

DEE MARGO
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
PETER SVARZBEIN, DISTRICT 1
ALEXSANDRA ANNELLO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
SAM MORGAN, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
CLAUDIA L. RODRIGUEZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

**AGENDA REVIEW MINUTES
COUNCIL CHAMBERS
CITY HALL, 300 N. CAMPBELL
February 17, 2020
9:00 A.M.**

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The City Council met at the above place and date. Meeting was called to order at 9:15 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Cassandra Hernandez, Sam Morgan, Claudia Rodriguez, Henry Rivera and Cissy Lizarraga. Isabel Salcido requested to be excused. Absent: Alexandra Anello

The agenda items for the Regular City Council Meeting of February 18, 2020 were reviewed.

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1.1. REGULAR AGENDA - OTHER BUSINESS

Discussion and action on the election of Mayor Pro Tempore.

Mayor Margo and Representatives Svarzbein and Lizarraga commented.

Ms. Karla Nieman, City Attorney, commented.

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3.2. CONSENT AGENDA – RESOLUTIONS

A Resolution to authorize the City Manager to complete and execute a Letter of Instruction form to Shareowner Services regarding Delta Airlines, Inc. Common Stock owned by the City of El Paso through the El Paso International Airport to amend the address for receipt of all communications and payments.

Mayor Margo questioned the following City staff member:

- Ms. Monica Lombrana, Managing Director, Operations and Transportation

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4.1. CONSENT AGENDA – RESOLUTIONS

That the City Manager be authorized to sign an Agreement for Professional Services by and between the CITY OF EL PASO and IN*SITU ARCHITECTURE, PLLC, a Texas Professional Limited Liability Corporation, for a project known as "ARCHITECT AND ENGINEERING SERVICES FOR FIRE STATION 12" for an amount not to exceed THREE HUNDRED TWENTY THOUSAND SEVEN HUNDRED TWENTY AND NO/100 DOLLARS (\$320,720.00); that the City Engineer is authorized to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00); and to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00); if such services are necessary for the proper execution of the project and that the increased amounts are within the appropriate budgets of the project for a total amount of FOUR HUNDRED TWENTY THOUSAND SEVEN HUNDRED TWENTY AND NO/100 Dollars (\$420,720.00); and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for the execution of the Agreement.

Representative Svarzbein questioned the following City staff member:

- Mr. Sam Rodriguez, City Engineer

4.3. CONSENT AGENDA – RESOLUTIONS

A Resolution authorizing the City Manager or designee to submit a grant application number 2950606 for the City of El Paso Police Department project identified as the “Homeland Security Program FY 2020-LETPA Project ” through the Office of the Governor of the State of Texas, Homeland Security Grant Division, including all related paperwork, including but not limited to, authorization of budget transfers, and/or revisions to the operation plan, and to accept, reject, amend, and/or terminate the grant which will provide financial assistance to the City of El Paso. In the event of loss or misuse of the grant funds, the City of El Paso assures that it will return the funds to the Office of the Governor in full. Requesting \$320,329.71, no cash match required. Grant period will be from September 1, 2020 – August 31, 2021.

BACKGROUND / DISCUSSION:

The State Homeland Security Grant Program (SHGP) Law Enforcement Terrorism Prevention Activities (LETPA) assists local efforts to prevent terrorism and other catastrophic events and prepare for the threats and hazards that pose a risk to security in the El Paso community and Rio Grande Council of Government area.

Representative Hernandez questioned the following City staff member:

- Assistant Chief Patrick Maloney, Police Department

4.7. CONSENT AGENDA – RESOLUTIONS

The City of El Paso Municipal Court seeks funding for the purpose of juvenile justice prevention and community outreach for grant year 2020 – 2021 by applying for grant funds from the Office of the Governor of Texas – Criminal Justice Division. The goal is to inform and educate juveniles and parents on the consequences of receiving Class C citations. Grant will support two (2) part time community outreach positions, mileage, and supplies for grant year (2020 - 2021).

Approve a resolution and authorize the City of El Paso Municipal Court to submit a grant application in the amount of \$61,469.00 to the Office of the Governor of Texas – Criminal Justice Division Truancy Prevention and Intervention Program for the purpose of juvenile justice prevention and community outreach for grant year 2020 – 2021.

Mayor Margo questioned the following City staff member:

- Ms. Annabelle Casas, Assistant Director, Municipal Court

10.1. CONSENT AGENDA – REQUESTS TO ISSUE PURCHASE ORDERS

The linkage to the Strategic Plan is subsection 7.4 - Continue the strategic investment in City facilities and technology. This award will support services to analyze existing fuel tracking interface to allow the City of El Paso to continue to enhance and sustain its infrastructure network.

Award Summary:

Request that the Director of Purchasing & Strategic Sourcing be authorized to issue a Purchase Order to Trapeze Software Group, Inc. referencing Contract 2019-654 Annual Software Maintenance and Support. This will be a change order to increase the contract by \$4,264.00 for a total amount not to exceed \$50,654.67.

Department:: Streets and Maintenance
 Award to: Trapeze Software Group, Inc.
 Wayne, PA
 Total Estimated Amount: \$4,264.00
 Account No.: 532-522020-3600-P3701-37020
 Funding Source: Supply Support Fund – Data Process Services Contract
 Districts: All

Representative Lizarraga questioned the following City staff members:

- Ms. Crystal Paz, Procurement Analyst, Purchasing and Strategic Sourcing
- Mr. Randy Garcia, Administrative Services Manager, Streets and Maintenance

11.2. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance vacating a portion of City Right-of-Way over all of Linda Lane, Block 4, Upper Valley Surveys, City of El Paso, El Paso County, Texas. Subject Property: West of Montoya Drive at Linda Lane. Owner: William Kell as Trustee of the Cervantes Revocable Trust. SURW16-00005

Representative Hernandez questioned the following City staff member:

- Mr. Raul Garcia, Program Manager, Planning and Inspections

12.1. REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

The linkage to the Strategic Plan is subsection 2.4 – Improve motorist safety and traffic management solutions. The project consists of providing all labor, equipment, material and incidentals for the demolition of the existing 2-story parking garage and the re-striping of the adjacent parking lot.

Award Summary:

Discussion and action on the award of Solicitation No. 2020-095 El Paso Police Department Parking Improvements to JMR Demolition, Ltd. for an estimated total award of \$1,225,431.66.

Department: Capital Improvement
 Award to: JMR Demolition, Ltd.
 El Paso, TX
 Items: All
 Term: 305 Consecutive Calendar Days
 Total Estimated Award: \$1,225,431.66
 Account No.: 580270 – 38290 – 4741 – 190 – PCP17MF002
 Funding Source: 2017 Certificates of Obligation
 District: 2

This is a Competitive Sealed Proposal, unit price contract.

The Purchasing & Strategic Sourcing Department and Capital Improvement recommend award as indicated to JMR Demolition, Ltd. the highest ranked proposer.

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

Mayor Margo and Representative Rivera questioned the following City staff members:

- Mr. Victor Caraveo, Senior Procurement Analyst, Purchasing and Strategic Sourcing
- Mr. Sam Rodriguez, City Engineer

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13.1. REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

The linkage to the Strategic Plan is subsection 3.1 - Improve the Visual Impression of the Community (gateways, corridors, intersections, and parkland). This award will support the visual impression of our community by improving the roadway lighting and median landscape along Yarbrough Drive, George Dieter Drive & Lee Trevino Drive.

Award Summary:

Discussion and Action on the award of Solicitation 2020-199 Yarbrough Drive, George Dieter Drive & Lee Trevino Drive Roadway Lighting and Median Landscaping Project to EL PASO A.R.C. ELECTRIC, INC. for an estimated total award of \$5,710,588.40. The project scope of work consists of providing Roadway Lighting and Median Landscaping on Yarbrough Drive South, from I-10 to Loop 375; providing Median Landscaping and Irrigation Improvements on George Dieter Drive, from Zaragoza Drive to Montana Avenue; and providing Median Landscaping and Irrigation Improvements on Lee Trevino Drive, from North Loop Drive to Rojas Drive.

Department:	Capital Improvement
Award to:	EL PASO A.R.C. ELECTRIC, INC. El Paso, TX
Item(s):	All
Initial Term:	480 Consecutive Calendar Days
Base Bid:	\$4,922,226.40
Additive Alternate I:	\$394,706.00
Additive Alternate II:	\$393,626.00
Total Estimated Award:	\$5,710,558.40
Account No.:	190-38290-4745-580270- PCP19ST017
Funding Source:	2019 Capital Plan Certificates of Obligation
Districts:	3, 5, 6, & 7

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing Department and Capital Improvement Departments recommend award as indicated to EL PASO A.R.C. ELECTRIC, INC., lowest responsive and responsible bidder.

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

Representative Rivera questioned the following City staff members:

- Ms. Crystal Paz, Procurement Analyst, Purchasing and Strategic Sourcing
- Mr. Sam Rodriguez, City Engineer

14.1. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

An Ordinance granting Special Permit No. PZST19-00011, to allow for a TV and Radio Broadcasting Antennae on the property described as a portion of Lot 62 & 63, Pendale Industrial Units B & C, Correction Plat, 1075 Pendale Road, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.700 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1075 Pendale Road. Property Owner: City of El Paso. PZST19-00011

Mayor Margo and Representative Svarzbein questioned the following City staff member:

- Mr. Raul Garcia, Program Manager, Planning and Inspections

18.1 REGULAR AGENDA – OTHER BUSINESS

Discussion and action on information related to City Council direction from October 29, 2019 for Staff to provide additional information regarding the preservation of approximately 1,000 acres of land owned by the City of El Paso in Northwest El Paso, including Lost Dog Trail. [POSTPONED FROM 12-10-19]

Representative Svarzbein questioned the following City staff members:

1. Mr. Kevin Smith, Assistant Director, Planning and Inspections
2. Ms. Laura Prine, City Clerk

19.1. REGULAR AGENDA – OTHER BUSINESS

Discussion and action on a 2012 Quality of Life (QOL) Bond update to include the following:

1. Comprehensive update on the QOL Program;
2. Resolution that the City Manager or Designee be authorized to reprogram the projects identified in Exhibit A of this Resolution as Reprogrammed Zoo Projects and reallocate the funding to the budgets of the Penguins Exhibits, Animal Holding II, South American Pavilion Restrooms, Komodo Dragon Exhibit, and Sea Lion Exhibit Repair and Upgrade projects as shown in Exhibit A of this Resolution, for a total reallocation of funds in the amount of \$6,887,017.00; 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.
3. A Resolution requesting authorization to amend the scope of work for Trail and Trailhead projects funded by the 2012 Quality of Life bonds to revise the number, identity, location, scope, amenities, and priority of the trails and trailheads pursuant to Schedule "A" attached hereto;
4. Presentation of the renaming of the Eastside Regional Park; and

5. Water Park update on Marketing.

Representative Svarzbein questioned the following City staff members:

- Mr. Sam Rodriguez, City Engineer
- Mr. Tommy Gonzalez, City Manager

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20.1. REGULAR AGENDA – OTHER BUSINESS

Discussion and action to approve a resolution for the City Attorney to be authorized to sign an Employment Agreement by and between the City of El Paso ("City") and Guadalupe Cuellar ("Contract Employee") whereby the City will hire Contract Employee as a legislative attorney to assist with and represent the City at the upcoming 87th Texas Legislative Session, with the services of Contract Employee to begin on or about March 1, 2020 through December 31, 2020 for approximately twenty hours of work per week at \$5,000 per month, and then beginning on January 1, 2021 through August 31, 2021 Contract Employee will work full-time at the rate of \$9,000 per month.

Mayor Margo commented.

Ms. Anna Schumacher, Assistant City Attorney, commented.

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21.1. REGULAR AGENDA – OTHER BUSINESS

Discussion and action that the Purchasing and Strategic Sourcing Director is authorized to notify MG Evergreen, LLC., Border TM Inc. dba Xceed Resources, and Abescape Landscaping, LLC. that the City is terminating Contract No. 2018-712 City Wide New Median Maintenance for convenience effective February 18, 2020, pursuant to the provisions and requirements of Section XIII, item A of the Contract Clauses.

This action is part of operational adjustments the City was required to make in response to a decision by local TxDOT to cease maintenance of landscaped rights of way on State owned arterial streets within City limits. During the FY2020 Budget, operational resources were allocated to transition Citywide landscaped median maintenance from a third party contract to in-house forces. That change was necessary for the City to meet the new requirements for maintaining state owned medians and to minimize the impact of this additional expense on residents. Termination of this contract is part of the required process of assuming this work in-house in the Streets and Maintenance Department; the annual funding allocation for this contract, estimated at \$1.1 million, has been reprogrammed towards work crews, materials, and equipment to perform median maintenance Citywide.

Representative Hernandez questioned the following City staff members:

- Mr. Edward Armendariz, Senior Procurement Analyst, Purchasing and Strategic Sourcing
- Mr. Randy Garcia, Administrative Services Manager, Streets and Maintenance
- Mr. Richard Bristol, Director, Streets and Maintenance
- Mr. Tommy Gonzalez, City Manager

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22.4. REGULAR AGENDA – OTHER BUSINESS

Discussion and action on authorizing the City Manager to sign a Memorandum of Understanding (MOU) with Workforce Solutions Borderplex Inc., which certifies that 45th year Community Development Block Grant funds and general funds will be utilized by the City of El Paso to provide Direct Child Care services in the El Paso area. The amount eligible under the provision of childcare certification is \$90,000.00. Childcare services will be provided and administered by City of El Paso Parks and Recreation Department through their Sun Country Recreation Program and Neighborhood Youth Outreach Program (NYOP). This

certification will enable Workforce Solutions Borderplex Inc. to leverage additional childcare funding for the El Paso area.

Mayor Margo questioned the following City staff member:

- Mr. Mark Weber, Interim Community Development Planning Manager, Community and Human Development

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22.5. REGULAR AGENDA – OTHER BUSINESS

Discussion and action on a Resolution authorizing the City Manager to submit an application to the Office of the Governor, Texas Military Preparedness Commission for the Defense Economic Adjustment Assistance Grant ("DEAAG") for the expansion of the KBH Desalination Plant ("Desalination Plant"), which is a joint project of the City of El Paso and the El Paso Water Utilities. Part A of the expansion of the Desalination Plant is known as the Blend Well Collector Pipeline Project. The Desalination Plant is the world's largest inland desalination plant and can produce up to 27.5 million gallons per day (MGD) of fresh water daily, using previously unusable brackish groundwater. Expansion of the plant is needed to increase water resilience for El Paso and Fort Bliss and is identified in the State Water Plan as necessary to meet needs of the growing population.

The Blend Well Collector Pipeline Project will enable construction of a pipeline to deliver source water approximately 6.6 miles from a well to the Desalination Plant. The cost of the Blend Well Collector Pipeline Project is \$8.2 million, and the U.S. Bureau of Reclamation has agreed to fund 25% of the project and the El Paso Water Utility will be funding 50% of the cost of the project. Through the DEAAG grant, the City will be requesting another 25% (\$2.05 million).

Further, that the City Manager, or designee, be authorized to explore funding sources and partnerships and to execute any documents and agreements in relation to the grant, funding sources, and/or partnership agreements, after consultation with the City Attorney's Office. In addition, the City Manager or designee is authorized to sign any related documents, including but not limited, budget transfer authorizations, revisions to the operation plan, grant amendments, and/or corrections or extensions of the grant which increase, decrease, or de-obligate program funds.

Mayor Margo questioned the following City staff member:

- Mr. Alan Shubert, Vice President of Engineering, Operations and Technical Services, El Paso Water
- Mr. Cary Westin, Senior Deputy City Manager, Economic Development and Tourism

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Motion made by Representative Hernandez, seconded by Representative Morgan, and unanimously carried to **ADJOURN** this meeting at 9:46 a.m.

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk