

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL

PETER SVARZBEIN, DISTRICT 1

JIM TOLBERT, 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

March 21, 2017
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 8:18 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Jim Tolbert, Claudia Ordaz, and Lilia Limón. Late arrivals: Michiel R. Noe at 8:24 a.m. and Carl Robinson at 9:58 a.m. Emma Acosta and Cortney Niland requested to be excused. The invocation was given Police, Fire and CIMA Chaplain Sam Faraone followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY POLICE, FIRE AND CIMA CHAPLAIN SAM FARAONE

PLEDGE OF ALLEGIANCE

Annber Madrid
Alicia Madrid
Marcos Arrieta
Billy Livas
Erik Mendoza
David Rubio
Angel Balderas
Karen Ornelas
Genesis Mendez
Jonathan Prieto

NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Noe, seconded by Representative Limón, and unanimously carried to **APPROVE, AS REVISED** all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the

Consent Agenda will be shown with an asterisk {*}.

AYES: Representatives Svarzbein, Tolbert, Noe, Ordaz, and Limón

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Robinson

ABSENT: Representatives Acosta and Niland

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CONSENT AGENDA - APPROVAL OF MINUTES:
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1. Goal 6: Set the Standard for Sound Governance and Fiscal Management
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- 1.1.** *Motion made, seconded, and unanimously carried to **APPROVE** Minutes for the Regular City Council Meeting of March 7, 2017, the Legislative Review Meeting of the Whole of March 6, 2017, and for the City Council Work Session of February 27, 2017.
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CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:
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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS:
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Motion made, seconded, and unanimously carried to **EXCUSE, AS REVISED** Representatives Emma Acosta and Cortney Niland from the Regular City Council Meeting of March 21, 2017.
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ACTION ON THE FOLLOWING RESOLUTIONS:
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CONSENT AGENDA - RESOLUTIONS:
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3. Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
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3.1. *R E S O L U T I O N
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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a Lessor's Approval of Assignment of the General Aviation Non-Commercial Ground Lease by and among the City of El Paso ("Lessor"), C&M Airways, Inc. ("Assignor") and Pak West Airlines, Inc. d/b/a Sierra West Airlines ("Assignee") for the following described property:

East ½ of Lot 23, all of Lot 24, Block 4, El Paso International Airport Tracts, Unit 2, El Paso, El Paso County, Texas, commonly known as 7335 Boeing Drive and more particularly described by metes and bounds on Exhibit "A", attached to said Lessor's Approval of Assignment.

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4. Goal 2: Set the Standard for a Safe and Secure City
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4.1. *R E S O L U T I O N
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WHEREAS, the City of El Paso (the City) is eligible to apply for grants from the State

of Texas, State Administrative Agency (SAA), State Homeland Security Program (SHSP) that provides financial support to the El Paso Police Department for the MATRIX, pursuant to the provisions of the Texas Revised Civil Statutes Article 4413(37) and Texas Administrative Code Title 43; Part 3; Chapter 57; and

WHEREAS, the MATRIX is critical in information sharing to combat crime and prevent terrorism; and

WHEREAS, the El Paso City Council finds that SHSP funding is beneficial in the community and is in the best interest of the residents of El Paso.

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

1. That City Manager or designee is authorized to submit the grant application for the State Homeland Security Program, MATRIX (Multi-Agency Tactical Response Information eXchange) El Paso Fusion Center Sustainment and Enhancement FY18, including all understandings and assurances contained therein, and to reject, alter and/or terminate the grant in the amount of \$450,000.00; 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 which increase, decrease or de-obligate program funds. No match from the City is required.
2. That the El Paso Police Department Fusion Center Lieutenant or designee, is designated as the Program Director.
3. That El Paso City Council agrees that the existence of an award will not be used to offset or decrease total salaries, expenses and allowances that the City receives or provides to its Police Department at or after the time the grant is awarded.
4. That the City of El Paso's Chief Financial Officer, or designee, is designated as the Financial Officer for this grant.
5. That City Council agrees that, in the event of loss or misuse of the SHSP grant funds, the City of El Paso assures that the grant funds will be returned in full to the SAA.

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4.2.

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

WHEREAS, the City of El Paso (the City) is eligible to apply for grants through the FY 2018 State Homeland Security Program (SHSP) Law Enforcement Terrorism Prevention Activities (LETPA) grant program titled "Sustainment of Specialized Teams"; and

WHEREAS, the El Paso Police Department Bomb Squad and SWAT Team provide services to an approximate 22,000 square mile area of the Rio Grand COG ; and

WHEREAS, additional equipment is needed in order to maintain preparedness of the teams; and

WHEREAS, the City Council finds that SHSP LETPA will assist local efforts to prevent terrorism and other catastrophic events and prepare for the threats and

hazards that pose the greatest risk to security of the community and Rio Grand COG region.

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

1. That the City Manager or designee is authorized to submit the grant application for the project titled "Sustainment of Specialized Teams" 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.
2. There is no cash or in-kind match required from the City of El Paso.
3. The El Paso City Council agrees that the existence of an award will not be used to offset or decrease total salaries, expenses and allowances that the City receives or provides to its Police Department at or after the time the grant is awarded.
4. That the City of El Paso's Chief Financial Officer, or designee, is designated as the Financial Officer for this grant.
5. That the City Council agrees that, in the event of loss or misuse of the SHSP LETPA grant funds, the City of El Paso assures that the grant funds will be returned in full to the Office of the Governor Homeland Security Grant Division.

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4.3.

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

WHEREAS, the City of El Paso (the City) is eligible to apply for grants through the FY 2018 State Homeland Security Program (SHSP); and

WHEREAS, the El Paso Police Department Special Operations Group provides services to an approximate 22,000 square mile area of the Rio Grande COG ; and

WHEREAS, additional equipment and training is needed in order to maintain preparedness for the El Paso Police Department; and

WHEREAS, the City Council finds that SHSP will assist local efforts to prevent, prepare and protect against any acts of terrorism and other catastrophic events that pose a risk to the community and Rio Grande COG region.

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

1. That the City Manager or designee is authorized to submit the grant application for the project titled "Homeland Security Grant Program" 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.

2. There is no cash or in-kind match required from the City of El Paso.
3. The El Paso City Council agrees that the existence of an award will not be used to offset or decrease total salaries, expenses and allowances that the City receives or provides to its Police Department at or after the time the grant is awarded.
4. That the City of El Paso's Chief Financial Officer, or designee, is designated as the Financial Officer for this grant.
5. That the City Council agrees that, in the event of loss or misuse of the SHSP grant funds, the City of El Paso assures that the grant funds will be returned in full to the Office of the Governor Homeland Security Grant Division.

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

5.1.

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

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN PZDS17- 00002 FOR PORTION OF LOT 1, BLOCK 2, MESA HILLS WEST, 300 MESA HILLS 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.

WHEREAS, on March 29, 1983, City Council rezoned the property described as a Portion of Lot 1, Block 2, Mesa Hills West, 300 Mesa Hills Drive, City of El Paso, El Paso County, Texas, **to C-1/sc (Commercial/special contract)** and as part of the rezoning imposed a condition that a detailed site development plan be submitted for review and approval by the City Plan Commission and City Council prior to issuance of a building permit; and,

WHEREAS, the property owner, **Octavio Manzano** (the "Owner") is ready to proceed with development and has submitted a detailed site development plan for review; and,

WHEREAS, the detailed site development plan is subject to the development standards in the **C-1/sc (Commercial/special contract)** 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 *Portion*

of Lot 1, Block 2, Mesa Hills West, 300 Mesa Hills Drive, City of El Paso, El Paso County, Texas, and the City Council hereby approves the detailed site development plan. The detailed site development plan is subject to the development standards in the **C-1/sc (Commercial/special contract)** 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-1/sc (Commercial/ special contract)** 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-1/sc (Commercial/ special contract)** 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.

5.2.

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

WHEREAS, Texas Tech University Health Sciences Center at El Paso ("Texas Tech"), as abutting property owner, has requested a vacation of the City right-of-way located on a parcel of land being a portion of the alley between Reynolds St. and Concepcion St., Block 3, Val Verde Addition, City of El Paso, El Paso County, Texas ("Public Alley"); and

WHEREAS, Texas Tech will incorporate the vacated portion of the Public Alley into the construction of the Medical Science Building II which will promote a public purpose related to higher education; and

WHEREAS, after a public hearing the City Plan Commission recommended that a portion of the Public Alley should be vacated with the condition that Texas Tech dedicate emergency and public access easements to the City; and

WHEREAS, after a public hearing City Council has approved Ordinance No. 018653 authorizing the vacation of a portion of the Public Alley; and

WHEREAS, Texas Tech wishes to dedicate to the City an Emergency and Public Access Easement in accordance with the recommendations of the City Plan Commission.

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

That the City Manager be authorized to sign and accept on behalf of the City an Emergency and Public Access Easement from Texas Tech University Health Sciences Center El Paso dedicating to the City real property for use as an emergency

and public access easement on the property described as being the South 20 feet of Lot 5, North 5 feet of Lot 10 and the North 30 feet of a 20 foot alley vacated on Block 3, Val Verde Addition an addition to the City of El Paso, El Paso County Texas, containing 0.099 Acre or 4350 sq. ft. of land more or less, being more particularly described by metes and bounds and survey in Exhibit "A" attached hereto and made a part hereof for all purposes. Further, that the City Manager, or designee, be authorized to authorize any temporary closures of the Emergency and Public Access Easement that are requested by Texas Tech.

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

- 6.1.** *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Mayor to sign an amendment to an existing Interlocal Agreement between the City of El Paso, a home rule municipal corporation and the Tigua Tribe of Ysleta del Sur Pueblo, a federally recognized Indian tribe, to provide for the allocation of costs and responsibilities related to the extension of the loan of certain artifacts from the National Museum of World Cultures, which would serve the public purpose and governmental purpose of providing cultural experiences and enhances museum services to the residents and visitors of El Paso.
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7. Goal 6: Set the Standard for Sound Governance and Fiscal Management

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

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

That the City Manager be authorized to sign a Memorandum of Understanding between the City of El Paso and the El Paso Municipal Officers' Association for sworn police officers within the El Paso Police Department to participate in the same provisions as the City's Non-Uniformed employees for Health Savings Accounts and Employee Wellness Program. In accordance with Article 8, Section 2(b) of the Articles of Agreement between the City of El Paso, Texas and El Paso Municipal Police Officers' Association, the parties mutually agree to enter into a Memorandum of Understanding to implement the attached changes to Article 8, Insurance and Benefits, as contained within the 2014-2018 Articles of Agreement.

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

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

THAT the City Manager be authorized to sign Consent to Assignment of Contract No. 2012-031R for Benefit Consulting Services from John D. Williams dba JDW Insurance to HUB International Texas, Inc. dba HUB International Insurance Services, Inc.

7.3. *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 Council declares that the expenditure of District 4 discretionary

funds in an amount not to exceed \$10,462.92 to pay toward the costs of purchasing a SMART 850 Radar Speed Trailer ("Radar") for the use of the El Paso Police Department's Northeast Regional Command Center, serves the municipal purpose of providing safe streets which benefit the community and is authorized; and

That the City Manager be authorized to sign any documents and contracts for the purchase of the Radar, as approved by the City Attorney, and to effectuate any budget transfers necessary to ensure that the funds are properly expended for such purpose.

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

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

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

THAT the Mayor be authorized to sign an Interlocal Agreement, by and between the City of El Paso ("City") and the Education Service Center – Region 19 ("Region 19") whereby the City shall provide Strategic National Stockpile ("SNS") pharmaceuticals to Region 19 in the event of a public health emergency and Region 19 shall utilize said pharmaceuticals in accordance with Region 19's mass prophylaxis dispensing plan to Region 19's students, employees and family members.

CONSENT AGENDA - BOARD RE-APPOINTMENTS:

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

- 9.1.** *Motion made, seconded, and unanimously carried to **RE-APPOINT** Leslie Driggers to the Building and Standards Commission, as a regular member in the Real Estate Category, by Representative Emma Acosta, District 3.
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10. Goal 8: Nurture and Promote a Healthy, Sustainable Community

- 10.1.** *Motion made, seconded, and unanimously carried to **RE-APPOINT** Jonathan Childress to the Regional Renewable Energy Advisory Council by Representative Michiel Noe, District 5.
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CONSENT AGENDA - BOARD APPOINTMENTS:

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

- 11.1.** *Motion made, seconded, and unanimously carried to **APPOINT** Amanda Herrera to the Animal Shelter Advisory Committee by Representative Michiel R. Noe, District 5.
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CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:

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

- 12.1.** *Motion made, seconded, and unanimously carried that the following tax refunds be **APPROVED**, subject to auditor approval:

1. CSI Leasing Inc. in the amount of \$10,155.42 overpayment on January 31, 2017 of 2016 taxes. (Geo. # 0826-999-3042-0042)
2. Pittsburgh Glass Works in the amount of \$7,343.94 overpayment on January 23, 2017 of 2016 taxes. (Geo. # 1008-999-1141-7034)
3. Essilor of America in the amount of \$3,619.24 overpayment on January 31, 2017 of 2016 taxes. (Geo. # 16PP-999-6845-9042)
4. CSI Leasing Inc. in the amount of \$4,930.73 overpayment on January 31, 2017 of 2016 taxes. (Geo. # 1994-999-3397-0034)
5. Martha Roark-Lewing in the amount of \$3,736.15 overpayment on March 1, 2017 of 2016 taxes. (Geo. # B649-999-0010-5600)
6. Muy Pizza Tejas in the amount of \$15,324.68 overpayment on January 31, 2016 of 2015 taxes. (Geo. # C518-999-0020-8710)
7. Sergio R. Navarrete in the amount of \$7,892.17 overpayment on February 1, 2017 of 2016 taxes. (Geo. # C849-999-0230-0800)
8. William Schlesinger in the amount of \$3,468.24 overpayment on January 31, 2017 of 2016 taxes. (Geo. # E207-999-0470-2300)
9. Arturo Vasquez in the amount of \$4,828.14 overpayment on January 24, 2017 of 2016 taxes. (Geo. # M056-999-0320-4100)
10. Thomas McConnell in the amount of \$3,910.75 overpayment on January 31, 2017 of 2016 taxes. (Geo. # S380-999-0070-3800)
11. Philip and Yon Suk Mullin in the amount of \$6,962.56 overpayment on December 30, 2016 of 2016 taxes. (Geo. # V897-999-1100-0500)
12. East Montana Joint Venture in the amount of \$2,576.37 overpayment on January 31, 2017 of 2016 taxes. (Geo. # X579-999-2270-2100)

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CONSENT AGENDA - REQUEST FOR PROPOSAL:

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

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- 13.1.** *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing Department to exercise the City's option to extend current Contract 2012-031R (Benefit Consulting Services) with HUB International Texas. Inc. dba HUB International Insurance Services Inc. for two (2) additional years pursuant to the provisions of an award approved by the City Council on April 10, 2012. The extended contract period will be from April 10, 2017 to April 9, 2019.

Department: Human Resources
Award to: HUB International Texas. Inc. dba HUB
International Insurance Services Inc.

Option: El Paso, TX
Annual Estimated Amount: One [of One]
Total Estimated Amount: \$42,150.00
Account No.: \$84,300.00 (2 years)
Funding Source: 521160 – 3500 – 209 – 14045 – P1414
Self Insurance Fund – Management Consulting Services

This is a Request for Proposal, service contract.

CONSENT AGENDA - BIDS:

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

- 14.1.** *Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2017-637 Stripping and Waxing Floors Services - Parks and Recreation to Adefto Building & Grounds Services, Inc. for an initial one (1) year term estimated award of \$49,500.00. The award is to include a two (2) additional one (1) year options amount of \$49,500.00 for a total three (3) years award of \$148,500.00. The period of performance is from April 1, 2017 through March 31, 2018.

Department: Parks and Recreation
Award to: Adefto Building & Grounds Services, Inc.
El Paso, TX
Item(s): All
Initial Term: 1 year
Option to Extend: (2) additional one (1) year options
Initial Term Estimated Award: \$49,500.00 (1 year)
1st Option: \$49,500.00 (1 year)
2nd Option: \$49,500.00 (1 year)
Total Estimated Award: \$148,500.00 (3 Years)
Account No.: 451-51230-522060-1000-P5106
451-51260-522060-1000-P5110
451-51260-522060-1000-P5111
451-51270-522060-1000-P5114
451-51280-522060-1000-P5116
Funding Source: General Fund-Maintenance Services Contract-
Janitorial Services

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing Department and Parks and Recreation Department recommend award to Adefto Building & Grounds Services, Inc., the bidder offering the best value bid. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

The Purchasing & Strategic Sourcing and Parks and Recreation Department recommend that Express Cleaning Professionals be deemed non-responsive due to bidder not providing a bid price.

- 14.2. *Motion made, seconded, and unanimously carried to **REJECT** the sole bid received for Solicitation No. 2017-690 Fitness Equipment Maintenance and Repair Services due to the vendor's failure to submit all required documentation.

Department: Parks and Recreation

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

- 15.1. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2017-487 Police Motorcycles Parts, Service and Maintenance to Viva Powersports LLC. for an initial three (3) year term estimated award of \$270,000.00. The award is to include a two (2) year optional amount of \$180,000.00 for a total five (5) year award of \$450,000.00.

Department:	Streets and Maintenance
Award to:	Viva Powersports LLC.
	El Paso, TX
Item(s):	Group II, Part A
	Group III, Part A
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$ 90,000.00
Initial Term Estimated Award:	\$270,000.00 (3 years)
Total Estimated Award:	\$450,000.00 (5 years)
Account No.:	532 – 37020 - 531210 – 3600 – P3711
Funding Source:	Internal Service Fund – Inventory Purchases, Materials and Supplies

This is a Best Value, unit price contract.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance recommend award as indicated to Viva Powersports LLC., the bidder offering the best value bid.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance recommend that Rio Grande Shovelheads, LLC. and Barnett Harley Davidson be disqualified as non-responsive for failing to submit all of the required documentation for this solicitation.

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

MAYOR'S PROCLAMATIONS

1. **National Occupational Therapy Month**
2. **César E. Chávez Day**
3. **Poison Prevention Week**

4. Price's Creameries April Pools Month

RECOGNITIONS

Tuition Assistance Program – Employee Recognition

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

The following members of the public commented:

1. Mr. Nicholas Vasquez
2. Ms. Wally Cech
3. Mr. Pierre Andre Euzarraga
4. Mr. Charles Stapler

Ms. Sylvia Firth, City Attorney, gave legal advice.

Motion made by Representative Ordaz, seconded by Mayor Pro Tempore Noe, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the sign-up period.

REGULAR AGENDA - FIRST READING OF ORDINANCES

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

NOT PRESENT FOR THE VOTE: Representative Robinson
ABSENT: Representatives Acosta and Niland

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

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- 16.1.** An Ordinance vacating a portion of City right-of-way over a portion of .180 Acre Tract of land situated in the C. M. Whitaker Survey, Abstract 2863, El Paso County, Texas; said Tract being part of a certain deed conveyed to the City of El Paso recorded in Volume 636 Page 386, D.R.E.P.C.T; and being a 15 ft. wide alley and a 16 ft. wide alley in Block 33, Summit Place Addition, and located East of Piedras Street and North of Taylor Avenue, City of El Paso, Texas. Subject Property: East of Piedras and North of Taylor; Applicant: El Paso Water Utilities/Public Service Board SURW16-00009

PUBLIC HEARING WILL BE HELD ON APRIL 4, 2017

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- 16.2.** An Ordinance amending the Future Land Use Map contained in "Plan El Paso" for the properties legally described as Lot 1 and a portion of Lot 2, Block 1, Rocket Warehouse Park Unit Three, and Tract 7-C, Section 31, Block 80, Township 1, Texas & Pacific Railway Company Survey, City of El Paso, El Paso County, Texas.

PUBLIC HEARING WILL BE HELD ON APRIL 18, 2017

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- 16.3.** An Ordinance changing the zoning of a portion of Lots 1 and 2, Block 1, Rocket

Warehouse Park Unit Three, City of El Paso, El Paso County, Texas from C-4 (Commercial) to P-R I (Planned-Residential I). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: West of Dyer Street and at the end of Ameen Avenue. Property Owner: Northtowne Village Joint Venture and Van E. Scott. PZRZ16-00042

PUBLIC HEARING WILL BE HELD ON APRIL 18, 2017

- 16.4. An Ordinance amending Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.680 (Temporary Uses) of the El Paso City Code, to amend the temporary places of assembly section to clarify requirements for temporary assembly uses occurring on undeveloped lots and to require City Council approval for events held on property zoned Ranch Farm when more than 500 people will be in attendance. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON APRIL 18, 2017

- 16.5. An Ordinance annexing the following real property described as a portion of Davidson Blvd., out of Hill Crest Estates, El Paso County, Texas. Subject Property: East of John Hayes at Edgemere Boulevard; Applicant: El Paso County SUAX14-00001

PUBLIC HEARING WILL BE HELD ON APRIL 18, 2017

- 16.6. An Ordinance annexing the following real property described as a portion of Augusta Lane, out of Hill Crest Estates, El Paso County, Texas. Subject Property: East of John Hayes and North Edgemere; Applicant: El Paso County. SUAX15-00002.

PUBLIC HEARING WILL BE HELD ON APRIL 4, 2017

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

- 17.1. *Motion made, seconded, and unanimously carried to **DELETE** Solicitation No. 2017-005R (Airport Parking Lot and Ground Transportation) to SP+ Airport Services for a total estimated award of \$365,871.00. The award is to include a four (4) year optional amount of \$269,212.00 for a total ten (10) year award of \$635,083.00.

Department:	El Paso International Airport
Award to:	SP+ Airport Services
	Cleveland, OH
Item(s):	All
Annual Estimated Award:	\$58,000.00 (Year 1)
	\$59,160.00 (Year 2)
	\$60,343.00 (Year 3)
	\$61,550.00 (Year 4)
	\$62,781.00 (Year 5)
	\$64,037.00 (Year 6)
Initial Term Estimated Award:	\$365,871.00 (6 years)

Option: \$269,212.00 (7 – 10 years)
Total Estimated Award: \$635,083.00 (10 years)
Account No.: 562 – 62080 - 522070 – 3000
Funding Source: Ground Transportation/Management Services
Contracts/Airport Operating

This is an Request for Proposal, 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.

The Purchasing & Strategic Sourcing Department and El Paso International Airport recommend award as indicated to SP+ Airport Services, the highest ranked proposer based on evaluation factors established for this procurement. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

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

18.1. 1ST MOTION

Motion made by Representative Limón, seconded by Representative Tolbert, and carried to **DELETE** Solicitation No. 2017-671 (Security Guard Services for City Municipal Buildings) to Mike Garcia Merchant Security, LLC for an initial term estimated award of \$934,718.40. The award is to include a two (2) year optional amount of \$623,145.60 for a total five (5) year award of \$ 1,557,864.00. The performance period will be from May 1, 2017, through April 30, 2020. **THE MOTION FAILS.**

AYES: Representatives Tolbert, Ordaz and Limón
NAYS: Representatives Svarzbein, Robinson, Noe and Leeser
ABSENT: Representatives Acosta and Niland
Mayor Leeser broke the tie, voting Nay.

2ND AND FINAL MOTION

Motion made by Limón, seconded by Representative Robinson, and carried to **AWARD** Solicitation No. 2017-671 (Security Guard Services for City Municipal Buildings) to Mike Garcia Merchant Security, LLC for an initial term estimated award of \$934,718.40. The award is to include a two (2) year optional amount of \$623,145.60 for a total five (5) year award of \$ 1,557,864.00. The performance period will be from May 1, 2017, through April 30, 2020.

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

Department: Streets & Maintenance
Award to: Mike Garcia Merchant Security, LLC
El Paso, TX
Item(s): All
Initial Term: 3 years
Option to Extend: 2 years

Annual Estimated Award: \$311,572.80
Initial Term Estimated Award: \$934,718.40 (3 years)
Total Estimated Award: \$1,557,864.00 (5 years)
Account No.: 532-31040-522120-1000-P3120
206-19040-522120-3700-P1910
Funding Source: General Fund – Security Contracts
Enterprise Funds – Security Contracts

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing Department and Streets & Maintenance Department recommend award as indicated to Mike Garcia Merchant Security, LLC, the bidder offering the best value bid. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

Mayor Leeser and Representatives Noe and Limón commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Haydee Pena, Purchasing Agent
3. Mr. Patrick Baughman, Procurement Analyst

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

- 19.1.** Motion made by Representative Limón, seconded by Representative Ordaz, and unanimously carried to **AWARD** Solicitation 2017-672 Argal Park at Las Palmas (Re-Bid) to VENEGAS ENGINEERING MANAGEMENT AND CONSTRUCTION, INC. for an estimated total award of \$1,558,989.71.

ABSENT: Representatives Acosta and Niland

Department: Capital Improvement
Award to: VENEGAS ENGINEERING MANAGEMENT
AND CONSTRUCTION, INC.
El Paso, TX
Item(s): Base Bid
Initial Term: 210 Consecutive Calendar Days
Base Bid: \$1,558,989.71
Total Estimated Award: \$1,558,989.71
Account No.: 190-4800-29010-58027-PCP13PRKA11
Funding Source: 2012 Quality of Life Bond

This is a Competitive Sealed Proposal, lump sum contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to VENEGAS ENGINEERING MANAGEMENT AND CONSTRUCTION, INC., the bidder offering the best value bid.

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

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 Limón commented.

19.2.

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 City Manager be authorized to sign an Agreement for Professional Services with **ACM DESIGNS, LLC. DBA EXIGO** for the project known as **“CHAMIZAL AREA RECREATION CENTER/LIBRARY”**, for an amount not to exceed **SEVEN HUNDRED FORTY ONE THOUSAND EIGHT HUNDRED FORTY TWO AND NO/100 DOLLARS (\$741,842.00)** to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if such services are necessary for the proper execution of the project and that the increased amounts are within the appropriate budgets of the project for a total amount of Eight Hundred Forty One Thousand Eight Hundred Forty Two and No/100 Dollars (\$841,842.00); 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.

Representatives Noe and Limón commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Javier Reyes, Engineering Division Manager
3. Mr. Khalil Zaied, Deputy City Manager Public Works

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

ABSENT: Representatives Acosta and Niland

19.3.

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 an Agreement for Professional Services with **ACM DESIGNS, LLC. DBA EXIGO** for the project known as **“LOMALAND AREA RECREATION CENTER”**, for an amount not to exceed **EIGHT HUNDRED FIFTY ONE THOUSAND ONE HUNDRED THIRTY FOUR AND NO/100 DOLLARS (\$851,134.00)** to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and to approve Additional Services for an amount not to exceed Fifty Thousand and No/100

Dollars (\$50,000.00) if such services are necessary for the proper execution of the project and that the increased amounts are within the appropriate budgets of the project for a total amount of Nine Hundred Fifty One Thousand One Hundred Thirty Four and No/100 Dollars (\$951,134.00); 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 Limón commented.

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

ABSENT: Representatives Acosta and Niland

19.4.

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 an Agreement for Professional Services with **ACM DESIGNS, LLC. DBA EXIGO** for the project known as “**ALAMEDA AREA RECREATION CENTER/LIBRARY**”, for an amount not to exceed **SEVEN HUNDRED SEVENTY ONE THOUSAND ONE HUNDRED THIRTY FOUR AND NO/100 DOLLARS (\$771,134.00)** to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if such services are necessary for the proper execution of the project and that the increased amounts are within the appropriate budgets of the project for a total amount of Eight Hundred Seventy One Thousand One Hundred Thirty Four and No/100 Dollars (\$871,134.00); 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 Limón commented.

The following members of the public commented:

1. Ms. Anna Duenas
2. Ms. Minnie Acosta

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

ABSENT: Representatives Acosta and Niland

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

- 20.1. Motion made by Representative Robinson, seconded by Representative Limón, and unanimously carried to **AWARD** Solicitation 2017-648 Neighborhood Traffic Management Program Phase II to Martinez Bros. Contractors, LLC for an estimated total award of \$827,775.00.

ABSENT: Representatives Acosta and Niland

Department:	Capital Improvement
Award to:	Martinez Bros. Contractors, LLC El Paso, TX
Item(s):	All
Initial Term:	240 Consecutive Calendar Days
Base Bid:	\$827,775.00
Total Estimated Award:	\$827,775.00
Account No.:	190-4740-28900-580270-PCP13ST006Y1 190-4740-28900-580270-PCP13ST006Y2 190-4740-28900-580270-PCP13ST006Y3
Funding Source:	Street Infrastructure Plan Certificates of Obligation

This is a Low bid, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Martinez Bros. Contractors, L.L.C. the lowest responsive, responsible bidder.

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

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

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

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- 20.2.** Motion made by Representative Limón, seconded by Representative Robinson, and unanimously carried to **AWARD, AS REVISED** Solicitation 2017-841 2017-2018 City Roadway and Parkway to J.A.R. CONCRETE INC. dba JAR Construction, Inc. for an initial estimated award of \$12,664,677.36. The award is to include one (1) option to extend the term of the contract for one (1) year to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

ABSENT: Representatives Acosta and Niland

Department:	Capital Improvement
Award to:	J.A.R. CONCRETE dba JAR Construction, Inc. El Paso, TX
Item(s):	Base Bid I, Base Bid II and Base Bid III
Initial Term:	730 Consecutive Calendar Days
Option to Extend:	1 year option

Base Bid I:	\$10,368,441.16
Base Bid II:	\$1,227,165.50
Base Bid III:	\$1,069,070.70
Initial Term Estimated Award:	\$12,664,677.36 (2 years)
Option Estimated Award:	\$12,664,667.36 (1 year)
Total Estimated Award:	\$25,329,354.72 (3 years)
Account No.:	Various
Funding Source:	Community Development Block Grant, Certificates of Obligation-Street Infrastructure and other sources

This is a Low bid, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to J.A.R. CONCRETE, INC. dba JAR Construction, Inc. the lowest responsive, responsible bidder.

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

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

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

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

- 21.1. Motion made by Representative Limón, seconded by Representative Tolbert, and unanimously carried to **AWARD, AS REVISED** Solicitation 2016-1239R WIC Leases of Real Property (Re-Bid I) to River Oaks Properties, LTD for an initial three (3) year term in the estimated award amount of \$178,200.00. The award is to include two (2) - three (3) year options, each option is valued at \$178,200.00 for a total of \$534,600.00.

ABSENT: Representatives Acosta and Niland

Department:	Public Health
Award to:	River Oaks Properties, LTD El Paso, TX (Corporate Office)
Item(s):	Group 1
Initial Term:	3 years
Option:	Two (2) - Three (3) year lease terms
Annual Estimated Amount:	\$ 59,400.00
Initial Term Estimated Award:	\$178,200.00 (3 years)
1st Option:	\$178,200.00 (3 years)

2nd Option: \$178,200.00 (3 years)
Total Estimated Award: \$ 534,600.00 (9 years)
Account No.: 341-2140-41240-524000-GS4116AD
Funding Source: Public Health Grants

This is a Request for Proposal, lease contract.

The Purchasing & Strategic Sourcing and Public Health Department recommend award as indicated to River Oaks Properties, LTD, the highest ranked proposer based on evaluation factors established for this procurement. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

Group 2 will not be awarded due to proposal cost exceeds Department's budget.

The Purchasing & Strategic Sourcing and Public Health Department recommend that GGIA be deemed non-responsive due to proposal not meeting the required square footage specifications.

In accordance with this award the City Manager is authorize to execute any and all documents necessary for the implementation of this agreement including the exercise of future options if needed.

Representative Limón commented.

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

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

22.1. ORDINANCE 018645

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE FINAL PROJECT PLAN AND THE FINAL REINVESTMENT ZONE FINANCING PLAN FOR THE TAX INCREMENT REINVESTMENT ZONE NUMBER FIVE, CITY OF EL PASO, TEXAS; ADOPTING SAID AMENDMENTS AS REQUIRED BY SECTION 311.011(E) TEXAS TAX CODE; ALSO PROVIDING A SEVERABILITY CLAUSE.**

Mr. Rafael Arellano, Economic Development Specialist, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Limón commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Omar Moreno, Civil Engineer

Motion duly made by Representative Limón, seconded by Representative Ordaz, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on

the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Svarzbein, Tolbert, Robinson, Noe, Ordaz, and Limón

NAYS: None

ABSENT: Representatives Acosta and Niland

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

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

23.1. ORDINANCE 018646

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE REAL PROPERTY KNOWN AS: BEING ALL OF TRACT 3, J.L. JOHANNSEN SURVEY NO. 185, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3 (RESIDENTIAL) TO S-D (SPECIAL DISTRICT) PURSUANT TO SECTION 20.04.360, AND PROVIDING A DETAILED SITE DEVELOPMENT PLAN PURSUANT TO SECTION 20.04.150 AND 20.10.360 OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE TO ALLOW FOR OTHER RETAIL (LOW-VOLUME), PROFESSIONAL OFFICES, & SELF- STORAGE WAREHOUSES. SUBJECT PROPERTY: 5980 JOHANNSEN RD. OWNER: JOHANNSEN DEVELOPMENT GROUP, INC. PZRZ16-00019.**

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

AYES: Representatives Svarzbein, Tolbert, Robinson, Noe, Ordaz, and Limón

NAYS: None

ABSENT: Representatives Acosta and Niland

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

ITEMS 23.2 AND 23.3 TAKEN TOGETHER

23.2. ORDINANCE 018647

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST16-00034, TO ALLOW FOR INFILL DEVELOPMENT AND DETAILED SITE DEVELOPMENT PLAN REVIEW TO ALLOW FOR A BALLROOM ON THE PROPERTY DESCRIBES AS LOT 1, BLOCK1, DESERT HEAVEN ESTATES, CITY OF EL PASO, EL PASO COUNTY, TEXAS. A BALLROOM USE IS NOT A PERMITTED USE IN C-1 OR C-2 (COMMERCIAL) DISTRICT; HOWEVER, IT IS A PERMITTED USE IN C-2 (COMMERCIAL) ZONE DISTRICT WITH A REZONING REQUEST (PZRZ16-00031). 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: 280 YSLETA LN. PROPERTY OWNER: D' ROMAN LLC. PZST16-00034

Motion duly made by Representative Ordaz, 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 Svarzbein, Tolbert, Robinson, Noe, Ordaz, and Limón

NAYS: None

ABSENT: Representatives Acosta and Niland

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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23.3.

ORDINANCE 018648

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE REAL PROPERTY KNOWN AS LOT 1, BLOCK1, DESERT HEAVEN ESTATES, 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 TO ALLOW FOR A BALLROOM. A BALLROOM USE IS NOT A PERMITTED USE IN C-1 OR C-2 (COMMERCIAL) DISTRICT; HOWEVER, IT IS A PERMITTED USE IN C-2 (COMMERCIAL) ZONE DISTRICT WITH A SPECIAL PERMIT APPLICATION (PZST16-00034). THE PENALTIES FOR VIOLATING THE STANDARDS IMPOSED THROUGH THIS REZONING ORDINANCE ARE FOUND IN SECTION 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 280 YSLETA LN. OWNER: D' ROMAN LLC. PZRZ16-00031**

Motion duly made by Representative Ordaz, 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 Svarzbein, Tolbert, Robinson, Noe, Ordaz, and Limón

NAYS: None

ABSENT: Representatives Acosta and Niland

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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TAKEN WITH ITEM 23.7

23.4.

ORDINANCE 018649

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 19 (SUBDIVISION AND DEVELOPMENT PLATS), ARTICLE 2. SUBDIVISION STANDARDS, CHAPTER 19.18 (TRAFFIC IMPACT ANALYSIS), SECTION 19.18.010 (PURPOSE AND APPLICABILITY) OF THE EL PASO CITY CODE, TO ALLOW FOR DEFERRAL OF A TRAFFIC IMPACT ANALYSIS TO THE PLATTING STAGE OF DEVELOPMENT UNDER CERTAIN CIRCUMSTANCES. THE**

PENALTY IS AS PROVIDED FOR IN CHAPTER 19.42 OF THE EL PASO CITY CODE.

Ms. Kimberly Forsyth, Program Manager, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Svarzbein commented.

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

AYES: Representatives Svarzbein, Tolbert, Robinson, Noe, Ordaz, and Limón

NAYS: None

ABSENT: Representatives Acosta and Niland

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

23.5.

ORDINANCE 018650

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST16-00036, TO PERMIT A GROUP RESIDENTIAL FACILITY AND PARKING REDUCTION ON THE PROPERTY DESCRIBED AS THE NORTH 100 FEET OF TRACT 151, SUNRISE ACRES NO. 2, 7715 MT. LATONA DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.265 GROUP RESIDENTIAL FACILITIES OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 7715 MT. LATONA DRIVE. PROPERTY OWNER: FRANCISCA MORALES AND PEDRO MORALES. PZST16-00036**

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

AYES: Representatives Svarzbein, Tolbert, Robinson, Noe, Ordaz, and Limón

NAYS: None

ABSENT: Representatives Acosta and Niland

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

23.6.

ORDINANCE 018651

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING CONDITIONS PLACED ON PROPERTY BY ORDINANCE NO. 9348 WHICH CHANGED THE ZONING OF TRACT 23-G, BLOCK 54, YSLETA GRANT, 8736 GATEWAY EAST BOULEVARD, CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 8736 GATEWAY EAST BOULEVARD. PROPERTY**

OWNER: TETON RIVER PROPERTIES, LLC. PZCR16-00008

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

AYES: Representatives Svarzbein, Tolbert, Robinson, Noe, Ordaz, and Limón

NAYS: None

ABSENT: Representatives Acosta and Niland

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

TAKEN WITH ITEM 23.4

23.7.

ORDINANCE 018652

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), ARTICLE VI (CHANGES AND AMENDMENTS), SECTION 20.04.380 (APPLICATION REQUIREMENTS) OF THE EL PASO CITY CODE, TO REVISE THE REQUIREMENTS FOR A TRAFFIC IMPACT ANALYSIS UNDER CERTAIN CIRCUMSTANCES. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. (All Districts)**

Ms. Kimberly Forsyth, Program Manager, presented a PowerPoint presentation (copy on file in City Clerk's Office).

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

AYES: Representatives Svarzbein, Tolbert, Robinson, Noe, Ordaz, and Limón

NAYS: None

ABSENT: Representatives Acosta and Niland

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

23.8.

ORDINANCE 018653

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF CITY RIGHT-OF-WAY OVER A PORTION OF THE ALLEY BETWEEN RAYNOLDS ST. AND CONCEPCION ST., BLOCK 3, VAL VERDE ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS. SUBJECT PROPERTY: SOUTH OF I10 AND EAST OF RAYNOLDS; APPLICANT: TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER AT EL PASO SURW17-00001**

Ms. Kimberly Forsyth, Program Manager, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Limón commented.

Motion duly made by Mayor Pro Tempore 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 Svarzbein, Tolbert, Robinson, Noe, Ordaz, and Limón

NAYS: None

ABSENT: Representatives Acosta and Niland

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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- 23.9.** *Motion made, seconded, and unanimously carried to **POSTPONE** two weeks an Ordinance granting Special Permit No. PZST15-00008, to allow for infill development with reduced lot area, lot width, lot depth, and cumulative front & rear yard setback reductions on the property described as a portion of Lot 32, Block 5, Alameda Acres, 409 S. Glenwood 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: 409 S. Glenwood Street. Property Owner: ANVIA, L.L.C. PZST15-00008.

NOT PRESENT FOR THE VOTE: Representative Robinson

ABSENT: Representatives Acosta and Niland

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

24.1. ORDINANCE 018654

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 13 (STREETS, SIDEWALKS AND PUBLIC SPACES), CHAPTER 13.24 (CITY PARKS AND RECREATION AREAS), SECTION 13.24.050 (USE OF ATHLETIC FIELDS) OF THE EL PASO CITY CODE, TO ADD A SECTION GOVERNING PERMIT REQUIRED FIELDS AND TO CLARIFY THE USE OF GAME ONLY FIELDS. THE PENALTY IS PROVIDED IN CHAPTER 13.24.220 OF THE EL PASO CITY CODE.**

Ms. Paula Powell, Assistant Director of Parks and Recreation, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representatives Ordaz and Noe commented.

Ms. Anna Duenas, citizen, commented.

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

AYES: Representatives Svarzbein, Tolbert, Robinson, Noe, Ordaz, and Limón

NAYS: None

ABSENT: Representatives Acosta and Niland

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

REGULAR AGENDA - OTHER BUSINESS

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

25.1. RESOLUTION

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

That the City Council approve an amendment to the Sustainable City Centers Incentive Policy (attached hereto as "Exhibit A"), as recommended by the Managing Director of the Economic and International Development Department, readopting the Sustainable City Centers Incentive Policy originally adopted on July 31, 2012 and amending the Term of Financial Incentives to March 1, 2018.

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

25.2. RESOLUTION

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

That the City Manager be authorized to sign a Chapter 380 Economic Development Program agreement between the City of El Paso, Texas, a Texas home rule municipal corporation, and EP Downtown Partners, LLC, a Texas Limited Liability Company, for the rehabilitation and redevelopment of a commercial property located at 215 N. Mesa Street, El Paso, Texas 79901.

Mr. Rafael Arellano, Economic Development Specialist, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser commented.

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

AYES: Representatives Tolbert, Robinson, Noe, Ordaz, and Limón

NAYS: None

ABSTAIN: Representative Svarzbein

ABSENT: Representatives Acosta and Niland

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

26.1.

RESOLUTION

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

That the City Manager be authorized to sign a Temporary Right of Entry between the CITY OF EL PASO and F.T. JAMES CONSTRUCTION, INC., for the right to enter and use a portion of the City's property commonly known as Cavalry Man Park, located at 605 North Santa Fe, El Paso, Texas for the construction of the Marriott Courtyard Hotel, located at 616-618 North Santa Fe, El Paso, Texas.

Mr. Joel McKnight, Assistant Director for Parks and Recreation, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Limón commented.

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

ABSENT: Representatives Acosta and Niland

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

27.1.

RESOLUTION

WHEREAS, the City's El Paso Water Utilities Public Service Board ("PSB") owns the Playa Drain ("Drain") and adjacent right of way; and

WHEREAS, the City and PSB entered into Memorandum of Understanding, dated November 3, 2016, for the Joint Use of the Playa Drain Property; and

WHEREAS, the City and the Paso Del Norte Health Foundation, a Texas non-profit corporation ("Donor") wish to enter into a Public-Private Partnership to develop an urban, linear Trail; and

WHEREAS, the City allocated 2012 Quality of Life Bonds in the amount of \$300,000 for the design and engineering of the Trail; and

WHEREAS, on October 1, 2013, the City amended the allocation of funds to be used for purchase of amenities for the Trail; and

WHEREAS, the Donor wishes to donate to the City the Improvements, valued at an amount not to exceed \$2,000,000 to be constructed by Donor or Donor's Contractor or agent with cooperation and under the supervision and oversight of the City's Director of the Parks and Recreation Department ("Director"); and

WHEREAS, input by representatives of the neighborhood(s) surrounding the Trail will inform, but not direct, the design and placement of the improvements; and

WHEREAS, the Improvements and design will comply with City regulations, standards, and guidelines pertaining to Trails; as of the Effective Date of this Agreement and subject to approval by the Director; and

WHEREAS, the El Paso City Council finds that acceptance of the donation of the Improvements serves the municipal purpose of providing recreation leisure opportunities to the residents and visitors to El Paso, promoting physical activity, and

enhancing the ability of residents adjacent to the Trail to further enjoy recreational activities within close proximity to their residences; and

WHEREAS, the El Paso City Council desires to accept this donation for the purpose stated in accordance with this agreement.

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

THAT the City Manager is hereby authorized to execute the Donation, Development, and License Agreement with Donor.

Ms. Paula Powell, Assistant Director of Parks and Recreation, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Ordaz and Limón commented.

The following members of the public commented:

1. Ms. Anna Duenas
2. Ms. Minnie Acosta
3. Ms. Tracy Yellen

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

ABSENT: Representatives Acosta and Niland

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

28.1. Presentation and discussion on the Strategic Plan Goal Team Report for the following:

Goal 1 Team (Economic Development)
City Manager's Office, Cary Westin, (915) 212-1614

Goal 4 Team (Quality of Life)
Managing Director/Director of Public Libraries, Dionne Mack, (915) 212-3200

Ms. Dionne Mack Director of Libraries, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mr. Cary Westin, Deputy City Manager Economic Development and Tourism, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Svarzbein, Tolbert, Robinson, Ordaz, and Limón commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Sam Rodriguez, Assistant Director of Aviation
3. Mr. Ben Fyfe, Assistant Director for Museums and Cultural Affairs

4. Ms. Tracy Jerome, Director for Museums and Cultural Affairs
5. Mr. Bryan Crowe, General Manager for Destination El Paso

NO ACTION taken on this item.

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

29.1. Quarterly update on TxDOT Projects

1ST MOTION

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

Mayor Leeser and Representatives Svarzbein, Tolbert, Robinson, Ordaz, and Limón commented.

Mr. Bob Bielek, El Paso District Engineer for TXDOT, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mr. Jose Barriga, citizen, commented.

NO ACTION taken on this item other than the above procedural.

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

30.1. RESOLUTION

WHEREAS, on June 14, 2016, the City Council for the City of El Paso adopted the Final Action Plan for 2016-2017 for the Consolidated Plan 2015-2020, including the 42nd Year (2016-2017) Community Development Block Grant (CDBG) Program, and on that date Authorized the City Manager to sign and submit to the United States Department of Housing and Urban Development (HUD) the 2016-2017 Annual Action Plan to include all certifications contained therein; and

WHEREAS, the City Council, based on the recommendation of the Director of the Community and Human Development Department, now desires to amend the 2016-2017 Annual Action Plan of the 2015-2020 Consolidated Plan and 2016-2017 CDBG Program Budget by adding four public facility activities and deleting one public service activity in the 42nd Year Program; and

WHEREAS, on February 3, 2017, the City of El Paso published in the El Paso Times and El Diario newspapers public notice and allowed a 30-day public comment period regarding the proposed amendment to the 2016-2017 Annual Action Plan and 42nd Year CDBG Program Budget and City Council has duly considered public comment, if any; and

WHEREAS, on April 26, 2011, the City Council for the City of El Paso adopted the Analysis of Impediments to Fair Housing Choice as part of the 2011-2012 Annual Action Plan. As a recipient of federal funding and in compliance with the U.S. Department of Housing and Urban Development (HUD), the City of El Paso has been required to conduct an Analysis of Impediments to Fair Housing Choice for the City of El Paso and confirm the City's continued commitment to Affirmatively Furthering Fair Housing (AFFH).

WHEREAS, on December 13, 2016, the City of El Paso published in the El Paso Times newspaper public notice and allowed a 30-day public comment period regarding the proposed amendment to update the Analysis of Impediments to Fair Housing Choice and City Council has duly considered public comment received; and

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

1. That the 2016-2017 Annual Action Plan and 42nd Year CDBG Program Budget is hereby amended as follows:
 - a. Memorial Park Senior Center Improvements – \$321,700: This public facility project, located at 1800 Byron Street, is proposed to be added to the 42nd Year (2016-2017) CDBG program. The project entails removal of existing flooring throughout the center; replacement of flooring with new tiles in offices, restrooms and activity rooms; installation of an 8-player “huacha” ring toss play area; installation of one trash receptacle, two benches on concrete slabs and one picnic table; five two-inch caliper trees; a 20’x20’ metal shade canopy in the patio area; and modification of the irrigation system.
 - b. Vocational Park Improvements – \$411,800: This public facility project, located at 7484 Balsam Drive, is proposed to be added to the 42nd Year (2016-2017) CDBG program. The project entails removal of an existing rock wall; installation of 13 lights on concrete poles with photo cell and timer around the walking trail and playground area; installation of a concrete ramp; installation of sidewalks; modification of another rock wall; installation of four covered picnic tables; installation of 33’ x 45’ fabric canopy over playground; and modification of irrigation system for improvements.
 - c. Sue Young Spray Park Improvements - \$237,900: This public facility project, located at 9730 Diana Drive, is proposed to be added to the 42nd Year (2016-2017) CDBG program. This project entails installation of multiple fabric shade canopies surrounding existing spray park; and installation of neon rope lighting on all new canopies.
 - d. Boys Club Park Improvements – \$411,800: This public facility project, located at 811 South Florence Street, is proposed to be added to the 42nd Year (2016-2017) CDBG program. The project entails installation of concrete slab for a Futsal field with permanent goals; installation of a welded steel fence with double gates for enclosure; installation of four park lights; and modification of irrigation system for improvements.

The above four public facility projects will be administered by the City of El Paso. Funds for the four projects will be transferred from the CDBG Unprogrammed Funds Account.

- e. International AIDS Empowerment – HIV Case Management – \$27,185: This public service project, located at 1801 Wyoming Avenue, is proposed to be deleted from the 42nd Year (2016-2017) CDBG program due to the permanent closure of the agency (International

AIDS Empowerment) effective August 1, 2016. The project would have provided supportive case management services for people living with HIV/AIDS in El Paso.

The \$27,185 associated with the above deleted program will be transferred to the CDBG Unprogrammed Funds Account.

2. That the Analysis of Impediments to Fair Housing Choice be updated as follows:

The City of El Paso staff updated the Analysis of Impediments to Fair Housing Choice. It was concluded that the eight impediments previously identified on the study conducted by the Southwest Fair Housing Council (SWFHC) in 2011 continue to be an issue. The proposed plan of action will address the impediments identified in this update thru 2020, when an Analysis of Fair Housing (AFH) for the City of El Paso is expected to be completed. The City of El Paso will continue to ensure that appropriate records are maintained to reflect the actions taken to address the impediments identified on this update.

3. That the City Manager be authorized to take any actions necessary to accomplish the intent of this resolution upon approval by the City Attorney's Office and Director of Community and Human Development Department.

Mr. Robert Cortinas, Director of Office Management and Budget, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Limón commented.

The following City staff members commented:

1. Ms. Sylvia Firth, City Attorney, gave legal advice.
2. Mr. Cary Westin, Deputy City Manager Economic Development and Tourism
3. Ms. Veronica Soto, Director of Community and Human Development

The following members of the public commented:

1. Ms. Anna Duenas
2. Ms. Minnie Acosta

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

ABSENT: Representatives Acosta and Niland

30.2.

R E S O L U T I O N

WHEREAS, on February 23, 2016, the Owner entered into a Standard Form of Agreement between Owner and Design-Builder (the "**Agreement**") with the Design-Builder for a Project known as "**Spray Parks-Phase 1**" (the "**Project**"); and

WHEREAS, the Project included a scope of work for the Sue Young,

Grandview, Hidden Valley, and Pavo Real parks; and

WHEREAS, on March 8, 2016, the Owner entered into the First Amendment to the Standard Form of Agreement to proceed with construction work related to the infrastructure of the Project prior to the execution of the Design-Build Amendment for an amount not to exceed \$456,495.00; and

WHEREAS, on April 19, 2016, the Owner and Design-Builder entered into a Second Amendment known as "Design-Build Amendment" to accept the Design Build Proposal for the Sue Young, Grandview, and Hidden Valley parks and to establish a Guaranteed Maximum Price of \$2,169,400.00 for the same parks; and

WHEREAS, on May 31, 2016 the Owner and Design Builder entered into a "Revision to the Design Build Amendment Between Owner and Design-Builder for Spray Parks Phase 1 2016-268R" to accept the Design Proposal for the Pavo Real Park and to establish the Guaranteed Maximum Price ("GMP") for the total Project of \$3,981,563.66; and

WHEREAS, The Project GMP is subject to additions and deductions by Change Order as provided in the Contract Documents; and

WHEREAS, the City has established a total contingency fund for the Project in the sum of Two Hundred Sixteen Thousand Nine Hundred Forty and 00/100 dollars (\$216,940.00); and

WHEREAS, the Capital Improvement Department Director approved contract changes administratively totaling \$205,636.50, in accordance with applicable law which were necessary for the proper execution of the work and carrying out the intent of the project and that were paid with contingency funds; and

WHEREAS, the City desires to include additional features at the Sue Young Park, which include cantilever shades and neon rope lighting for an additional cost of \$122,400.00; thereby increasing the Project GMP to a total \$3,992,867.16.

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

That the City Council approves a Change Order in the amount of One Hundred Twenty Two Thousand Four Hundred and 00/100 Dollars (\$122,400.00) to Black Stallion Contractors, Inc. for additional features at the Sue Young Park, which include cantilever shades and neon rope lighting; and that the Guaranteed Maximum Price for the Spray Parks-Phase 1 project is increased to a total amount of Three Million Nine Hundred Ninety Two Thousand Eight Hundred Sixty Seven and 16/100 Dollars (\$3,992,867.16).

Representative Limón commented.

Motion made by Representative Robinson, seconded by Representative Limón, and unanimously carried to **APPROVE** a Resolution.

NOT PRESENT FOR THE VOTE: Representative Noe

ABSENT: Representatives Acosta and Niland

31. MAYOR AND COUNCIL

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- 31.1.** *Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the discussion and update on El Paso Days in Austin by the Greater El Paso Chamber of

Commerce.

31.2.

RESOLUTION

WHEREAS, in accordance with Sections 370.031 and 370.251 of the Texas Transportation Code and the City of El Paso's Petition and Request for Authorization to Form the Camino Real Regional Mobility Authority, as approved by the Texas Transportation Commission, the terms for three (3) Camino Real Regional Mobility Authority (CRRMA) Board positions expire on February 1st of each year; and

WHEREAS, in an effort to ensure the continuity of the CRRMA through the avoidance of any vacancies, the City Council now desires to make re-appointments to Positions 2 and 6, which shall become effective on February 1, 2017.

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

That the City of El Paso hereby re-appoints the following board members to the Camino Real Regional Mobility Authority Board for the positions identified below, each of which shall take effect on February 1, 2017:

1. David Nemir for Position 2, whose term will expire on February 1, 2019; and
2. Marty Reyes for Position 6, whose term will expire on February 1, 2019.

1ST MOTION

Motion made by Representative Limón, seconded by Representative Tolbert, and unanimously carried to **APPROVE** a Resolution that the City of El Paso reappoint to the Camino Real Regional Mobility Authority David C. Nemir for Position 2, whose term will expire on February 1, 2019, and Marty Reyes for Position 6, whose terms will expire on February 1, 2019.

NOT PRESENT FOR THE VOTE: Representative Noe

ABSENT: Representatives Acosta and Niland

2ND MOTION

Motion made by Representative Ordaz, seconded by Representative Limón, and unanimously carried to **RECONSIDER** the item.

NOT PRESENT FOR THE VOTE: Representative Noe

ABSENT: Representatives Acosta and Niland

3RD AND FINAL MOTION

Motion made by Representative Limón, seconded by Representative Svarzbein, and unanimously carried to **APPROVE** a Resolution that the City of El Paso reappoint to the Camino Real Regional Mobility Authority David C. Nemir for Position 2, whose term will expire on February 1, 2019, and Marty Reyes for Position 6, whose terms will expire on February 1, 2019.

NOT PRESENT FOR THE VOTE: Representative Noe

ABSENT: Representatives Acosta and Niland

31.3. For Notation Only: Formal Report of the Financial Audit and Oversight Committee meeting held on February 13, 2017.

- a. Discussion on Audit Plan Updates
- b. Update on IT Cybersecurity Testing Project.
- c. Update of the Triannual External Quality Assurance Review conducted by the Association of Local Government Auditors.
- d. Discussion and Action on Hotel Occupancy Tax Audits
- e. Discussion on Client Surveys

Representatives Robinson and Limón commented.

Mr. Edmundo Calderon, Chief Internal Auditor, commented.

NO ACTION taken on this item.

31.4. *Motion made, seconded, and unanimously carried to **DELETE** the item to direct the City Manager to develop a plan of action to repair and/or reconstruct the Police Parking Garage which has been found to be structurally unsound, and to determine funding method necessary to complete the option selected by council. To provide the available options and the cost of each of those options for the benefit of the public.

31.5. Discussion and action to direct the City Manager and the City Attorney to clarify the Transportation for Hire section 6.04.210 – Accessibility: non-discrimination, item C and D of the ordinance related to providing an appropriate vehicle capable of accommodating the request or referring the requesting passenger to an “alternate company” that is capable of accommodating the request. Should the network passenger companies provide a list of the alternate companies they will be utilizing to the city and the passenger so that the requester is not denied or delayed in obtaining transportation.

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

The following City staff members commented:

- 1. Mr. Tommy Gonzalez, City Manager
- 2. Ms. Nancy Bartlett, Deputy City Manager Public Safety and Support Services
- 3. Ms. Sylvia Firth, City Attorney, gave legal advice.
- 4. Mr. Julio Perez, Sun Metro Lift
- 5. Assistant Police Chief Victor Zarur
- 6. Mr. Edwin Ohnmacht, Vehicle for Hire Inspector

The following members of the public commented:

- 1. Mr. George Zavala
- 2. Ms. Kimberly Hale, Adopt United Advocacy
- 3. Mr. Manny Corral
- 4. Ms. Stephanie Townsend Allala
- 5. Ms. Lori Vugteveen

1ST MOTION

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

NO ACTION taken on this item other than the above procedural.

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- 31.6.** Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz, and carried to **APPROVE** to override the Mayor's veto of agenda item 19.1 which was approved by the City Council on Tuesday March 07, 2017: **THE MOTION FAILS.**

19.1. Discussion and action on a RESOLUTION approving and authorizing publication of a notice of intention to issue certificates of obligation in a principal amount to not exceed \$44,000,000 for the costs of various public improvements, including streets; police parking garage; parks, recreational, and library facilities; and public art.

AYES: Representatives Noe and Ordaz

NAYS: Representatives Svarzbein, Tolbert, Robinson and Limón

ABSENT: Representatives Acosta and Niland

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

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Dr. Mark Sutter, Deputy City Manager Financial and Public Health
3. Mr. Khalil Zaied, Deputy City Manager Public Works

Mr. Jud Burgess, citizen, commented.

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- 31.7.** *Motion made, seconded, and unanimously carried to **DELETE** a Resolution approving and authorizing publication of a notice of intention to issue certificates of obligation in a principal amount to not exceed \$44,000,000 for the costs of various public improvements, including streets; police parking garage; parks, recreational, and library facilities; and public art.
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The City Council Meeting was **RECESSED** at 2:08 p.m.

The City Council Meeting was **RECONVENED** at 2:57 p.m.

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EXECUTIVE SESSION

Motion made by Mayor Pro Tempore Noe, seconded by Representative Robinson, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 4:30 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.087 to discuss any of the following:

ABSENT: Representatives Acosta and Niland

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.072 DELIBERATIONS REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
 Section 551.074 PERSONNEL MATTERS
 Section 551.076 DELIBERATION REGARDING SECURITY DEVICES
 Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Motion made by Representative Robinson, seconded by Representative Ordaz, and unanimously carried to adjourn the Executive Session at 5:28 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Noe
 ABSENT: Representatives Acosta and Niland

EX1. Carina Canaan and Levi Lane v. City of El Paso; Matter No. 16-1065-068 (551.071)

NO ACTION taken on this item.

EX2. Tom Brown Ministries, Word of Life Church of El Paso, Tom Brown, El Pasoans for Traditional Family Values and Ben Mendoza v. The City of El Paso, Texas and John F. Cook, in his official capacity as Mayor of El Paso; Matter No. 16-1065-067 (551.071)

Motion made by Representative Robinson, seconded by Representative Limón, and unanimously carried that the City Attorney's Office be authorized to reject Appellant Ben Mendoza's settlement demand in the lawsuit styled Tom Brown Ministries, Word of Life Church of El Paso, Tom Brown, El Pasoans for Traditional Family Values and Ben Mendoza v. The City of El Paso, Texas and John F. Cook, in his official capacity as Mayor of El Paso, pending in the Supreme Court of Texas under Cause No. 170039 in Matter No. 16-1065-067.

NOT PRESENT FOR THE VOTE: Representative Noe
 ABSENT: Representatives Acosta and Niland

EX3. Railroad Commission of Texas Gas Utilities Docket 10521 Rate Case Expenses Severed from GUD No. 10506, Statement of Intent of Texas Gas Service Company, a Division of ONE Gas, Inc. (TGS), to Increase Gas Utility Rates Within the Unincorporated Areas of the El Paso Service Area (EPSA), Permian Service Area (PSA), and Dell City Service Area (DCSA) (551.071)

NO ACTION taken on this item.

EX4. Request of Texas Gas Service Company for City Council Approval of Hedging for the 2017-2018 heating season. (551.071)

Motion made by Representative Robinson, seconded by Representative Limón and unanimously carried, that that the City of El Paso approves the continuation of financial hedging of gas costs for the 2017-2018 heating season by Texas Gas Service Company, a division of ONE Gas, Inc.

NOT PRESENT FOR THE VOTE: Representative Noe
 ABSENT: Representatives Acosta and Robinson

ADDITIONS TO THE AGENDA

CONSENT AGENDA - NOTICE FOR NOTATION

1. Goal 6: Set the Standard for Sound Governance and Fiscal Management
 - 1.1 *Motion made, seconded, and unanimously carried to **APPROVE** for notation purposes only pursuant to Section 2.92.110(D) of the City Code: Receipt of a campaign contribution by District 2 Representative Jim Tolbert in the amount of \$1,000.00 from Lewis Cole on February 13, 2017, \$500.00 from Irene Epperson on March 9, 2017, \$2,500.00 from Paul Tolbert on March 3, 2017, \$500.00 from John C. Karlsruher on January 12, 2017, \$1,000.00 from Richard Teschner on January 12, 2017.
 - 1.2 *Motion made, seconded, and unanimously carried to **APPROVE** for notation purposes only pursuant to Section 2.92.110(D) of the City Code: Receipt of a campaign contribution by District 7 Representative Lily Limón in the amount of \$1,000 from José M. Limón on February 6, 2017, \$1,000 from Dr. José Luna Jr. on February 9, 2017, \$1,000 from Enrique Moreno on February 16, 2017, \$500 from Pete T. Duarte on February 13, 2017, \$500 from Dr. Richard Teschner on February 11, 2017, \$500 from Elizabeth McAlmon February 7, 2017, \$500 from Dr. Manuel Feliberti on February 13, 2017.

REGULAR AGENDA - OTHER BUSINESS

2. MAYOR AND COUNCIL

- 2.1. Discussion and action on guidance to the City Attorney's office regarding distribution of Open Records documents when requested by the media.

Mayor Leeser and Representatives Tolbert and Limón commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Ms. Stephanie Townsend Allala
2. Mr. Eric Huseby

NO ACTION taken on this item.

EXECUTIVE SESSION

- EX1. Debra Rios v. The City of El Paso; Matter No. 13-1093-057.003 (551.071)
Motion made by Representative Robinson, seconded by Representative Limón, and unanimously carried that the City Attorney's Office be authorized to reject Plaintiff's

settlement demand in the lawsuit styled *Debra Rios vs. The City of El Paso* pending in County Court at Law No. 3 under Cause No. 2015DCV3138, in Matter No. 13-1093-057.003.

NOT PRESENT FOR THE VOTE: Representative Noe
ABSENT: Representatives Acosta and Niland

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ADJOURN

Motion made by Representative Tolbert, seconded by Representative Limón, and unanimously carried to **ADJOURN** this meeting at 5:41 p.m.

ABSENT: Representatives Acosta and Niland

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk