

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



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

MINUTES FOR REGULAR COUNCIL MEETING

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

ROLL CALL

The City Council met in regular session at the above place and date. Meeting was called to order at 8:04 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Larry Romero, Emma Acosta, Michiel R. Noe, and Lilia Limón. Late arrivals: Peter Svarzbein at 8:05 a.m., Carl Robinson and Cortney Niland at 8:08 a.m., and Claudia Ordaz at 8:15 a.m. The invocation was given by Raul Amaya, Join Us For Justice, the El Paso Chapter of Americans United for Separation of Church and State, followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY RAUL AMAYA

JOIN US FOR JUSTICE, THE EL PASO CHAPTER OF AMERICANS UNITED FOR SEPARATION OR CHURCH AND STATE

PLEDGE OF ALLEGIANCE

Fernanda Bolaños
Paola Bolaños

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

The following member of the public commented:

1. Mr. Jose Barriga
2. Ms. Patricia Delgado
3. Mr. Robert Heyman
4. Mr. Joseph Heyman
5. Mr. Chris Cummings
6. Ms. Linda Senchoway
7. Ms. Marcia Margherio
8. Ms. Wally Cech

9. Mr. Salvador Gomez

Mayor Leeser commented.

Mr. Tommy Gonzalez, City Manager, commented.

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MAYOR'S PROCLAMATIONS

1. **El Paso Independent School District and Burges High School Day**
2. **Team Red, White and Blue Week**

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RECOGNITIONS

SPC Jonathan W. Kao -Wall of Giants: Fort Bliss

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NOTICE TO THE PUBLIC

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

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

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CONSENT AGENDA - APPROVAL OF MINUTES:

1. **Goal 6: Set the Standard for Sound Governance and Fiscal Management**
- 1.1. *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of July 7, 2015 and the Legislative Review Meeting of the Whole of July 6, 2015.

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CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

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

NO ACTION taken on this item

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CONSENT AGENDA - RESOLUTIONS:

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

3.1.

***RESOLUTION**

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

That the El Paso City Council approves the list of projects on Exhibit "A" attached hereto, totaling approximately \$124,795,136.00, referenced as the "El Paso International Airport Proposed Five Year Capital Improvement Plan", as the established list of Airport Capital Improvement Program projects for FY 2016 through FY 2020 and the use of the identified funding sources and that the City Manager be authorized to make all necessary budget transfers prior to the execution of the projects.

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

WHEREAS, on June 2, 2014 Key Bank National Association, through its division, Key Equipment Finance, f/k/a Equipment Finance, Inc. ("Key") voluntarily tendered a check to the City in the amount of \$47,050.42 for the payment of the 2014 taxes for personal property account 1157-999-1168-0334; and

WHEREAS, the amount tendered by Key as payment for the 2014 taxes was to be held in an escrow account to be applied toward the 2014 taxes when they became due and any excess funds would be refunded to Key; and

WHEREAS, a dispute arose whether the payment of \$47,050.42 was for the estimated 2014 taxes assessed against all the personal property associated with account 1157-999-1168-0334 or solely based on the estimated value of Key's Varian True Beam Accelerator; and

WHEREAS, the City and Key agree to settle and resolve the dispute in accordance with the terms of the Settlement Agreement; and

WHEREAS, the City will refund Key the voluntary overpayment of \$6,037.95 pursuant to Section 31.11 of the Texas Tax code.

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

The City Manager has the authority to sign the Settlement Agreement between the City and Key Bank National Association and that the City Council approves the tax refund of the voluntary overpayment in the amount of \$6,037.95.

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

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

That the Mayor be authorized to sign a Contract of Sale between the City of El Paso and the County of El Paso for the sale of certain microwave communications equipment, as further identified in Exhibit A, at a total sale price of Four Hundred Sixty-three Thousand Six Hundred Fifty-three and 99/100 Dollars (\$463,653.99).

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5.2.1. *RESOLUTION

WHEREAS, on March 12, 2013, the City of El Paso awarded Contract No. 2013-078 (Grounds Maintenance-City Medians) Groups I, III, and IV to Three C's Contractors, Inc. ("Company"); and

WHEREAS, on December 2, 2014 the Company notified the City that the Company was financially unable to continue to provide services under the Contract; and

WHEREAS, pursuant to Section C, Paragraph 8B of the Contract (Termination for Default), the City is authorized to terminate the Contract for default; and

WHEREAS, the City desires to terminate this Contract for Default.

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

That the Purchasing director is authorized to notify Three C's Contractors, that the City is terminating Contract No. 2013-078 Groups I, III, and IV for default pursuant to the provisions and requirements of Section C, Paragraph 8B of the Contract Clauses, due to contractor's failure to perform under the contract and that the termination shall be as of July 14, 2015.

5.2.2.

***RESOLUTION**

WHEREAS, on March 12, 2013 the City of El Paso ("City") awarded Contract No. 2013-078 Grounds Maintenance- City Medians, Groups I, III, and IV to Three C's Contractors, Inc. ("Contractor") for a term of three (3) years; and

WHEREAS, Contractor provided a Performance Bond through SureTec Insurance Company ("Surety") in favor of the City to secure the performance obligations of Contractor; and

WHEREAS, on December 2, 2014, Contractor informed the City that the Contractor would not continue to provide the services under the contract; and

WHEREAS, the City contacted the Surety to secure the performance of Contract No. 2013-078 Groups I, III, and IV for the remaining term of the contract pursuant to the obligations of the Performance Bond; and

WHEREAS, the Surety agrees to undertake the completion of Contract No. 2013-078, Groups I, III, and IV by subcontracting Evergreen Lawn Service ("Completion Contractor"); and

WHEREAS, the City agrees to pay the original contract amount for the services under Contract No. 2013-078, Groups I, III, and IV.

WHEREAS, the City and Surety desires to enter into a Takeover Agreement for the Surety to undertake the completion of Contract No. 2013-078, Groups I, III, IV by subcontracting the Completion Contract which will perform for the remaining term of the contract.

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

The City Manager is authorized to sign the Takeover Agreement between the City and SureTec Insurance Company ("Surety"), for the Surety to provide services through the Completion Contract, Evergreen Lawn Service, pursuant to the terms of Contract No. 2013-078, Groups I, III, and IV and the responsibilities of the

Performance Bond for the remaining term of the contract which will end on March 11, 2016; and that the City will pay the Surety a contract amount of \$8,639.91 per month for the services under Group I, \$2,978.00 per month for four (4) months and \$1,644.00 for three (3) months for the services under Group III, and an amount not to exceed \$22,595.83 for Group IV.

5.3.1.

***RESOLUTION**

WHEREAS, on July 9, 2013, the City of El Paso awarded Contract No. 2013-168 (Eastside Grounds and Street Maintenance- City Medians) Group I to Three C's Contractors, Inc. ("Company"),; and

WHEREAS, on December 2, 2014 the Company notified the City that the Company was financially unable to continue to provide services under the Contract; and

WHEREAS, pursuant to Section C, Paragraph 8B of the Contract (Termination for Default), the City is authorized to terminate the Contract for default; and

WHEREAS, the City desires to terminate this Contract for Default.

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

That the Purchasing director is authorized to notify Three C's Contractors, that the City is terminating Contract No. 2013-168 Group I for default pursuant to the provisions and requirements of Section C, Paragraph 8B of the Contract Clauses, due to contractor's failure to perform under the contract and that the termination shall be as of July 14, 2015.

5.3.2.

***RESOLUTION**

WHEREAS, on July 9, 2013 the City of El Paso ("City") awarded Contract No. 2013-168 Eastside Grounds and Street Tree Maintenance-City Medians, Group I to Three C's Contractors, Inc. ("Contractor") for a term of three (3) years; and

WHEREAS, Contractor provided a Performance Bond through SureTec Insurance Company ("Surety") in favor of the City to secure the performance obligations of Contractor; and

WHEREAS, on December 2, 2014, Contractor informed the City that the Contractor would not continue to provide the services under the contract; and

WHEREAS, the City contacted the Surety to secure the performance of Contract No. 2013-168 for the remaining term of Contract No. 2013-168 pursuant to the obligations of the Performance Bond; and

WHEREAS, the Surety agrees to undertake the completion of Contract No. 2013-168, Group I by subcontracting Evergreen Lawn Service ("Completion Contractor"); and

WHEREAS, the City agrees to pay the monthly contract amount of \$17,530.49.

WHEREAS, the City and Surety desires to enter into a Takeover Agreement for the Surety to undertake the completion of Contract No. 2013-168 by subcontracting the Completion Contract which will perform for the remaining term of the contract.

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

The City Manager is authorized to sign the Takeover Agreement between the City and SureTec Insurance Company ("Surety"), for the Surety to provide services through the Completion Contract, Evergreen Lawn Service, pursuant to the terms of Contract No. 2013-168, Group I and the responsibilities of the Performance Bond for the remaining term of the contract which will end on July 8, 2016; and that the City will continue to pay the Surety a monthly contract amount of \$17,530.49.

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CONSENT AGENDA - BOARD RE-APPOINTMENTS:
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6. Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments

- 6.1. *Motion made, seconded, and unanimously carried to **RE-APPOINT** William Helm as a regular appointee to the Historic Landmark Commission.

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

- 7.1. *Motion made, seconded, and unanimously carried to **RE-APPOINT** James M. Erickson to the City Plan Commission by Representative Larry Romero, District 2.

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CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:
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8. Goal 6: Set the Standard for Sound Governance and Fiscal Management

- 8.1. *Motion made, seconded, and unanimously carried that the following tax refunds be **APPROVED**, subject to auditor approval:
1. Corelogic in the amount of \$5,985.89 overpayment on April 30, 2015 of 2014 taxes. (Geo. # T287-999-1220-2100)

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CONSENT AGENDA - BEST VALUE PROCUREMENTS:
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9. Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments

- 9.1. *Motion made, seconded, and unanimously carried to **REJECT** all bids received for Solicitation 2015-807 Wellington Chew Senior Center Improvements as recommended by the Purchasing & Strategic Sourcing and Community Development Departments.

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

- 10.1. *Motion made, seconded and unanimously carried to **AWARD** Solicitation No. 2015-587 (Heavy Duty Vehicle Body Repair and Painting) to RJ Border International LP dba Border International for an initial three (3) year term in the estimated amount of \$195,000.00. The award is to include a two (2) year optional amount of \$130,000.00 for a total five (5) year award of \$325,000.00.

Department: Streets & Maintenance – Fleet Division
 Award to: RJ Border International, LP dba Border International
 El Paso
 Item(s): All
 Initial Term: 3 years
 Option to Extend: 2 years
 Annual Estimated Award: \$65,000.00
 Initial Term Estimated Award: \$195,000.00 (3 years)
 Total Estimated Award: \$325,000.00 (5 years)
 Account No.: 231-37020-531210-3600-P3711
 231-37020-531250-3600-P3701
 Funding Source: Inventory Purchases Materials and Supplies
 Equipment Outside Repair Services

This is a Best Value, services contract.

The Purchasing & Strategic Sourcing Department and Streets & Maintenance Department – Fleet Division recommend award as indicated to RJ Border International, LP dba Border International, 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.

Elite Wash Detail failed to bid on all items and it is recommended that they be deemed non-responsive.

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CONSENT AGENDA - REQUEST FOR PROPOSAL:

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

11.1. *Motion made, seconded, and unanimously carried to **REJECT** all proposals received for Solicitation No. 2015-740R Citywide Copier Services as recommended by the Purchasing & Strategic Sourcing Department and Information Technology, to modify the hardware and software requirements to leverage a more cost-effective solution.

This solicitation will be rebid.

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REGULAR AGENDA - FIRST READING OF ORDINANCES

Motion made by Representative Niland, 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:

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

12.1. An Ordinance amending the Future Land Use Map contained in "Plan El Paso" for the property legally described as: Parcel 1: Portion of Tract 10J, A.F. Miller Survey No. 211, 135 North Resler Drive, City of El Paso, El Paso County, Texas; and, Parcel 2: Portion of Tract 10J, A.F. Miller Survey No. 211, 135 North Resler Drive, City of El Paso, El Paso County, Texas from O-2 Natural to G-4 Suburban-Walkable.

PUBLIC HEARING WILL BE HELD ON AUGUST 4, 2015

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- 12.2.** An Ordinance changing the zoning of the following real property known as: Parcel 1: Portion of Tract 10J, A.F. Miller Survey No. 211, 135 Resler Drive, City of El Paso, El Paso County, Texas, from P-R 2/sc (Planned Residential II/special contract) to C-2/c (Commercial/Condition); and, Parcel 2: Portion of Tract 10J, A.F. Miller Survey No. 211, 135 North Resler Drive, City of El Paso, El Paso County, Texas, from P-R 2/sc (Planned Residential II/special contract) to C-2/c (Commercial/Condition); and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 135 North Resler Drive. Property Owner: Armour Self Storage I, Limited Partnership. PZRZ15- 00011

PUBLIC HEARING WILL BE HELD ON AUGUST 4, 2015

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- 12.3.** An Ordinance releasing all conditions placed on property by Ordinance No. 8058 on the property described as Parcel 1: Portion of Tract 10J, A.F. Miller Survey No. 211, 135 North Resler Drive, City of El Paso, El Paso County, Texas; and, Parcel 2: Portion of Tract 10J, A.F. Miller Survey No. 211, 135 North Resler Drive, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 135 North Resler Drive. Property Owner: Armour Self Storage I, Limited Partnership. PZCR15-00002 (District 8)

PUBLIC HEARING WILL BE HELD ON AUGUST 4, 2015

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

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- 13.1.** An Ordinance amending Ordinance No.018131 Establishing Deadlines and Procedures for Members of City Council To Place Matters on the Agenda for City Council Meetings.

PUBLIC HEARING WILL BE HELD ON JULY 21, 2015

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

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- 14.1. 1st MOTION**
*Motion made, seconded, and unanimously carried to **MOVE THE ITEM TO THE FOREFRONT OF THE AGENDA.**

2ND AND FINAL MOTION

Motion made by Representative Niland, seconded by Mayor Pro Tempore Noe, and unanimously carried to **REQUEST** the City Manager to post the City Charter item on the next LRC.

Former Mayor Joe Wardy presented a PowerPoint presentation.

Mayor Leeser and Representatives Robinson, Acosta, Limón, Noe, 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.
3. Ms. Nancy Bartlett, Chief Performance Officer

The following members of the public commented:

1. Mr. Richard Dayoub
2. Mr. Joseph Houser
3. Ms. Lisa Sprinkle
4. Ms. Frances Thurman
5. Mr. David Thackson

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The City Council Meeting was **RECESSED** at 10:14 a.m. in order to convene the Mass Transit Board Meeting.
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The City Council Meeting was **RECONVENED** at 10:36 a.m.
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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS
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15. Goal 4: Enhance El Paso’s Quality of Life through Recreational, Cultural and Educational Environments
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15.1.1. RESOLUTION

WHEREAS, on May 12, 2015, the City of El Paso awarded Contract No. 2015-657 (Grounds Maintenance for El Paso City Parks-Mowing) Central Group I, Central Group III, Central Group IV, Central Group V, Eastside Group IV, Northeast Group I, Northeast Group VI, Northeast Group VII, Northeast Group VIII, Westside Group I, Westside Group II, Westside Group III, and Westside Group IV, to WCD Enterprises, LLC.; and

WHEREAS, the City finds that the Company is in default of the provisions of the Contract due to vendor’s inability to perform the Grounds Maintenance services; and

WHEREAS, pursuant to Section C, Paragraph 8B of the Contract (Termination for Default), the City is authorized to terminate the Contract for default; and

WHEREAS, the City desires to terminate this Contract for Default.

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

That the Purchasing Director is authorized to notify WCD Enterprises, LLC., that the City is terminating Contract No. 2015-657 Central Group I, Central Group III, Central Group IV, Central Group V, Eastside Group IV, Northeast Group I, Northeast Group VI, Northeast Group VII, Northeast Group VIII, Westside Group I, Westside Group II, Westside Group III, and Westside Group IV, for default pursuant to the provisions and requirements of Section C, Paragraph 8B of the Contract Clauses, due to contractor’s inability to perform and that the termination shall be as of July 14, 2015.

Motion made by Representative Romero, seconded by Representative Robinson, and unanimously carried to **APPROVE** the Resolution.

NOT PRESENT FOR THE VOTE: Representatives Noe and Niland

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- 15.1.2.** Motion made by Representative Robinson, seconded by Representative Romero, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing to issue a Purchase Order to Abescape Landscaping & Irrigation, LLC referencing Contract 2014-103 Ground Maintenance for El Paso City Parks – Mowing. This will be a change order to increase the award by \$120,500.00 resulting in a revised not to exceed total contract amount of \$974,040.00.

NOT PRESENT FOR THE VOTE: Representatives Acosta and Noe

Department:	Parks and Recreation
Award to:	Abescape Landscaping & Irrigation, LLC El Paso, Texas
Revised Estimated Amount:	\$120,500.00
Revised Total Estimated Amount:	\$974,040.00
Account No.:	451 – 51295 – 2305 – 522210 – P5120
Funding Source:	Environmental Fee – Ground Keeping Horticultural Contracts

This is a Best Value, service contract.

Ms. Haydee Pena, Purchasing and Strategic Sourcing, commented.

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

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- 16.1.** Motion made by Representative Romero, seconded by Representative Limón, and unanimously carried to **AUTHORIZE** the Director of the Purchasing & Strategic Sourcing Department to issue a Purchase Order(s) to Wagner Equipment, Co. the Sole Source provider of Caterpillar Parts, Sales and Service with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

NOT PRESENT FOR THE VOTE: Representatives Acosta and Noe

Department:	Streets & Maintenance-Fleet Division
Award to:	Wagner Equipment, Co. El Paso, Texas
Annual Estimated Amount:	\$230,000.00
Total Estimated Award:	\$690,000.00 (3 years)
Account No.:	231 – 37020 – 531210 – 3600 – P3711
Funding Source:	231 – 37020 – 531250 – 3600 – P3701 Inventory Purchases Materials and Supplies Equipment Outside Repair Services
Sole Source No.:	2015-1015

This is a sole source, parts and service contract.

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- 16.2.** Motion made by Representative Limón, seconded by Representative Svarzbein, and

unanimously carried to **AUTHORIZE** the Director of the Purchasing & Strategic Sourcing Department to issue a Purchase Order(s) to DADEE Manufacturing, LLC, the Sole Source provider of Scorpion Proprietary Parts with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

NOT PRESENT FOR THE VOTE: Representative Acosta

Department:	Streets & Maintenance-Fleet Division
Award to:	DADEE Manufacturing Phoenix, AZ
Annual Estimated Amount:	\$160,000.00
Total Estimated Award:	\$480,000.00 (3 years)
Account No.:	231 – 37020 – 531210 – 3600 – P3711
Funding Source:	Internal Service Fund – Inventory Purchases
Sole Source No.:	2015-1007

This is a sole source, unit price contract.

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

17.1. Motion made by Representative Limón, seconded by Mayor Pro Tempore Noe, and unanimously carried to **AWARD** Solicitation No. 2015-707R (Library Self-Service Checkout Machines) to Tech Logic Corporation for an initial five (5) year term in the estimated amount of \$727,008.00. The award is to include a five (5) year amount of \$135,600.00 (License & Maintenance costs) for a total ten (10) year award of \$862,608.00

NOT PRESENT FOR THE VOTE: Representative Acosta

Department:	Library Department
Vendor:	Tech Logic Corporation White Bear Lake, MN
Item(s):	All
Initial Term:	5 Years
Option to Extend:	3 Years
Initial Term Estimated Award:	\$727,008.00 (Equipment & related items) \$135,600.00 (Years 6-10 – Software License/Maintenance/Support Costs)
Total Estimated Award:	\$862,608.00 (10 years)
Account No.:	190-29040-580100-4800-PCP13LIBA07
Funding Source:	QOL Bonds Capital Funds

This is a Request for Proposal (RFP) hardware/software purchase.

The Purchasing & Strategic Sourcing Department, Information Technology Services and Library Department’s recommend award as indicated to Tech Logic Corporation, 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.

Additionally, it is requested that the City Attorney’s Office review and that the City

Manager be authorized to execute any related documents and agreements necessary to effectuate this award.

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

18.1. Motion made by Representative Limón, seconded by Representative Robinson, and unanimously carried to **AUTHORIZE** the Director for the Purchasing & Strategic Sourcing Department to issue a Purchase Order to Chastang Enterprises dba Chastang Ford, a contractor under Houston-Galveston Area Council Cooperative (HGAC), Contract #HT06-14 for the purchase of three (3) 2016 Autocar ACX64 (Diesel) engines suitable for automated side loader (ASL) refuse bodies.

NOT PRESENT FOR THE VOTE: Representatives Acosta and Ordaz

The participation by the City of El Paso in the Houston-Galveston Area Council Cooperative (HGAC) was approved by Mayor and City Council on May 8, 2007.

Department:	Streets & Maintenance – Fleet Division
Award to:	Chastang Enterprises dba Chastang Ford Houston, TX
Total Award:	\$501,312.00 (AutoCar – Diesel – 3 Units)
Account No.:	334-34080-580290-3150-PESD00150-P3480
Funding Source:	Environmental Services Dept – Capital –Heavy Off Road Equipment
Reference No.:	2015-1098

This is a Cooperative, unit price contract.

18.2. Motion made by Representative Limón, seconded by Mayor Pro Tempore Noe, and unanimously carried to **AUTHORIZE** the Director for the Purchasing & Strategic Sourcing Department to issue a Purchase Order to McNeilus Truck & Manufacturing, a contractor under BuyBoard, Contract #425-13 for the purchase of three (3) 28 yard McNeilus Automated Side Loader Refuse (ASL) bodies.

NOT PRESENT FOR THE VOTE: Representatives Acosta and Ordaz

The participation by the City of El Paso in the BuyBoard Cooperative Purchasing Program was approved by Mayor and City Council on August 21, 2007.

Department:	Streets & Maintenance – Fleet Division
Award to:	McNeilus Truck & Manufacturing Hutchins, TX
Total Estimated Award:	\$289,549.00 (3 Units)
Account No.:	334-34080-580290-3150-PESD00150-P3480
Funding Source:	Environmental Services Dept – Capital – Heavy Off Road Equipment
Reference No.:	2015-1099

This is a Cooperative, unit price contract.

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**REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF
ORDINANCES**
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19. Goal 3: Promote the Visual Image of El Paso

ITEMS 19.1. AND 19.2. TAKEN TOGETHER

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19.1. ORDINANCE 018385
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The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE FUTURE LAND USE MAP CONTAINED IN “PLAN EL PASO” FOR THE PROPERTY LEGALLY DESCRIBED AS PARCEL 1: PORTION OF LOT 2, BLOCK 1, BUTTERFIELD TRAIL AVIATION PARK UNIT TWO, AND A PORTION OF SECTIONS 34 AND 35, BLOCK 80, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS; AND, PARCEL 2: PORTION OF LOT 2, BLOCK 2, BUTTERFIELD TRAIL AVIATION PARK UNIT TWO, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM O-7 URBAN EXPANSION TO G-4 TRADITIONAL SUBURBAN.**

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

AYES: Representatives Svarzbein, Romero, 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**.

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19.2. ORDINANCE 018386
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The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING PARCELS: PARCEL 1: PORTION OF LOT 2, BLOCK 1, BUTTERFIELD TRAIL AVIATION PARK UNIT TWO, AND A PORTION OF SECTIONS 34 AND 35, BLOCK 80, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM M-1 (MANUFACTURING) TO C-4 (COMMERCIAL); AND, PARCEL 2: PORTION OF LOT 2, BLOCK 2, BUTTERFIELD TRAIL AVIATION PARK UNIT TWO, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM M-1 (MANUFACTURING) TO C-4 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: EAST AND WEST OF GLOBAL REACH AND NORTH OF MONTANA. PROPERTY OWNER: CITY OF EL PASO, TEXAS. PZRZ14-00005**

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

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

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

- 21.1.** Motion made by Representative Niland, seconded by Mayor Pro Tempore Noe, and carried by City Council to grant an exception from the prohibition of the sale of alcoholic beverages within 300 feet of a church, school, commercial day care or public hospital requested from Ernest Eisenberg, on behalf of Judah Reed, LLC, for the property located at 2211 E. Missouri Avenue and legally described as Lots 30-32, Block 117, Bassett Addition, and Lots 1-32 together with the closed alley in Block 5, Cotton Addition, City of El Paso, El Paso County, Texas.

City Council grants this exception after notice and public hearing. The exception to the prohibition of the sale of alcoholic beverages within 300 feet of a commercial day care is warranted because the sale of alcohol from 2211 E. Missouri Avenue will be exclusively limited to online sales. Based on this reason, City Council and makes the following determination that the enforcement of the prohibition in this particular instance:

1. Is not in the best interest of the public;
2. Constitutes waste or the inefficient use of land or other resources;
3. Creates an undue hardship on an applicant;
4. Does not serve its intended purpose;
5. Is not effective or necessary; or
6. After consideration of the healthy, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

AYES: Representatives Svarzbein, Romero, Acosta, Noe, Ordaz, and Niland

NAYS: Representative Limón

NOT PRESENT FOR THE VOTE: Representative Robinson

Representatives Noe and Niland commented.

Mr. David Coronado, Planning and Inspections Program Manager, presented a PowerPoint presentation (copy on file in City Clerk's Office).

22. MAYOR AND COUNCIL

- 22.1.** Discussion and action regarding the City's submission to the El Paso Metropolitan Planning Organization's (MPO) Federal Fiscal Year 2016 Call for Projects (Texas), the Federal Fiscal Year 2016-2018 Coordinated Border Infrastructure Program Call for Projects (Texas), and other projects. Further, discussion and action regarding the City's representation on the El Paso MPO Transportation Policy Board.

Mr. Mathew McElroy, Director of International Bridges, presented a PowerPoint presentation (copy on file in City Clerk's Office).

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

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

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Fred Lopez, Capital Improvement Director
3. Ms. Margaret Schroeder, Mobility Infrastructure
4. Dr. Mark Sutter, Chief Financial Officer
5. Mr. Edmundo Calderon, Internal Chief Auditor

The following members of the public commented:

1. Mr. Jose Barriga
2. Mr. Scott White

NO ACTION taken on this item

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EXECUTIVE SESSION

Motion made by Representative Limón, seconded by Representative Niland, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 3:11 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:

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

Motion made by Representative Romero, seconded by Representative Limón, and unanimously carried to adjourn the Executive Session at 3:53 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Robinson

EX1. San Jacinto Plaza Redesign, Solicitation No. 2014-043; Matter No. 12-1004-214 (551.071)

NO ACTION taken on this item

EX2. Barron Park, Contract No. 2014-007; Matter No. 13-1004-392 (551.071)

NO ACTION taken on this item

EX3. Claim of Margarita Cabrera, our file 15-1051-217 (551.071)

NO ACTION taken on this item

EX4. Claim of Saab Site Contractors, L.P., our file no. 13-1004-311 (551.071)

NO ACTION taken on this item

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ADDITIONS TO THE AGENDA
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Goal 7: Enhance and Sustain El Paso’s Infrastructure Network
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1. RESOLUTION

WHEREAS, Texas Transportation Code Chapter 311 grants home-rule municipalities exclusive control over and under the public highways, streets, and alleys of the municipality, including the assigning of street names to highways within the municipality; and

WHEREAS, the process for the naming of a state highway within a municipality is set forth in the Texas Department of Transportation’s (TxDOT’s) Signs and Markings Manual, Chapter 7, Section 18; and

WHEREAS, TxDOT’s Signs and Markings Manual requires the municipality enact a resolution or ordinance naming the highway and forward the resolution or ordinance to the TxDOT district office for review of the name; and

WHEREAS, City Council desires to make a recommendation that the segment of State Loop 375 currently referred to as the Border Highway West Project covering the area one mile east of Park Street to Racetrack Drive be named the “Ted Houghton Expressway”.

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

That the City Council recommends that the segment of State Loop 375 currently referred to as the Border Highway West Project covering the area one mile east of Park Street to Racetrack Drive be named the “Ted Houghton Expressway” and authorizes the City Manager to forward this Resolution to the Texas Department of Transportation for approval of the name and execute any necessary documents to effectuate the adoption of the name and make any budget transfers necessary to carry out the intent of this Resolution.

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

The following members of the public commented:

1. Mr. Richard Dayoub
2. Mr. Rick Francis

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

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

NAYS: Representative Limón

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ADJOURN

Motion made by Representative Romero, seconded by Mayor Pro Tempore Noe, and unanimously carried to **ADJOURN** this meeting at 3:53 p.m.

NOT PRESENT FOR THE VOTE: Representative Robinson

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk