

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



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

MINUTES FOR REGULAR COUNCIL MEETING

May 17, 2016
COUNCIL CHAMBERS, CITY HALL
8:00 AM

ROLL CALL

The City Council met in regular session at the above place and date. Meeting was called to order at 8:01 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Emma Acosta, Michiel Noe, and Lilia Limón. Late arrivals: Carl L. Robinson at 8:02 a.m., Claudia Ordaz at 8:05 a.m., and Cortney Niland at 8:06 a.m. The invocation was given by Rabbi Ben Zeidman, followed by the Pledge of Allegiance to the Flag of the United States of America

INVOCATION BY RABBI BEN ZEIDMAN

PLEDGE OF ALLEGIANCE

Henderson Middle School
National Chess Champions

Manny Tejada
Christopher Carmona
Lirio Gomez
Eduardo Retana
Jose Vanegas
Ariana De la Cruz
Zahira Pichardo
Paola Macias
Gabriela Maese
Aileen Martinez
Aime Argandona
Sebastian Fraire
Juan Ramirez
Carlos Araujo
Emmanuel Mercado

Leo Gonzalez
Brandon Caballero
Clara Calixtro
Rene Rodriguez
Pedro Escobar
Hayley De la Cruz
Myla Rosario
Mia Martinez
Luz Medina
Ivorie Carreon
Saul Ramirez
Derek Almeida
Steven Muro
David Ramirez
Isaac Ramirez

Pedro Cuellar
David Mares
Carlos Palomino
Irving Ramirez

Jordan Chavarria
Kevin Garcia
Steven Mejia

REGULAR AGENDA - OTHER BUSINESS

1. MUNICIPAL CLERK:

1.1. R E S O L U T I O N

**RESOLUTION CANVASSING RETURNS
OF THE 2016 SPECIAL ELECTION FOR
DISTRICT REPRESENTATIVE NO. 2**

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

WHEREAS, the City Council of the City of El Paso ordered an election to be held in said City on May 7, 2016, for the purpose of filling the vacancy in the office of Representative for District No. 2, as established by and in accordance with the Constitution of the State of Texas and the Texas Election Code; and

WHEREAS, the election officers who held said election have duly made returns of the results thereof, and said returns have been duly delivered to said City Council.

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

1. That the City Council officially finds and determines that said election was duly given, that proper notice of said election was duly given, that proper election officers were duly appointed prior to said election, that said election was duly held, that due returns of the results of said election have been duly made and delivered, that the election returns have properly been made out and duly certified by the officers of said election in the different voting precincts of the City, and that the City Council has duly canvassed said returns, all in accordance with law and the resolution and amendments thereto calling said election.

2. That the City Council officially finds and determines that the following votes were cast at said election for the following officers by the resident, qualified electors of said City, who voted at the election:

DISTRICT REPRESENTATIVE NO. 2

Dolores Garcia Baca	124	(6.55%)
Cemelli De Aztlan	285	(15.05%)
Abraham Monteros	78	(4.12%)
Gordon Ray Thatcher	79	(4.17%)
David Nevarez	55	(2.90%)
Jim Tolbert	1132	(59.77%)
Rene Abilez	63	(3.33%)

3. That in the case of the following office, the following person who received more than a 50% majority of the votes cast for candidates for such office is hereby declared elected to such office for the remaining term, or until the election and qualification of their successors, subject to the proper issuance of certificates of election by the presiding officer, and that the number of votes cast for each person who was a candidate for such offices, according to the returns, is shown in paragraph 2 hereof:

DISTRICT REPRESENTATIVE NO. 2

Jim Tolbert

4. That on file in the City Clerk's Office and made a part hereof by reference are copies of the mechanical precinct tabulations of the votes cast at the 2016 Special Election showing the number of votes cast in each precinct for each candidate.

5. That this Resolution is adopted subject to the right of any candidate to contest such election in any way provided by law.

6. That this Resolution was acted upon in accordance with the law by the presiding officer and the City Council and was deemed by said City Council that upon passage of the Resolution, it shall take effect immediately.

7. This Resolution shall be spread upon the minutes of the City Council, and the City Clerk shall record the amendments so adopted in the separate book kept in her office for such purpose.

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

AYES: Representatives Svarzbein, Acosta, Robinson, Noe, Ordaz, Limón, and Niland

NAYS: None

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The City Council Meeting was **RECESSED** at 8:11 a.m.

The City Council Meeting was **RECONVENED** at 8:15 a.m.

.....
THE CITY COUNCIL MEETING WILL RECESS FOR THE OATH OF OFFICE CEREMONY FOR JIM TOLBERT, CITY REPRESENTATIVE DISTRICT 2.

CITY COUNCIL THEN WILL RECONVENE THE MEETING AND PROCEED WITH THE ITEMS LISTED ON THIS AGENDA.

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NOTICE TO THE PUBLIC

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

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón, and Niland
NAYS: None

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CONSENT AGENDA - APPROVAL OF MINUTES:
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1. Goal 6: Set the Standard for Sound Governance and Fiscal Management
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- 1.1.** *Motion made, seconded, and unanimously carried to **APPROVE** Minutes for the Regular City Council Meeting of May 3, 2016, the Legislative Review Meeting of the Whole of May 2, 2016, and the Special City Council Meeting of May 2, 2016.

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

NO ACTION taken on this item.

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ACTION ON THE FOLLOWING RESOLUTIONS:
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CONSENT AGENDA - RESOLUTIONS:
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3. Goal 2: Set the Standard for a Safe and Secure City
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3.1. *R E S O L U T I O N
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WHEREAS, the City of El Paso is eligible to receive grants from the Texas Department of Motor Vehicles through the Automobile Burglary and Theft Prevention Authority (ABTPA) grant program to provide financial support to the El Paso Police Department for automobile theft enforcement teams and to combat automobile burglary in El Paso, pursuant to the provisions of the Texas Revised Civil Statutes Article 4413(37) and Texas Administrative Code Title 43; Part 3; Chapter 57; and

WHEREAS, the El Paso City Council finds that the ABTPA FY2017 grant program will assist the City of El Paso to combat automobile burglary and theft; and

WHEREAS, the El Paso City Council agrees that in the event of loss or misuse of the ABTPA grant funds, the City of El Paso assures that the grant funds will be returned in full to ABTPA; and

WHEREAS, the ABTPA Board voted that FY2016 grants will be extended into FY2017, and FY2017 Requests for Application will not be issued.

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

1. That the City Manager, or designee, be authorized to submit an ABTPA FY2017 budget summary in the amount of \$937,955.00 to extend the

FY2016 grant into FY2017, and to alter, decline, modify, terminate and/or execute all necessary documents related to the extension.

2. That the City of El Paso agrees to provide a cash match in the amount of \$398,000.00 and in-kind match of salaries for up to 17 sworn officers for the Police Department's Auto Theft Task Force.
3. That the El Paso Police Department Auto Theft Task Force Lieutenant or designee is designated as the Program Director.
4. That the City of El Paso's Chief Financial Officer, or designee, is designated as the Financial Officer for this grant.

3.2.

***RESOLUTION**

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso ("City") and the County of El Paso ("County"), to reimburse the City for police officer services associated with the El Paso County Veteran's Court program. These services, previously funded by the City, are now eligible for reimbursement under grant funds from the Texas Veterans Commission Fund for Veterans' Assistance. The term allows reimbursement of work performed during the period of January 1, 2015 to December 31, 2015. The County will provide funding in the amount up to \$34,040.00 for salary and up to \$8,510.00 for fringe benefits. No cash match or in kind match required from the City of El Paso.

4.

Goal 3: Promote the Visual Image of El Paso

4.1.

***RESOLUTION**

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

That the City Council hereby waives the two factor requirement to designate a property with an infill development overlay pursuant to Municipal Code 20.10.280A for the following property legally described as Tract 16-B-1, Block 13, Ysleta Grant, 8151 Carpenter Drive, City of El Paso, El Paso County, Texas.

5.

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

5.1.

***RESOLUTION**

WHEREAS, on December 30, 2014 the City entered into Contract No. 2015-330 (Library – Security Guard Services) Group 2, Item 1 and 2 (Museum of History and Museum of Archeology) with Ruiz Protective Service, Inc.; and

WHEREAS, the funds appropriated for Contract No. 2015-330 have been exhausted; and

WHEREAS, pursuant to Paragraph 8A of the Contract (Termination

for Convenience), the City is authorized to terminate the Contract for convenience; and

WHEREAS, the City desires to terminate the Contract for Convenience.

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

That the Purchasing Director is authorized to notify Ruiz Protective Service, Inc., that the City is terminating Contract No. 2015-330 (Library – Security Guard Services) Group 2, Item 1 and 2 (Museum of History and Museum of Archeology), for convenience pursuant to the provisions and requirements of Paragraph 8A of the Contract Clauses, and that the termination shall be effective as of June 5, 2016.

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6. Goal 7: Enhance and Sustain El Paso's Infrastructure Network
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6.1. *R E S O L U T I O N

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

That the City Manager be authorized to sign and accept on behalf of the City a Public Right-of-Way Dedication Deed from the El Paso Electric Company dedicating to the City a 0.1005 acre piece of land to be used as a public right-of-way, described as *being a portion of Tract 1, Section 8, Block 79, Township 3, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas*, and being more fully described by metes and bounds and survey in Exhibit "A" attached hereto and made a part hereof. The area will be added to the abutting right-of-way in order for the existing sidewalk along Diamond Head Drive to be fully included within public right of way.

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

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

That the City Manager be authorized to sign a Local Transportation Project Advance Funding Agreement by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the funding for the multimodal street improvements for pedestrian, bicycles, and vehicles on Riverbend Drive from Sunset Road to Frontera Road, as part of the Congestion Mitigation and Air Quality (CMAQ) Project Off-System, for a total project amount cost of \$1,062,730.00 with a required City participation of \$54,584.00.

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7. Goal 8: Nurture and Promote a Healthy, Sustainable Community
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7.1 TAKEN WITH ITEMS 9.1 THROUGH 9.5

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

WHEREAS, On January 11, 2016, during a discussion of City Policies for 2016 Low Income Housing Tax Credits (LIHTC), Council requested the establishment of an advisory group to address the issue of Affordable Housing; and

WHEREAS, Section 4.1.B of the Charter for the City of El Paso provides the Mayor with the authority to appoint with the consent of Council members to citizen advisory boards and commissions;

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

1. That the City of El Paso Blue Ribbon Working Group on Affordable Housing (the "Working Group") is established, and that the established Working Group will review and evaluate the City's Affordable Housing practices and policies.

2. The Mayor will appoint the members to the Working group. The City Attorney's Office will provide legal support to the Committee, as necessary.

3. The Working Group will be tasked with providing recommendations for the strategic location of affordable housing.

4. The Working Group will provide its recommendations by no later than the July 26, 2016 City Council meeting.

5. The Working Group will disband following the delivery of its report with its recommendations.

Representative Acosta commented.

Mr. Juan Gonzalez, Assistant City Attorney, read revision into the record and gave legal advice.

Ms. Veronica Soto, Director of Community and Human Development, commented.

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR.**

2ND AND FINAL MOTION

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

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

7.2.

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

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

THAT the City Manager be authorized to sign Consent to Assignment of Contract from International Laundry Services & Supply, Inc. to Mission Linen Supply dba Mission Linen Supply Inc. with respect to the City of El Paso's Contract No. 2014-040 Cleaning Supplies- Animal Shelter.

CONSENT AGENDA - BOARD RE-APPOINTMENTS:

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

8.1. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Emmanuel Echeverria to the Ethics Review Commission by Representative Lily Limón, District 7.

8.2. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Maria Teresa Ramirez to the Civil Service Commission by Representative Emma Acosta.

CONSENT AGENDA - BOARD APPOINTMENTS:

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

ITEMS 9.1 THROUGH 9.5 TAKEN WITH ITEM 7.1

9.1. 1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR.**

2ND AND FINAL MOTION

Motion made by Representative Svarzbein, seconded by Representative Niland, and unanimously carried to **APPOINT** Al Velarde to the Mayor's Blue Ribbon Working Group for Affordable Housing.

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

9.2. 1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR.**

2ND AND FINAL MOTION

Motion made by Representative Svarzbein, seconded by Representative Niland, and unanimously carried to **APPOINT** Carmen Byers to the Mayor's Blue Ribbon Working Group for Affordable Housing.

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

9.3. 1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR.**

2ND AND FINAL MOTION

Motion made by Representative Svarzbein, seconded by Representative

Niland, and unanimously carried to **APPOINT** Bill Schlesinger to the Mayor's Blue Ribbon Working Group for Affordable Housing.

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

9.4.

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR.**

2ND AND FINAL MOTION

Motion made by Representative Svarzbein, seconded by Representative Niland, and unanimously carried to **APPOINT** Ray Adauto to the Mayor's Blue Ribbon Working Group for Affordable Housing.

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

9.5.

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR.**

2ND AND FINAL MOTION

Motion made by Representative Svarzbein, seconded by Representative Niland, and unanimously carried to **APPOINT** Noemi Tovar to the Mayor's Blue Ribbon Working Group for Affordable Housing.

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

CONSENT AGENDA - NOTICE FOR NOTATION:

10.

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

10.1.

*Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$500.00 from Hyundai El Paso and \$500 from El Paso Community College for District 7 Summer Fun Programs.

10.2.

*Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$250.00 from Fred Loya Insurance Agency for District 7 Summer Fun Programs.

10.3.

*Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$100.00 from Jose Limon for District 7 Summer Fun Programs.

10.4.

*Motion made, seconded, and unanimously carried to **ACCEPT** the donation of

\$1,000 from Tropicana Properties II, LLC for District 8 “Movies in the Park”.

10.5. *Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$500 from Texas Gas Service for District 8 “Movies in the Park”.

10.6. *Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$500.00 from Freeport McMoran for District 7 Summer Fun Programs.

10.7. *Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$1000.00 from Tropicana Properties II, LLC; \$500 from Veliz Company, LLC for District 3 - 5th Annual Movies Under the Stars.

CONSENT AGENDA - REQUESTS TO ISSUE PURCHASE ORDERS:

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

11.1. *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing Department to exercise the City's option to extend current Contract 2013-138 Ford Motor Company Proprietary Parts with Leif Johnson Ford II LTD for two (2) additional years pursuant to the provisions of an award approved by the City Council on August 27, 2013. The extended contract period will be from August 26, 2016 to August 25, 2018.

Department:	Fire
Award to:	Leif Johnson Ford II LTD
	Austin, TX
Option:	One of One
Annual Estimated Amount:	\$120,000
Total Estimated Amount:	\$240,000 (2 years)
Account No.:	322 – 22090 – 1000 –P2216 – 531180
Funding Source:	General Fund – Vehicle Maintenance Supplies

CONSENT AGENDA - BEST VALUE PROCUREMENTS:

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

12.1. *Motion made, seconded, and unanimously carried to **REJECT** all bids received for Solicitation No. 2016-580 Animal Transport Vehicles as recommended by the Purchasing & Strategic Sourcing Department and Streets & Maintenance Department due to error in their bid.

MAYOR'S PROCLAMATIONS

- 1. Better Hearing and Speech Month**
- 2. Underage Drinking Prevention Day**
- 3. Price's Creameries May Day CPR Event**

4. National Kids to Parks Day

RECOGNITIONS

1. Major General M. Stephen M. Twitty

2. Project Bravo's 50th Anniversary

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

The following members of the public commented:

1. Mr. Richard Bonart
2. Ms. Susie Byrd
3. Mr. Joe Molinar
4. Dr. Max Grossman
5. Mr. Jeff Silvas
6. Ms. Sarah Garcia
7. Ms. Melissa Kirkham
8. Ms. Sallie Roberts
9. Mr. Salvador Gomez
10. Ms. Kathy Howell
11. Ms. Wally Cech
12. Ms. Hilda Finn
13. Ms. Patricia Johnson
14. Ms. Christi DeBates
15. Mr. Pierre Andre Euzarraga

Mayor Leeser and Representatives Ordaz, Niland, and Svarzbein commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Sylvia Firth, City Attorney, gave legal advice.

REGULAR AGENDA - FIRST READING OF ORDINANCES

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

NOT PRESENT FOR THE VOTE: Representative Noe

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

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- 13.1.** An Ordinance amending Title 18 (Building & Construction), Chapter 18.18 (Outdoor Lighting Code), Article X (Other Exemptions), Section 18.18.330 (State and Federal Facilities) of the El Paso City Code, to add an exemption for the City owned facilities, the penalty is as provided for in Chapter 18.18.400 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

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- 13.2.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Administrative Code), adding provisions for demolition permit, certificates of use, and conditional certificates of occupancy, adopting the 2015 International Building Code and adopting appropriate local amendments, the penalty being as provided in 18.02.111 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

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- 13.3.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.08 (Building Code), adopting the 2015 International Building Code, and adopting appropriate local amendments, the penalty being as provided in 18.02.111 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

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- 13.4.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.10 (Residential Code), adopting the 2015 International Building Code, and adopting appropriate local amendments, the penalty being as provided in 18.02.111 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

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- 13.5.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.12 (Mechanical Code), adopting the 2015 International Building Code, and adopting appropriate local amendments, the penalty being as provided in 18.02.111 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

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- 13.6.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.16 (Electrical Code), adopting the 2014 National Electrical Code, and adopting appropriate local amendments, the penalty being as provided in 18.02.111 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

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- 13.7.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.20 (Plumbing Code), adopting the 2015 International Building Code, and adopting appropriate local amendments, the penalty being as provided in 18.02.111 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

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- 13.8.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.24 (Gas Code), adopting the 2015 International Building Code, and adopting appropriate local amendments, the penalty being as provided in 18.02.111 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

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- 13.9.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.28 (Existing Building Code), adopting the 2015 International Building Code, and adopting appropriate local amendments, the penalty being as provided in 18.02.111 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

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- 13.10.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.30 (Swimming Pool and Spa Code), adopting the 2015 International Building Code, and adopting appropriate local amendments, the penalty being as provided in 18.02.111 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

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- 13.11.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.50 (Property Maintenance Code), adopting the 2015 International Building Code, and adopting appropriate local amendments, the penalty being as provided in 18.02.111 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

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- 13.12.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.70 (Energy Conservation Code), adopting the 2015 International Building Code, and adopting appropriate local amendments, the penalty being as provided in 18.02.111 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

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- 13.13.** An Ordinance amending Title 9 (Health and Safety), Chapter 9.52 (Fire Prevention Code) adopting the 2015 International Fire Code, the penalty being as provided in Section 9.52.030 of the City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

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

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

NOT PRESENT FOR THE VOTE: Representative Noe

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- 14.1.** An Ordinance amending Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.680 (Temporary Uses) of the El Paso City Code, to allow for temporary places of assembly on undeveloped lots and in the Ranch and Farm zoning district; and to apply Chapter 20.14 (Off-Street Parking, Loading and Storage) regulations and additional regulations to temporary places of assembly on undeveloped lots. The Penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 24, 2016

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- 14.2.** An Ordinance granting Special Permit No. PZST16-00008, to allow for a ground-mounted 65' Personal Wireless Service Facility on the property described as a portion of Lot 6, Block 261, Vista Del Sol Unit Fifty, 1500 Lomaland Drive, 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: 1500 Lomaland Drive. Property Owner: El Paso Six Storage 18 (TX) LLC. PZST16-00008

PUBLIC HEARING WILL BE HELD ON JUNE 14, 2016

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- 14.3.** An Ordinance granting Special Permit No. PZST16-00003 to allow for infill development with a reduction in side street yard setback and a parking reduction on the property described as a portion of Lot 6, Block 2, Rough Riders Subdivision, 1201 Zaragoza, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280, Infill Development of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1201 Zaragoza. Property Owner: Martin & Maria Beltran. PZST16-00003 (District 7)

PUBLIC HEARING WILL BE HELD ON JUNE 14, 2016

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- 14.4.** An Ordinance granting Special Permit No. PZST15-00038, to allow for Infill Development with reduced side street yard setback on the property described as Lot 14, Block 389, Tierra Del Este #69, 14504 Long Shadow Avenue, City of El Paso, El Paso County, Texas, Pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 14504 Long Shadow Avenue. Property Owner: Juan and Raquel Garcia. PZST15-00038

PUBLIC HEARING WILL BE HELD ON JUNE 14, 2016

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- 14.5.** An Ordinance changing the zoning of Lots 40-43, Block 2, Zach White Industrial, 4610 Doniphan Drive, City of El Paso, El Paso County, Texas from P-I (Planned Industrial) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 4610 Doniphan Drive. Property Owner: Reality Properties, LLC. PZRZ16-00006

PUBLIC HEARING WILL BE HELD ON JUNE 14, 2016

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- 14.6.** An Ordinance changing the zoning of the property described as All of Lot 8, Block 6, Hueco View Acres, 11400 & 11410 Edgemere Blvd., City of El Paso, El Paso County, Texas from G-MU (General Mixed Use) to S-D (Special Development), 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 the expansion of the apartment complex and the addition of a new building (39,336 sq. ft. / 36 new units) 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. Subject Property: Property 11400 & 11410 Edgemere Blvd. Owner: Ardent Quest Apartments LLC. PZRZ16-00003

PUBLIC HEARING WILL BE HELD ON JUNE 14, 2016

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

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

NOT PRESENT FOR THE VOTE: Representative Noe

- 15.1.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV - Speed Limits), Paragraph H (forty-five miles per hour) and Paragraph I (fifty miles per hour) of the El Paso City Code, to reduce the speed limit from 50 MPH to 45 MPH on portions of FM 659 (Zaragoza Rd.), the penalty being as provide in Chapter 1.08 (General Penalty) of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MAY 31, 2016

REGULAR AGENDA - INTRODUCTION AND PUBLIC HEARING:

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

ITEMS 16.1 AND 16.2 TAKEN TOGETHER

16.1. ORDINANCE 018499

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF EL PASO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016" IN A PAR AMOUNT NOT TO EXCEED \$100,000,000; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SUCH CERTIFICATES; AND RESOLVING OTHER MATTERS WHICH ARE NECESSARY TO EFFECTUATE SUCH ISSUANCE, INCLUDING THE DELEGATION OF MATTERS RELATING TO THE SALE AND ISSUANCE OF THE CERTIFICATES TO AN AUTHORIZED CITY OFFICIAL WITHIN CERTAIN SPECIFIED PARAMETERS.**

Dr. Mark Sutter, Chief Financial Officer, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leaser commented.

1st MOTION

Motion made by Representative Niland, seconded by Representative Limón, and unanimously carried to **CLOSE** the Public Hearing at 4:02 p.m.

2nd AND FINAL MOTION

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

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

Niland
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**.

.....
16.2. ORDINANCE 018500

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF EL PASO, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2016" IN A PAR AMOUNT NOT TO EXCEED \$200,000,000; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SUCH BONDS; AND RESOLVING OTHER MATTERS WHICH ARE NECESSARY TO EFFECTUATE SUCH ISSUANCE, INCLUDING THE DELEGATION OF MATTERS RELATING TO THE SALE AND ISSUANCE OF THE BONDS TO AN AUTHORIZED CITY OFFICIAL WITHIN CERTAIN SPECIFIED PARAMETERS..**

1st MOTION

Motion made by Representative Niland, seconded by Representative Limón, and unanimously carried to **CLOSE** the Public Hearing at 4:02 p.m.

2nd AND FINAL MOTION

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

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland
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**.

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

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

-
17.1. Motion made by Representative Niland, seconded by Representative Limón, and unanimously carried to **AWARD** Solicitation 2016-764 Confederate Citizens Collection Station to Saab Site Contractors, LP for an estimated total amount of \$653,700.00.

NOT PRESENT FOR THE VOTE: Representative Acosta

Department:	Capital Improvement
Award to:	Saab Site Contractors, LP
	El Paso, TX
Base Bid I:	\$623,950.00
Alternate:	\$ 29,750.00
Total Estimated Award:	\$653,700.00
Account No.:	334-3150-34100-580270-PESD00160

Funding Source: Enterprise Fund

This is a Low bid, unit price contract.

The Purchasing & Strategic Sourcing Department and Capital Improvement recommend award as indicated to Saab Site Contractors, LP the lowest responsive, responsible bidder.

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

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

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

Ms. Claudia Garcia, Purchasing and Strategic Sourcing commented.

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

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

18.1. ORDINANCE 018501

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12, CHAPTER 12.88 (SCHEDULES), SECTION 12.88.190 (NO STOPPING OR STANDING AT ANY TIME), TO ADD LOMA VERDE DRIVE BETWEEN A POINT 539 FEET NORTH OF ROJAS DRIVE AND 245 FEET SOUTH OF DAVID BRET DRIVE, BOTH SIDES, THE PENALTY BEING AS PROVIDED IN SECTION 12.88.190 AND CHAPTER 12.85 OF THE EL PASO CITY CODE.**

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

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

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**.

18.2. ORDINANCE 018502

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING THE CITY OF EL PASO'S RIGHT-OF-WAY OVER A PORTION OF THE MAPLE STREET, BIRCH STREET, CEDAR STREET AND ELM STREET CROSSINGS OF THE UNION PACIFIC RAILROAD LOCATED BETWEEN BASSETT'S ADDITION AND ALAMO HEIGHTS ADDITION IN CITY OF EL PASO, EL PASO COUNTY, TEXAS. SUBJECT PROPERTY: CITY-WIDE; APPLICANT: CITY OF EL PASO. SURW14-00001**

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

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland
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**.

.....
18.3.

ORDINANCE 018503

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE FUTURE LAND USE MAP CONTAINED IN "PLAN EL PASO" FOR THE NORTHWEST UPPER VALLEY PLAN TO MODIFY THE LAND USE DESIGNATION FROM VERY LOW DENSITY RESIDENTIAL TO MIXED USE FOR THE PROPERTY LEGALLY DESCRIBED AS A PORTION OF LOT 9, BLOCK 1, COUNTRY PLACE ESTATES, NORTH OF COUNTRY CLUB ROAD AND EAST OF HUNTERS GLENN LANE, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

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

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland
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**.

.....
18.4.

ORDINANCE 018504

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING THE CITY RIGHT-OF-WAY OVER A 0.116 ACRE PORTION OF RESLER DRIVE RIGHT-OF-WAY, CITY OF EL PASO, EL PASO COUNTY, TEXAS. SUBJECT PROPERTY: SOUTH OF TRANSMOUNTAIN AT RESLER; APPLICANT: HUNT COMMUNITIES HOLDING, LLC SURW15-00009**

Motion duly made by Representative Svarzbein, seconded by Representative Niland,

that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

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

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**.

18.5.

ORDINANCE 018505

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 21 (SMARTCODE), CHAPTER 21.50 (BUILDING SCALE PLANS), TO AMEND SECTION 21.50.120 (SIGNAGE STANDARDS) IN ITS ENTIRETY TO CREATE NEW SIGN STANDARDS; AND CHAPTER 21.80 (TABLES), TO ADD TABLE 2 SMARTCODE SIGNAGE MODULE, IN SECTION 21.80.020. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 21.60 OF THE EL PASO CITY CODE.**

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

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

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**.

18.6. **1ST MOTION**

Motion made by Representative Tolbert, seconded by Representative Niland, and unanimously carried to **POSTPONE** two weeks an Ordinance granting Special Permit No. PZST16-00002, to allow for a Ground-mounted 68' Personal Wireless Service Facility on the property described as a portion of Lots 1 and 2, Block 109, Morningside Heights, 4801 Dyer Street, 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: 4801 Dyer Street. Property Owner: Mohammed Farokhnia. PZST16-00002

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

NAYS: None

2ND MOTION

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

3RD AND FINAL MOTION

Motion made by Representative Tolbert, seconded by Representative Limón, and unanimously carried to **POSTPONE** two weeks an Ordinance granting Special Permit No. PZST16-00002, to allow for a Ground-mounted 68' Personal Wireless Service Facility on the property described as a portion of Lots 1 and 2, Block 109, Morningside Heights, 4801 Dyer Street, 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: 4801 Dyer Street. Property Owner: Mohammed Farokhnia. PZST16-00002

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

NAYS: None

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

The following members of the public commented:

1. Ms. Nadine Pena
2. Ms. Deborah Wise

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

AYES: Representatives Tolbert, Acosta, Ordaz, and Niland

NAYS: Representatives Robinson and Limón

NOT PRESENT FOR THE VOTE: Representative Noe

ABSTAIN: Representative Svarzbein

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

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

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Police Assistant Chief Michelle Gardner

The following members of the public commented:

1. Mr. Rodolfo Alarcon
2. Mr. Johnny Escalante

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

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

19.1. 1ST MOTION

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

2nd MOTION

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

3rd AND FINAL MOTION

Motion made by Representative Niland, seconded by Representative Limón, and carried to **DIRECT** city staff and legal to work with both industries, taxicab and Uber and go redline by redline to find a way to make the Taxicab industries thrive, be competitive and find a way to allow Uber to be here and compete as well. Level playing field, deregulate and possibly put forth some incentives due to tremendous amount of demand in our community and **COME BACK** with Ordinance to City Council within 30 days.

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

NAYS: None

ABSTAIN: Representative Robinson

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

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Police Assistant Chief Michelle Gardner
3. Police Assistant Chief Victor Zarur

The following members of the public commented:

1. Mr. George Zavala
2. Mr. Raul Zamarripa
3. Ms. Olivia Chavez
4. Mr. Daniel Lopez, Jr.
5. Mr. Richard Dayoub
6. Mr. Hector Montes
7. Mr. Anthony Duncan
8. Mr. James Grein
9. Mr. Ishmael Estrada
10. Mr. Josue Rodriguez
11. Mr. Frank Lozano
12. Mr. Jose Lara
13. Ms. Kimberly Hail
14. Mr. Joe Olivar
15. Mr. Basim Mosa
16. Ms. Christine Miller
17. Mr. Alfonso Roldan
18. Mr. Antje Grein

19. Mr. Chris Miller, Uber, Public Policy Manager

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

- 20.1.** Motion made by Representative Niland, seconded by Representative Acosta, and unanimously carried to **DIRECT** staff to move forward; to find additional funding and identify existing funding; and bring **BACK** to Council as one project.

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

NAYS: None

Mayor Leeser and Representatives Svarzbein, Tolbert, Acosta, Robinson, Noe, Limón and Niland commented.

Ms. Tracey Jerome, Director of Museums and Cultural Affairs, presented a PowerPoint presentation (copy on file in City Clerk's Office).

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Carlos Gallinar, Deputy Director for Planning Division
3. Mr. Cary Westin, Director of Economic and International Development

The following members of the public commented:

1. Mr. Tanny Berg
2. Ms. Marilyn Guida
3. Ms. Gracie Cain

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

21.1. RESOLUTION

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

That the City Manager be authorized to sign a Challenge Grant and Naming Rights Agreement by and between the City of El Paso, The Hunt Family Foundation and the El Paso Museum of History Foundation in conformity with the "Memorandum of Understanding" attached hereto as Exhibit "A" and incorporated herein by reference to allow the Digital Wall Pavilion located at the El Paso History Museum to be named "The Hunt Family Pavilion" in return for a \$500,000 challenge grant to the Museum of History Foundation; and that the City Manager be authorized to sign any all other documents necessary and proper to implement the Challenge Grant.

Ms. Tracey Jerome, Director of Museums and Cultural Affairs, commented.

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

AYES: Representatives Acosta, Robinson, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

21.2.

R E S O L U T I O N

WHEREAS, on November 6, 2012, the voters of the City of El Paso, Texas approved the issuance of general obligation bonds for the purposes of constructing new and improved amenities for parks and recreation facilities, open space improvements, libraries, museums, the Zoo, neighborhood improvements, and cultural and performing arts facilities, to include an obligation of funds in the amount of \$1,500,000 for the purchase of Shade Canopies for various parks in the City of El Paso;

WHEREAS, on January 25, 2016; City Council approved the rollout plan for the 2012 Quality of Life bond program; and

WHEREAS, after receiving input from the citizens of El Paso and City Council members, City staff is recommending a Shade Canopies Plan for the expenditure of funds in the amount of \$1,500,000.00 allocated throughout Fiscal Year 2023.

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

THAT the City Manager be authorized to approve the Shade Canopies Plan to be funded by the 2012 Quality of Life Bonds in the amount of \$1,500,000.00, to be expended over the next seven years.

Mr. Tracy Novak, Director of Parks and Recreation presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Limón commented.

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

AYES: Representatives Acosta, Robinson, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

21.3.

R E S O L U T I O N

WHEREAS, there are a number of benches and light standards which were salvaged from the San Jacinto Plaza during construction of the newly-renovated park. These amenities are in storage and are generally in usable condition or could be repurposed with minimal cost.

WHEREAS, Staff is recommending that the salvaged benches and light standards be refurbished and repurposed in other parks throughout the City.

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

That City Council hereby authorizes the Parks and Recreation Department to refurbish and repurpose the benches and light standards from the old San Jacinto Plaza park for use in other City parks.

Mr. Tracy Novak, Director of Parks and Recreation presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representatives Svarzbein, Acosta, Noe, Ordaz, Limón, and Niland commented.

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

AYES: Representatives Acosta, Robinson, Noe, Ordaz, Limón, and Niland

NAYS: Representative Svarzbein

NOT PRESENT FOR THE VOTE: Representative Tolbert

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21.4.

R E S O L U T I O N

WHEREAS, the Club Rec Summer Camp program has a youth scholarship enrollment of approximately 50%, where participants meeting income requirements are eligible to have their fees paid by the City in order to participate.

WHEREAS, the participants are still required to pay a weekly \$7 administrative fee, which presents an undue hardship for many scholarship recipients and has resulted in their inability to attend, despite the remaining fees being paid through the scholarship program; and

WHEREAS, in order to remove the financial barrier, staff is recommending that the \$7.00 administrative fee for summer camp scholarship recipients be waived.

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

That City Council hereby authorizes the waiver of the \$7.00 administrative fee for summer camp scholarship recipients in the Club Rec Summer Camp program.

Representatives Robinson, Noe, and Niland commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Tracy Novak, Director of Parks and Recreation
3. Ms. Dionne Mack, Interim Director of Quality of Life

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

AYES: Representatives Svarzbein, Acosta, Robinson, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Tolbert

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

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

Goal 2 Team (Safe and Secure City)

Police Department, Michelle Gardner, (915) 212-4301

Fire Department, Samuel Peña, (915) 485-5605

Fire Chief Samuel Pena presented a PowerPoint presentation (copy on file in City Clerk's Office).

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

Representative Niland commented.

Goal 8 Team (Healthy, Sustainable Community)
Community and Human Development, Verónica R. Soto, (915) 212-0138

Ms. Veronica Soto, Director of Community and Human Development, presented a PowerPoint presentation (copy on file in City Clerk's Office).

NO ACTION taken on this item.

-
- 22.2.** Discussion and action on recommendations made by the Civil Service Commission at its April 14, 2016 meeting relating to the group grievance brought by ATU Local 1256 on the issues of: (1) longevity pay; and (2) employee representation at the investigatory stage of the disciplinary process.

1ST MOTION

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

2nd MOTION

Motion made by Representative Niland, seconded by Representative Ordaz, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 1:42 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.087 to discuss any of the following:

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Noe

3rd MOTION

Motion made by Representative Niland, seconded by Representative Svarzbein, and unanimously carried to adjourn the Executive Session at 2:16 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Noe

4th MOTION

Motion made by Representative Acosta, seconded by Representative Niland, and unanimously carried to **DIRECT** staff to continue with their financial analysis to determine the effect of the longevity pay as it was presented in the ordinance as it was presented in the budget resolution and to share that information with the employee groups and the Civil Service Commission.

NOT PRESENT FOR THE VOTE: Representative Noe

5th MOTION

Motion made by Representative Niland, seconded by Representative Tolbert, and unanimously carried that the Council **REQUEST** that the City Manager form an Employee Focus Group to address this matter and formulate a recommendation and bring back to City Council.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Noe

The following City staff members commented:

1. Ms. Linda Thomas, Director of Human Resources
2. Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. Hector Montes
2. Mr. David Guzman
3. Mr. David Ochoa
4. Yvette Trujillo
5. Ms. Bibi Vasquez

22.3. Discussion regarding FY 2017 City Council Budget.

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

Mayor Leeser and Representatives Noe, Niland and Acosta commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Nancy Bartlett, Chief Performance Officer

NO ACTION taken on this item.

22.4. RESOLUTION

WHEREAS, the City Council adopted the Budget Resolution for FY 2016 on August 18, 2015; and

WHEREAS, paragraph 15 of the Budget Resolution for FY 2016 provides that the City Manager or his designee is authorized to issue, without further City Council action, purchase orders against any contract offered through the Cooperative Purchasing Network, the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program, the Texas Association of School Boards, Inc. (TASB, Inc.) Cooperative Purchasing Buy Board, the ESC-Region 19 Cooperative Purchasing Program, the Harris County Department of Education Cooperative Purchasing Program, Tarrant County Cooperative Purchasing Program, Texas Procurement and Supportive Services (TPASS), Texas Multiple Award Schedule (TMAS and TXSmartBuy), State of Texas Department of Information Resources (DIR), U.S. Communities, Technology Bidding and Purchasing Program (PEPPM), and U.S. General Services Administration (GSA) in an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) per cooperative purchasing program contract.; and

WHEREAS, the City desires to issue a purchase order to Mirador Enterprises,

Inc. pursuant to a ESC-Region 19 Cooperative Purchasing Program contract (National Job Order Contracting Services, 13-6973) to perform work for the Animal Shelter Atrium and Sally Port Wall; and

WHEREAS, the purchase order to Mirador Enterprises, Inc. under ESC-Region 19 Cooperative Purchasing Program will cause the City to exceed the cap of \$500,000.00 in the Budget Resolution FY 2016; and

WHEREAS, the City Council desires to amend the Budget Resolution for FY 2016 to eliminate the \$500,000.00 cap for expenditures under ESC-Region 19 Cooperative Purchasing Program to allow the City Manager or designee to issue the purchase order to Mirador Enterprises, Inc. and to issue additional purchase orders for the remainder of FY 2016 against contracts offered through the ESC-Region 19 Cooperative Purchasing Program without further City Council action.

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

That paragraph 15 of the Budget Resolution for FY 2016 be amended to eliminate the not to exceed Five Hundred Thousand Dollar (\$500,000.00) cap for purchase orders that the City Manager or his designee can issue without further City Council action under the ESC-Region 19 Cooperative. All other language in paragraph 15 of the Budget Resolution for FY 2016 remains full force and effect.

Representative Ordaz commented.

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

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

AYES: Representatives Svarzbein, Acosta, Robinson, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Tolbert

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23. MAYOR AND COUNCIL

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23.1. *Motion made, seconded, and unanimously carried to **DELETE** the item on discussion and action regarding on-premise signage along Zaragoza Rd.
.....

The City Council Meeting was **RECESSED** at 12:59 p.m.

The City Council Meeting was **RECONVENED** at 1:38 p.m.
.....

23.2. 1st MOTION

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

2nd MOTION

Motion made by Representative Svarzbein, seconded by Representative Niland, and unanimously carried to **DIRECT** the City Manager (Economic Development & Visit El Paso), and El Paso Film Commission, as well a group of filmmakers stakeholders to develop a strategic film industry development plan to include city-based incentives, to attract small, medium, and large scale projects; and **REPORT** to Council in 90 days.

AYES: Representatives Svarzbein, Tolbert, Acosta, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Robinson and Noe

3RD MOTION

Motion made by Representative Svarzbein, seconded by Representative Ordaz, and unanimously carried to **DIRECT** City of El Paso State Legislative Agenda consultant firm to advocate for Texas Moving Image Industry Incentive Program funding increases, and increase incentives for economically distressed or underutilized areas. This is a priority legislative item that Legal will **WRITE** the bill and carry the legislation.

AYES: Representatives Svarzbein, Tolbert, Acosta, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Robinson and Noe

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

Representatives Niland, Ordaz and Limón commented.

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

The following members of the public commented:

1. Mr. Jesus Nunez
2. Mr. Ramon Villa
3. Mr. Carlos Coral
4. Mr. Julian Quiamboa
5. Ms. Angie Tures

23.3.

R E S O L U T I O N

WHEREAS, the City of El Paso government exists to enhance the health, safety, and quality of life for all residents – now and in the future – as determined by law and community interests; and

WHEREAS, the Endangered Species Act was passed by a bi-partisan majority of Congress and signed into law by President Richard Nixon in 1973 in order to protect not only individual species, but the healthy landscapes upon which all life depends; and

WHEREAS, according to a recent national poll, 90 percent of Americans support the Endangered Species Act and 68 percent of voters are more likely to support members of Congress who back environmental safeguards like the Endangered Species Act; and

WHEREAS, the Endangered Species Act has saved from extinction more than 99 percent of the species designated for protection under the Act—including the Bald Eagle, Aplomado Falcon, American alligator, and Mexican Spotted Owl; and

WHEREAS, the El Paso Zoo is home to many rare and endangered animals including the critically endangered Mexican Wolf, Bali Mynah, Sumatran orangutan, and Malayan tiger; and

WHEREAS, accredited zoos like the El Paso Zoo, have successfully brought back species from the brink of extinction through cooperative breeding programs—including the Asian wild horse, black-footed ferret and Mexican Wolf; and

WHEREAS, reintroduction of the endangered Mexican wolf to significant portions of its historic range in New Mexico and Arizona has helped restore the balance of those ecosystems, and provides a model for recovery of that species in southwestern Texas; and

WHEREAS, protection of species such as the Southwest Willow Flycatcher and Yellow-billed Cuckoo aids in restoration of riparian areas and protection of the Rio Grande watershed; and

WHEREAS, recovery of threatened and endangered species on public lands surrounding the City of El Paso have the potential to increase the attractiveness of these areas to potential visitors; and

WHEREAS, amendments to the Endangered Species Act encourage and provide flexibility for private landowners to work cooperatively with the federal agencies charged with maintaining and managing our public lands; and

WHEREAS, the El Paso Zoo annually reaches 370,000 guests with a mission of celebrating the value of animals and natural resources and creating opportunities for people to rediscover their connection to nature; and

WHEREAS, the citizens of El Paso and the El Paso Zoo support wildlife conservation efforts locally, regionally and around the world; and

WHEREAS, the El Paso Zoo has placed staff in conservation “hot spots” to aid field conservation projects for endangered species in Indonesia, Baja and Northern Mexico, Wyoming, Southern New Mexico, and Arizona; and

WHEREAS, the Endangered Species Act provides individual citizens and local governmental bodies such as this Council with a framework for influencing public policy decisions in a time of increasing water scarcity and uncertain effects of climate change;

NOW, THEREFORE, BE IT RESOLVED that the El Paso City Council strongly supports the Endangered Species Act and encourages The U.S. Congress to continue its funding and enforcement; and

BE IT FURTHER RESOLVED that copies of this resolution shall be forwarded to the County’s Congressional Delegation.

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

AYES: Representatives Svarzbein, Acosta, Robinson, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Tolbert

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- 23.4.** Motion made by Representative Limón, seconded by Representative Ordaz, and unanimously carried to **DIRECT** staff to establish a policy for cell tower co-location placements for future cell towers.

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

and Niland
NAYS: None

Representatives Robinson, Noe, Limón, and Niland commented.

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

Ms. Karla Nieman, Assistant City Attorney, gave legal advice.

EXECUTIVE SESSION

Motion made by Representative Niland, seconded by Representative Limón, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 6:19 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.087 to discuss any of the following:

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

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

Motion made by Representative Niland, seconded by Mayor Pro Tempore Noe, and unanimously carried to adjourn the Executive Session at 6:40 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

EX1. ZTEX Construction, Inc., Contract No. 2015-433 Street Resurfacing 2015 Project (551.071)

Motion made by Mayor Pro Tempore Noe, seconded by Representative Niland, and unanimously carried that the City Attorney's Office be authorized to settle the claim regarding Contract No. 2015-433, Street Resurfacing 2015 Project, with ZTEX Construction, Inc., as recommended by the City Attorney in consultation with the City Manager; and further that the City Manager be authorized to sign all settlement documents; provided however, this authority will expire on May 26, 2016.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

EX2. Negotiations with El Paso Children's Museum (551.071, 551.073)

NO ACTION taken on this item.

ADDITIONS TO THE AGENDA

REGULAR AGENDA - OTHER BUSINESS

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

- 1.1 Motion made by Representative Limón, seconded by Representative Niland, and unanimously carried to **APPROVE** the recommendation to revise the practices for Payment and Performance Bonds requirements and update Termination Practices for Janitorial Services, Security Guard Services and Land Management.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

Mr. Bruce Collins, Director of Purchasing and Strategic Sourcing, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeson and Representatives Noe and Niland commented.

The following members of the public commented:

1. Mr. Jose Campos, Small Business Administration
2. Ms. Marilyn Guida

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ADJOURN

Motion made by Representative Niland, seconded by Representative Limón, and unanimously carried to **ADJOURN** this meeting at 6:41 p.m.

NOT PRESENT FOR THE VOTE: Representatives Svarbein and Tolbert

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk