

**DEE MARGO**  
MAYOR

**TOMMY GONZALEZ**  
CITY MANAGER



**CITY COUNCIL**  
PETER SVARZBEIN, DISTRICT 1  
ALEXSANDRA ANNELLO, DISTRICT 2  
CASSANDRA HERNANDEZ-BROWN, DISTRICT 3  
SAM MORGAN, DISTRICT 4  
MICHEL R. NOE, DISTRICT 5  
CLAUDIA ORDAZ PEREZ, DISTRICT 6  
HENRY RIVERA, DISTRICT 7  
CISSY LIZARRAGA, DISTRICT 8

## **MINUTES FOR REGULAR COUNCIL MEETING**

**April 17, 2018**  
**COUNCIL CHAMBERS, CITY HALL**  
**9:00 AM**

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### **ROLL CALL**

The City Council met in regular session at the above place and date. Meeting was called to order at 9:08 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Annello, Cassandra Hernandez-Brown, Sam Morgan, Michiel R. Noe, Claudia Ordaz Perez, Henry Rivera, and Cissy Lizarraga. The invocation was given by Police, Fire and CIMA Chaplain Sam Faraone followed by the Pledge of Allegiance to the Flag of the United States of America.

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### **INVOCATION BY POLICE, FIRE AND CIMA CHAPLAIN SAM FARAONE**

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### **PLEDGE OF ALLEGIANCE**

**Student Council and Student Ambassadors from Bassett Middle School, at the invitation of District 2 Representative Alexsandra Annello.**

**Adriana Vijarro**  
**Angel Soto**  
**Ricardo Avalos**  
**Elizabeth Diamond Salmon**  
**Briana Nichol Rodriguez**  
**Jackelyn Amaya**  
**Marissa Harrison**  
**Isiah Gonzalez**  
**Ivan Gonzalez**  
**Karma Schwalbach**  
**Destiny Hickerson**  
**Naavah Joplin**

Samuel Romeo  
Whitney Holder  
Makayla Martin  
Ava Bassett  
Amyiah Persons  
David Stafford  
Mercedes Fiallos  
Tamia Blakely  
Dulce Ferniza  
Yariel Colon  
Sanaii Johnson  
Fiona Givanes

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**MAYOR'S PROCLAMATIONS**

1. National Recognition Day
2. Medical Laboratory Professionals Week
3. Make-A-Wish Foundation Day
4. El Paso Commission for Women Hall of Fame  
Honorees Day
5. Hanks Lady Knights Wrestling Day
6. Henderson Chess Champs Week

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**RECOGNITIONS BY MAYOR**

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**RECOGNITIONS**

**City Employee Recognitions by City Manager**

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The City Council Meeting was **RECESSED** at 9:26 a.m.

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

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**1. MAYOR AND COUNCIL**

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**1.1. RESOLUTION**

**WHEREAS**, the City Council desires to hold a city charter amendment election in November 2018; and

**WHEREAS**, the City Council desires the assistance of members of the public to review and make recommendations on potential charter amendments for the special election.

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

1. That there is hereby created a 2018 Ad Hoc Charter Advisory Committee composed of nine members who are representative of the community and residents of El Paso. The Mayor and council members shall each recommend one Committee member.
2. The Ad Hoc Charter Advisory Committee shall begin its work as soon as a quorum of members are appointed.
3. The Ad Hoc Charter Advisory Committee shall appoint a Chair and a Vice-Chair by a simple majority vote of members present at its first meeting. The Chair shall establish such procedures as are appropriate for the orderly consideration of the business of the committee.
4. The Ad Hoc Charter Advisory Committee will review recommendations submitted by the City Council, City Manager and staff; and shall consider public input regarding potential amendments to the Charter.
5. The Committee shall meet at least twice a month. The Ad Hoc Charter Advisory Committee will present its final recommendations to the City Council no later than June 12, 2018. The committee may be required to provide status reports to City Council at regular intervals leading up to its final recommendations report.
6. All meetings of the Ad Hoc Charter Advisory Committee shall be open to the public and notice of all meetings shall be posted at least seventy-two hours prior to the meeting.
7. The City Manager shall provide staffing and administrative assistance to the Ad Hoc Charter Advisory Committee as is necessary for the conduct of the Committee's business.
8. The members of the Committee shall not be subject to the financial disclosure requirements of Section 2.92.070 of the City Code, but shall otherwise be subject to all other applicable provisions of Chapter 2.92 (Ethics Ordinance).
9. The Ad Hoc Charter Advisory Committee shall automatically dissolve upon the completion of its business.

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

AYES: Representatives Svarzbein, Anello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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**NOTICE TO THE PUBLIC**

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, 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, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

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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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- 1.2.** Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of April 3, 2018, the Legislative Review Meeting of the Whole of April 2, 2018, and the Work Session of April 2, 2018.

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

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**2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

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**CONSENT AGENDA - RESOLUTIONS:**

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

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**3.1. \*R E S O L U T I O N**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, JOUNG, INHEE, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

8600 Lakehurst Rd., more particularly described as Lot 1 (8000 Sq. Ft.), Block 8, Regal Crest Subdivision, City of El Paso, El Paso County, Texas, PID #R330-999-0080-0100

to be \$314.61, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 26<sup>th</sup> day of September, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FOURTEEN AND 61/100 DOLLARS (\$314.61) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, ACQUISITIONS FRANKLIN, LLC, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

1701 N. Stanton St., more particularly described as Lot 1 & 2 & S. 3.5 ft. of 3 (6710.00

Sq. Ft.), Block 76, Alexander Subdivision, City of El Paso, El Paso County, Texas, PID #A462-999-0760-0100

to be \$327.20, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 28<sup>th</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED TWENTY SEVEN AND 20/100 DOLLARS (\$327.20) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, PALO VERDE DEVELOPMENT, LLC, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

TR 1-L-1 (10.2498 AC), Block 10, Upper Valley Subdivision, City of El Paso, El Paso County, Texas, PID #U819-999-0100-01L4

to be \$1079.40, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 14<sup>th</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE THOUSAND SEVENTY NINE AND 40/100 DOLLARS (\$1,079.40) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, CASTANEDA, GILBERT B., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

4536 Britton Ave., more particularly described as E 12 Ft. of 6 & W 48 Ft. of 7, Block 3, Britton Davis Subdivision, City of El Paso, El Paso County, Texas, PID #B751-999-0030-2700

to be \$521.78, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 24<sup>th</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FIVE HUNDRED TWENTY ONE AND 78/100 DOLLARS (\$521.78) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of

this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, ESPINOZA, DOLORES, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

3423 Douglas Ave., more particularly described as Lot 12 & E 1/2 of 11, Block 131, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999-1310-2600

to be \$320.29, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 22<sup>nd</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED TWENTY AND 29/100 DOLLARS (\$320.29) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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



**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, ALTAMIRANO, PAULA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

249 Ben Swain Dr., more particularly described as Lot 13, Block 11, Millers Lakeside Subdivision, City of El Paso, El Paso County, Texas, PID #M452-999-0110-1300

to be \$344.92, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 30<sup>th</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FORTY FOUR AND 92/100 DOLLARS (\$344.92) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, MURO, OSCAR & ALICIA H., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

1513 Fairfield Dr., more particularly described as Lot 3 (6400 Sq. Ft.), Block 9, Cielo Vista Park Subdivision, City of El Paso, El Paso County, Texas, PID #C518-999-0090-0500

to be \$328.95, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 30<sup>th</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED TWENTY EIGHT AND 95/100 DOLLARS (\$328.95) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, TREJO, JESUS T. & ADELA S., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

138 Polo Inn Rd., more particularly described as N 53 ft. of 31, Block 1, Jewel Subdivision, City of El Paso, El Paso County, Texas, PID #J272-999-0010-6100

to be \$353.04, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 29<sup>th</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FIFTY THREE AND 04/100 DOLLARS (\$353.04) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, COATES KYLE, ROBERT & PAIGE, WHITNEY, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

4956 Cattle Ln., more particularly described as Lot 69, Block 1, Sandstone Ranch #7 REPLAT D Subdivision, City of El Paso, El Paso County, Texas, PID #S137-999-0010-6727

to be \$314.61, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 13<sup>th</sup> day of September, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FOURTEEN AND 61/100 DOLLARS (\$314.61) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, GREENWOOD, JOSHUA L. & JOANNA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

14152 Lasso Rock Dr., more particularly described as Lot 4, Block 243, Tierra Del Este #61 Subdivision, City of El Paso, El Paso County, Texas, PID #T287-999-2430-0400

to be \$270.23, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 1<sup>st</sup> day of September, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SEVENTY AND 23/100

DOLLARS (\$270.23) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, HERNANDEZ, JOSE J., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

3561 Mike Godwin Dr., more particularly described as Lot 31 (5160.00 Sq. Ft.), Block 7, Arbour Green #2 Subdivision, City of El Paso, El Paso County, Texas, PID #A670-999-0070-3100

to be \$285.65, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 23<sup>rd</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED EIGHTY FIVE AND 65/100 DOLLARS (\$285.65) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, OASIS RANCH, LTD, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

3541 Oasis Dr., more particularly described as Lot 20 (2085.00 Sq. Ft.), Block 2, Oasis Ranch Subdivision, City of El Paso, El Paso County, Texas, PID #O101-999-0020-1200

to be \$270.23, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 23<sup>rd</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SEVENTY AND 23/100 DOLLARS (\$270.23) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, OASIS RANCH, LTD, referred to as owner, regardless of number, of the hereinafter described

property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

3543 Oasis Dr., more particularly described as Lot 19 (2031.00 Sq. Ft.), Block 2, Oasis Ranch Subdivision, City of El Paso, El Paso County, Texas, PID #O101-999-0020-1140

to be \$267.79, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 23<sup>rd</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SIXTY SEVEN AND 79/100 DOLLARS (\$267.79) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, OASIS RANCH, LTD, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

3551 Oasis Dr., more particularly described as Lot 15 (2113.00 Sq. Ft.), Block 2, Oasis Ranch Subdivision, City of El Paso, El Paso County, Texas, PID #O101-999-0020-0900

to be \$270.23, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 28<sup>th</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SEVENTY AND 23/100 DOLLARS (\$270.23) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, RODRIGUEZ, MARIO A., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including



administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

11028 Oasis Dr., more particularly described as Lot 53 (2558.00 Sq. Ft.), Block 2, Oasis Ranch Subdivision, City of El Paso, El Paso County, Texas, PID #O101-999-0020-3180

to be \$270.23, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 28<sup>th</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SEVENTY AND 23/100 DOLLARS (\$270.23) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, MARTINEZ, OSCAR JR., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

2720 Stone Rock St., more particularly described as Lot 28, Block 245, Tierra Del Este #61 Subdivision, City of El Paso, El Paso County, Texas, PID #T287-999-2450-2800

to be \$374.96, in accordance with the El Paso City Code Section 9.04.880 and the

Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 28<sup>th</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED SEVENTY FOUR AND 96/100 DOLLARS (\$374.96) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, IRA, DANIEL B., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

4100 Tierra Venado Dr., more particularly described as Lot 7 (5949.56 Sq. Ft.), Block 150, Tierra Del Este #36 Subdivision, City of El Paso, El Paso County, Texas, PID #T287-999-1500-0070

to be \$269.96, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 25<sup>th</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SIXTY NINE AND 96/100 DOLLARS (\$269.96) to be a lien on the above described property, said amount being

due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, ROSALES, DANIEL R. V., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

11700 Henry Phipps Dr., more particularly described as Lot 1 (6795.87 Sq. Ft.), Block 420, Vista Del Sol #93 Subdivision, City of El Paso, El Paso County, Texas, PID #V893-999-4200-0100

to be \$339.51, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 28<sup>th</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED THIRTY NINE AND 51/100 DOLLARS (\$339.51) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against

the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, CHAPARRO, JOSE D. & SILVIA A., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

Lot 18-D-1 (0.23 AC) & 18-J (0.7005 AC) (0.9305 AC), Block 1, Upper Valley Subdivision, City of El Paso, El Paso County, Texas, PID #U819-999-0010-1871

to be \$461.02, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 30<sup>th</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED SIXTY ONE AND 02/100 DOLLARS (\$461.02) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, HICKMAN, CHERIE L. (RT), referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other

objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

623 Tepic Dr., more particularly described as Lot 17 & WLY 247.5 Sq. Ft. of 18 (8498 Sq. Ft.), Block 105, Chaparral Park #21 Subdivision, City of El Paso, El Paso County, Texas, PID #C340-999-1050-3300

to be \$314.61, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 28<sup>th</sup> day of August, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FOURTEEN AND 61/100 DOLLARS (\$314.61) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

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**4.1. \*R E S O L U T I O N**

**WHEREAS**, Holguin Productions, LLC. (hereinafter referred to as "Grantee") has submitted an application for a Special Event Permit as per Chapter 13.38 (Special Events) of the El Paso City Code, for the use and closure of rights-of-way within the City of El Paso's (hereinafter referred to as "the City") for the Mariachi Loco Music Festival from 12:00 p.m. on Friday, May 4, 2018, to 12:00 p.m. on Saturday, May 5, 2018 (hereinafter referred to as the "Event"); and

**WHEREAS**, The Event will utilize both City and State rights-of-way: and

**WHEREAS**, The City of El Paso (hereinafter referred to as the “City”) has found the Event serves a public purpose; and

**WHEREAS**, The State of Texas (hereinafter referred to as the “State”) owns and operates a system of highways for public use and benefit, including North Mesa Street (SH 20) between Franklin Ave. to Texas Ave. within El Paso, Texas; and

**WHEREAS**, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of portions of the State Highway System for periods of time exceeding four hours; and

**WHEREAS**, the State in recognition of the public purpose for the Event, provides a means of cooperating with the City for the temporary closure of State right-of-way, provided the closure is in accordance with the requirements of 43 TAC, Section 22.12 and the City enters into an Agreement for the Temporary Closure of State Right-of-Way for the Event (Form TEA 30A).

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

That the closure of rights-of-way within the City of El Paso for the Mariachi Loco Music Festival from 12:00 p.m. on Friday, May 4, 2018, to 12:00 p.m. on Saturday, May 5, 2018, serves a public purpose of providing cultural and recreational activities for the residents and visitors of the City of El Paso, and in accordance with 43 TAC, Section 22.12, the City Manager be authorized to sign an Agreement For The Temporary Closure of State Right Of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the temporary closure and use of State owned and operated street (s) in excess of four hours for portions of North Mesa Street (SH 20) between Franklin Ave. to Texas Ave. upon the issuance of required permits from the City of El Paso and substantial conformity to the finalized TEA30 agreement between the City of El Paso and State of Texas Department of Transportation.

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**5. Goal 5: Promote Transparent and Consistent Communication Among All Members of the Community**  
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**5.1. \*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 Council authorizes the City Manager to sign a Communications Site Lease Agreement between the City of El Paso and the Department of Public Safety (“DPS”) for the lease of a portion of the property located at 1075 Pendale Rd., known as the Collection Site, for DPS to construct, install, operate and maintain a 300 foot self- supporting communications tower and facility to store radio equipment and backup generator, for a term of five (5) years to commence not later than one month following the execution of this Agreement or upon the start of construction, whichever occurs first, and two (2) options to extend the term for five-year periods each, which

may be exercised administratively by the City Manager or Designee; and that the City's use of the tower for the installation of City communication equipment is sufficient consideration for the lease of City property.

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

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**6.1. RESOLUTION**

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

That the City Council hereby approves the adoption of the Purchasing & Strategic Sourcing Amended and Restated Procurement and Sourcing Policy for the City of El Paso, which is attached as Exhibit A of this resolution; and that the Director of Purchasing & Strategic Sourcing Department is authorized to exercise any options to extend the term for all procurement contracts entered by the City, including contracts awarded by the City prior to 2015.

Representative Annello commented.

Mr. Bruce Collins, Purchasing and Strategic Sourcing Director, commented

**1<sup>ST</sup> MOTION**

\*Motion made, seconded, and unanimously carried to **MOVE** item to Regular agenda

**2<sup>ND</sup> AND FINAL MOTION**

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

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

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**6.2. RESOLUTION**

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**WHEREAS**, on July 17, 2012 the City Council of the City of El Paso ("City") adopted a resolution adding the Design –Build as an alternative project delivery method for construction projects and adopted the City of El Paso Design-Build Procurement Policy for City facilities; and

**WHEREAS**, on September 18, 2012 the City Council of the City of El Paso ("City") adopted a resolution adding the Construction Manager-at-Risk as an alternative project delivery method for construction projects and adopted the City of El Paso Construction Manager-at-Risk Procurement Policy for City facilities; and

**WHEREAS**, pursuant to Section 2269.056 of the Government Code, the governmental body of the a governmental entity that considers construction contract using the Construction Manager-at-Risk and Design-Build methods must determine

which method provides the best value for the governmental entity before advertising;  
and

**WHEREAS**, Section 2269.053 of the Government Code allows the governing body of a governmental entity to delegate its authority under Chapter 2269 of the Government Code regarding an action authorized or required by Chapter 2269 of the Government Code to a designated representative; and

**WHEREAS**, the City Council delegated its authority of determining which alternative project delivery method for construction provides the best value for the City before advertising to the City Engineer, provided that the City Council approves the issuance of a Solicitation using the Construction Manager-at-Risk or Design-Build methods; and

**WHEREAS**, the City Council desires to amend the delegation of authority of determining which alternative project delivery method construction provides the best value for the City before advertising from the City Engineer to the Director of Purchasing & Strategic Sourcing; and

**WHEREAS**, the City Council desires to amend the City of El Paso Construction Manager-at-Risk Procurement Policy and Design-Build Procurement Policy resolutions to delete the requirement of City Council approval of the issuance of a Solicitation using the Construction Manager-at-Risk or Design-Build methods prior to issuance.

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

That the City Council approves the amendment to the City of El Paso Construction Manager-at-Risk Procurement and Design-Build Procurement Policies to delete the requirement of City Council approval of the issuance of a Solicitation for any Construction Manager-at-Risk or Design-Build projects prior to issuance; and that the delegation of authority to determine, before advertising, which alternative project delivery method for construction provides the best value to the City is hereby amended from the City Engineer to the Director of Purchasing & Strategic Sourcing.

Mayor Margo and Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga commented.

The following City staff members commented:

1. Mr. Bruce Collins, Purchasing and Strategic Sourcing Director
2. Mr. Sam Rodriguez, City Engineer

**1<sup>ST</sup> MOTION**

\*Motion made, seconded, and unanimously carried to **MOVE** item to Regular agenda.

**2<sup>ND</sup> MOTION**

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



and carried to **APPROVE** the Resolution.

AYES: Representatives Svarzbein, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: Representative Annello

### **3<sup>RD</sup> MOTION**

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried to **RECONSIDER** item.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

### **4<sup>TH</sup> AND FINAL MOTION**

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

AYES: Representatives Svarzbein, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: Representatives Annello and Hernandez-Brown

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

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### **7.1. \*RESOLUTION**

**WHEREAS**, on November 1, 2016, the City Council entered into Contract No. 2016-832 for the Dyer Corridor RTS project ("Project") with Jordan Foster Construction, LLC.; and

**WHEREAS**, the City plans to increase the scope of work of the construction contract for the Project for the completion of drill shaft foundations for pedestrian lighting; and

**WHEREAS**, the construction work of the drill shaft foundations is within the original purpose of the scope of work of the construction of the Project; and

**WHEREAS**, the City desire to grant the City Engineer the authority to approve a time and materials change order in the amount not to exceed \$370,000.00, which will be finalized at the completion of the work.

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

That the City Council authorizes the City Engineer to approve a change order for Contract No. 2016-832 for the Dyer Corridor RTS project with Jordan Foster Construction, LLC., in the amount not to exceed \$370,000.00 for the increase of the cost of work for the construction of drill shaft foundations for pedestrian lighting for the Dyer Corridor RTS project, if the increased cost is justified and within the appropriate budget identified for the project. In addition, the City Manager is authorized to establish the funding sources and make any necessary budget transfers.

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 Council approves a Change Order to the Dyer Corridor RTS project, Contract No. 2016--832 with Jordan Foster Construction, LLC., in the amount of FOUR HUNDRED THIRTY SEVEN THOUSAND THREE HUNDRED EIGHTY ONE AND 03/100 DOLLARS (\$437,381.03) for the additional materials for the station canopy shelters and electrical enclosures; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers.

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 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 a Congestion Mitigation and Air Quality On-System Project for the design and construction of a roundabout at the Paso Del Norte International Port of Entry, for an estimated total project cost of \$1,631,537.00, with an estimated City participation amount of \$115,850.00.

7.4.

**\*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 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 US 62 (Montana Ave.) Rapid Transit System project for the construction of the Montana Rapid Transit System, for the estimated total project cost of \$10,326,808.00 and an estimated City participation amount of \$9,701.00.

**CONSENT AGENDA - BOARD APPOINTMENTS:**

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

8.1. \*Motion made, seconded, and unanimously carried to **APPOINT** James Montoya to the Ad Hoc Charter Advisory Committee by Representative Claudia Ordaz Perez, District 6

8.2. \*Motion made, seconded, and unanimously carried to **APPOINT** Mark Benitez to the Ad Hoc Charter Advisory Committee by City Representative Cassandra Hernandez Brown, District 3

8.3. \*Motion made, seconded, and unanimously carried to **APPOINT** Steve Ortega to the Ad Hoc Charter Advisory Committee by City Representative Michiel R Noe, District 5

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8.4. \*Motion made, seconded, and unanimously carried to **APPOINT** Richard Teschner to the Ad Hoc Charter Advisory Committee by City Representative Sam Morgan, District 4

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8.5. \*Motion made, seconded, and unanimously carried to **APPOINT** Jim Graham to the Ad Hoc Charter Advisory Committee by Representative Henry Rivera, District 7

.....  
8.6. \*Motion made, seconded, and unanimously carried to **APPOINT** Richard Dayoub to the Ad Hoc Charter Advisory Committee by Mayor Dee Margo.

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8.7. \*Motion made, seconded, and unanimously carried to **APPOINT** Kevin Quinn to the Ad Hoc Charter Advisory Committee by Representative Cissy Lizarraga, District 8.

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8.8. \*Motion made, seconded, and unanimously carried to **APPOINT** Tracy J. Yellen to the Ad Hoc Charter Advisory Committee by Representative Alexsandra Annello, District 2.

.....  
8.9. \*Motion made, seconded, and unanimously carried to **APPOINT** Deborah Hamlyn to the Ad Hoc Charter Advisory Committee by Representative Peter Svarzbein, District 1

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

.....  
9.1. \*Motion made, seconded and unanimously carried to **APPOINT** Paulina Lagos to the Building and Standards Commission by Representative Cassandra Hernandez-Brown, District 3.

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

.....  
10.1. \*Motion made, seconded, and unanimously carried to **APPOINT** George Zavala to the Fair Housing Task Force by Mayor Dee Margo

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

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

.....  
11.1. \*Motion made, seconded, and unanimously carried that the following tax refunds be **APPROVED**, pending auditor approval.

1. Mills Escrow Company, in the amount of \$2,600.68, made an overpayment on January 31, 2018 of 2017 taxes.  
(Geo. #M13099900607100)
2. Hunt Communities Develop Co II, LLC, in the amount of \$3662.92, made an overpayment on January 31, 2018 of the 2017 taxes. (*Resubmission from March 20, 2018 Agenda due to typographical error.*)  
(Geo. #W17899900300175)

This action would allow us to comply with state law which requires approval by the legislative body, of refunds of tax overpayments, greater than \$2,500.00.

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**CONSENT AGENDA - BIDS:**

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

.....

- 12.1.** \*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2018-1104 Speed Cushions to Traffic Logix Corporation for an initial three (3) year term estimated award of \$147,375.00. The award is to include a two (2) year optional amount of \$98,250.00 for a total five (5) year award of \$ 245,625.00. The purchase of speed cushions will reduce speeding and shortcutting through residential neighborhoods.

CONTRACT VARIANCE:

The difference in cost, based on the comparison to the annual usage from the previous contract decreased by \$24.00 per unit cost resulting in a saving of \$5,400.00.

Department:	Street and Maintenance
Award to:	Traffic Logix Corporation Spring Valley, NY
Item(s):	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$49,125.00
Initial Term Estimated Award:	\$147,375.00 (3 years)
Total Estimated Award:	\$245,625.00 (5 years)
Account No.:	190 – 28900 - 580270 – 4740 – PCP13ST006Y5
Funding Source:	2013 Street CIP

This is a Low Bid, unit price contract.

The Purchasing and Strategic Sourcing Department and Street and Maintenance Department recommend award as indicated to Traffic Logix Corporation, the lowest responsive, responsible bidder. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

.....

**REGULAR AGENDA - FIRST READING OF ORDINANCES**

.....

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

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga  
NAYS: None

.....

**13. Goal 1: Create an Environment Conducive to Strong, Sustainable**

## **Economic Development:**

- .....
- 13.1.** An Ordinance amending Title 15 (Public Services) to amend Chapter 15.08 (Street Rentals) to add a definition for the Cincinnati Commercial District in Section 15.08.011 (Definitions); to add regulations for the use of Outdoor Patio Cafes throughout the City; and to add regulations for the use of Outdoor Patio Cafes in the Cincinnati Commercial District in Section 15.08.120 (Special Privilege Licenses and Permits); the penalty being as provided for in Section 15.08.070 and 15.08.125 of the El Paso City Code.
- .....

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

- .....
- 14.1.** An Ordinance vacating a portion of city right-of-way over a portion of the 20 foot wide alley North of Block 4, a portion of the 50 foot wide right-of way of El Paso Street between Block 3 and Block 4, and a portion of the 20 foot wide alley South of Block 3, Harris Tract, City of El Paso, El Paso County, Texas. SURW17-00009 Subject Property: North of Alameda and West of Zaragoza Applicant: Ysleta Independent School District
- .....

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

- .....
- 15.1.** An Ordinance amending Ordinance No. 013629 which created the Fair Housing Task Force to extend the membership terms to three years; to allow for the appointment of alternate members, and to eliminate the appointment of ex-officio members.
- .....

The City Council Meeting was **RECESSED** at 11:10 a.m. in order to convene the Special Mass Transit Board Meeting.

The City Council Meeting was **RECONVENED** at 11:13 a.m.

## **16. MANAGEMENT UPDATES**

### **16.1. Streetcar Transition Update**

Mr. Jay Banasiak, Mass Transit Director, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Svarzbein commented

**NO ACTION** taken on this item

### **16.2. Presentation and discussion on the Strategic Plan Goal Team Reports for the following teams:**

Goal 5 (Communication)

Mr. Enrique Martinez, Information Technology Director, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Goal 6 (Sound Governance & Fiscal Management)

Ms. Maria O. Pasillas, Tax Assessor Collector, and Ms. Claudia Luján, Human Resources Assistant Director, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo commented

Mr. Tommy Gonzalez, City Manager, commented

**NO ACTION** taken on this item

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**16.3. Budget Update – FY 2018 Financial Update and FY 2019-2023 Forecast**

Mr. Robert Cortinas, Interim Director of Municipal Finance, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo and Representatives Hernandez-Brown and Ordaz Perez commented

Mr. Tommy Gonzalez, City Manager commented

**NO ACTION** taken on this item

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**CALL TO THE PUBLIC – PUBLIC COMMENT**

1. Ms. Wally Cech
2. Mr. Jud Burgess
3. Ms. Rosa Delia

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

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

- 
- 17.1.** Motion made by Mayor Pro Tempore Noe, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation No. 2018-732 Security Guard Services to Mike Garcia Merchant Security, LLC for an initial term estimated award of \$2,441,313.30. The award is to include a two (2) year optional amount of \$1,627,542.20 for a total five (5) year award of \$4,068,855.50. Award of this contract will provide security services for the El Paso International Airport.

Contract Variance:

The previous contract was awarded in 2015 with an average bill rate of \$13.15 per hour. The recommended award has a bill rate of \$11.95 per hour, resulting in a decrease of \$1.66 per hour. The hours for security on-call services increased by 1,400 hours. The net savings for this award is \$73,361.01 for the three (3) year term.

Department: El Paso International Airport  
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:	\$813,771.10
Initial Term Estimated Award:	\$2,441,313.30 (3 years)
Total Estimated Award:	\$4,068,855.50 (5 years)
Account No.:	562-62030-522120-3000
	562-62070-522120-3000
	562-62080-522120-3000
	562-62110-522120-3000
Funding Source:	Finance and Admin/Security Contracts/Airport Operating Fund
	Terminal/Security Contracts/Airport Operating Fund
	Ground Transportation/Security Contracts/Airport Operating Fund
	Airfield/Security Contracts/Airport Operating Fund
District(s):	All

This is a Best Value, service contract.

The Purchasing and Strategic Sourcing Department and El Paso International Airport 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.

Ms. Rebecca Torres, Procurement Analyst, commented

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Ordaz Perez

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

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- 18.1. Motion made by Mayor Pro Tempore Noe, seconded by Representative Rivera, and unanimously carried to **AWARD** 2018-1155R Fine Arts Museum Insurance to Alliant Insurance Services, Inc. for an initial three (3) year term estimated award of \$382,500.00. The award is to include a two (2), two (2) year optional amount of \$510,000.00 for a total seven (7) year award of \$892,500.00. This service will provide insurance for the art pieces located at all museums and public art throughout the City.

Contract Variance:

The difference in cost, based on the comparison to the current 3-year term from the previous contract has decreased by \$60,000.00.

Department:	Human Resources
Award to:	Alliant Insurance Services, Inc.

	San Francisco, CA
Item(s):	All
Initial Term:	3 years
Option:	Two (2), Two (2) years
Annual Estimated Amount:	\$127,500.00
Initial Term Estimated Award:	\$382,500.00 (3 years)
Total Estimated Award:	\$892,500.00 (7 years)
Account No.:	999 – 544020 – 99999 - 1000
Funding Source:	General Fund – General Liability Insurance
District(s):	All

This is a Request for Proposal, service contract.

The Purchasing and Strategic Sourcing Department and Human Resources Department recommend award as indicated to Alliant Insurance Service, Inc., 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.

Purchasing and Strategic Sourcing Department and Human Resources recommend USI Southwest, Inc. be deemed non-responsive because they took exemptions to the Scope of Work as required in the solicitation.

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.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Ordaz Perez

- 
- 18.2.** Motion made by Mayor Pro Tempore Noe, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation No. 2018-870 Police Patrol Motorcycles to Global Enforcement Motors, Inc., for an initial award amount of \$883,005.30 (18 units). The award is to include an option to purchase additional quantities at the same unit price for the amount of \$883,005.30 (18 units) for a total award of \$1,766,010.60. The motorcycles are for Police Highway Traffic Enforcement and will replace existing units that have met their life expectancy.

The replacement of the Police Patrol Motorcycle fleet is being funded by the \$1,575,942 million savings achieved during the purchase of 300 new police cruisers.

#### CONTRACT VARIANCE:

Previous contract was in 2016. The difference in cost, based on the comparison to the previous purchase of eighteen (18) motorcycles, is as follows:

- For Items 1 - 11, there was an increase of \$4,523.76 per Police Patrol Motorcycle



unit.

- The Police Patrol Motorcycle digital video recorder was added for each motorcycle unit in order to be compatible with the current system for a total of \$6,046.90 per unit.
- Resulting in a total increase of \$10,570.66 per Police Patrol Motorcycle unit.

Department:	Streets and Maintenance
Award to:	Global Enforcement Motors, Inc. Dalton Gardens, ID
Item(s):	All
Option:	To purchase 100% at the same unit price if exercised within 180 days from date of award
Initial Estimated Award:	\$883,005.03 (18 units X \$49,055.85 per motorcycle)
Total Estimated Award:	\$1,766,010.60 (Includes option to purchase additional 18 units)
Account No.:	532-580540-37010-4741-PCP17VEH1
Funding Source:	Police Vehicle Replacement
District(s):	All

This is a Best Value, unit price contract.

The Purchasing and Strategic Sourcing Department and Streets and Maintenance Department recommend award as indicated to Global Enforcement Motors, Inc., the bidder offering the best value bid.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance Department recommend Barnett Harley - Davidson LP and Max Motorcycles NH, non-responsible for failure to provide financial information and Sandia BMW Motorcycles be deemed non-responsive for failure to bid on all items.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Ordaz Perez

- 
- 18.3.** Motion made by Mayor Pro Tempore Noe, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation 2018-978 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids to MJ Mader Enterprises Inc. dba Bio-Dyne Chemical Company, C&R Distributing, LLC, Honstein Oil and Distributing, LLC and Safety-Kleen Systems Inc., for an initial three (3) year term estimated award of \$564,112.29. The award is to include a two (2) year optional amount of \$365,707.36 for a total five (5) year award of \$929,819.65. This contract will allow the City to perform preventative maintenance on vehicles.

#### CONTRACT VARIANCE:

Previous contract was awarded in 2012. The difference in cost, based on the comparison to the annual usage from the previous contract is as follows:

Groups A, B, C, D had an average cost decrease of \$1.85 per line item resulting in a

total savings of \$109,036.99.

Pricing of Synthetic based lubricants has dropped significantly since the previous 2012 contract was awarded.

Department:	Streets and Maintenance
Award to: Vendor 1:	MJ Mader Enterprises Inc. dba Bio Dyne Chemical Company El Paso, TX
Item(s):	Group B: Items: 1,2,3,4,5,6 Group C: Items: 4,5,6 Group D: Items; 1,2,3
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$135,567.69
Initial Term Estimated Award:	\$406,703.07 (3 years)
Total Estimated Award:	\$677,838.45 (5 years)
Award to Vendor 2:	C&R Distributing, LLC El Paso, TX
Item(s):	Group A: Items: 1, 2 Group B: Item: 7 Group C: Item: 1
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$39,595.39
Initial Term Estimated Award:	\$118,786.17 (3 years)
Total Estimated Award:	\$197,976.95 (5 years)
Award to Vendor 3:	Honstein Oil and Distributing, LLC El Paso, TX
Item(s):	Group C: Item: 2 Group D: Items: 4,5
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$7,690.60
Initial Term Estimated Award:	\$23,071.80 (3 years)
Total Estimated Award:	\$38,453.00 (5 years)
Award to Vendor 4:	Safety-Kleen Systems Inc. Richardson, TX
Item:	Group C: Item 3
Initial Term:	3 years
Option to Extend:	None
Annual Estimated Award:	\$5,183.75
Initial Term Estimated Award:	\$15,551.25 (3 years)
Total Estimated Award:	\$15,551.25 (3 years)
Total Annual Estimated Award:	\$188,037.43
Total Initial Estimated Award:	\$564,112.29 (3 years)

Total Estimated Award: \$929,819.65 (5 years)  
Account No.: 532-37020-531240-3600-P3710  
Funding Source: Fleet Internal Service Fund  
District(s): All

This is a Low Bid, unit price contract.

The Purchasing and Strategic Sourcing Department and Streets and Maintenance Department recommend award as indicated to M.J. Mader Enterprises, Inc., dba Bio-Dyne Chemical Co., C&R Distributing, LLC, Honstein Oil and Distributing, LLC, and Safety-Kleen Systems Inc. as the vendors offering the lowest responsive, responsible bids on each item. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

The Purchasing and Strategic Sourcing Department and Streets and Maintenance Department recommend Stewart and Stevenson Power Products be deemed non-responsive for failure to bid on all items and Southern Counties Oil Co. be deemed non-responsive for not identifying products/warranties on their bid.

Honstein Oil and Distributing, LLC submitted items B6 and B7 with incorrect units of measures and is recommended to be deemed non-responsive.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Ordaz Perez

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

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- 19.1.** Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried to **AUTHORIZE** the City Engineer to approve change orders for Contract No. 2016-913 for the Alameda Corridor RTS project with Martinez Bros. Contractors, LLC, in the amount not to exceed \$536,578.04 for the increase of the cost of work to rent truck-mounted attenuators to enhance construction safety and traffic control during construction; and that the City Manager is authorized to establish the funding sources and make any necessary budget transfers.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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## **REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**

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## **20. Goal 2: Set the Standard for a Safe and Secure City**

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### **20.1. ORDINANCE 018774**

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The City Clerk read an Ordinance entitled: **AN ORDINANCE TO AMEND TITLE 12 (VEHICLES & TRAFFIC) CHAPTER 12.54 (TOWING REGULATIONS AND FEES), SECTION 12.54.020, TO AMEND THE MAXIMUM FEES THAT MAY BE CHARGED WITHIN THE CITY FOR NON-CONSENT VEHICLE TOWS; AND TO AMEND SECTION 12.54.050 TO LIMIT REQUESTS FOR TOWING FEE STUDIES TO ONCE EVERY THREE YEARS, UNLESS THE TOWING FEE COMPANY ASSUMES THE COSTS ASSOCIATED WITH THE STUDY.**

Assistant Police Chief Zina Silva presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo and Representatives Annello and Rivera commented.

Motion duly made by Representative Rivera, seconded by Representative Ordaz Perez, 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, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

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

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### **21.1. ORDINANCE 018775**

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#### **1<sup>ST</sup> MOTION**

Motion duly made by Representative Svarzbein, seconded by Representative Annello and carried to **POSTPONE** item for two weeks

AYES: Representatives Svarzbein and Annello

NAYS: Representatives Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

#### **2<sup>ND</sup> MOTION**

Motion duly made by Representative Lizarraga, seconded by Representative Ordaz Perez, that the Ordinance be **ADOPTED, AS REVISED**. 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, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

Mr. David Rawlings, applicant, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo and Representatives Svarzbein, Annello, Hernandez-Brown, Ordaz Perez, and Lizarraga commented.

The following City staff members commented:

1. Mr. Alex Hoffman, Planning and Inspections Deputy Director
2. Mr. Cary Westin, Deputy City Manager

Ms. Vicky Hamilton, citizen, commented

### **3<sup>RD</sup> AND FINAL MOTION – VOTE TAKEN TOGETHER WITH ITEM 21.2**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING PROPERTIES WHICH ARE WITHIN THE EL PASO COMMUNITY COLLEGE RIO GRANDE CAMPUS SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS**

**FROM A-3/H (APARTMENT/HISTORIC) TO S-D/H (SPECIAL DEVELOPMENT/HISTORIC): LOT 1, BLOCK 5, 113 W. RIO GRANDE AVE., LOT 4, BLOCK 2, 100 W. RIO GRANDE AVE., AND LOT 2, BLOCK 2, 906 N. EL PASO ST.;**

**FROM A-3 (APARTMENT) TO S-D (SPECIAL DEVELOPMENT): LOT 3, BLOCK 2, 916 N. EL PASO ST., LOT 1, BLOCK 2, 820 N. EL PASO ST., AND LOT 1, BLOCK 4, 103 E. RIO GRANDE AVE.;**

**FROM C-4 (COMMERCIAL) TO S-D (SPECIAL DEVELOPMENT): LOT 7, BLOCK 2, 819 N. OREGON ST., LOT 2, BLOCK 3, 918 N. OREGON ST., AND LOT 1, BLOCK 3, 103 MONTANA AVE.;**

**FROM C-4/H (COMMERCIAL/HISTORIC) TO S-D/H (SPECIAL DEVELOPMENT/HISTORIC): LOT 6, BLOCK 2, 903 N. OREGON ST.;**

**FROM A-3 (APARTMENT) & C-2 (COMMERCIAL) TO S-D (SPECIAL DEVELOPMENT): LOT 2, BLOCK 5, 1111 N. OREGON ST.;**

**AND APPROVING A DETAILED SITE DEVELOPMENT PLAN TO ALLOW FOR FRONT, REAR, SIDE, AND SIDE STREET YARD SETBACK REDUCTIONS TO 0 FEET AS PERMITTED IN THE S-D (SPECIAL DEVELOPMENT) ZONE DISTRICT AND IMPOSING A CONDITION, PURSUANT TO SECTIONS 20.04.360, 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. PZRZ17-00022**

Motion duly made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, 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, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga  
NAYS: None

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

#### **ORDINANCE 018776**

#### **21.2. 1<sup>ST</sup> MOTION**

Motion duly made by Representative Svarzbein, seconded by Representative Annello and carried to **POSTPONE** item for two weeks

AYES: Representatives Svarzbein and Annello  
NAYS: Representatives Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

#### **2<sup>ND</sup> MOTION**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 5, BLOCK 2, EL PASO COMMUNITY COLLEGE RIO GRANDE CAMPUS SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, 919 N. OREGON ST., FROM C-4 (COMMERCIAL) AND C-4/H (COMMERCIAL/HISTORIC) TO S-D (SPECIAL DEVELOPMENT); APPROVING A DETAILED SITE DEVELOPMENT PLAN TO ALLOW FOR FRONT, REAR, SIDE, AND SIDE STREET YARD SETBACK REDUCTIONS TO 0 FEET; APPROVING AN EXCEPTION TO THE HEIGHT REGULATIONS TO ALLOW AN INCREASE TO 105 FEET AS PERMITTED IN THE S-D (SPECIAL DEVELOPMENT) ZONE DISTRICT; AND REMOVING THE HISTORIC DESIGNATION PURSUANT TO SECTIONS 20.04.360, 20.04.150, 20.10.360, 20.20.040, AND 20.20.050 OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. PZRZ17-00022**

The following members of the public commented:

1. Ms. Vicky Hamilton
2. Mr. Sito Negron

Motion duly made by Representative Lizarraga, seconded by Representative Ordaz Perez, that the Ordinance be **ADOPTED, AS REVISED**. 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, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga  
NAYS: None

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#### **21.3. ITEMS 21.3 AND 21.4 TAKEN TOGETHER**

#### **ORDINANCE 018777**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 1, BLOCK 166, TIERRA DEL ESTE UNIT 48, 12798 EDMERE BOULEVARD, 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. SUBJECT PROPERTY: 12798 EDMERE BOULEVARD. PROPERTY OWNER: DUAL ENTERPRISES, LLC. PZRZ17-00031**

Motion duly made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, 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, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

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

#### 21.4.

#### ORDINANCE 018778

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST17-00037, TO ALLOW FOR A BALLROOM ON THE PROPERTY DESCRIBED AS LOT 1, BLOCK 166, TIERRA DEL ESTE UNIT 48, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.260 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 12798 EDMERE BOULEVARD. PROPERTY OWNER: DUAL ENTERPRISES, LLC. PZST17-00037 THIS IS AN APPEAL AND A 211 CASE.**

Mr. Alex Hoffman, Planning and Inspections Deputy Director, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo and Representatives Annello, Hernandez-Brown, Noe, Ordaz Perez, Rivera, and Lizarraga commented.

The following members of the public commented:

1. Mr. John Martin
2. Mr. John Birkelback
3. Mr. Ray Mancera
4. Ms. Claudia Salais
5. Ms. Evangelina Sotelo
6. Mr. Luis Rangel

Motion duly made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, 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, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

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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**21.5.**

**ORDINANCE 018779**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST17-00022, TO ALLOW FOR AN OFF-STREET SURFACE PARKING LOT SERVING ANOTHER PROPERTY ON THE PROPERTY DESCRIBED AS LOT 8 AND A PORTION OF LOT 7, BLOCK 17, DEL NORTE ACRES, 8829 KENNETH STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 OF THE EL PASO CITY CODE, THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 8829 KENNETH STREET. PROPERTY OWNER: MJ REAL PROPERTY, INC. PZST17-00022**

Motion duly made by Representative Ordaz Perez, seconded by Representative Rivera, 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, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

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

.....  
**21.6.**

**ITEMS 21.6 AND 21.7 WERE TAKEN TOGETHER**

**ORDINANCE 018780**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE PROPERTY DESCRIBED AS LOTS 32, 33, AND THE WEST ONE-HALF OF LOT 34, BLOCK 67, SECOND SUPPLEMENTAL MAP OF FRANKLIN HEIGHTS ADDITION, 1115 MONTANA AVE., CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) TO S-D (SPECIAL DEVELOPMENT), PURSUANT TO SECTION 20.04.360, APPROVING A DETAILED SITE DEVELOPMENT PLAN PURSUANT TO SECTION 20.04.150 AND 20.10.360 OF THE EL PASO CITY CODE TO ALLOW FOR OFFICE, PROFESSIONAL AS PERMITTED IN THE S-D (SPECIAL DEVELOPMENT) ZONE DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. 1115 MONTANA AVE. OWNER: MIGUEL & JULIO VILLANUEVA; PZRZ17-**



**00020**

Motion duly made by Representative Ordaz Perez, seconded by Representative Lizarraga, 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, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

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

**21.7.**

**ORDINANCE 018781**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PERMIT PZST17-00027, TO ALLOW FOR A 91% PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 32, 33, AND THE WEST ONE-HALF OF LOT 34, BLOCK 67, SECOND SUPPLEMENTAL MAP OF FRANKLIN HEIGHTS ADDITION, 1115 MONTANA AVE., CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 1115 MONTANA AVE. OWNER: MIGUEL & JULIO VILLANUEVA; PZST17-00027**

Motion duly made by Representative Ordaz Perez, seconded by Representative Lizarraga, 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, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

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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**21.8. 1<sup>ST</sup> MOTION**

Motion made by Representative Svarzbein, seconded by Representative Annello, and unanimously carried to **NOT POSTPONE** item for two weeks.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: None

**2<sup>ND</sup> MOTION**

Motion made, seconded and carried to **SUSPEND THE RULES** to allow for additional speakers.

AYES: Representatives Svarzbein, Annello, Ordaz Perez, Rivera and Lizarraga  
NAYS: Hernandez-Brown, Morgan and Noe

Mr. Alex Hoffman, Planning and Inspections Deputy Director, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representatives Svarzbein and Noe commented

Ms. Sylvia Firth, City Attorney, commented

The following members of the public commented:

1. Mr. Manfred Budtke
2. Mr. Kirk Mangles
3. Ms. Rita Robles
4. Mr. Christopher Robles
5. Ms. Claudia Simpson
6. Mr. Alan Plader

### **3<sup>RD</sup> AND FINAL MOTION**

Motion made by Representative Svarzbein, seconded by Representative Ordaz Perez, and unanimously carried to **DENY** an ordinance granting special permit no. Pzst17-00035, to allow for a 60 ft. Ground-mounted personal wireless service facility on the property described as a portion of lot 1, block 1, centre court, 5901 upper valley road, city of el paso, el paso county, texas, pursuant to section 20.10.455 of the el paso city code. The penalty being as provided in chapter 20.24 of the el paso city code. Subject property: 5901 upper valley road. Property owner: rey de reyes evangelical free church. Pzst17-00035 this is an appeal [postponed from 04-03-18]

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga  
NAYS: None

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

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### **22.1. ORDINANCE 018782**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING CHAPTER 2.64 (CITY OF EL PASO EMPLOYEES RETIREMENT TRUST) CONCERNING THE APPOINTMENT OF TRUSTEES, CHANGING THE TERMS OF OFFICE FOR CERTAIN TRUSTEES, CHANGING THE FUND NAME, DEFINES TERMINATION DATE, CHANGING THE TIME TO APPLY FOR A DISABILITY RETIREMENT, PRESCRIBING PROCEDURES FOR FILLING VACANCIES ON THE BOARD, IMPOSING EDUCATIONAL REQUIREMENTS ON TRUSTEES, PROVIDING FOR THE AUTOMATIC REMOVAL OF TRUSTEES AND CLARIFYING THE METHOD FOR BUYING BACK SERVICE CREDIT FOR MEMBERS WHO ARE RE-EMPLOYED.**

Motion duly made by Representative Ordaz Perez, seconded by Representative Rivera, 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, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga  
NAYS: None

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

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**23.1. ORDINANCE 018783**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A DEED AND ANY OTHER DOCUMENTS NECESSARY TO CONVEY TO THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS TRANSPORTATION COMMISSION, A 1.315 ACRE PARCEL OF LAND SITUATED IN THE J. BARKER SURVEY, NUMBER 9, ABSTRACT NUMBER 8, EL PASO COUNTY, TEXAS AND BEING ALL OF LOTS 3 THROUGH 28 AND PART OF LOTS 29 THROUGH 32, BLOCK 24 OF THE SECOND REVISED MAP OF MUNDY HEIGHTS ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, SAID PARCEL TO BE INCLUDED IN THE LOOP 375 BORDER WEST HIGHWAY PROJECT.**

Motion duly made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, 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 Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga  
NAYS: Representative Svarzbein

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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**REGULAR AGENDA - OTHER BUSINESS**

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

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**24.1. ITEMS 24.1 – 24.3 WERE TAKEN TOGETHER**

Motion made by Representative Hernandez-Brown, seconded by Representative Annello, and carried to **DELETE** a Resolution authorizing the City Manager to sign the Economic Development Program Grant Agreement between the City of El Paso (the

“City”) and Brixwood, LLC, (the “Applicant”) for the Infill Development located at 311 Montana, Suite B, El Paso, TX 79902, subject to the terms and conditions in this Economic Development Program Grant Agreement.

The applicant is investing \$383,433 for a project that will completely renovate the building façade as well as the interior of Suite B and will create office space. The total proposed incentive is not to exceed \$28,738.92 and are broken down as follows:

Incentives 311 Montana-B, El Paso, TX, 79902

- Property Tax Rebate (City’s Portion): The City’s portion of ad valorem property taxes may be rebated to the property owner pending full compliance with contract metrics.
- Construction Materials Sales Tax Rebate: A one-time rebate of the City’s Portion of Sales Taxes (1%) levied on project-related construction materials.
- Building and Planning Fee Rebate: A one-time rebate capped at \$10,000 pending submittal of rebate application with one-stop-shop after construction is completed.

The total proposed incentive is not to exceed \$28,738.92

AYES: Representatives Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera

NAYS: Representatives Svarzbein and Lizarraga

- 24.2.** Motion made by Representative Hernandez-Brown, seconded by Representative Annello, and carried to **DELETE** a Resolution authorizing the City Manager to sign a Chapter 380 Economic Development Program Agreement in a form substantially similar to the attached document by and between CITY OF EL PASO, TEXAS (“City”) and GREAT RIVER COMMERCIAL, LLC (“Applicant”) in support of the redevelopment of the property located at 1101 TEXAS AVENUE, EL PASO, TEXAS 79901.

The applicant is investing \$625,000 for a project that will activate a two-story open air market with retail space that will be facing an outdoor, landscaped amphitheater. The total proposed incentive is not to exceed \$40,848.48 and are broken down as follows:

Incentives Available for 1101 Texas Avenue, El Paso, TX, 79901

- Property Tax Rebate (City’s Portion): The City’s portion of ad valorem property taxes may be rebated to the property owner pending full compliance with contract metrics.
- Construction Materials Sales Tax Rebate- A one-time rebate of the City’s Portion of Sales Taxes (1%) levied on project-related construction materials.
- Building and Planning Fee Rebate: A one-time rebate capped at \$10,000 pending submittal of rebate application with one-stop-shop after construction is completed

The total proposed incentive is not to exceed \$40,848.48.

AYES: Representatives Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera

NAYS: Representatives Svarzbein and Lizarraga

- 24.3.** Motion made by Representative Hernandez-Brown, seconded by Representative Annello, and carried to **DELETE** a Resolution authorizing the City Manager to sign a Chapter 380 Economic Development Program Agreement in a form substantially similar to the attached document by and between CITY OF EL PASO, TEXAS ("City") and RESPCO, LLC ("Applicant") in support of the redevelopment of the property located at 311 MONTANA, SUITE A, EL PASO, TEXAS 79902.

The applicant is investing \$458,000 for a project that will completely renovate the building façade as well as the interior of Suite A and will create a co-working type office space. The total proposed incentive is not to exceed \$32,338.26 and are broken down as follows:

Incentives 311 Montana-A, El Paso, TX, 79902

- Property Tax Rebate (City's Portion): The City's portion of ad valorem property taxes may be rebated to the property owner pending full compliance with contract metrics.
- Construction Materials Sales Tax Rebate: A one-time rebate of the City's Portion of Sales Taxes (1%) levied on project-related construction materials.
- Building and Planning Fee Rebate: A one-time rebate capped at \$10,000 pending submittal of rebate application with one-stop-shop after construction is completed.

The total proposed incentive is not to exceed \$32,338.26

AYES: Representatives Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera

NAYS: Representatives Svarzbein and Lizarraga

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

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

**A RESOLUTION APPROVING A HISTORIC BUILDING PLAQUE AWARD FOR THE MARTIN BUILDING, LOCATED AT 215 N. STANTON STREET IN THE CITY OF EL PASO, TEXAS, PURSUANT TO TITLE 20.20.070 OF THE EL PASO CITY CODE.**

**WHEREAS**, a Certificate of Appropriateness application for the rehabilitation of the Martin Building located at 215 N. Stanton Street ("the Property") was approved by the Historic Landmark Commission on November 18, 2013;

**WHEREAS**, the Property was rehabilitated as per the approved plans;

**WHEREAS**, the Historic Landmark Commission nominated the Property for a plaque on February 19, 2018 in recognition of the successful rehabilitation of the building;

**WHEREAS**, the Property is a local landmark within the Downtown Historic District in the City of El Paso;

**WHEREAS**, the Property was listed on the National Register of Historic Places on August 8, 1984,

**WHEREAS**, staff has determined that the Property has met all of the criteria listed in 20.20.070 (A) (3).

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

1. Pursuant to Section 20.20.070 of the El Paso City Code, the City Council approves and authorizes the award of a Historic Building Plaque Award to the Martin Building located at 215 N. Stanton Street.

Ms. Providencia Velazquez, Preservation Officer for the City of El Paso, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Ordaz Perez and Lizarraga commented

**1<sup>ST</sup> MOTION**

\*Motion made, seconded and unanimously carried to **MOVE** item to the forefront.

**2<sup>ND</sup> AND FINAL MOTION**

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

AYES: Representatives Annello, Hernandez-Brown, Noe, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Morgan

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**26. Goal 6: Set the Standard for Sound Governance and Fiscal Management**  
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**26.1. RESOLUTION**

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

That the attached tables of actuarial equivalence factors, prepared by the actuary firm of Buck Consultant's also known as Conduent, designated as Tables 1-4 are hereby adopted as factors to be used by the City Employees' Pension Fund in determining early and deferred retirement benefits pursuant to Section 2.64.200 C of the City Code.

Mayor Margo commented.

Mr. Robert Ash, Pension Administrator for the City of El Paso, commented.

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

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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**26.2.**

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

**WHEREAS**, El Paso Electric Company, distributes electric power within the City Limits of the City of El Paso pursuant to a 25-year franchise granted to El Paso Electric Company dated as of July 15, 2005, and is an electric utility;

**WHEREAS**, on March 19, 2018, El Paso Electric Company ("EPE" or the "Company"), filed with the City of El Paso its Application and Statement of Intent of El Paso Electric Company to Expand and Change Rates for the Existing Voluntary Community Solar Pilot Program in Texas,

**WHEREAS**, pursuant to applicable law, the City of El Paso maintains original jurisdiction over rates of El Paso Electric Company for rates charged within the City limits of the City of El Paso and the Application specifies that the rate change within the City's jurisdiction should be effective May 1, 2018; and

**WHEREAS**, the City Council has determined that additional time and information is needed for it to study the proposed rate changes and tariffs and the reasons therefor; and

**WHEREAS**, the City Council has determined that it is in the best interest of its citizens and ratepayers to suspend the proposed rate change.

**WHEREAS**, pursuant to the Public Utility Regulatory Act, Texas Utilities Code Section 36.108, the City of El Paso, as regulatory Authority, has the right to suspend the proposed rate change subject to the City's jurisdiction for a period of 90 days after the proposed date the change would otherwise be effective; and

**WHEREAS**, El Paso Electric Company has also filed the same request at the Public Utility Commission of Texas for areas over which the Public Utility Commission of Texas exercises original jurisdiction, which has been assigned Docket No. 48181 and

**WHEREAS**, in order to project its jurisdiction the City Council finds it appropriate to intervene in Docket No. 48181 at the Public Utility Commission of Texas

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

1. That the proposed amendment to Rate Schedule CS-Community Solar Rate is hereby suspended for 90 days after the effective date for the rate

change as specified in El Paso Electric Company's filing.

2. That the City Manager shall so notify El Paso Electric Company of the suspension and the order to submit working papers by having a copy of this Resolution delivered or mailed to the Chief Executive Officer of the Company.
3. That the City Attorney is authorized to file a Motion in Intervention, in the companion case, Docket 48181 at the Public Utility Commission of Texas and the City Attorney is granted broad authority to the City Attorney to take any action necessary to address these matters in consultation with the City Manager. This authorization also authorizes the City Attorney to retain outside Counsel and any necessary consultants in connection with this matter.

Mr. Norman Gordon, outside counsel, commented.

Mayor Margo and Representative Annello commented.

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

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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## **27. MAYOR AND COUNCIL**

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- 27.1.** Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried to **DIRECT** the City Manager to establish a comprehensive Master Plan for the Far East side and Mission Valley, to accommodate all future growth and development accordingly and come back in 6 months with updates every 60 days and to have it finalized in 9 months while working closely with the County of El Paso, Metropolitan Planning Organization, and the school districts.

Representative Noe presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo and Representatives Svarzbein, Ordaz Perez and Rivera commented.

Mr. Tommy Gonzalez, City Manager, commented.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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- 27.2.** Motion made by Mayor Pro Tempore Noe, seconded by Representative Annello, and unanimously carried to **APPROVE, AS REVISED** the item on Call to the Public and Work Session procedures.



Mayor Margo and Representatives Svarzbein, Annello, Hernandez-Brown, Noe, and Ordaz Perez commented.

Ms. Sylvia Firth, City Attorney, commented.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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### **EXECUTIVE SESSION**

Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 2:49 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss any of the following:

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
Section 551.089	DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS; CLOSED MEETING

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez and carried to adjourn the Executive Session at 4:12 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, and Ordaz Perez

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Rivera and Lizarraga

**EX1.** City of El Paso v. Max Grossman; Second Court of Appeals, Fort Worth, TX; No. 02-17-00384-CV; Matter No. 17-1001-171.006 (551.071)

**NO ACTION** was taken on this item

**EX2.** Ex Parte: City of El Paso; Third Court of Appeals; Travis County, TX #03-17-00566-CV; Matter No. 17-1001-171.002 (551.071)

**NO ACTION** was taken on this item

**EX3.** Max Grossman v. City of El Paso; 384th District Court, El Paso, TX; Cause No. 2017-DCV-2528; Matter No. 17-1001-171.001 (551.071)

**NO ACTION** was taken on this item

**EX4.** Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried to authorize the City Attorney, through outside counsel, to sign all settlement documents to implement the agreed settlement in the lawsuit styled *Carina Canaan and Levi Lane vs. City Of El Paso* pending in United States District Court under Cause No. 3:16-CV-00132-DCG.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga  
NAYS: None

**EX5.** Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried that the City Attorney be authorized to reject Plaintiffs' settlement demand in the lawsuit styled *Guadalupe Ramirez et. al. vs. The City of El Paso* pending in County Court at Law #5 under Cause No. 2007-2568.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga  
NAYS: None

**EX6.** Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried that the City Attorney, through outside counsel, be authorized to negotiate a settlement agreement, and to sign all settlement documents in the claim of Brent Wilkins, under Matter No. 17-1045-059.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga  
NAYS: None

**EX7.** Mexican American Cultural Center (551.071, 551.072 and 551.087)

**NO ACTION** was taken on this item

**EX8.** District #1 Water Park Site (551.071 and 551.072)

**NO ACTION** was taken on this item

**EX9.** Economic Incentives for a Skilled Nursing Facility located in the City of El Paso (18-1007-2173) (551.71) (551.087)

**NO ACTION** was taken on this item

**EX10.** Economic Incentive (WestStar Tower, LLC) (15-1007-1553) (551.071) (551.087)

**NO ACTION** was taken on this item

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### **ADDITION TO THE AGENDA**

## **MANAGEMENT UPDATE**

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### **1. Streets and Maintenance Department Programs Update**

Mr. Richard Bristol, Streets and Maintenance Director, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Lizarraga commented.

**NO ACTION** was taken on this item.

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## **ADJOURN**

Motion made by Mayor Pro Tempore Noe, seconded by Representative Rivera and unanimously carried to **ADJOURN** this meeting at 4:14 p.m.

AYES: Representatives Svarzbein Anello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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## **APPROVED AS TO CONTENT:**

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Laura D. Prine, City Clerk