

DEE MARGO
MAYOR



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

TOMMY GONZALEZ
CITY MANAGER

**AGENDA REVIEW MINUTES
MAIN CONFERENCE ROOM
CITY HALL, 300 N. CAMPBELL
February 25, 2019
9:00 A.M.**

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The City Council met at the above place and date. Meeting was called to order at 9:05 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Sam Morgan, Isabel Salcido, and Henry Rivera. Late arrivals: Claudia Ordaz Perez at 9:07 a.m. and Cissy Lizarraga at 9:08 a.m. Aleksandra Annelo and Cassandra Hernandez requested to be excused.

The agenda items for the Regular City Council meeting of February 26, 2019 were reviewed.

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3.1. CONSENT AGENDA – RESOLUTIONS

That the Director of Aviation be authorized to execute and submit an application to the US Foreign Trade Zones Board to reorganize FTZ 68 from the Traditional Site Framework to the Alternative Site Framework to streamline the operation of the foreign trade zone for the City of El Paso.

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

- Mr. David Panko, Foreign Trade Zone Manager

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3.2. CONSENT AGENDA - RESOLUTIONS

Authorize the City Manager to sign a Fifth Amendment to the Industrial Lease for the Southern Industrial Park Site between the City of El Paso ("Landlord") and the El Paso Independent School District ("Tenant") for the following property:

Lot 3 through 8, Block 3; and Lots 6 ,7 and 10, Block 2-C, El Paso International Airport Tracts, El Paso International Airport, El Paso, Texas, consisting of 686,218 sq. ft. of land, City of El Paso, El Paso County, Texas commonly known as 6531 Boeing, El Paso, Texas

Term of lease:

Lease effective: Fifth Amendment, January 1, 2020 through December 31, 2020

Lease area: 686,218 square feet

Rate: .4517 per sq. ft. -Annual payment of \$309,982.07, Monthly payment of \$25,831.84.

Remaining Term: 22 months

Mayor Margo questioned the following City staff member:

- Mr. Jeff Schultes, Assistant Director of Aviation

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3.3. CONSENT AGENDA - RESOLUTIONS

A Resolution that the City Manager be authorized to sign a Lease Agreement by and between the City of El Paso, Texas ("City") and The Marcana Enterprises, Inc. d/b/a Children's Kingdom Learning Center

("Lessee") for the City owned premises and improvements at 2215 Murchison St., El Paso, Texas to be used for after school tutoring programs and to prepare meals for school age children.

Representative Svarzbein questioned the following City staff member:

- Ms. Elizabeth Triggs, Economic and International Development Assistant Director

4.2. CONSENT AGENDA - RESOLUTIONS

That the City Manager or designee is authorized to submit the grant application for the project title "MATRIX El Paso Fusion Center Sustainment and Enhancement" through the Office of the Governor including all understandings and assurances contained therein, and to reject, alter and/or terminate the grant; to sign any related paperwork including, but not limited to, authorization of budget transfers, and/or revisions to the operation plan; and to execute any grant amendments, corrections or extensions of the grant agreement that increase, decrease or de-obligate program funds. Requesting \$450,000.00, no cash match required. Grant period will be from September 1, 2019 - August 31, 2020.

BACKGROUND / DISCUSSION:

The Police Department's Fusion Center (MATRIX) was officially recognized by the State of Texas and the U.S. Department of Homeland Security in November 2010. Since 2008, the Police Department has been financially supporting the center's operation through Urban Area Security Initiative (UASI) and, more recently, State Homeland Security Program (SHSP) grant funding. Grant funds will be used to pay the salaries of four contract crime analysts, training and maintenance of the Fusion Center's software and hardware solutions.

Mayor Margo questioned the following City staff member:

- Assistant Police Chief Patrick Maloney

THE FOLLOWING ITEMS WERE REVIEWED TOGETHER

4.3. CONSENT AGENDA - RESOLUTIONS

That the City Manager or designee is authorized to submit the grant application for the project title "Sustainment of Specialized Teams" through the Office of the Governor, Homeland Security Grant Division including all understandings and assurances contained therein, and to reject, alter and/or terminate the grant; to sign any related paperwork including, but not limited to, authorization of budget transfers, and/or revisions to the operation plan; and to execute any grant amendments, corrections or extensions of the grant agreement that increase, decrease or de-obligate program funds. Requesting \$576,788.59, no cash match required. Grant period September 1, 2019 - August 31, 2020.

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 COG area.

4.4. CONSENT AGENDA - RESOLUTIONS

That the City Manager or designee is authorized to submit the grant application for the project titled "Interoperable Communications Upgrade" through the Office of the Governor, Homeland Security Division including all understandings and assurances contained therein, and to reject, alter and/or terminate the

grant; to sign any related paperwork including, but not limited to, authorization of budget transfers, and/or revisions to the operation plan; and to execute any grant amendments, corrections or extensions of the grant agreement that increase, decrease or de-obligate program funds. Requesting \$225,700.00, no cash match required. Grant period will be from September 1, 2019 - August 31, 2020.

BACKGROUND / DISCUSSION:

The Homeland Security Grant Program 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 COG area.

4.5. CONSENT AGENDA - RESOLUTIONS

That the City Manager or designee is authorized to submit an application for grant funding for the Texas Anti-Gang Program (TAG), through the Criminal Justice Division of the Office of the Governor’s Office, including all understandings and assurances contained therein, and to reject, alter and/or terminate the grant. Further, the City Manager or designee is authorized to execute any grant amendments, corrections or extensions of the grant agreement which increase, decrease or de-obligate program funds. The City is the grantee working in partnership with multiple local, state and federal agencies to combat gang activity through prevention and enforcement efforts. Requesting \$1,238,008.31, no cash match required. Grant period for this grant will be from September 1, 2019 - August 31, 2020.

BACKGROUND / DISCUSSION:

The TAG grant funds a collaborative effort in which multiple local, state and federal agencies co-locate designated investigative staff in a leased facility (TAG Center). Funds are budgeted for TAG Center building lease costs, data services, equipment, salary costs, office equipment and office supplies. Operational activities will focus on gang prevention, intervention, and suppression as well as investigation, enforcement, and prosecution of gang-related offenses. Co-location facilitates information-sharing, investigative collaboration, and multi-jurisdictional enforcement. The previous TAG grant application was approved by City Council on June 26, 2018 and resulted in an award of \$811,670.99 for the duration of the grant.

Mayor Margo questioned the following City staff member:

- Assistant Police Chief Patrick Maloney

Representative Svarzbein commented.

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6.1. CONSENT AGENDA – RESOLUTIONS

A Resolution to approve a License Agreement with El Paso Water Improvement District No. 1 (EPCWID), for the maintenance of a concrete surface trail along the Franklin Canal, from Presa Place to Loop 375.

Mayor Margo questioned the following City staff member:

- Mr. Tracy Novak, Parks and Recreation Director

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THE FOLLOWING ITEMS WERE DISCUSSED TOGETHER

7.1. CONSENT AGENDA – RESOLUTIONS

That the City Manager be authorized to sign a First Amendment to the On-Call Agreement for Professional Services for Communication Consultant Services (Solicitation No. 2018-675R) by and between the City of El Paso and Mithoff Burton Partners, Inc. ("Consultant"), to increase the not to exceed contract amount by One Hundred Three Thousand Five Hundred and No/00 Dollars (\$103,500.00) in order for Consultant to provide additional work under this Agreement, for a total not to exceed contract amount of Two Hundred Three Thousand Five Hundred and No/100 Dollars (\$203,500.00).

7.2. CONSENT AGENDA – RESOLUTIONS

That the City Manager be authorized to sign a First Amendment to the On-Call Agreement for Professional Services for Communication Consultant Services (Solicitation No. 2018-675R) by and between the City of El Paso and Sanders/Wingo Advertising, Inc. ("Consultant"), to increase the not to exceed contract amount by Two Hundred Fifty Thousand and No/00 Dollars (\$250,000.00) in order for Consultant to provide additional work under this Agreement, for a total not to exceed contract amount of Three Hundred Fifty Thousand and No/100 Dollars (\$350,000.00).

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

- Mr. Cary Westin, Deputy City Manager

8.2. CONSENT AGENDA – RESOLUTIONS

Adoption of Resolution to update the Investment Policy for the City of El Paso, February 2019.

Mayor Margo questioned the following City staff member:

- Mr. Luis Mier, Treasury Services Coordinator

9.1. CONSENT AGENDA – RESOLUTIONS

That the City Manager be authorized to sign a Local Transportation Project Advance Funding Agreement by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the Yarbrough Drive Bridge Replacement Project, for an estimated total project cost of \$1,875,614.00, with an estimated City participation amount of \$187,562.00.

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

- Ms. Margaret Schroeder, Engineering Division Manager
- Mr. Tommy Gonzalez, City Manager

16.1. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance granting a lease to McAllen Data Center, LLC, of a single duct in a portion of the City’s existing underground conduit system on Zaragoza Road between Zaragoza International Bridge and Chito Samaniego Dr. and Rojas Dr. for their internal Fiber Optic Telecommunications System utilizing the City’s existing underground conduit system across, over and under portions of public right-of-way along Zaragoza Road within the City of El Paso. The following consideration is to be paid to the City: \$19,019.70 (Conduit Lease Fee) and an annual fee (\$25,000.00).

Representative Svarzbein questioned the following City Staff member

- Ms. Aracely Guerra, Information Technology Services Assistant Director

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THE FOLLOWING ITEMS WERE REVIEWED TOGETHER

18.1. REGULAR AGENDA – MANAGEMENT UPDATES

A presentation and update by Economic and International Development Department on Downtown and Uptown corridor development.

18.2. REGULAR AGENDA – MANAGEMENT UPDATES

Budget Update.

Mayor Margo and Mr. Tommy Gonzalez, City Manager, commented.

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THE FOLLOWING ITEMS WERE REVIEWED TOGETHER

19.1. REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

Discussion and action on a Resolution that the City Manager be authorized to sign a Professional Services Agreement between the City of El Paso and Cypress International, Inc. (“Contractor”), for Contractor to provide professional consulting services related to the defense and aerospace industries, for a term of thirty-six (36) months for an amount not to exceed One Hundred Eighty Thousand Four and 00/100 Dollars (\$180,004.00) annually; and that the City Manager is authorized to establish the funding sources and make any necessary budget transfers to provide for said services.

19.2. REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

Discussion and action on a Resolution that the City Manager be authorized to sign a Memorandum of Understanding between the City and the Chamber whereby the Chamber will pay the City a sum not to exceed \$180,000.00 over the three year term to be used towards the Professional Services Agreement between the City of El Paso and Cypress International, Inc.

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

- Ms. Elizabeth Triggs, Economic and International Development Assistant Director

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20.1. REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

Discussion and action on the request that the Director of the Purchasing and Strategic Sourcing Department be authorized to issue a Purchase Order(s) to Siddons-Martin Emergency Group, LLC., the sole source provider for Pierce Proprietary Parts Repair and Maintenance Training Service, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department:	Fire
Award to:	Siddons-Martin Emergency Group, LLC. Houston, TX
Item(s):	All
Initial Term:	3 years
Annual Estimated Award:	\$240,000
Total Estimated Award:	\$720,000
Account No.:	322 – 22090 – 531180 - 522280 – 1000 – P2216

Funding Source: General Fund – Vehicle Maintenance Supplies
Districts: All
Reference No.: 2019-782

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 Margo questioned the following City staff members:

- Ms. Norma Jimenez, Procurement Analyst

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THE FOLLOWING ITEMS WERE REVIEWED TOGETHER

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

An Ordinance amending Title 5 (Business License and Permit Regulations), Chapter 5.03 (Reserved), in its entirety to include a permit requirement for non-residential property where sound amplification equipment is used to emit sound in an outdoor area from 10:00 p.m. to midnight; the penalty as provided in 5.03.120 of the El Paso City Code.

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

An Ordinance amending Title 9 (Health and Safety), Chapter 9.40 (noise) to update the Ordinance and remove permit-related language throughout the Ordinance so that only nuisance language remains; by deleting permit related language from 9.40.010 (Definitions); to replace Section 9.40.020 (Decibel Measurement Criteria) with (Applicability); to replace Section 9.40.030 (Designated Noise Zones) with (Sound Level Violations); to replace Section 9.40.040 (Exterior Noise Standards) with (Vibration); to replace Section 9.40.050 (Interior Noise Standards) with (Sound Level Measurement); to replace Section 9.40.060 (Additional Noise Standards) with (Identification of Violator); to replace Section 9.40.070 (Noise Sensitive Zones) with (Penalties); to replace Section 9.40.080 (Noise Level Measurement) with (Enforcement); to delete Sections 9.40.090-9.40.140; the penalty being as provided in Section 9.40.070 of the El Paso City Code.

Mayor Margo and Representatives Svarzbein, Rivera and Lizarraga questioned the following City staff members:

- Ms. Ellen Smyth, Environmental Services Director
- Ms. Karla Nieman, City Attorney
- Mr. Tommy Gonzalez, City Manager

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

An Ordinance Granting Special Permit No. PZST17-00013, to allow for a parking reduction on the property described as Lots 1 to 15 & closed alley and adjacent street, Block 91, Alexander Addition, City of El Paso, El Paso County, Texas, 1800 Oregon; Lots 1 to 20 & Closed Alley, Block 90, Alexander Addition, 1801 Oregon Street, City of El Paso, El Paso County, Texas; Lots 16 to 20, Block 91, Alexander Addition, 101 Rim Road, City of El Paso, El Paso County, Texas; Lots 11 to 20, Block 77, Alexander Addition, 1700 Oregon Street, City of El Paso, El Paso County, Texas; Lots 4 to 8 and the north 18 feet of Lot 3 and the south Subject Property: 1800 Oregon Street, 1801 Oregon Street, 101 Rim Road, 1700 Oregon Street. Property Owner: HCA Health Systems of Texas, Independent Mortgage Company, El Paso Electric Company. PZST17-00013

Mayor Margo questioned the following City staff members:

- Ms. Anne Guayante, Long Range Planner
- Mr. Phillip Etiwe, Planning and Inspections Director

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27.1. REGULAR AGENDA – OTHER BUSINESS

Discussion and action on a Resolution that the City Manager be authorized to sign the Articles of Agreement between the City of El Paso and the El Paso Municipal Police Officers' Association, for the contract period covering February 26, 2019 through August 31, 2023.

Mayor and Representative Svarzbein questioned the following City staff member:

- Ms. Dionne Mack, Deputy City Manager

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28.1. REGULAR AGENDA – OTHER BUSINESS

Discussion and action on a request from Berenice Saucedo for City Council to grant an exception from the prohibition of the sale of alcoholic beverages within three hundred feet of a public or private school for the property located at 501 S. Campbell, and legally described as a portion Lots 4 thru 10, Block 114, Campbell, City of El Paso, El Paso County, Texas.

Representatives Ordaz Perez and Lizarraga questioned the following City staff members:

- Mr. Raul Garcia, Planning and Inspections Program Manager
- Mr. Tommy Gonzalez, City Manager

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30.1. REGULAR AGENDA – MAYOR AND COUNCIL

Discussion and action to approve a Resolution in support of an Independent Redistricting Commission and Redistricting Reform for Texas.

Mayor Margo and Representative Morgan commented.

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Motion made by Representative Rivera, seconded by Representative Lizarraga, and unanimously carried to **ADJOURN** this meeting at 9:38 a.m.

ABSENT: Representatives Annello and Hernandez

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk