

OSCAR LEESER
MAYOR



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

TOMMY GONZALEZ
CITY MANAGER

**LEGISLATIVE REVIEW MEETING OF THE WHOLE MINUTES
MAIN CONFERENCE ROOM
CITY HALL, 300 N. CAMPBELL
APRIL 4, 2016
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 Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Michiel Noe, Claudia Ordaz, Lily Limón and Cortney Niland. Representatives Larry Romero, Emma Acosta and Carl Robinson requested to be excused.

The agenda items for City Council agenda of April 5, 2016 were reviewed.

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3.2. RESOLUTIONS – POLICE

A Resolution that the City Manager or designee be authorized to submit the grant application for the Local Border Security Program FY 17 to the Office of the Governor’s, Homeland Security Grants Division including all understandings and assurances contained therein, and to accept, reject, alter and/or terminate the grant in the amount of \$582,368.51, and to accept, reject and/or alter a modified amount, for the purpose of sustaining interagency operations and enhancing local law enforcement patrols to interdict criminal activity

Representative Limón questioned the following City staff member:

- Assistant Police Chief Patrick Maloney

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3.3. RESOLUTIONS – PURCHASING AND STRATEGIC SOURCING / STREETS AND MAINTENANCE

A Resolution that the Purchasing & Strategic Sourcing Director is authorized to notify Arturo Rubio d/b/a Star-Clean Maintenance, that the City is terminating Contract No. 2015-1161 for default effective April 5, 2016, pursuant to the provisions and requirements of Section C, Paragraph 8B of the Contract Clauses, due to contractor’s failure to provide the services pursuant to the Scope of Work set forth in the Contract for the bid prices awarded and to provide the required performance bonds.

Mayor Leeser and Representatives Noe, Ordaz, and Limón questioned the following City staff members:

- Mr. Bruce Collins, Director of Purchasing and Strategic Sourcing
- Ms. Deniese Baisley, Assistant Director of Purchasing and Strategic Sourcing

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4.1. RESOLUTIONS – MUSEUMS AND CULTURAL AFFAIRS

Approve a Resolution to accept the revisions to the FY 2017 Cultural Funding Program.

Representative Limón questioned the following City staff member:

- Mr. Ben Fyffe, Interim Director of Museums and Cultural Affairs

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4.2. RESOLUTIONS – MUSEUMS AND CULTURAL AFFAIRS

Approve a Resolution to accept the revisions to the FY 2017-2020 KickstArt guidelines.

Representative Limón questioned the following City staff member:

- Mr. Ben Fyffe, Interim Director of Museums and Cultural Affairs
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6.1. RESOLUTIONS – CAPITAL IMPROVEMENT

A Resolution in support of the School Zone Pedestrian Enhancement Transportation Alternative Program project which has an estimated cost of \$1,356,261.00 and that the City commits to fund and take appropriate steps to appropriate its estimated local contribution and match in the amount of \$312,530.00.

Representatives Limón and Niland questioned the following City staff member:

- Mr. Omar Moreno, Civil Engineer, Airport

6.2. RESOLUTIONS – CAPITAL IMPROVEMENT

A Resolution that the City Manager be authorized to sign an Agreement to Contribute Right of Way Funds by and between the City of El Paso (“City”) and the State of Texas, acting by and through the Texas Department of Transportation (“State”), whereby the City shall contribute 2.7% of the actual cost of right-of-way acquisition for the State’s project to construct highway improvements on Highway 659 at the Loop 375/Montwood/Zaragoza intersection. The City’s fixed contribution is \$141,676.00. Total budget for right-of-way acquisition is estimated to be \$5,247,249.79.

Representative Niland questioned the following City staff members:

- Mr. Omar Moreno, Civil Engineer, Airport
- Mr. Tommy Gonzalez, City Manager

15.1. BEST VALUE PROCUREMENTS – PURCHASING AND STRATEGIC SOURCING/CAPITAL IMPROVEMENT

Request rejection of all proposals received for Solicitation No. 2016-474R (Program Management Services for Certificates of Obligation) as recommended by the Purchasing & Strategic Sourcing Department and Capital Improvement Department.

Representative Niland questioned the following City staff member:

- Ms. Sandra Jimenez, Procurement Analyst, Purchasing and Strategic Sourcing

16.1. BIDS – CAPITAL IMPROVEMENT

The Capital Improvement and Purchasing & Strategic Sourcing Department recommend rejection of all bids received for Solicitation No. 2016-257R, Program Management Services for 2012 Quality of Life Bond Program.

Mayor Leeser and Representative Limón questioned the following City staff members:

- Ms. Monica Lombrana, Director of Capital Improvement
- Mr. Tommy Gonzalez, City Manager

17.1. BIDS – CAPITAL IMPROVEMENT

The award of Solicitation 2016-499 Stanton, Santa Fe International Bridge Improvements to Jordan Foster Construction, LLC, for an estimated total amount of \$300,434.00.

Department:	Capital Improvement
Award to:	Jordan Foster Construction, LLC
	El Paso, TX
Base Bid:	\$184,544.00
Option:	\$115,890.00
Total Estimated Award:	\$300,434.00
Account No.:	580380-564-3305-64840-BMF0010
	580380-564-3305-64830-P6408-PCP15IB003
Funding Source:	Bridge Maintenance Fund

District(s): 8

This is a Competitive Sealed Proposal, unit price contract.

The Purchasing & Strategic Sourcing Department and Capital Improvement Department recommend award as indicated to Jordan Foster Construction, LLC, 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.

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 Capital Improvement Director 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.

Representatives Ordaz and Niland questioned the following City staff members:

- Ms. Margaret Schroeder, Engineering Division Manager, Capital Improvement
- Mr. Mathew McElroy, Director of International Bridges
- Mr. Tommy Gonzalez, City Manager

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19.1. FIRST READING OF ORDINANCES – PLANNING AND INSPECTIONS

An Ordinance amending Ordinance No. 016895 to allow public vehicular use on an identified portion of Mills Avenue, Anson Mills Map, City of El Paso, El Paso County, Texas. Subject Property: South of San Jacinto Plaza.

Representatives Limón and Niland questioned the following City staff member:

- Mr. Ted Marquez, Director of Streets and Maintenance

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19.4. FIRST READING OF ORDINANCES – PLANNING AND INSPECTIONS/STREETS AND MAINTENANCE

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.220 (Schedule XIX - Restriction on Parking in Downtown Parking Districts) to change the boundary of Parking Zone A to include an area in the vicinity of the El Paso Ballpark and the Old San Francisco District and to realign the boundaries of the existing Downtown Parking Districts; the penalty being as provided in Chapters 12.84 (Violation - Penalty) and 12.85 (Parking Violations) of the El Paso City Code.

Representatives Limón and Niland questioned the following City staff member:

- Mr. Carlos Gallinar, Deputy Director of Planning and Inspections

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19.5. FIRST READING OF ORDINANCES – PLANNING AND INSPECTIONS

An Ordinance amending the future land use map contained in “Plan El Paso” for the Northwest Upper Valley Plan to modify the land use designation from very low density residential to mixed use for the property legally described as a portion of Lot 9, Block 1, Country Place Estates, North of Country Club Road and East of Hunters Glenn Lane, City of El Paso, El Paso County, Texas.

Representative Noe questioned the following City staff member:

- Mr. Art Rubio, Lead Planner, Planning and Inspections

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19.7. FIRST READING OF ORDINANCES – PLANNING AND INSPECTIONS

An Ordinance granting Special Permit No. PZST15-00042, to allow for infill development with a reduced lot width, lot area, and cumulative front and rear yard setback on the property described as A Portion of Tracts 357 and 358, Sunrise Acres No. 1, City of El Paso, El Paso County, Texas, Pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3805, 3809, 3813 Moonlight Drive. Property Owner: Casas Diamantina, LLC. PZST15-00042. THIS IS A 211 ON APPEAL.

Representatives Limón and Niland questioned the following City staff member:

- Mr. Art Rubio, Lead Planner, Planning and Inspections

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23.2. OTHER BIDS, CONTRACTS, PROCUREMENTS – PURCHASING AND STRATEGIC SOURCING/STREETS AND MAINTENANCE

Discussion and action that the City Manager be authorized to sign a Citywide Litter Control Contract by and between the City of El Paso and both TIBH Industries, Inc., a private non-profit corporation and the certifying party and Bordert TM Industries, Inc. d/b/a Xceed Resources, the performing party, to provide specified cleaning and maintenance services for certain properties managed by the City of El Paso. This is a service requirement contract at a currently estimated cost to the City of \$1,099,204.96 for the three-year term of the contract.

Representatives Noe and Limón questioned the following City staff members:

- Ms. Rebecca Torres, Purchasing Analyst, Purchasing and Strategic Sourcing
- Ms. Monica Lombrana, Director of Capital Improvement

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24.3. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES – PLANNING AND INSPECTIONS

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

Representative Limón questioned the following City staff member:

- Mr. Art Rubio, Lead Planner, Planning and Inspections

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25.1. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES – PLANNING AND INSPECTIONS

An Ordinance authorizing the City Manager to sign a Contract of Sale and Special Warranty Deed and any other documents necessary to convey to Rose Rock/Partners Fourth Quarter Capital II, LLC, a 9.240 acre parcel of land in a portion of tracts 7A and 8C, Block 55, Ysleta Grant, City of El Paso, El Paso County, Texas, located at I-10 and Zaragoza in Mission Valley.

Mayor Leeser questioned the following EPWU staff member:

- Ms. Cynthia Osborne, Lead Planner, Attorney, EPWU

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27.1. OTHER BUSINESS – PARKS AND RECREATION

Discussion and action that the City Manager be authorized to sign a City Parks and Facilities Litter Control Contract by and between the City of El Paso and both TIBH Industries, Inc., a private non-profit corporation and the certifying party, and Border TM Industries, Inc., d/b/a Xceed Resources, the performing party to provide specified cleaning and maintenance services for certain properties managed by the City of El

Paso's Parks and Recreation Department. This is a service requirement contract at a currently estimated cost to the City of \$2,177,062.56 for the three-year term of the contract.

Representative Limón questioned the following City staff member:

- Ms. Haydee Pena, Purchasing Agent, Purchasing and Strategic Sourcing

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29.3. OTHER BUSINESS – PARKS AND RECREATION

Discussion and action that the City Manager be authorized to sign a City Parks and Facilities Litter Control Contract by and between the City of El Paso and both TIBH Industries, Inc., a private non-profit corporation and the certifying party, and Border TM Industries, Inc., d/b/a Xceed Resources, the performing party to provide specified cleaning and maintenance services for certain properties managed by the City of El Paso's Parks and Recreation Department. This is a service requirement contract at a currently estimated cost to the City of \$2,177,062.56 for the three-year term of the contract.

Mayor Leaser questioned the following City staff member:

- Mr. Tommy Gonzalez, City Manager

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31.1. MAYOR AND COUNCIL

Discussion and action on the City of El Paso's and the El Paso Port Director's full participation and attendance in the following committees, alliances and organizations:

- 1) Border Trade Alliance
- 2) Border Trade Advisory Committee
- 3) U.S-Mexico Joint Working Committee on Transportation Planning
- 4) U.S. - Mexico Binational Bridges & Border Crossing Group

Mayor Leaser questioned Representative Cortney Niland

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31.4. MAYOR AND COUNCIL

Discussion and action resolving to add to the City's Texas Legislative Agenda and direct consulting firm to advocate for increased economic incentives for the purpose of enhancing the film industry development in El Paso, in order to compete regionally and nationally as a television and film production location.

Mayor Leaser commented.

Representatives Limón and Niland questioned the following City staff member:

- Mr. Tommy Gonzalez, City Manager

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MASS TRANSIT AGENDA

4. RESOLUTIONS

Discussion and action that the Mass Transit Department Board of the City of El Paso hereby authorizes free fares for youth ages 6-18 and a companion 12 years and older for children ages 6-11, participating in local summer youth programs conducted by eligilble organizations, from June 1, 2016 through August 31, 2016 on all Sun Metro routes in accordance with the Sun Metro's Pilot Program for Summer Transporation Policies and Procedures

Representative Niland questioned the following City staff member:

- Mr. Jay Banasiak, Director of Mass Transit

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5. RESOLUTIONS

Discussion and action that the Mass Transit Department Board of the City of El Paso hereby authorizes Sun Metro to establish a six-month Veteran’s Fare Program during which time Sun Metro will prepare a fare equity analysis and submit to FTA for approval or comments, and report back to the Mass Transit Department Board with FTA comments and further action.

Representatives Ordaz and Limón questioned the following City staff member:

- Mr. Jay Banasiak, Director of Mass Transit

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10. DIRECTOR’S REPORT

Discussion and action on Chihuahua’s Park and Ride recommendation to discontinue service for calendar year 2016.

Mayor Leeser and Representatives Noe, and Niland questioned the following City staff member:

- Mr. Jay Banasiak, Director of Mass Transit

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Motion made by Representative Limón, seconded by Representative Ordaz, and unanimously carried to **ADJOURN** this meeting at 10:21 a.m.

NOT PRESENT: Representatives Romero, Acosta, and Robinson
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk