

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



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

MINUTES FOR REGULAR COUNCIL MEETING

April 14, 2015
COUNCIL CHAMBERS, CITY HALL
8:00 AM

ROLL CALL

The City Council met in regular session at the above place and date. Meeting was called to order at 8:04 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Larry Romero, Lilia Limón, and Cortney Niland. Late arrivals: Carl Robinson at 8:7 a.m., Emma Acosta and Claudia Ordaz at 8:08 a.m. Michiel R. Noe requested to be excused. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY POLICE CHAPLAIN CARLOS FLORES

PLEDGE OF ALLEGIANCE

El Dorado High School
Andrea Garcia
Bryan Mena
Isaac Varela
Annette Pena
Esmeralda Rosales
Sabrina Mannix
Rebekah Dorrow
Heaven Quintana
Semi Olowe
Jasmine Gonzalez
Gus Pereda

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

The following members of the public commented:

1. Ms. Wally Cech
2. Mr. Leo Mendoza
3. Mr. Steven Strumer
4. Mr. Salvador Gomez

Representatives Limón and Niland commented.

.....
MAYOR'S PROCLAMATIONS

1. **Fair Housing Month**
2. **Child Abuse Prevention Month-Go Blue Day**
3. **Global Youth Service Days**

.....
RECOGNITIONS

ESD Works for Me Student Video Contest Winners
Gigi's Playhouse

.....
NOTICE TO THE PUBLIC – CONSENT AGENDA

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

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

NAYS: None

ABSENT: Representative Noe

.....
CONSENT AGENDA - APPROVAL OF MINUTES:

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

- 1.1. *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of April 7, 2015, the Legislative Review Meeting of the Whole of April 6, 2015, and the Special City Council Meeting of April 7, 2015.

.....
CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

2. *Motion made, seconded, and unanimously carried to **EXCUSE, AS REVISED** Representative Michiel R. Noe from the Regular Council Meeting of April 14, 2015.

.....
CONSENT AGENDA - RESOLUTIONS:

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

.....
3.1. *RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF EL PASO:

That the City Manager be authorized to sign the First Amendment to the Development Agreement between Ranchos Real Land Holdings, LLC and the City of El Paso entered on December 18, 2012 for the construction of certain parkland

improvements to property; expanding the acreage of the dedicated parkland to 11.255 acres more or less on the property described as: a portion of Lot 3, Block 391, Tierra Del Este Unit Sixty Nine and a portion of Section 37, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, (the "Park Site") and more particularly described in the metes and bounds description attached to the First Amendment to the Development Agreement as Exhibit "A" and assigning the Agreement to Ranchos Real XVI, LLC.

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

4.1. *RESOLUTION

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

WHEREAS, FGGSV, LLC d/b/a The Garden (hereinafter referred to as "Grantee") is producing KLAQ Baconfest to be open to the public from 11:00 a.m. to 9:00 p.m. Sunday, April 26, 2015 (hereinafter referred to as "Event"); and

WHEREAS, the Grantee has submitted an application for a Special Privilege Permit pursuant to Title 15.08.120 (D) of the El Paso Municipal Code, for the use and closure of portions of City rights-of-way on Anthony Street between West San Francisco Avenue and West San Antonio Avenue, Western Street between Anthony Street and Durango Street Service Road and the walkway connecting West San Antonio Avenue and Western Street in conjunction with the Event; and

WHEREAS, the Grantee has indicated their intent to authorize the FGGSV, LLC d/b/a The Garden, (hereinafter referred as "TABC Permittee") to provide for the temporary sale and service of alcoholic beverages within the identified closed portions of City rights-of-way during the Event; and

WHEREAS, the Texas Alcoholic Beverage Commission (TABC) requires that the City Council for the City of El Paso approve, as a permissible activity, the sale and service of alcoholic beverages within City rights-of-way, prior to issuance of such permit; and

WHEREAS, the Grantee assumes full responsibility for the TABC Permittee, including verification that the Permittee has obtained a permit for the temporary sale and service of alcoholic beverages from the TABC prior to the Event.

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

That the temporary sale and service of alcoholic beverages by FGGSV, LLC d/b/a The Garden, in the closed portions of City rights-of-way on Anthony Street between West San Francisco Avenue and West San Antonio Avenue, Western Street between Anthony Street and Durango Street Service Road and the walkway connecting West San Antonio Avenue and Western Street from 11:00 a.m. to 9:00 p.m. Sunday, April 26, 2015 is a permissible activity in conjunction with FGGSV, LLC d/b/a The Garden's KLAQ Baconfest, upon issuance of the required permits from the Texas Alcoholic Beverage Commission and the City of El Paso.

.....
4.2. *RESOLUTION

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

That the City Manager be authorized to sign a Contract of Sale between the CITY OF EL PASO and PIEDMONT GROUP, LLC, a Texas limited liability company, for the purchase of approximately 15.5757-acre (678,477 square feet) vacant mountain land acre property located at the 3500 block of Piedmont Drive and the northern boundary abuts Metetuye Lane, described as Lots 1- 17, inclusive, Block 1, and Lots 11A, 11B, 13A, 13B, 15A, 15B, 16A and 16B, Block 2, KERN VIEW ESTATES UNIT TWO, an Addition to the City of El Paso, for open space in order to enhance a regional comprehensive open space system in the Franklin Mountain area, in consideration of the appraised value of \$450,000, of which the City will pay \$405,000 in cash and the seller will donate the remaining value of \$45,000 to the City of El Paso in accordance with federal tax laws, and that the City Manager, or designee, be authorized to sign any necessary documents to accomplish the intent of this Resolution.

4.3.

***RESOLUTION**

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

That the City Manager be authorized to sign a Local Transportation Project Advance Funding Agreement by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the funding of the construction performed by the State of three 36 inch drill shafts to be used as a platform in the center of the State Spur 1966 roundabout, for a total project and City participation amount of \$75,306.02 dollars.

4.4.

***RESOLUTION**

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

That the City Council declares that the expenditure of District 8 discretionary funds in an amount not to exceed One Thousand and No/100 Dollars (\$1,000.00) to help defray the expenses of the performances by the El Paso Youth Symphony and The Elecktrick Rock Orchestra during their Band For Peace Tour, including the Poppies Festival, Dia de los Ninos, El Paso Child Protective for Child Abuse Protection Week at the Family Fun Fair; and performances at Hueco Tanks, the Rock House Art Gallery, Wyndham Theater, Fort Bliss and UMC El Paso Children's Hospital, serve the municipal purpose of providing entertainment to citizens in El Paso, and is the type of event that will foster community pride and encourage civic engagement; and

That the City Manager be authorized to negotiate and sign contracts as approved by the City Attorney, and to appropriate and ensure that the funds are properly expended for the municipal purpose.

4.5.

***RESOLUTION**

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

That the City Council declares that the expenditure of District 8 discretionary funds in an amount not to exceed One Thousand and No/100 Dollars (\$1,000.00) and the expenditure of District 2 discretionary funds in an amount not to exceed Five Hundred and No/100 Dollars (\$500.00) to help defray the expenses of the performances by various artists at the Miller Lite El Paso Blues & Jazz Festival, serves the municipal purpose of providing entertainment to citizens in El Paso, and is

the type of event that will foster community pride and encourage civic engagement;
and

That the City Manager be authorized to negotiate and sign contracts as approved by the City Attorney, and to appropriate and ensure that the funds are properly expended for the municipal purpose.

.....
CONSENT AGENDA - BOARD APPOINTMENTS:
.....

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

- 5.1. *Motion made, seconded, and unanimously carried to **APPOINT** Joe Wardy as a regular appointee to the Ad Hoc Charter Advisory Committee.

.....
CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:
.....

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

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

1. Ann Taylor Retail Inc. in the amount of \$14,641.72 overpayment on January 31, 2015 of 2014 taxes. (Geo. # 1452-999-1264-4134)
2. Albert and Soledad Armendariz in the amount of \$9,302.45 overpayment on January 31, 2015 for 2014 taxes. (Geo. # M344-999-0050-7300)
3. HSBC Bank in the amount of \$3,044.62 overpayment on March 31, 2014 of 2013 taxes. (Geo. # T240-999-000B-2100)
4. Mills Escrow Company in the amount of \$8,633.64 overpayment on January 31, 2015 of 2014 taxes. (Geo. # Z011-999-0010-0100)

.....
CONSENT AGENDA - NOTICE FOR NOTATION:
.....

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

- 7.1. *Motion made, seconded and unanimously carried to **APPROVE** for notation the donation of \$4,481.97 from Borderplex Bi-National Economic Alliance for the Economic Development Familiarization Tours.

.....
CONSENT AGENDA - REQUESTS TO ISSUE PURCHASE ORDERS:
.....

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

- 8.1. *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director for the Purchasing & Strategic Sourcing Department to issue a Purchase Order(s) to Siddons Martin Emergency Group a contractor under HGAC Contract #AM10-14 for two (2) Road Rescue MetroMedic Type 1 Ambulances. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the HGAC Purchasing Cooperative Program was approved by Mayor and City Council on August 19, 2014.

Department: Fire
Award to: Siddons Martin Emergency Group
Denton, TX
Total Estimated Award: \$345,004
Account No.: 322-22090-580060-1000-P2216
322-22070-580060-2141-P4119-
PCP14HLTHFIRE
Funding Source: Vehicular Equipment
Reference #: 2015-825

This is a Cooperative, (unit price) contract.

Ms. Paula Beard, Procurement Analyst, commented.

.....
REGULAR AGENDA – INTRODUCTIONS

Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, and unanimously carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

ABSENT: Representative Noe

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

.....
9.1. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII – Restrictions on Parking in Residential Districts) of the El Paso City Code to add Paseo Antiguo Drive, Paseo Arena Place, Paseo Colina Place, Paseo De Amor Lane, Paseo De Oro Lane, Paseo Del Prado Drive, Paseo Del Sol Place, Paseo Granada Lane, Paseo Segovia Place, and Paseo Solo Lane, the penalty being as provided in section 12.84.010 and Chapter 12.85 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON APRIL 21, 2015

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

.....
Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, and unanimously carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED, AS REVISED** for public hearing:

10.1. An Ordinance amending Title 18, Chapter 18.18 (Outdoor Lighting Code) Of the City Code by amending Chapter 18.19.310 (Nonconformance) to add an exception for upward directed sign lighting for off premise signs and by amending Chapter 18.18.120 (Externally Illuminated Sign Standards) to provide for an exception for upward directed sign lighting. The penalty being as provided in Section 18.02.111 (Violations And Penalties) of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON APRIL 21, 2015

.....
Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, and

unanimously carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

- 10.2. An Ordinance authorizing the sale to the Rescue Mission of El Paso Inc. of the following real property and all improvements located thereon: (1) a 2.6306 acre parcel municipally known as 130 N. Cotton Street, being more particularly described as all of Lots 1 through 18, a portion of Lots 19 through 21, Lots 56 through 71 and a portion of Lots 52 through 55, Block 71, Cotton Addition, an addition to the City of El Paso; and (2) a 2.2602 acre parcel municipally known as 221 N. Lee Street, being more particularly described as a portion of Lots 20 through 23, Lots 24 through 48, and a portion of Lots 49 through 53 and adjacent closed alley, Block 71, Cotton Addition, an addition to the City of El Paso.

.....
REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS
.....

11. **Goal 7: Enhance and Sustain El Paso’s Infrastructure Network**
.....

11.1. **RESOLUTION**

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

That the City Manager be authorized to exercise its option to extend the Citywide Litter Control Contract executed on March 27, 2012 and effective on April 15, 2012, by and between the City of El Paso and TIBH Industries, Inc. and Border TM Industries, Inc. d/b/a Xceed Resources, for one (1) year beginning April 15, 2015 for the amount of \$928,786.44.

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

ABSENT: Representative Noe

.....
REGULAR AGENDA – PUBLIC HEARINGS
.....

12. **Goal 3: Promote the Visual Image of El Paso**
.....

- 12.1. Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried to **DELETE** an Ordinance approving a detailed site development plan for Kern View Estates Unit Two, City of El Paso, El Paso County, Texas, Pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: North of San Mateo Lane and East of Las Vegas Drive. Property Owner: Piedmont Group LLC. PZDS14-00004

12.2. **ORDINANCE 018335**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST15-00002 TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN LOT WIDTH AND DEPTH, AND A REDUCTION IN FRONT, REAR, SIDE, CUMULATIVE FRONT AND REAR, AND CUMULATIVE SIDE AND SIDE STREET SETBACKS ON THE PROPERTY DESCRIBED AS TRACT 3A2, BLOCK 3, UPPER VALLEY SURVEYS, SOUTH OF SUNSET DRIVE AND EAST OF LAZY WILLOW DRIVE, 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: SOUTH OF SUNSET DRIVE AND EAST OF LAZY WILLOW DRIVE. PROPERTY OWNER: KWH WEST, LLC. PZST15-00002

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

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

NAYS: None

ABSENT: Representative Noe

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

.....
12.3.

ORDINANCE 018336

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 16 TO 30, BLOCK 14, HUGHES ADDITION, 5636 FRUTAS AVENUE AND 415 N. GLENWOOD PLACE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO G-MU (GENERAL MIXED USE) AND APPROVING A MASTER ZONING PLAN. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 5636 FRUTAS AVENUE AND 415 N. GLENWOOD PLACE. PROPERTY OWNER: NORTH AMERICAN UNION OF THE SISTERS OF OUR LADY OF CHARITY, INC. – EL PASO. PZRZ14-00033**

Representative Acosta commented.

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

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

NAYS: None

ABSENT: Representative Noe

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

.....
12.4.1.

*Motion made, seconded, and unanimously carried to **POSTPONE** four weeks the public hearing on an Ordinance changing the zoning of a portion of Lot 15 and all of Lot 16, Block 266, Campbell Addition, City of El Paso, El Paso County, Texas, and Lots 11 through 12, Block 266, Campbell Addition, 400 Rio Grande Avenue and 405 Montana Avenue, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-1 (Commercial), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 400 Rio Grande Avenue and 405 Montana Avenue. Property Owner: ASLM, LTD. PZRZ14-00038

.....
12.4.2. *Motion made, seconded, and unanimously carried to **POSTPONE** four weeks the public hearing on an Ordinance granting Special Permit No. PZST14-00027, to allow for off-street parking serving another property, on the property described as Lots 1 through 10, Block 266, Campbell Addition, City of El Paso, El Paso County Texas; Lots 17 through 20, Block 266, Campbell Addition, City of El Paso, El Paso County, Texas; a portion of Lot 15 and all of Lot 16, Block 266 Campbell Addition, City of El Paso, El Paso County, Texas, and Lots 11 through 12, Block 266, Campbell Addition, City of El Paso, El Paso County, Texas, 400 Rio Grande Avenue, 416 Rio Grande Avenue, 405 Montana Avenue and 415 Montana Avenue Pursuant to section 20.10.410, off street parking serving another property of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 400 Rio Grande Avenue, 416 Rio Grande Avenue, 405 Montana Avenue and 415 Montana Avenue. Property Owner: ASLM, LTD. PZST14-00027

.....
12.5. ORDINANCE 018337

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE SOUTHERLY 96.00 FEET OF THE EASTERLY 98.00 FEET OF LOT 272, MAP OF SUNRISE ACRES, 8747 NEPTUNE STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 8747 NEPTUNE STREET. PROPERTY OWNER: JAMES L. MILLENDER. PZRZ14-00054**

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

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

NAYS: None

ABSENT: Representative Noe

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

.....
12.6. ORDINANCE 018338

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST14-00030, TO ALLOW FOR INFILL DEVELOPMENT WITH A LOT WIDTH REDUCTION, FRONT, REAR, AND CUMULATIVE YARD SETBACKS, AND A 25 PERCENT PARKING REDUCTION, ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 13, BLOCK 22, CLARDY-FOX SUBDIVISION UNIT 3, 334 DE VARGAS DRIVE, 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: 334 DE VARGAS DRIVE. PROPERTY OWNER: JUSTO GONZALEZ AND MARTHA E. GONZALEZ. PZST14-00030**

Representative Acosta commented.

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

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

NAYS: None

ABSENT: Representative Noe

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

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

ITEMS 13.1.1 – 13.1.3. TAKEN TOGETHER

13.1.1. ORDINANCE 018339

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A FRANCHISE EXTENSION AND MODIFICATION FOR LIFE AMBULANCE SERVICE, INC. TO OPERATE A NON-EMERGENCY AMBULANCE TRANSFER SERVICE.**

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

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

NAYS: None

ABSENT: Representative Noe

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

13.1.2. ORDINANCE 018340

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A FRANCHISE EXTENSION AND MODIFICATION FOR DOMINION AMBULANCE, LLC TO OPERATE A NON-EMERGENCY AMBULANCE TRANSFER SERVICE.**

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

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

NAYS: None

ABSENT: Representative Noe

Whereupon the Mayor ordered that, the vote having been cast in favor of the

Ordinance, the same be and the same are hereby **ADOPTED**.

13.1.3.

ORDINANCE 018341

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A FRANCHISE EXTENSION AND MODIFICATION FOR ELITE MEDICAL TRANSPORT OF TEXAS LLC DBA ELITE MEDICAL TRANSPORT TO OPERATE A NON-EMERGENCY AMBULANCE TRANSFER SERVICE.**

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

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

NAYS: None

ABSENT: Representative Noe

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

13.2.

ORDINANCE 018342

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.08 (BUILDING CODE), OF THE EL PASO CITY CODE, TO PROVIDE THAT ALTERATIONS, REPAIRS, OR ADDITIONS MADE FOR THE SOLE PURPOSE OF IMPROVING ACCESSIBILITY SHALL NOT REQUIRE COMPLIANCE WITH OTHER CITY CODE REQUIREMENTS, THE PENALTY BEING AS PROVIDED BY SECTION 18.02.111 (VIOLATIONS AND PENALTIES) OF THE EL PASO CITY CODE.**

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

Mr. Victor Morrison-Vega, Deputy Director for Planning and Inspections commented.

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

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

NAYS: None

ABSENT: Representative Noe

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

13.3.

ORDINANCE 018343

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF A 16' ALLEY ADJACENT TO LOTS 10 AND 11, BLOCK 209,**

ALEXANDER ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS SURW14-00006

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

AYES: Representatives Lilly, Romero, Acosta, Robinson, Ordaz, Limón, and Niland
NAYS: None
ABSENT: Representative Noe

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

.....
The City Council Meeting was **RECESSED** at 9:33 a.m.

.....
The City Council Meeting was **RECONVENED** at 9:40 a.m.

.....
REGULAR AGENDA - OTHER BUSINESS
.....

ITEMS 14.1.1. AND 14.1.2. TAKEN TOGETHER

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

.....
14.1.1. RESOLUTION

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

That the City Manager be authorized to execute a Chapter 380 Economic Development Sales Tax Rebate Program Agreement by and between the City of El Paso and Dome Services LLC, a Texas Limited Liability Corporation, pursuant to the City's Infill Development Incentive Policy, for the construction of a 5,100 square foot office building on vacant land at 1013-1015 E. Missouri Avenue, El Paso, Texas, 79902.

Ms. Jessica Herrera, Redevelopment Manager, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Niland commented.

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

.....
14.1.2. RESOLUTION

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

That the City Manager be authorized to execute a Tax Abatement Agreement

between the City of El Paso and Dome Services LLC, a Texas Limited Liability Corporation, pursuant to the City's Infill Development Incentive Policy, for the construction of a 5,100 square foot office building on vacant land at 1013-1015 E. Missouri Avenue, El Paso, Texas 79902.

Ms. Jessica Herrera, Redevelopment Manager, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Niland commented.

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

.....
The City Council Meeting was **RECESSED** at 10:05 a.m. in order to convene the Mass Transit Board Meeting.

.....
The City Council Meeting was **RECONVENED** at 10:57 a.m.

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

.....
15.1. Brief City Council on the latest changes regarding FEMA rules and regulations.

Mr. Kareem Dallo, Engineering Division Manager, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representatives Robinson and Ordaz commented.

NO ACTION taken on this item.

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

.....
16.1. Report by the Chair of the Bond Overview Advisory Committee on status of the 2012 Quality of Life Bond Projects, All Districts.

Mr. Bernard Sargent, Bond Overview Advisory Committee, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Acosta and Limón commented.

Mr. Bryan Crowe, Quality of Life Managing Director, commented.

The following members of the public commented:

1. Mr. Richard Dayoub, President and CEO, Greater El Paso Chamber of Commerce
2. Ms. Jackie Butler, Greater El Paso Chamber of Commerce

NO ACTION taken on this item.

16.2.

RESOLUTION

WHEREAS, the Mayor and City Council accept the recommendation from the Parks and Recreation Advisory Board to rename the Cheryl Ladd Park located at 11510 Cheryl Ladd within the City of El Paso, El Paso County Texas, as further described in "Attachment A", as **JOHN LYONS PARK**.

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

THAT the Park, located at 11510 Cheryl Ladd located within the City of El Paso, El Paso County, Texas, as further described in Attachment "A", shall henceforth be renamed and known as **JOHN LYONS PARK**; and,

THAT Ms. Elaine Williamson ("Applicant") shall incur the customary costs associated with the renaming of a park, such as installing or replacing signs with the park name or any other signs posted or affixed to a facility. Any proposed signs shall be acceptable to both the Parks and Recreation Department and Applicant.

Ms. Marci Tuck, Open Space, Trails and Parks Coordinator, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representative Ordaz commented.

The following members of the public commented:

1. Mr. Bobby Lyons
2. Mr. H.W. "Bill" Sparks

1st MOTION

Motion made, seconded, and unanimously carried to **MOVE THE ITEM TO THE FOREFRONT OF THE AGENDA**.

2ND AND FINAL MOTION

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

.....

EXECUTIVE SESSION

Motion made by Representative Limón, seconded by Representative Lilly, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 11:23 a.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: Representative Noe

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

Motion made by Mayor Pro Tempore Niland, seconded by Representative Robinson, and unanimously carried to adjourn the Executive Session at 12:00 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Romero
ABSENT: Representative Noe

EX1. Fire Collective Bargaining (551.071)

NO ACTION taken on this item

EX2. Waterblasting Technologies, Inc. and Thomas G. Wicker v. City of El Paso, et al; Cause No. 2014DCV2079; Matter No. 14-1044-359.001 (551.071).

Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, and unanimously carried that the City Attorney's Office be authorized to file an appeal and take any and all defensive action in the case entitled Waterblasting Technologies, Inc. and Thomas G. Wicker v. City of El Paso, et al; Cause No. 2014DCV2079, as recommended by the City Attorney.

NOT PRESENT FOR THE VOTE: Representative Romero
ABSENT: Representative Noe

EX3. Three Legged Monkey, LP vs. City of El Paso, et. al.; Cause No. 3:14-CV-00260-FM; Matter No. 13-1001-040.001.001 (551.071)

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried that the City Attorney's Office be authorized settlement authority in the lawsuit styled *A Three Legged Monkey, LP vs. City of El Paso, et. al.*; under *Cause No. 3:14-CV-00260-FM*, as approved by the City Attorney. The City Attorney is authorized to sign all necessary documents to effectuate this authority under Matter No. 13-1001-040.001.001 as recommended by the City Attorney.

NOT PRESENT FOR THE VOTE: Representative Romero
ABSENT: Representative Noe

EX4. Economic Incentive Negotiations with a freight transportation and logistics company to expand operations in El Paso. (551.087)

NO ACTION taken on this item

.....
ADDITIONS TO THE AGENDA
.....

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

ADD1.1. RESOLUTION
.....

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

That the City Manager be authorized to sign a Field Test Agreement

("Agreement") by and between the **CITY OF EL PASO** and **CHEVRON ORONITE COMPANY, LLC.**, a for the testing of four (4) Chevron oils on twenty (20) City buses equipped with Cummins ISL G engines, the Chevron oil will be provided by Chevron at no cost and the City will provide monthly bus performance reports for a term beginning on the date the Agreement is executed and ending on September 1, 2019; and that the term of Agreement may be extended administratively by the City Manager.

.....
ADJOURN

Motion made by Mayor Pro Tempore Niland, seconded by Representative Robinson, and unanimously carried to **ADJOURN** this meeting at 12:03 p.m.

NOT PRESENT FOR THE VOTE: Representative Romero
ABSENT: Representative Noe

.....
APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk