

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
MICHIEL R. NOE, DISTRICT 5
CLAUDIA ORDAZ PEREZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

**LEGISLATIVE REVIEW MEETING OF THE WHOLE MINUTES
MAIN CONFERENCE ROOM
CITY HALL, 300 N. CAMPBELL
June 25, 2018
9:00 A.M.**

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The City Council met at the above place and date. Meeting was called to order at 9:03 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Sam Morgan, Michiel Noe, Henry Rivera, and Cissy Lizarraga. Late arrivals: Claudia Ordaz Perez at 9:12 a.m. Alexsandra Annello and Cassandra Hernandez requested to be excused.

The agenda items for the Regular City Council meeting of June 26, 2018 were reviewed.

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3.1. CONSENT AGENDA – RESOLUTIONS

A Resolution to authorize the Director of Aviation to sign and submit a grant application and related documentation to the Federal Aviation Administration (FAA), and be designated the official representative of the City of El Paso to act in connection with the application process for the Airport Improvement Program (AIP) Project No. 3-48-0077-038-2018. Also, that upon approval and issuance of such grant by the FAA, the City Manager be authorized to accept and sign the grant agreement, and other necessary documents when the form and substance of those documents has been reviewed and approved by the City Attorney's office.

The total grant amount shall include a federal estimated share of \$2,647,474.00 and an estimated match of \$12,280,799.00 to be paid for with Passenger Facility Charge user fees and Airport Enterprise Funds for the following projects: Realignment & Extension of Taxiway V and Expansion of FBO Ramp (design) and Runway 4-22 Reconstruction & Taxiway System Construction.

Mayor Margo and Representative Lizarraga questioned the following City staff member:

- Mr. Terry Sharpe, Airport Assistant Director for Operations and Security

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3.2. CONSENT AGENDA - RESOLUTIONS

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and among the City of El Paso ("Lessor"), Hunt 12 Founders, LLC ("Assignor"), and Althon REI II, LLC ("Assignee"), for the following described property:

Portions of Lots 1, 2, and 9 and all of Lot 10. Block 2, Butterfield Trail Industrial Park Unit One, Replat "A", an Addition to the City of El Paso, El Paso County, Texas, containing 7.4665 acres of land, more or less, and municipally known and numbered as 12 Founders Blvd., El Paso. Texas.

Current Terms:

40-year lease, with two (2) additional five (5) year options

July 2016 - June 2056

325,219 sq. ft. @ \$0.24

Total annually- \$78,052.56

Monthly- \$6,504.38

The lease was executed 2 years ago; therefore, no increase is due in rent.
Mayor Margo questioned the following City staff member:

- Mr. Jeff Schultes, Assistant Director of Aviation

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4.1 CONSENT AGENDA - RESOLUTIONS

That the City Manager or designee is authorized to submit an application for grant funding for the Texas Anti-Gang Program (TAG), through the Criminal Justice Division of the Texas Governor's Office, including all understandings and assurances contained therein, and to reject, alter and/or terminate the grant. Further, the City Manager or designee is authorized to execute any grant amendments, corrections or extensions of the grant agreement which increase, decrease or de-obligate program funds. The City is the grantee working in partnership with multiple local, state and federal agencies to combat gang activity through prevention and enforcement efforts. Requesting \$1,031,189.75, no cash match or inkind required.

BACKGROUND / DISCUSSION:

The TAG grant funds a collaborative effort in which multiple local, state and federal agencies co-locate designated investigative staff in a leased facility (TAG Center). Funds are budgeted for TAG Center building lease costs, data services, equipment, salary costs, office equipment and office supplies. Operational activities will focus on gang prevention, intervention, and suppression as well as investigation, enforcement, and prosecution of gang-related offenses. Co-location facilitates information-sharing, investigative collaboration, and multi-jurisdictional enforcement. The previous TAG grant application was approved by City Council on August 8, 2017 and resulted in an award of \$1,047,733.04 for the duration of the grant.

Mayor Margo questioned the following City staff member:

- Assistant Police Chief Patrick Maloney

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4.2 CONSENT AGENDA - RESOLUTIONS

Authorize the City Manager, or designee, to submit an Automobile Burglary and Theft Prevention Authority (ABTPA) FY2019 grant application, and to alter, decline, modify, terminate and/or execute all necessary documents related to the grant. Requesting \$929,465.00 and \$374,643.00 cash match.

BACKGROUND / DISCUSSION:

The ABTPA FY19 grant will fund personnel salaries, fringe benefits, professional and contractual services, travel, supplies and direct operating expenses for the Police Department's Auto Theft Task Force.

Mayor Margo and Representative Lizarraga questioned the following City staff member:

- Assistant Police Chief Patrick Maloney

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6.1. CONSENT AGENDA – RESOLUTIONS

A Resolution to allow the City Manager to sign a Mutual Cooperation Agreement between the City of El Paso and the El Paso Museum of History Foundation, a Texas 501(c)(3) non-profit entity, to formalize the Foundation's work to support the mission of the El Paso Museum of History through fundraising.

Mayor Margo questioned the following City staff member:

- Ms. Tracey Jerome, Museums and Cultural Affairs Director

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THE FOLLOWING ITEMS WERE DISCUSSED TOGETHER

8.1. CONSENT AGENDA – RESOLUTIONS

Discussion and action that the City Manager be authorized to sign a First Amendment to the On-Call Agreement for Professional Services with each of the following eleven (11) consultants to continue to perform professional civil engineering services on a task by task basis:

1. AIA Engineers, LTD.
2. Brock & Bustillos, Inc.
3. CEA Engineering Group, Inc.
4. Conde, Inc.
5. CSA Design Group, Inc.
6. ESSCO International, Inc.
7. Huitt-Zollars, Inc.
8. Moreno Cardenas, Inc.
9. Parkhill, Smith & Cooper, Inc.
10. Quantum Engineering Consultants, Inc.
11. SLI Engineering, Inc.

In addition, that the City Manager is authorized to execute any and all documents necessary for execution of each First Amendment to the On-Call Agreement.

8.2. CONSENT AGENDA – RESOLUTIONS

Discussion and action that the City Manager be authorized to sign a First Amendment to the On-Call Agreement for Professional Services with each of the following five (5) consultants to continue to perform professional architecture services on a task by task basis:

1. Carl Daniel Architects, Inc.
2. ACM Designs, LLC. dba EXIGO
3. MNK Architects, Inc.
4. In*Situ Architecture
5. Mijares-Mora Architects, Inc.

In addition, that the City Manager is authorized to execute any and all documents necessary for execution of each First Amendment to the On-Call Agreement.

Mayor Margo and Representative Svarzbein questioned the following City staff member:

- Mr. Sam Rodriguez, City Engineer

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9.1. CONSENT AGENDA – RESOLUTIONS

That the Mayor of the City of El Paso, Texas be authorized to sign a resolution of no objection for a 2018 4% Non-Competitive, Low Income Housing Tax Credit (LIHTC) application submitted by the Housing Authority of the City of El Paso (HACEP) to the Texas Department of Housing and Community Affairs (TDHCA) for the Tays Place (Northern Section), 2114 Magoffin Ave.

Representative Lizarraga questioned the following City staff member:

- Mr. Art Rubio, Housing Program Manager

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15.1. CONSENT AGENDA – BEST VALUE PROCUREMENTS

The award of Solicitation No. 2018-1249 (Electric Cart Operator) to Goodwill Industries of El Paso Inc. for an initial three (3) year term estimated award of \$284,625.00. The award is to include a two (2) year optional amount of \$189,750.00 for a total five (5) year award of \$474,375.00. The Department of Aviation is seeking a contractor to provide operators for its courtesy passenger shuttle in Concourse B of the airport terminal. Concourse B is the busiest concourse serving approximately seventy percent (70%) of the passengers. The passenger shuttle assists passengers with limited mobility, those traveling with small children or any passenger that may need assistance get to and from their gate

Contract Variance:

The previous contract was awarded in 2013 with a bill rate of \$10.00 per hour. The recommended award has a bill rate of \$11.50 per hour, resulting in an increase of \$1.50 per hour. The total increase for award is \$37,125.00 for the three (3) year term.

Department:	El Paso International Airport
Award to:	Goodwill Industries of El Paso Inc. El Paso, Texas
Item(s):	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$ 94,875.00
Initial Term Estimated Award:	\$284,625.00 (3 years)
Total Estimated Award:	\$474,375.00 (5 years)
Account No.:	562 – 62070 - 522150 – 3000
Funding Source:	Airport Operation Fund – Outside Contracts
District(s):	3

This is Best Value service contract.

The Purchasing & Strategic Sourcing Department and El Paso International Airport recommend award as indicated to Goodwill Industries of El Paso Inc., 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.

Mayor Margo questioned the following City staff member:

- Ms. Rebecca Torres, Procurement Analyst

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16.1. CONSENT AGENDA – BEST VALUE PROCUREMENTS

The award of Solicitation No. 2018-1037 Janitorial Services – Animal Care Centers to Francisco Corral dba Eagle Janitorial Service for an initial three (3) year term estimated award of \$151,588.80. The award is to include a two (2) year optional amount of \$101,059.20 for a total five (5) year award of \$252,648.00. The janitorial services contract provides the daily cleaning for the lobby, restrooms and high traffic areas for both locations at 5001 Fred Wilson and 9060 Socorro Rd.

CONTRACT VARIANCE PREVIOUS CONTRACT:

Previous contract was awarded in 2013. The difference in cost, based on the comparison of the hourly rate from the previous contract, is as follows:

The cost of janitorial services comparison from 2013 Contract hourly rate was \$9.95 an hour compared to 2018 bid hourly rate of \$11.00 an hour which is an annual increase of \$3,812.69, and the initial three (3) year term increase of \$11,438.07.

Department:	Animal Services
Award to:	Francisco Corral dba Eagle Janitorial Service
	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option to Extend:	2 Years
Annual Estimated Award:	\$50,529.60
Initial Term Estimated Award:	\$151,588.80 (3 Years)
Total Estimated Award:	\$252,648.00 (5 Years)
Account No.:	225-2580-25100-522060
Funding Source:	Maintenance Services Contract - Janitorial
District(s):	All

This is a Best Value, Service contract.

The Purchasing & Strategic Sourcing Department and Department of Animal Services recommend award as indicated to Francisco Corral dba Eagle Janitorial Service, 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.

Mayor Margo questioned the following City staff member:

- Ms. Paula Salas, Purchasing Agent

20.1. REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

Discussion and action to award Solicitation 2018-1160 EPIA Terminal Landscape Architectural Lighting to Jordan Foster Construction, LLC for a negotiated estimated total amount of \$7,528,695.75. This project consists of the new landscape and lighting improvements beginning at the intersection of Montana and Airway and continuing along and around Terminal Drive loop. The project includes the construction of new sidewalks and walkways, as well as a new plaza that will provide a pedestrian connection between the terminal building and the surrounding hotels and restaurants. The project will incorporate the installation of color changing, programmable LED lights into the landscaping as well as on the terminal building.

Department:	Capital Improvement
Award to:	Jordan Foster Construction, LLC
	El Paso, TX
Item(s):	All
Term:	230 Consecutive Calendar Days
Base Bid:	\$ 7,528,695.75
Total Estimated Award:	\$ 7,528,695.75
Account No.:	562-3010-62235-580270-PAP00830
Funding Source:	Airport Enterprise Funds

District(s): All

This is a Competitive Seal Proposal, Lump Sum Contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Jordan Foster Construction, LLC the bidder offering the best value bid.

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

As a part of this award, upon the review of the City Attorney, the City Engineer 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.

Mayor Margo questioned the following City staff member:

- Ms. Rachel Johnson, Procurement Analyst

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21.1. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

An Ordinance granting a special privilege license to Sprint Communications Company L.P. for the construction, installation, maintenance, use, and repair of 20,970 linear feet of all necessary, desirable, and existing subsurface wires, cables, underground, conduits, manholes, or other structures and appurtenances in connection with long distance telecommunications systems and fiber optic conduit and cables within portions of city right-of-way along Mesa Hills Drive, North Boone Street, South Santa Fe Street, North Copia Street, Montana Avenue and Doniphan park drive for a term of five years with two renewable five year terms.

Mayor Margo and Representative Lizarraga questioned the following City staff member:

- Mr. Anthony Cisneros, Planner

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22.1. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

An Ordinance changing the zoning of a portion of all of Tract 1 and portion of Tracts 2 and 3 lying East of the Playa Lateral, Block D, Christy Tract, Craddock Ave, and James St.; City of El Paso, El Paso County, Texas from R-F (Ranch-Farm) District to R-3 (Residential) District. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: South of Knights and East of Border Highway. Property Owner: Catholic Properties of El Paso. PZRZ17-00029 THIS IS AN APPEAL CASE AND A 211.

Mayor Margo and Representative Rivera questioned the following City staff members:

- Mr. Raul Garcia, Lead Planner
- Ms. Karla Nieman, Interim City Attorney

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THE FOLLOWING ITEMS WERE DISCUSSED TOGETHER

22.3. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

An Ordinance amending the Future Land Use Map contained in “Plan El Paso” for the property legally described as Tracts 10A, 10D, 11B, 12A, and 12B, Block 2, Ysleta Grant, 538 Ivey, City of El Paso, El Paso County, Texas, from O-3, Agriculture, to G-3, Post-War. Subject Property: 538 Ivey (PLCP17-00001)

22.4. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

An Ordinance changing the zoning of the following real property known as: PARCEL 1: Tract 11B (2.389 AC), Block 2, Ysleta Grant (538 Ivey), City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-3 (Commercial); and, PARCEL 2: Tract 10D (2.0785 AC) and Tract 12B (3.935 AC) (6.0315 AC), Block 2, Ysleta Grant, 538 Ivey, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-3 (Commercial); and, PARCEL 3: Tract 10A (0.3981 AC), Block 2, Ysleta Grant, 538 Ivey, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-3 (Commercial); and, PARCEL 4: Tract 12A (3.292 AC), Block 2, YSLETA GRANT, 538 Ivey, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-3 (COMMERCIAL), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 538 Ivey. Property Owner: Pierre and Norma Hernandez. PZRZ16-00035

Mayor Margo and Representative Ordaz Perez questioned the following City staff member:

- Mr. Raul Garcia, Lead Planner

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THE FOLLOWING ITEMS WERE DISCUSSED TOGETHER

23.1. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

An Ordinance amending Title 19 (Standards for Deeded Parkland) of the El Paso Municipal Code. In particular, Chapter and Section 19.20.050B - Minimum improvements for lands to be dedicated as parklands, requiring metal shade canopy over playgrounds as a minimum standards requirement.

23.2. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

Discussion and action requesting revising the Design and Construction Standards for Park Facilities, amending the specifications for shade canopies, irrigation standards, and soil profile for landscape specifications.

Mayor Margo and Representative Ordaz Perez questioned the following City staff member:

- Mr. Tracy Novak, Parks and Recreation Director

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THE FOLLOWING ITEMS WERE DISCUSSED TOGETHER

25.1. REGULAR AGENDA – OTHER BUSINESS

Discussion and action that the City Manager be authorized to sign the Second Amendment to the Chapter 380 Economic Development Program Agreement, originally approved on April 14, 2015, between the City of El Paso and Dome Services, LLC, a Texas Limited Liability Corporation, extending the project timeline, subject to the terms and conditions set forth herein

The applicant, Dome Services LLC, is seeking a 12-month extension to this agreement and must complete construction and obtain a certificate of occupancy by April 14, 2019. The total cost of real improvements of the development is four hundred thousand/Dollars (\$400,000). In consideration for the extension, the

overall incentive amount will be reduced. The Construction Materials Sales Tax Rebate will be eliminated (\$4,000) and the new grant amount to be rebated will be \$22,049.68.

25.2. REGULAR AGENDA – OTHER BUSINESS

Discussion and action that the City Manager be authorized to sign the Second Amendment to the Tax Abatement Agreement, originally approved on April 14, 2015, between the City of El Paso and Dome Services, LLC, a Texas Limited Liability Corporation, extending the project timeline, subject to the terms and conditions set forth herein.

The applicant, Dome Services LLC, is seeking a 12-month extension to this agreement and must complete construction and obtain a certificate of occupancy by April 14, 2019. The total cost of real improvements of the development is four hundred thousand/Dollars (\$400,000). In consideration for the extension, the overall incentive amount will be reduced. The Construction Materials Sales Tax Rebate will be eliminated (\$4,000) and the new grant amount to be rebated will be \$22,049.68.

Mayor Margo and Representative Lizarraga questioned the following City staff member:

- Ms. Stephanie Santiago, Senior Economic Development Specialist

25.3. REGULAR AGENDA – OTHER BUSINESS

Discussion and action that the City Manager be authorized to execute the First Amendment to the Chapter 380 Economic Development Program Agreement between the City of El Paso (the “City”) and Fred Loya Insurance, Inc. (the “Applicant”), regarding the Applicant’s development of the property located at 11577 Pellicano Drive, El Paso, Texas 79936. Wherein the parties agree to an extension of Applicant’s Certificate of Occupancy and an extension on Applicant’s deadline to meet Full-Time job requirements. The Applicant’s required qualified expenditures will remain at \$9,750,000 and they must create and retain a total of 738 positions through 2027. The incentive package is composed of a 50% Incremental City Property Tax Rebate capped at \$271,244 and is limited to eight consecutive payout years.

Mayor Margo and Representative Rivera questioned the following City staff member:

- Ms. Aimee Olivas, Business Retention and Expansion Specialist

27.1. REGULAR AGENDA – OTHER BUSINESS

Discussion and action on a Resolution requesting the Mayor to sign an Interlocal Agreement with The University of Texas at El Paso (“UTEP”) to collaborate to identify research and educational projects related to matters that concern the community in the City of El Paso.

Mayor Margo questioned the following City staff member:

- Ms. Lauren Baldwin, Sustainability Coordinator

Motion made by Representative Ordaz Perez, seconded by Representative Lizarraga, and unanimously carried to **ADJOURN** this meeting at 9:28 a.m.

ABSENT: Representatives Annello and Hernandez

APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk