
10. Mr. Leo Mendoza
11. Mr. Pierre Andre Euzarraga
12. Mr. Aurelio Rangel

Mayor Leaser and Representatives Limón and Lilly commented.

Mr. Tommy Gonzalez, City Manager, commented.

MAYOR'S PROCLAMATIONS

1. **National Girls and Women in Sports Week**
2. **El Paso Senior Games Months**
3. **National Engineers Week**

RECOGNITIONS

CITY EMPLOYEES

NOTICE TO THE PUBLIC

CONSENT AGENDA

Motion made by Mayor Pro Tempore Niland, seconded by Representative Noe, 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 Lilly, Romero, Acosta, Robinson, Noe, Ordaz, Limón, and Niland
NAYS: None

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** the Minutes for the Regular City Council Meeting of February 9, 2015.

CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

2. **NO ACTION taken on this item.**

CONSENT AGENDA - RESOLUTIONS:

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

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3.1. *RESOLUTION

WHEREAS, on July 20, 2004, the El Paso City Council adopted a resolution approving the use of alternate project delivery methods for construction projects pursuant to Section 271.113 of the Texas Local Government Code (now Section 2267 of the Texas Government Code) that provides the best value to the City; and

WHEREAS, on Sept. 18, 2012, the El Paso City Council approved the addition of the Construction Manager-at-Risk as an alternate project delivery method for construction projects and adopted the City of El Paso Construction Manager-at-Risk Procurement Policy; and

WHEREAS, the City's Construction Manager-at-Risk Procurement Policy states that the City Engineer will determine, before advertising, which alternative project delivery method for construction provides the best value to the City and that the El Paso City Council shall approve the issuance of a solicitation for any Construction Manager-at-Risk project prior to its issuance; and

WHEREAS, the City Engineer has determined that the one-step evaluation process for a Construction Manager-at-Risk alternative project delivery method will provide the best value to the City for the construction of the Westside Pool and requests that the El Paso City Council approve of the issuance of a Request for Proposals for a one-step evaluation process for a Construction Manager-at-Risk delivery method for the construction of the Westside Pool,

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

THAT the El Paso City Council approves the issuance of a Request for Proposals for a one-step evaluation process for a Construction Manager-at-Risk delivery method for the construction of the Westside Pool.

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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 sign a Third Amendment to the Agreement for Professional Services by and between the **CITY OF EL PASO** and **HKS, Inc.**, a Texas Corporation, for a project known as "**Multipurpose Cultural & Performing Arts Facility, Cultural Center and Children's Museum**" to add additional site evaluation, cost model and economic impact refinements for three (3) sites selected by the City of El Paso at an additional cost of Forty Seven Thousand Five Hundred and 00/100 Dollars (\$47,500.00) and reimbursement for travel related expenses not to exceed Twelve Thousand and 00/100 Dollars (\$12,000.00) for a total additional amount of Fifty Nine Thousand Five Hundred and 00/100 Dollars (\$59,500.00) thereby extending the contract amount from \$664,980.00 to \$724,480.00.

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

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

Mr. Tommy Gonzalez, City Manager, commented.

1ST MOTION

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

2ND MOTION

Motion made by Representative Limón, seconded by Representative Acosta, and carried to **POSTPONE** one week the Resolution. **THE MOTION FAILS.**

AYES: Representatives Acosta and Limón

NAYS: Representatives Lilly, Romero, Robinson, Noe, Ordaz and Niland

3RD AND FINAL MOTION

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

AYES: Representatives Lilly, Romero, Robinson, Noe, Ordaz, and Niland

NAYS: Representatives Acosta and Limón

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

4.1. *RESOLUTION

**RESOLUTION AMENDING SCHEDULE C FOR THE CITY OF EL PASO
FY 2015 BUDGET RESOLUTION**

WHEREAS, the City Council adopted the Budget Resolution for FY 2015 on August 19, 2014; and

WHEREAS, paragraph 50 of the Budget Resolution provides that revisions or additions to the fees set forth in Schedule C, attached to the Budget Resolution, may be approved by simple resolution of the City Council; and

WHEREAS, the City Council desires to revise the food establishment re-inspection fees authorized in Schedule C, which fees are adopted into the City's Food Ordinance in Title 9 of the City Code relating to repeat re-inspection visits to a food establishment by a City food inspector.

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

That Schedule C, attached to the FY 2015 Budget Resolution and effective September 1, 2014, shall be amended, effective February 17, 2015, as set forth in Attachment A, to revise the food establishment re-inspection fees authorized in Schedule C, which fees are adopted into the City's Food Ordinance in Title 9 of the City Code relating to repeat re-inspection visits to a food establishment by a City food inspector.

4.2. *RESOLUTION

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

That the City Manager or designee be authorized to make the intergovernmental transfer ("IGT") of City of El Paso ("City") public funds to the State of Texas Health and Human Services Commission so that the City may draw down \$2,453,553.00, in Medicaid match money over a three-year period through the Texas Healthcare Transformation and Quality Improvement Program 1115 Demonstration Waiver Program to support the City's Medicaid waiver proposals and other public health initiatives; and that the City Manager or designee be authorized to establish the necessary funds and associated budgetary transfers, to wire transfer the appropriate IGT through the TEXNET system in accordance with the program parameters, to establish any and all necessary administrative functions in order to effectuate this program, to sign any amendments thereto to extend the project for up to twelve months, to make adjustments to the contract program budget that do not change the contract amount, and to sign all related certifications.

That the City Council directs that any funds received through the Medicaid match be restricted to expenditures related to community healthcare purposes.

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REGULAR AGENDA – INTRODUCTIONS

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

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

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5.1. Motion made by Mayor Pro Tempore 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:

An Ordinance changing the zoning of a Portion of Tract 6C, Section 16 and Portions of Tracts 1D and 1E, Section 17, Block 80, Township 1, Texas and Pacific Railway Surveys, City of El Paso, El Paso County, Texas from A-2 (Apartment) and C-1 (Commercial) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: West of Mesquite Hill Drive, South of Patriot Freeway. Property Owner: Newman Ranch Partners L.P. PZRZ14-00053

PUBLIC HEARING WILL BE HELD ON MARCH 17, 2015

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5.2. Motion made by Mayor Pro Tempore 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:

An Ordinance changing the zoning of the South 50 feet of the North 85 feet of Lot 3, Block 16A, Scotsdale Unit 2A, 3358 Wedgewood Drive, City of El Paso, El Paso County, Texas from C-1(Commercial) to C-2 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3358 Wedgewood Drive. Property Owner: Orlando Garza, Jr. PZRZ14-00058

PUBLIC HEARING WILL BE HELD ON MARCH 17, 2015

REGULAR AGENDA – PUBLIC HEARINGS / OTHER BUSINESS

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

6.1. ORDINANCE 018312

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT OF SALE AND A SPECIAL WARRANTY DEED CONVEYING A 0.7659 ACRE PARCEL OF LAND BEING A PORTION OF SECTION 17, BLOCK 81, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND ANY OTHER DOCUMENTS NECESSARY TO COMPLETE THE SALE TO JOBE MATERIALS, L.P.**

Ms. Lupe Cuellar, Land Manager and Counsel for El Paso Water Utilities, commented.

Mayor Leeser commented.

Motion duly made by Representative Romero, seconded by Mayor Pro Tempore 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 Lilly, Romero, Acosta, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Robinson

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

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

7.1. ORDINANCE 018313

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST14-00032, TO ALLOW FOR A GROUND-MOUNTED 55' PERSONAL WIRELESS SERVICE FACILITY ON THE PROPERTY DESCRIBED AS LOT 1, BLOCK 1, DELTA SUBDIVISION, 314 S. GLENWOOD STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.455 OF EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 314 S. GLENWOOD STREET. PROPERTY OWNER: EL DIVINO SALVADORE PRESBYTERIAN CHURCH, INC. PZST14-00032**

Mr. Carlos Gallinar, Deputy Director for Planning and Inspections, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative Romero, 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 Lilly, Romero, Acosta, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Robinson

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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- 7.2. *Motion made, seconded, and unanimously carried to **POSTPONE** two weeks an Ordinance approving a detailed site development plan for a portion of Lot 1, Block 1, Le Barron Park Subdivision, 9275 North Loop Drive, City of El Paso, El Paso County, Texas, Pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 9275 North Loop Drive. Property Owner: El Paso County Sheriff's Officers Association. PZDS14-00032
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7.3. **ORDINANCE 018314**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST14-00033, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED SIDE STREET YARD SETBACKS AND REDUCED PARKING ON THE PROPERTY DESCRIBED AS LOTS 1 – 8, BLOCK 10, MILITARY HEIGHTS, 2901, 2909, AND 2915 FORT BOULEVARD, 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: 2901, 2909, AND 2915 FORT BOULEVARD. PROPERTY OWNER: MARGARITA T. OCHOA PZST14-00033**

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Robinson

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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7.4. **ORDINANCE 018315**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST15-00001, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED REAR YARD SETBACK AND CUMULATIVE FRONT AND REAR YARD SETBACKS ON THE PROPERTY DESCRIBED AS LOT 5, BLOCK 15, MESQUITE TRAILS #3, 1340 FITO HERNANDEZ STREET, 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 IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 1340 FITO HERNANDEZ STREET. PROPERTY OWNER: MIGUEL AND CECILIA ORTIZ. PZST15-00001**

Motion duly made by Representative Ordaz, seconded by Mayor Pro Tempore 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 Lilly, Romero, Acosta, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Robinson

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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7.5.

ORDINANCE 018316

The City Clerk read an Ordinance entitled: **AN ORDINANCE ANNEXING THE FOLLOWING REAL PROPERTY DESCRIBED AS A PORTION OF TRACT 1D, SECTION 39, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO COUNTY, TEXAS. SUBJECT PROPERTY: WEST OF ZARAGOZA AND NORTH OF PEBBLE HILLS; PROPERTY OWNERS: CITY OF EL PASO. SUAX13-00001**

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Robinson

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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7.6.

RESOLUTION

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN PZDS14-00033 FOR LOT 1, 2 AND 4, MILES SUBDIVISION UNIT 1, 9520 SOCORRO ROAD AND 320 – 340 AMERICAS AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE

WHEREAS, on July 7, 1992, City Council rezoned the property described as a Lot 1, 2 and 4, Miles Subdivision Unit 1, 9520 Socorro Road and 320 – 340 Americas Avenue, City of El Paso, El Paso County, Texas, from **R-F (Ranch-Farm) to C-4/c (Commercial/condition)** and as part of the rezoning imposed a condition that submittal of a detailed site development plan for approval by the City Plan Commission and City Council prior to issuance of a building permit; and,

WHEREAS, the property owners, **Southwest Convenience Stores LLC and Miles El Paso Investments LTD** (the "Owners") are ready to proceed with development and have submitted a detailed site development plan for review; and,

WHEREAS, the detailed site development plan is subject to the development standards in the **C-4/h/c and C-4/c (Commercial/historic/condition) and C-4/c (Commercial/condition)** District regulations and subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission; and,

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

WHEREAS, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code;

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

1. Pursuant to requirements imposed on the property described as *Lot 1, 2 and 4, Miles Subdivision Unit 1, 9520 Socorro Road and 320 – 340 Americas Avenue, City of El Paso, El Paso County, Texas*, the City Council hereby approves the detailed site development plan. The detailed site development plan is subject to the development standards in the **C-4/h/c and C-4/c (Commercial/historic/condition) and C-4/c (Commercial/condition)** District:
2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.
3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-4/h/c and C-4/c (Commercial/historic/condition) and C-4/c (Commercial/condition)** District regulations.
4. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-4/h/c and C-4/c (Commercial/historic/condition) and C-4/c (Commercial/condition)** District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.
5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Mr. Carlos Gallinar, Deputy Director for Planning and Inspections, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Ordaz commented.

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

AYES: Representatives Lilly, Romero, Acosta, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Robinson

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REGULAR AGENDA - OTHER BUSINESS
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8. Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
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8.1. RESOLUTION

WHEREAS, the City Council of the City of El Paso has determined that offering an incentive to airlines for new non-stop service from El Paso International Airport (Airport) may stimulate business and would therefore be of benefit to the City and its residents, and that a public purpose will be served by increasing service to and from the Airport;

WHEREAS, on October 19, 2010, the City of El Paso adopted an incentive program which was effective November 1, 2010, and which temporarily waived landing fees for airlines that implemented new, non-stop service to destinations not previously served;

WHEREAS, the City staff recommended that the October 19, 2010 incentive program be revised;

WHEREAS, on May 28, 2013, the City of El Paso adopted an incentive program which was effective June 1, 2013, and which temporarily waived landing fees for airlines that implemented new, non-stop service to destinations not previously served; and

WHEREAS, the City staff has recommended that the May 28, 2013 incentive program be revised.

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

THAT the El Paso International Airport Air Service Development Incentive Program for passenger airlines and for cargo carriers and logistics providers, attached hereto as Exhibit "A", be approved and made effective February 17, 2015; and

THAT the October 19, 2010 and May 28, 2013 incentive programs are no longer in effect.

Ms. Monica Vera, Airport Program Coordinator, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Limón and Niland commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Monica Lombrana, Director of Aviation

Motion made by Representative Romero, seconded by Representative Lilly, and

unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Romero, Acosta, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Robinson

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- 8.2.** *Motion made, seconded, and unanimously carried to **DELETE** a Resolution authorizing the City Manager to execute a Chapter 380 Grant Agreement by and between the City of El Paso, Texas a home-rule municipality of El Paso County, Texas and Douglas Steel Supply of Texas, LLC, a Texas Limited Liability Company for the relocation and construction of its steel processing business within the city limits of the City of El Paso.
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9. Goal 2: Set the Standard for a Safe and Secure City

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- 9.1.** *Motion made, seconded, and unanimously carried to **POSTPONE** one week the item regarding the presentation of the Police Department's 2014 Racial Profiling Analysis Report pertaining to the analysis of the race and ethnicity information collected in conjunction with traffic stops, covering the period of January 1, 2014 through December 31, 2014, as required by Texas Code of Criminal Procedure (CCP) Article 2.134.
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10. Goal 5: Promote Transparent and Consistent Communication Among All Members of the Community

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10.1. Presentation on status of Capital Projects:

- a. Pedestrian Crossings and Downtown Pedestrian Pathways, District 8, Gilbert Guerrero, 212-1803
- b. Downtown Trainway Bridge Reconstruction (Santa Fe Street), District 8, Geoffrey Espineli, 212-1836
- c. Santa Fe Pedestrian Improvements, District 8, Ivan Hernandez, 212-1854

Mr. Oscar Jaloma, Downtown Projects Coordinator and Mr. Gilbert Guerrero, Engineering and Construction Management, presented a PowerPoint presentation (copy on file in City Clerk's Office).

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

The following City staff members commented:

- 1. Mr. Tommy Gonzalez, City Manager
- 2. Mr. Javier Reyes, Engineering Division Manager
- 3. Mr. Gilbert Andujo, Engineering Division Manager

NO ACTION taken on this item.

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

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RESOLUTION**RESOLUTION ADOPTING THE
RULES OF ORDER FOR THE EL PASO CITY COUNCIL
REVISED, AS EFFECTIVE FEBRUARY 17, 2015****SECTION 1. PURPOSE OF RESOLUTION**

This Resolution is adopted pursuant to Section 3.5.B of the Charter of the City of El Paso as a procedural guide for the benefit of the City Council and for the general information of the public. These rules shall apply to regular or special meetings at which action is to be taken, but shall not apply to meetings for committees of the City Council or to informational gatherings of the Council.

SECTION 2. EFFECT OF FAILURE TO FOLLOW THESE RULES

No action of the Council which is otherwise legal shall be invalidated merely by reason of the failure of the Council or City staff to follow these Rules of Order, unless the majority of the Council agrees that such action shall be invalidated.

SECTION 3. STANDING

No one other than a member of the City Council shall have standing to assert before the Council that any action taken by the Council is invalid by reason of the Council's failure to comply with these Rules of Order.

SECTION 4. SUSPENSION OF RULES

These rules may be suspended temporarily by a majority of the Council members present and voting, except as they pertain to a quorum, or to the majority required for any motion, or to other matters pre-empted by laws other than those Rules of Order.

SECTION 5. PRESIDING OFFICER

The Mayor shall preside at all meetings of the City Council, but if for any reason he is absent from the City, sick or unable to act, then the Mayor Pro Tempore shall preside at such meetings and at such times shall exercise all of the powers and discharge the duties of the Mayor, except that the Mayor Pro Tempore shall vote as a Representative. In the absence or inability of both the Mayor and the Mayor Pro Tempore, the Alternate Mayor Pro Tempore shall preside and shall vote as a Representative. Upon the arrival of the Mayor, the Mayor Pro Tempore or the Alternate Mayor Pro Tempore, the acting chairman shall immediately relinquish the chair upon the conclusion of the business immediately pending before the Council.

The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council, and shall state questions coming before the Council as necessary for clarity, and shall announce the decision of the Council on all subjects.

SECTION 6. QUESTIONS OF ORDER

All questions of order shall be decided by the presiding officer with the right of appeal from his or her decision to the Council that is present, the majority of whom, present and voting, may override the decision.

SECTION 7. VOTING

The electronic voting system shall be utilized for the casting of the roll call votes of the Council in Council Chambers except as otherwise provided herein. The City Clerk shall call for an electronic vote and each Representative shall, without undue delay,

cast his or her vote on the electronic voting system. When all votes have been cast, the City Clerk will review, announce and display the results of the voting, and staff will capture the display on the digital recording of the meeting or fully read the results into the record. In the event of a tie vote, the City Clerk will announce the results and call for the Mayor's vote before displaying the results. Any error in voting or any discrepancy between the display of the votes and the City Clerk's announcement of the results shall be corrected prior to the time that the Council proceeds to consider the next agenda item.

The requirements under this section for the use of the electronic voting system shall be automatically suspended under the following circumstances and for the duration as announced by the City Clerk: (a) upon the announcement of the City Clerk that the electronic voting system is not working properly; (b) for votes on procedural matters including motions to recess and to take an agenda item out of order, and votes by acclamation; (c) when the Council is voting on more than one agenda item simultaneously; and (d) when more than one vote will be taken pertaining to an agenda item and in such instance, the City Clerk shall announce which vote shall be taken by use of the electronic voting system and which vote(s) shall be taken only by voice vote.

In the event that the use of the electronic voting system is suspended or the system is otherwise not available, the City Clerk shall call the roll beginning with the Representative seated furthest to the Mayor's right and continuing in that order. Each Representative shall audibly indicate his or her vote.

Records of all roll call votes shall be incorporated in the Minutes of the meeting.

SECTION 8. RECORDED DEBATE

A Representative may request, through the presiding officer, to have an abstract of his or her statement on any subject under consideration by the Council entered in the Minutes or to attach any document referenced during a Council meeting to the Minutes. The recording secretary may be directed by the presiding officer to enter in the Minutes a synopsis of the discussion on any question coming before the Council.

SECTION 9. ORDER OF PRECEDENCE OF MOTIONS

A motion to adjourn shall take precedence over all other motions and shall be non-debatable; however, if such a motion is made prior to the disposition of all agenda items, the motion to adjourn must be approved by two-thirds of all Council members present.

A question of order shall take precedence over all other motions except a motion to adjourn.

A motion to postpone shall take precedence over all other motions except the motion to adjourn or a question of order, and may, at the sole discretion of the presiding officer, be debatable.

At the discretion of the presiding officer, prior to voting on any motion, the Council may modify the motion by one or more motions to amend. A motion to amend shall have precedence over the main motion and shall be approved by a simple majority of those present and voting. Following approval of any amendment(s), Council shall vote on the merits of the main motion as amended.

SECTION 10. MOTION TO RECONSIDER

A motion to reconsider any action taken by the Council may be made at any time prior

to adjournment of the same meeting at which such action was taken.

SECTION 11. OBTAINING THE FLOOR

Every person desiring to speak shall address the presiding officer, and when recognized by the presiding officer, shall address only the question under consideration.

SECTION 12. RIGHT OF CITIZENS TO BE HEARD

Any citizen of the City of El Paso shall have a reasonable opportunity to be heard at all public hearings of the City Council in regard to any and all matters to be considered at such hearings that are germane and relative to any subject matter of City affairs or business which is within the scope of the authority and legislative functions of the City Council. Provided, however, that the time allowed for each citizen's appearance before City Council will be limited to a fixed number of minutes at the discretion of the presiding officer. Members of the public will usually be granted three (3) minutes to present their position on issues. Time will be kept by the City Clerk. The presiding officer may grant a speaker additional time at his or her discretion.

A maximum of thirty minutes will be allotted for a public comment portion of each regular City Council meeting. Members of the public will have a reasonable opportunity to provide comment on items not already posted on the agenda, except that no person shall engage in political advertising contrary to state law. Persons wishing to provide comment during the public comment portion of the City Council agenda must sign up prior to 8:00 am on the day of the City Council meeting. The City Clerk shall make available the sign-in sheet for the public outside of Council Chambers on the day of the Council meeting up until 8:00 am. Any person signing up to provide comment during the public comment portion of the agenda must provide their name, address and a short description of the topic(s) of their comment.

To facilitate the receiving of comment from as many citizens as possible who are interested in bringing topics forward to the City Council for comment, a person may sign up to obtain one time slot to speak or otherwise make a presentation on one or more specified topics during the public comment portion of a City Council meeting. This provision does not restrict any member of the public from signing up to speak on items posted on the regular agenda or to ask questions regarding items posted on the consent agenda.

The time allotted for the public comment portion of the agenda shall be uniformly divided among those who have signed up to obtain a time slot and participate and except as provided below, no speaker will have more than five minutes to speak or otherwise make a presentation, regardless of the number of topics a speaker wishes to address within his or her time slot. At the beginning of the public comment portion of the agenda, the City Clerk will make one announcement as to the amount of time that each person has to provide comment. The City Clerk will call each person signed up to make comment to the podium in the order that they signed up to speak and will keep time. Each topic brought forward will be for comment from the speaker and may not be deliberated by the members of Council nor rebutted or debated by members of the public. Any member of the City Council may propose that the topic commented on be posted by staff on a future Council meeting agenda for the Council's discussion and action.

The presiding officer at his or her discretion may grant a speaker one (1) additional minute to wrap up his or her comments regardless of whether the allotted

thirty minutes will otherwise be taken up by the others making comment. If the allotted thirty minutes for the public comment portion of the agenda have not been completely utilized by the persons who signed up, obtained a time slot and had the opportunity to speak to the Council, and one or more of these speakers had signed up to speak on multiple topics but were not able to finish their comments within their allocated time, then the Council, upon the request of one Council member and at the Council's discretion, may determine that it will grant additional time to one or more of these persons to speak a second time on the same topics. In such event, the City Clerk will advise the Council of the time remaining for these speakers and the presiding officer will allocate the remaining time among the persons who will be allowed to speak a second time, not to exceed five minutes per person.

Members of the public wishing to ask a question regarding an item posted on the consent agenda or to speak to an item posted on the regular agenda must sign up prior to 8:00 a.m. on the day of the City Council meeting. The City Clerk shall make available the sign-in sheet for the public outside of Council Chambers on the day of the Council meeting up until 8:00 a.m. Persons may sign up to address multiple items, however this does not mean it is permissible to "mark all" or to sign up for every item "just in case" they wish to speak when the discussion on an item takes place.

At the time that the consent agenda is taken up for consideration, the City Clerk shall advise the Mayor Pro Tempore whether persons in the audience have signed up to ask a question regarding an item posted on the consent agenda. The Mayor Pro Tempore shall have the floor and may ask the City Clerk to call those individuals up to the podium to hear their questions. At that time, the City Clerk will announce the agenda item number and call the person to the podium. The Mayor Pro Tempore may request the City Manager to respond to the questions raised by the members of the public. In his or her discretion, the Mayor Pro Tem may move the consent agenda item to the regular agenda for continued discussion and action by the City Council.

Members of Council may move to overrule the determinations by the Mayor Pro Tempore under this section by a simple majority vote of the Council members present and voting.

No person may speak a second time except by permission of the presiding officer, and further, no person shall be heard a second time until all persons desiring to speak once have been given the opportunity to do so.

Personal attacks are not permitted. Members of the public should address their questions to the Council, not to the staff. Council may in turn ask staff to provide input.

Members of the public may be asked to leave or be removed from Council Chambers if it is determined that they are disruptive to the meeting. Such determination will be made by the presiding officer. Members of Council may move to overrule such determination by the presiding officer subject to a simple majority vote of Council, present and voting.

SECTION 13. CALLING AND ORDER OF AGENDA ITEMS

Executive Session will be scheduled at the end of the meeting or other such time as determined by the Council. The Invocation and Pledge of Allegiance will take place no sooner than 8:00 a.m. Thereafter, the proceedings will take place as specified on the Attached **Exhibit "A"**.

The public comment (call to the public) portion of the agenda will follow, not to

exceed thirty (30) minutes. Items accepting or acknowledging donations to the City will be taken prior to consideration of the consent agenda. Items removed from the consent agenda by the Mayor Pro Tempore or at the request of other Council members will be considered at the time when items for the related department are being considered or as otherwise requested by the Mayor Pro Tempore. The introduction of ordinances will be considered first on the regular agenda, followed by the procurement items posted on the regular agenda by the Financial Services and/or Engineering and Construction Management departments, and any reports or updates from the City's Committees, Boards and Commissions.

Notwithstanding the above provisions, the City Manager shall direct the placement of all matters relating to the City Council's adoption of the annual City budget and associated matters relating to the start of each new fiscal year and the adoption of the tax levy on one or more agendas so as to meet all required statutory and charter deadlines.

At the time that each agenda item is to be considered by the City Council, the City Clerk will announce all agenda items by number and a brief statement as to the nature of the item when appropriate. In the case of a revision, the City Clerk or staff shall read the item into the record, as appropriate.

SECTION 14. PARLIAMENTARIAN

The City Attorney and the Deputy City Attorney are confirmed to serve as Parliamentarian and Alternate Parliamentarian, respectively.

SECTION 15. USE OF ELECTRONIC DEVICES

Electronic devices within Council chambers shall be used in accordance with all established City practices and procedures and as directed by Information Technology Department staff providing support services during a meeting. City staff, other than the dignitary protection officers, and members of the public shall turn off the signals of all pagers, cellular telephones and other devices capable of making an audible signal and shall not make or take any telephone calls while in Council chambers once a Council meeting has been called to order.

Representatives Romero, Acosta, Noe, and Ordaz commented.

The following City staff members commented:

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

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

AYES: Representatives Lilly, Romero, Acosta, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Robinson

11.2.

RESOLUTION

A RESOLUTION PROVIDING FOR THE 2015 GENERAL ELECTION IN THE CITY OF EL PASO, CALLING FOR AN ELECTION OF FOUR DISTRICT

REPRESENTATIVES AND ONE MUNICIPAL COURT JUDGE TO BE HELD WITHIN THE CITY ON MAY 9, 2015; AND MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION.

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

1. That pursuant to the Texas Election Code, as amended, an election will be held on Saturday, May 9, 2015 in the City of El Paso for the purpose of electing the following named officers of the City of El Paso: four District Representatives who are to be elected from Single-Member Districts Nos. 1, 5, 6 and 8 and judge of the El Paso Municipal Court No. 4.

2. That at such election, any candidate for the office of Representative shall file an application for a specific place on the ballot as a candidate from one of the four single-member representative districts heretofore established by the City Council being up for election, such as "Representative, District No. 1" and "Representative, District No. 5," etc. At the polling places in each Representative District the ballot in such election shall show the office of Representative for such district, the district number and the name of each candidate for office; and each Representative shall be elected by the voters in the district in which the person is a candidate.

3. That at such election, any candidate for the office of a Judge of the Municipal Court shall file an application for that specific place on the ballot, as "Judge, Municipal Court No. 4," and the ballot in such election shall show each office of the Judge of the Municipal Court as a separate office by the municipal court number with the name of each candidate shown thereon under the specific office for which the person is a candidate.

4. That such election shall be held at the precincts and the polling places designated in Exhibit "A" or such other locations as may be designated prior to the election by the City Council, attached hereto and made a part hereof for all purposes, and said polling places shall open at 7 a.m. and remain open until 7 p.m. on the day of the election.

5. That Richarda Duffy Momsen, the City Clerk of the City of El Paso, shall be the clerk for early voting, and Antonio Rivera, Assistant Elections Administrator, shall be the deputy clerk for early voting for said City election. The County Courthouse, 500 E. San Antonio, is hereby designated as the main early voting polling place for such election. In addition, early voting may also occur at such branch early voting polling places as are designated herein or otherwise designated by the El Paso County Elections Administrator and posted at city hall by the City Clerk. The hours for early voting by personal appearance, including early voting on Saturday, May 2, 2015, and Sunday, May 3, 2015, shall be authorized for such election as follows:

Early voting at all locations listed below shall be held from Monday, April 27, 2015, through Tuesday, May 1, 2015, at the hours listed below; on Saturday, May 2, 2015, at all locations from 9:00 am – 6:00 pm; on Sunday, May 3, 2015, at all locations from 12:00 pm – 5:00 pm; and from Monday, May 4, 2015, and Tuesday, May 5, 2015, at all locations from 7:00 am – 7:00 pm.

<u>Location:</u>	<u>Address:</u>	<u>Hrs for Apr 27-May 5, 2015 only</u>
1. Ann M. Garcia-Enriquez M.S.	12280 Socorro Rd.	8:00 am – 4:00 pm
2. Anthony City Hall	401 Wildcat Dr.	8:30 am – 4:30 pm
3. Bassett Place	6101 Gateway West	9:00 am – 6:00 pm
4. Carolina Recreation Center	563 N. Carolina Dr.	9:00 am – 6:00 pm

5. Clint ISD Early College Academy	13100 Alameda Ave.	8:30 am – 5:00 pm
6. Courthouse	500 E. San Antonio Ave.	8:00 am – 5:00 pm
7. Marty Robbins Rec. Center	11600 Vista Del Sol Dr.	9:00 am – 6:00 pm
8. Oz Glaze Senior Center	13969 Veny Webb	8:00 am – 5:00 pm
9. Pavo Real Recreation Center	9301 Alameda Ave.	9:00 am – 6:00 pm
10. Pebble Village Center	10780 Pebble Hills Blvd.	9:00 am – 6:00 pm
11. Polly Harris Senior Center	650 Wallenberg Dr.	9:00 am – 6:00 pm
12. Regency of El Paso	221 Bartlett Dr.	9:00 am – 6:00 pm
13. Socorro City Council Chambers	860 N. Rio Vista Rd.	8:00 am – 5:00 pm
14. Sunrise Shopping Center	8500 Dyer St.	9:00 am – 6:00 pm
15. Sun Valley Center	4525 Sun Valley Dr.	9:00 am – 6:00 pm
16. Tornillo Administration Building	19200 Cobb St.	8:30 am – 4:30 pm
17. Village of Vinton City Hall	436 E. Vinton Rd.	3:00 pm – 6:00 pm
18. Vista Estrella Shopping Center	1830 George Dieter Dr.	9:00 am – 6:00 pm
19. Zaraplex Center	1700 Zaragoza Rd.	9:00 am – 6:00 pm
20. Mobile #1		
21. Mobile #2		

In addition, mobile voting stations shall also be authorized and used for early voting at publicly owned buildings in the City as set forth in Exhibit “B.” The City Clerk is authorized to make corrections or revisions to the list of these mobile stations, including the respective hours for early voting by personal appearance at these stations, as are established by the El Paso County Elections Administrator. The City Clerk is further authorized to make corrections or revisions to the list of early voting stations as set forth above, including the respective hours for early voting by personal appearance at these stations, and revise and correct all election notices regarding the early voting locations and the mobile voting stations, and the dates and times for such voting.

Applications for voting by mail shall be submitted to the Early Voting Clerk no earlier than March 10, 2015, and no later than the close of business on April 24, 2015, at the following address:

Mr. Antonio Rivera
Assistant Elections Administrator
500 E. San Antonio, Room 402
El Paso, Texas 79901

5. A special canvassing board shall be appointed by the Mayor or by the Council, as provided by law, to count and canvass all early votes and ballots cast at said election.

6. That electronic voting machines shall be used for voting at the regular polling places in such election, and for the casting of early ballots by persons voting early by personal appearance.

7. That such election shall be held in the manner and form prescribed by the laws of the State of Texas, and at such election all qualified voters in the City are authorized to vote.

8. That a runoff election shall be held, if required, on Saturday, June 13, 2015, or another date permitted by the Texas Election Code. Such election, if any, shall be called by the City Council. Early voting dates and sites will be identified if such runoff election shall be held.

9. That the terms of office for all officers elected at the General Election, or any runoff election shall commence on June 30, 2015, or such other date as the City Council may lawfully establish.

10. That by approving and signing this resolution, the Mayor officially certifies and confirms as his action, all matters recited herein which by law come within his jurisdiction.

11. A substantial copy of this resolution shall serve as proper notice of said election.

12. The City Clerk shall give notice of such election by posting a notice of such election in English and Spanish in the Office of the City Clerk as provided by law and by publishing a copy of said notice in both English and Spanish in a newspaper in the City as required by law.

13. The City Clerk shall deliver notice of this election to the county clerk and voter registrar of El Paso County, as required by law, not later than Tuesday, March 17, 2015.

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

AYES: Representatives Romero, Acosta, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Lilly and Robinson

11.2.1 Motion made by Representative Noe, seconded by Representative Acosta, and unanimously carried to **POSTPONE** one week a Resolution appointing the election officials and election judges for the General Election on May 9, 2015.

NOT PRESENT FOR THE VOTE: Representatives Lilly and Robinson

11.2.2

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 Interlocal Governmental Agreements for Joint Elections between the City of El Paso and the below listed independent school districts to allow the City of El Paso and each respective school district to hold joint elections on May 9, 2015 and to share polling places and expenses as specified therein.

- A. El Paso Independent School District
- B. Ysleta Independent School District
- C. Socorro Independent School District

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

NOT PRESENT FOR THE VOTE: Representative Robinson

11.2.3

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 a Contract for Election Services by and between the City of El Paso and the El Paso County Elections Administrator of El Paso County, Texas in connection with holding an election on May 9, 2015.

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

NOT PRESENT FOR THE VOTE: Representative Robinson

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11.3. Presentation and discussion on the 1st Quarter Financial Report for FY2015.

Dr. Mark Sutter, Chief Financial Officer, presented a PowerPoint presentation (copy on file in City Clerk's Office).

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

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION taken on this item.

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12. MAYOR AND COUNCIL:

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12.1. Financial Audit and Oversight Committee Report:

1. For Notation Only: Formal Report of the Financial Audit and Oversight Committee meeting held on January 21, 2015.
 - a. Discussion on Audit Plan Updates.
 - b. Discussion on Client Surveys.
 - c. Discussion on Petty Cash Count Update.

Mr. Edmundo Calderon, Chief Internal Auditor, commented.

NO ACTION taken on this item.

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12.2. Discussion and action on the Hispanic Cultural Center to include update in response to the HKS contract and final report, and receive community input.

1st MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Limón, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 12:42 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:

NOT PRESENT FOR THE VOTE: Representative Robinson

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT
NEGOTIATIONS	

2nd MOTION

Motion made by Representative Limón, seconded by Representative Noe, and unanimously carried to adjourn the Executive Session at 12:51 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Robinson

3RD AND FINAL MOTION

Motion made by Representative Acosta, seconded by Representative Lilly, and unanimously carried to **DIRECT** the City Attorney and City Manager to **COME BACK** to Council with a resolution creating a sub-committee to the BOAC for advice regarding the Hispanic Cultural Center.

NOT PRESENT FOR THE VOTE: Representative Robinson

Mayor Leeser and Representatives Lilly, Romero, Acosta, Noe, Ordaz, Limón, and Niland commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Sylvia Firth, City Attorney, gave legal advice.
3. Mr. Bryan Crowe, Quality of Life Managing Director

The following members of the public commented:

1. Mr. Hector Gutierrez, Jr., Community Leader
2. Ms. Liz Chavez, President, Wise Latinas International
3. Mr. Anthony Trujillo, retired YISD Superintendent
4. Mr. Hector Gonzales, Lincoln Park Conservation Committee
5. Ms. Carmen Rodriguez, attorney
6. Mr. Miguel Juarez, Art Historian
7. Ms. Belen Robles, former President, National Lulac
8. Ms. Cindy Ramos-Davidson, CEO, Hispanic Chambers of Commerce
9. Mr. Oscar Venegas, President, Hispanic Chambers of Commerce
10. Mr. Jaime Esparza, District Attorney
11. Mr. Nestor Valencia, retired Director of Planning, City of El Paso
12. Mr. Gus Sanchez, Superintendent
13. Ms. Lupe Casillas Lowenberg, Artist and retired Educator
14. Ms. Analinda Moreno, retired Social Services Researcher
15. Mosignor Arturo Banuelos, St. Marks Catholic Church
16. Mr. Hector Montes, American Federation State & Municipal Employees
17. Mr. Guillermo Glenn, labor activist
18. Ms. Barbara Perez, former City representative and County Commissioner

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- 12.3.** Discussion and update on El Paso Days in Austin and recognition of El Paso's State Delegation.

Mayor Leaser and Representatives Lilly, Acosta, Ordaz, Limón, and Niland commented.

NO ACTION taken on this item.

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EXECUTIVE SESSION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 3:04 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:

NOT PRESENT FOR THE VOTE: Representatives Romero and Robinson

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, and unanimously carried to adjourn the Executive Session at 4:21 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Romero, Robinson, Noe and Ordaz

- EX1.** Claim of Veronica Rios and Anita O'Neill; File No.: 14-1004-535 and 14-1004-535.001. (551.071)

NO ACTION taken on this item.

- EX2.** 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)

Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, and unanimously carried to **POSTPONE** one week the item on 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)

NOT PRESENT FOR THE VOTE: Representatives Romero, Robinson, Noe and Ordaz

- EX3.** Lease by and between City of El Paso and Paso Del Norte Street Car Preservation Society, Inc. (551.071)

Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta and unanimously carried that City Attorney's Office be authorized to take any and

all appropriate actions to terminate the lease agreement by and between the City of El Paso ("Lessor") and the Paso Del Norte Street Car Preservations Society, Inc. ("Lessee") dated December 10, 1985, amended December 8, 1987 and further amended on December 5, 1989, and to regain possession of the streetcars which were the subject of the lease.

NOT PRESENT FOR THE VOTE: Representatives Romero, Robinson, Noe and Ordaz

EX4. Claim by Alliance Riggers and Constructors. (551.071)

Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta and unanimously carried that the City Attorney be authorized settlement authority to negotiate a settlement agreement to resolve the claim of Alliance Riggers & Constructors, Ltd./El Paso Crane & Rigging, Inc. The City Attorney is authorized to sign all documents to effectuate this authority under File No. 15-1050-2538.001 as recommended by the City Attorney.

NOT PRESENT FOR THE VOTE: Representatives Romero, Robinson, Noe and Ordaz

EX5. Proposed real estate acquisition for Eastside Regional Park. (551.071 and 551.072)

NO ACTION taken on this item.

EX6. Revenue Bond Covenants (551.071)

Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, and unanimously carried to **POSTPONE** one week the item on Revenue Bond Covenants (551.071)

NOT PRESENT FOR THE VOTE: Representatives Romero, Robinson, Noe and Ordaz

EX7. Status update of El Paso Fire Collective Bargaining (551.071)

NO ACTION taken on this item.

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ADJOURN

Motion made by Mayor Pro Tempore Niland, seconded by Representative Limón, and unanimously carried to **ADJOURN** this meeting at 4:24 p.m.

NOT PRESENT FOR THE VOTE: Representatives Romero, Robinson, Noe and Ordaz

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk