

DEE MARGO
MAYOR

TOMMY GONZALEZ
CITY MANAGER



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

CORRECTED

MINUTES FOR REGULAR COUNCIL MEETING

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

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.

INVOCATION BY POLICE, FIRE AND CIMA CHAPLAIN SAM FARAONE

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 Staffold
Mercedes Fiallos
Tamia Blakely
Dulce Ferniza
Yariel Colon
Sanaii Johnson
Fiona Givanes

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

RECOGNITIONS BY MAYOR

RECOGNITIONS

City Employee Recognitions by City Manager

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

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

1. MAYOR AND COUNCIL

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

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

CONSENT AGENDA - APPROVAL OF MINUTES:

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.

CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

CONSENT AGENDA - RESOLUTIONS:

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

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 26th 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 28th 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 14th 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 24th 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 22nd 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 30th 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 30th 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 29th 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 13th 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 1st 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 23rd 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 23rd 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 23rd 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 28th 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 28th 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 28th 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 25th 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 28th 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 30th 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 28th 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.

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

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.

.....
5. Goal 5: Promote Transparent and Consistent Communication Among All Members of the Community
.....

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.

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

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

1ST MOTION

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

2ND 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

6.2. RESOLUTION

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

1ST MOTION

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

2ND 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

3RD 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

4TH 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

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

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

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

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

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.

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.

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:

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.

CONSENT AGENDA - BIDS:

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 was 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

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 was taken on this item

CALL TO THE PUBLIC – PUBLIC COMMENT

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

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

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

- 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

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- 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

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- 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

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

- 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

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

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

20.1.

ORDINANCE 018774

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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ITEMS 21.1 AND 21.2 WERE TAKEN TOGETHER

21.1.

ORDINANCE 018775

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

21.2.

ORDINANCE 018776

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**

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

The following members of the public commented:

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

1ST MOTION

Motion duly made by Representative Svarzbein, seconded by Representative Annello to **POSTPONE** the item for two weeks. **THE MOTION FAILED.**

AYES: Representatives Svarzbein and Annello

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

2ND MOTION

Motion duly made by Representative Lizarraga, seconded by Representative Ordaz Perez, that the Ordinance be **REVISED TO REQUIRE THAT A DETAILED SITE PLAN BE BROUGHT BACK TO COUNCIL FOR APPROVAL.**

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

NAYS: None

3RD AND FINAL MOTION

Motion duly made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, that the Ordinances be **ADOPTED.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinances 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 Ordinances, the same be and the same are hereby **ADOPTED.**

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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: 12978 EDMERE BOULEVARD. PROPERTY OWNER: DUAL ENTERPRISES, LLC. PZRZ17-00031**

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 EDGEMERE 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 Ordinances be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinances 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 Ordinances, 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**

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 Ordinances be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinances 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 Ordinances, the same be and the same are hereby **ADOPTED**.

- 21.8. The City Clerk read an Ordinance entitled: **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.**

1ST MOTION

Motion made by Representative Svarzbein, seconded by Representative Annello, and unanimously carried to **DENY THE POSTPONEMENT** of the item for two weeks.

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

NAYS: None

2ND MOTION

Motion made by Representative Svarzbein, seconded by Representative Annello 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

3RD AND FINAL MOTION

Motion made by Representative Svarzbein, seconded by Representative Ordaz Perez, and unanimously carried to **DENY** Special Permit No. PZST17-00035 at 5901 Upper Valley Road.

The City Council makes the following findings in denying this request:

The application fails to conform to the requirements for Special Permits in Section 24.04.320 of the El Paso City Code as the request fails to follow the minimum requirements necessary to protect the public health, safety and general welfare in as much as:

- i. The property on which the facility is proposed to be installed is located at 5901 Upper Valley Road, which is in the Centre Court residential subdivision. The proposed structure as designed is not in keeping with the residential character of the properties in the district; and
- ii. As designed, the impacts that the proposed ground-mounted 60-foot tall personal wireless service facility would have on the adjacent properties have not been properly mitigated; and
- iii. The proposed ground-mounted 60-foot tall personal wireless service facility is not compatible with design and scale of the adjacent structures and uses.

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

NAYS: None

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

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**.

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

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**.

REGULAR AGENDA - OTHER BUSINESS

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

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

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

RESOLUTION

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

1ST MOTION

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

2ND 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

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

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, 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

26.2. RESOLUTION

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

27. MAYOR AND COUNCIL

- 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.** Discussion and Action on Call to the Public and Work Session procedures.

RESOLUTION AMENDING THE RULES OF ORDER FOR THE EL PASO CITY COUNCIL REVISED, AS EFFECTIVE APRIL 17, 2018

SECTION 1. PURPOSE OF RESOLUTION

This Resolution is adopted pursuant to Section 3.5.B of the Charter of the City of El Paso as a procedural guide for the benefit of the City Council and for the general information of the public. These rules shall apply to regular or special meetings at which action is to be taken, but shall not apply to meetings for committees of the City Council or to informational gatherings of the Council.

SECTION 2. RULES OF ORDER

Robert's Rules of Order Revised shall govern the procedures of Council unless they are in conflict with these rules.

SECTION 3. EFFECT OF FAILURE TO FOLLOW THESE RULES

No action of the Council which is otherwise legal shall be invalidated merely by reason of the failure of the Council or City staff to follow these Rules of Order, unless the majority of the Council agrees that such action shall be invalidated.

SECTION 4. STANDING

No one other than a member of the City Council shall have standing to assert before the Council that any action taken by the Council is invalid by reason of the Council's failure to comply with these Rules of Order.

SECTION 5. SUSPENSION OF RULES

These rules may be suspended temporarily by a majority of the Council members present and voting, except as they pertain to a quorum, or to the majority required for any motion, or to other matters pre-empted by laws other than those Rules of Order.

SECTION 6. PRESIDING OFFICER

The Mayor shall preside at all meetings of the City Council, but if for any reason he is absent from the City, sick or unable to act, then the Mayor Pro Tempore shall preside at such meetings and at such times shall exercise all of the powers and discharge the duties of the Mayor, except that the Mayor Pro Tempore shall vote as a Representative. In the absence or inability of both the Mayor and the Mayor Pro Tempore, the Alternate Mayor Pro Tempore shall preside and shall vote as a Representative. Upon the arrival of the Mayor, the Mayor Pro Tempore or the Alternate Mayor Pro Tempore, the acting chairman shall immediately relinquish the chair upon the conclusion of the business immediately pending before the Council.

The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council, and shall state questions coming before the Council as necessary for clarity, and shall announce the decision of the Council on all subjects. The Presiding Officer shall disable the microphone at the podium when he determines that the speaker has violated council rules of order.

SECTION 7. QUESTIONS OF ORDER

All questions of order shall be decided by the presiding officer with the right of appeal from his or her decision to the Council that is present, the majority of whom, present and voting, may override the decision.

SECTION 8. VOTING

The electronic voting system shall be utilized for the casting of the roll call votes of the Council in Council Chambers except as otherwise provided herein. The City Clerk shall call for an electronic vote and each Representative shall, without undue delay, cast his or her vote on the electronic voting system. When all votes have been cast, the City Clerk

will review, announce and display the results of the voting, and staff will capture the display on the digital recording of the meeting or fully read the results into the record. In the event of a tie vote, the City Clerk will announce the results and call for the Mayor's vote before displaying the results. Any error in voting or any discrepancy between the display of the votes and the City Clerk's announcement of the results shall be corrected prior to the time that the Council proceeds to consider the next agenda item.

The requirements under this section for the use of the electronic voting system shall be automatically suspended under the following circumstances and for the duration as announced by the City Clerk: (a) upon the announcement of the City Clerk that the electronic voting system is not working properly; (b) for votes on procedural matters including motions to recess and to take an agenda item out of order, and votes by acclamation; (c) when the Council is voting on more than one agenda item simultaneously; and (d) when more than one vote will be taken pertaining to an agenda item and in such instance, the City Clerk shall announce which vote shall be taken by use of the electronic voting system and which vote(s) shall be taken only by voice vote.

In the event that the use of the electronic voting system is suspended or the system is otherwise not available, the City Clerk shall call the roll beginning with the Representative seated furthest to the Mayor's right and continuing in that order. Each Representative shall audibly indicate his or her vote.

Records of all roll call votes shall be incorporated in the Minutes of the meeting.

SECTION 9. RECORDED DEBATE

A Representative may request, through the presiding officer, to have an abstract of his or her statement on any subject under consideration by the Council entered in the Minutes or to attach any document referenced during a Council meeting to the Minutes. The recording secretary may be directed by the presiding officer to enter in the Minutes a synopsis of the discussion on any question coming before the Council.

SECTION 10. ORDER OF PRECEDENCE OF MOTIONS

The order of procedure of motions is set forth in Exhibit "A" attached hereto and fully incorporated by reference.

SECTION 11. MOTION TO RECONSIDER

A motion to reconsider any action taken by the Council may be made at any time prior to adjournment of the same meeting at which such action was taken.

SECTION 12. OBTAINING THE FLOOR

Every person desiring to speak shall address the presiding officer, and when recognized by the presiding officer, shall address only the question under consideration.

SECTION 13. RIGHT OF CITIZENS TO BE HEARD

Public Hearings/Agenda Items:

Any citizen of the City of El Paso shall have a reasonable opportunity to be heard at all public hearings of the City Council in regard to any and all matters to be considered at such hearings that are germane and relative to any subject matter of City affairs or business which is within the scope of the authority and legislative functions of the City Council. Provided, however, that the time allowed for each citizen's appearance before City Council will be limited to a fixed number of minutes at the discretion of the presiding officer. Members of the public will usually be granted three (3) minutes to present their position on issues. Time will be kept by the City Clerk. The presiding officer may grant a speaker additional time at his or her discretion.

Public Comment/Non Agenda Items:

A maximum of sixty (60) minutes will be allotted for a public comment portion of each regular City Council meeting. The City Council will designate time to allow members of the public to have a reasonable opportunity to provide comment on items not already posted on the agenda, except that no person shall engage in political advertising contrary to state law. Persons wishing to provide comment during the public comment portion of the City Council agenda must sign up prior to 9:00 a.m. on the day of the City Council meeting either online or by using the sign-in sheet for the public outside of Council Chambers on the day of the Council meeting up until 9:00 a.m. Any person signing up to provide comment during the public comment portion of the agenda must provide their name, address and a short description of the topic(s) of their comment. Members of the public are required to speak on the topic identified upon the sign-in sheet. If the speaker is a lobbyist, he or she must indicate that fact on the audience participation sheet and prior to commencing his/her comments. Members of the public may not grant their time to another nor may they purport to speak for another who is not present at the meeting. If someone would like a letter to become a part of the record, they may do so by providing the City Clerk with copies of the letter which will be distributed to the Council. It shall not be necessary to read the letter into the record. Interpretation services are only to be provided by the certified interpreter provided by the City.

Any group of five (5) or more wishing to speak on the same topic will be asked to select one (1) representative to speak for the group and that individual will have three (3) minutes to address Council.

To facilitate the receiving of comment from as many citizens as possible who are interested in bringing topics forward to the City Council for comment, a person may sign up to obtain one time slot to speak or otherwise make a presentation on one or more specified topics during the public comment portion of a City Council meeting. This provision does not restrict any member of the public from signing up to speak on items posted on the regular agenda or to ask questions regarding items posted on the consent agenda.

The time allotted for the public comment portion of the agenda shall be uniformly divided among those who have signed up to obtain a time slot and participate and except as provided below, no speaker will have more than three (3) minutes to speak or otherwise make a presentation, regardless of the number of topics a speaker wishes to address within his or her time slot. At the beginning of the public comment portion of the agenda, the City Clerk will make one announcement as to the amount of time that each

person has to provide comment. The City Clerk will call each person signed up to make comment to the podium in the order that they signed up to speak and will keep time. Each topic brought forward will be for comment from the speaker and may not be deliberated by the members of Council nor rebutted or debated by members of the public. Any member of the City Council may propose that the topic commented on be posted by staff on a future Council meeting agenda for the Council's discussion and action.

The presiding officer at his or her discretion may grant a speaker one (1) additional minute to wrap up his or her comments regardless of whether the allotted sixty (60) minutes will otherwise be taken up by the others making comment.

Members of the public wishing to ask a question regarding an item posted on the consent agenda or to speak to an item posted on the regular agenda must sign up prior to 9:00 a.m. on the day of the City Council meeting. The City Clerk shall make available the sign-in sheet for the public outside of Council Chambers on the day of the Council meeting up until 9:00 a.m. or online prior to 9:00 a.m. Persons may sign up to address multiple items, however this does not mean it is permissible to "mark all" or to sign up for every item "just in case" they wish to speak when the discussion on an item takes place.

Members of the public who do not desire to speak but want to register support or opposition to an item on the agenda may do so by indicating their position on the audience participation form. The City Clerk will notify the Council of the number of position statements received and the tally when the agenda item is announced.

At the time that the consent agenda is taken up for consideration, the City Clerk shall advise the Mayor Pro Tempore whether persons in the audience have signed up to ask a question regarding an item posted on the consent agenda. The Mayor Pro Tempore shall have the floor and may ask the City Clerk to call those individuals up to the podium to hear their questions. At that time, the City Clerk will announce the agenda item number and call the person to the podium. The Mayor Pro Tempore may request the City Manager to respond to the questions raised by the members of the public. In his or her discretion, the Mayor Pro Tem may move the consent agenda item to the regular agenda for continued discussion and action by the City Council.

Members of Council may move to overrule the determinations by the Mayor Pro Tempore under this section by a simple majority vote of the Council members present and voting.

No person may speak a second time except by permission of the presiding officer, and further, no person shall be heard a second time until all persons desiring to speak once have been given the opportunity to do so.

Personal attacks are not permitted. Members of the public should address their questions to the Council, not to the staff. Council may in turn ask staff to provide input.

Members of the public may be asked to leave or be removed from Council Chambers if it is determined that they are disruptive to the meeting. Such determination will be made by the presiding officer. Members of Council may move to overrule such

determination by the presiding officer subject to a simple majority vote of Council, present and voting.

SECTION 14. CALLING AND ORDER OF AGENDA ITEMS

Executive Session will be scheduled at the end of the meeting or other such time as determined by the Council. The Invocation and Pledge of Allegiance will take place no sooner than 9:00 a.m. Thereafter, the proceedings will take place as specified on the Attached **Exhibit "B"**.

Items accepting or acknowledging donations to the City will be taken prior to consideration of the consent agenda. Items removed from the consent agenda by the Mayor Pro Tempore or at the request of other Council members will be considered at the time when items for the related department are being considered or as otherwise requested by the Mayor Pro Tempore. The introduction of ordinances will be considered first on the regular agenda, followed by the procurement items posted on the regular agenda by the Financial Services and/or Engineering and Construction Management departments, and any reports or updates from the City's Committees, Boards and Commissions.

Notwithstanding the above provisions, the City Manager shall direct the placement of all matters relating to the City Council's adoption of the annual City budget and associated matters relating to the start of each new fiscal year and the adoption of the tax levy on one or more agendas so as to meet all required statutory and charter deadlines.

At the time that each agenda item is to be considered by the City Council, the City Clerk will announce all agenda items by number and a brief statement as to the nature of the item when appropriate. In the case of a revision, the City Clerk or staff shall read the item into the record, as appropriate.

SECTION 15. PARLIAMENTARIAN

The City Attorney and the Deputy City Attorney are confirmed to serve as Parliamentarian and Alternate Parliamentarian, respectively.

SECTION 16. USE OF ELECTRONIC DEVICES

Electronic devices within Council chambers shall be used in accordance with all established City practices and procedures and as directed by Information Technology Department staff providing support services during a meeting. City staff, other than the dignitary protection officers, and members of the public shall turn off the signals of all pagers, cellular telephones and other devices capable of making an audible signal and shall not make or take any telephone calls while in Council chambers once a Council meeting has been called to order.

Members of the City Council shall not use any electronic devices other than the desk top computers provided by the City of El Paso located at their seats during any City Council meeting or City Council work sessions. The use of communication devices of any kind, including but not limited to: hand-held portable communication devices, cellphones,

computers, tablets, laptops, watches, etc. is expressly prohibited during City Council meetings and shall not be allowed in the room during closed sessions unless they are being used to aid in executive session presentations.

If the City Council member needs to take a telephone call, respond to a text message, etc. during a meeting, he or she must excuse themselves from the dais or room where the closed session is taking place to engage in that communication.

The use of the desktop computers during City Council shall be limited to voting, viewing presentations, research to aid the council member and communication via email to staff. During meetings, City Council members shall not text, tweet, blog, post on Facebook, Instagram or use any other social media platform.

SECTION 17. TIME AND LOCATION OF MEETINGS

The Mayor and Council may by action of Council approved by a majority of Council, reschedule the time and place of any City Council meeting in accordance with the requirements of the Texas Open Meetings Act.

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

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; CLO 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 Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk