

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
July 23, 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 9:05 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Annello, Claudia Ordaz Perez, Henry Rivera, and Cissy Lizarraga. Late arrivals: Sam Morgan and Michiel Noe at 9:09 a.m.; Cassandra Hernandez requested to be excused.

The agenda items for the Regular City Council meeting of July 24, 2018 were reviewed.

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3.2. CONSENT AGENDA – RESOLUTIONS

That City Council approve a construction change order in the amount of Three Hundred Eighty Five Thousand, Eight Hundred Fifteen dollars and 00/100 (\$385,815.00) to Hensel Phelps Construction Company for the operation of the new Checked Baggage Inspection System (CBIS) for the six month operational period included in the contract.

Mayor Margo and Representatives Svarzbein and Lizarraga questioned the following City staff member:

- Mr. Terry Sharpe, Aviation Assistant Director

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6.1. CONSENT AGENDA - RESOLUTIONS

That the City Manager be authorized to sign a License Agreement between the City of El Paso (the "City") and Lehigh University (hereinafter the "Licensee"), for a Licensee to use and occupy designated space inside the City's health clinic located at 701 Montana, El Paso, Texas, to conduct a health survey of a high risk population for HIV and HCV, in exchange for the City's access to test said population and provide them with referrals to appropriate treatment options, from July 24, 2018 until January 31, 2021, for a fee not to exceed \$70,000.00 over the entire term of the Agreement.

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

- Mr. Robert Resendes, Public Health Director

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10.1. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance changing the zoning of Tracts 22A, 22C, and 23B, George L. Wilson Survey No. 91, 119 Atlantic Rd. & 4038 Doniphan Dr. City of EL Paso, El Paso County, Texas from R-4 (Residential) to C-1/c (Condition), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. 119 Atlantic Rd. & 4038 Doniphan Dr. Owner: Herrera Investment Properties, LLC & Iris Sandoval. PZRZ18-00011

Representative Lizarraga questioned the following City staff member:

- Ms. Kimberly Forsyth, Planning and Inspections Program Manager

10.3. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance changing the zoning of Lots 10 to 13, Block P-2, Garden Subdivision to East El Paso addition, also known as 2915 & 2923 Central Avenue, City of El Paso, El Paso County, Texas from A-3 (Apartment) to C-1 (Commercial), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2915 & 2923 Central Avenue. Property Owner: Jose and Martha E. Contreras PZRZ18-00020

Representative Lizarraga questioned the following City staff member:

- Ms. Kimberly Forsyth, Planning and Inspections Program Manager

10.4. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance releasing certain conditions placed on property by Ordinance No. 8559 which changed the zoning of apportion of Tract 12A, A. F. Miller Survey 210 and a portion of Tract 14A, J. M. Jett Survey 155, 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: 201 E. Sunset Property Owner: Westside Community Church PZCR18-00002

Representative Lizarraga questioned the following City staff member:

- Ms. Kimberly Forsyth, Planning and Inspections Program Manager

THE FOLLOWING ITEMS WERE REVIEWED TOGETHER:

10.5. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance granting Special Permit No. PZST17-00013, to allow for a parking reduction on the property described as Lots 1 to 15 & closed alley and adjacent street, Block 91, Alexander Addition, City of El Paso, El Paso County, Texas, 1800 Oregon; Lots 1 to 20 & Closed Alley, Block 90 Alexander Addition, 1801 Oregon Street, City of El Paso, El Paso County, Texas; Lots 16 to 20, Block 91, Alexander Addition, 101 Rim Road, City of El Paso, El Paso County, Texas; Lots 11 to 20, Block 77, Alexander Addition, 1700 Oregon Street, City of El Paso, El Paso County, Texas; Lots 4 to 8 and the north 18 feet of Lot 3 and the south 2 feet of Lot 9, Block 77, Alexander Addition, 1707 Mesa Street & 120 Rim Road, City of El Paso, El Paso County, Texas, Pursuant to Section 20.14.070 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1800 Oregon Street, 1801 Oregon Street, 101 Rim Road, 1700 Oregon Street. Property Owner: HCA Health Systems of Texas, Independent Mortgage Company, El Paso Electric Company. PZST17-00013

10.6. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance grating Special Permit No. PZST17-00013, to allow for a helistop on the property described as Lots 1 to 15 & closed alley and adjacent street, Block 91, Alexander Addition, 1800 Oregon St., City of El Paso, El Paso County, Texas, Pursuant to Section 20.10.240 of the El Paso City Code. The Penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject

Property: 1800 Oregon Street. Property Owner: HCA Health Systems of Texas, Independent Mortgage Company, and El Paso Electric Company. PZST17-00013

10.7. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance granting Special Permit No. PZST17-00013, to allow for off-street parking serving another property in accordance with Section 20.10.410 on the property described as Lots 1 to 10, Block 78, Alexander Addition, City of El Paso, El Paso County, Texas, 1711 Oregon Street, City of El Paso, El Paso County, Texas; Lots 11 to 20, Block 46, Alexander Addition, City of El Paso, El Paso County, Texas, 1500 Oregon Street, City of El Paso, El Paso County, Texas; Lots 9 to 12, Block 79, and Lots 9 to 12, Block 80, and the Adjoining Alley and a Portion of Vacated Los Angeles Street, Alexander Addition, SW corner of El Paso & Rim Road, City of El Paso, El Paso County, Texas; Lots 9 to 12, Block 81, Alexander Addition, SE corner of Alexander and Rim Road, City of El Paso, El Paso County, Texas; Lots 1 to 8 and a Portion of the adjoining alley, Block 79, Alexander Addition, 1717 El Paso & 201 Schuster Ave., City of El Paso, El Paso County, Texas, pursuant to Section 20.10.410 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1800 Oregon, 1801 Oregon, 101 Rim, 1700 Oregon, 1711 Oregon, 1500 Oregon, SW Corner of El Paso & Rim, SE Corner of Randolph & Rim, 1717 El Paso & 201 Schuster. Property Owner: HCA Health Systems of Texas, Independent Mortgage Company, and El Paso Electric Company. PZST17-00013

Mayor Margo and Representatives Svarzbein and Annello questioned the following City staff member:

- Ms. Kimberly Forsyth, Planning and Inspections Project Manager

10.9. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance changing the zoning of a portion of Lot 1A and all of Lot 7, Block 6, Northgate Replat 'C' and all of Lot 4, Block 6, Northgate Subdivision, City of El Paso, El Paso County, Texas from C-3 (Commercial) and R-4 (Residential) to SCZ (SmartCode Zone), the penalty is as provided for in Chapter 21.60 of the El Paso City Code. PZRZ18-00025

Representatives Morgan and Lizarraga questioned the following City staff member:

- Mr. Harrison Plourde, Senior Planner

10.10. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance amending Title 20 (Zoning), Chapter 20.20 (Historic Landmark Preservation), Section 20.20.080 (Alterations and Changes to Landmarks and H-Overlay Properties), of the El Paso City Code to amend Subsection A to delete subsection (1) in its entirety. The penalty is as provided for in Section 20.20.140 of the El Paso City Code.

Mayor Margo and Representatives Svarzbein and Noe questioned the following City staff member:

- Mr. Eduardo Garcia, Economic Development Manager

11.1. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance amending Title 13 (Streets, Sidewalks, and Public Places), Chapter 13.25 (El Paso Zoo), Section 13.25.010 (El Paso Zoo fee authorization) of the El Paso City Code to update the fees

authorized to be charged by the City through the El Paso Zoo, which will be set by the City's Budget Resolution or other duly authorized resolution.

Representative Noe questioned the following City staff members:

- Ms. Leonor Wilson, Zoo Administrative Services Manager
- Mr. Robert Cortinas, Chief Financial Officer

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12.1. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance pursuant to Article III, Section 3.11 (Initiative) of the El Paso City Charter, that the City of El Paso shall preserve, in its natural state and in perpetuity, all of the City owned real property (approximately 1,106.9316 acres) referred to as “Reinvestment Zone Number Twelve, City of El Paso” described below (the “Land”). The City shall take all steps necessary and appropriate to preserve the Land and to prevent it from being developed with either private development or major public roadways. The Land is comprised of the following parcels in the City of El Paso, El Paso County, Texas, and is more particularly described as set out in Exhibit A : Parcel 1 - Nellie D. Mundy Survey 246 (approximately 73.6664 acres); Parcel 2 - S.J. Larkin Survey 267 (approximately 632.735 acres); Parcel 3 – S.J. Larkin Survey 269, Abstract 10070, Tract 1-A (approximately 8.175 acres); Parcel 4 - S.J. Larkin Survey 268, Abstract 10069 (approximately 15.8712 acres); Parcel 5 - S.J. Larkin Survey 268, Abstract 10069, Tract 1 (approximately 45.664 acres); Parcel 6 – Laura E. Mundy Survey 234, Abstract 1007, Tract 2 (approximately 255.39 acres); and Parcel 7 – Laura E. Mundy Survey 234, Abstract 1007, Tract 2 (approximately 105.43 acres).

Mayor Margo questioned the following City staff member:

- Ms. Laura Prine, City Clerk

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

An Ordinance changing the zoning of a Portion of Lot A, Block 1, Scotsdale Addition, 9426 Montana Avenue, City of El Paso, El Paso County, Texas from C-1 (Commercial) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. 9426 Montana Avenue. Owner: Albert Nabhan. PZRZ17-00013

Mayor Margo questioned the following City staff member:

- Ms. Kimberly Forsyth, Planning and Inspections Program Manager

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

An Ordinance amending Title 20 (Zoning), Chapter 20.04 (Administrative Provision), Article III (Detailed Site Development Plan Approval Process) Section 20.04.160 (Content of Application) and Article IV (Changes and Amendments) Section 20.04.380 (Application Requirements) and 20.04.430 (Recommendation by Commission) of the El Paso City Code to remove requirements for generalized site plan, add a requirement for digital application submittal and add an expiration date for applications after action by City Plan Commission. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

Mayor Margo and Representatives Svarzbein and Annello questioned the following City staff members:

- Mr. Raul Garcia, Lead Planner

- Ms. Dionne Mack, Deputy City Manager
- Mr. Tommy Gonzalez, City Manager

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

An Ordinance amending Title 15 (Public Service) to amend Chapter 15.08 (Street Rentals) to clarify the hours of use of Outdoor Patio Cafes in the Cincinnati Commercial District in Section 15.08.120 (Special Privilege Licenses and Permits). No use of the Outdoor Patio Cafes will be permitted between the hours of 1 a.m. to 7 a.m.; the penalty being as provided for in Section 15.08.070 and 15.08.125 of the El Paso City Code.

Representatives Svarzbein questioned the following City staff member:

- Ms. Morgan Hester, Planning and Inspections Ombudsperson

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

An Ordinance authorizing the City Manager to execute a Quitclaim (Tax Resale) Deed conveying to El Paso Electric Company, all of the right, title, and interest of the City of El Paso, and all other taxing units interested in the tax foreclosure judgment in the following described real property:

Lot Thirty-Four (34) in Block Four (4), of the Westlyn Heights Addition to the City of El Paso, El Paso County, Texas.

Representative Annello questioned the following law firm representative:

- Mr. Jose Padilla, Delgado Acosta Spencer Linebarger & Perez, LLP, Attorney

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

An Ordinance amending Title 13 (Streets, Sidewalks and Public Places) of the El Paso City Code to add a new Chapter 13.42 (Streetcar Track Access Program Procedure) to establish permitting procedures for any activity occurring within the vicinity of the El Paso Streetcar Infrastructure. The penalty is as provided in Chapter 13.42 of the El Paso City Code.

Representative Lizarraga questioned the following City staff member:

- Mr. Jay Banasiak, Sun Metro Director

18.2. REGULAR AGENDA – OTHER BUSINESS

Discussion and action on a Resolution that the City Manager is authorized to sign the Guaranteed Maximum Price Amendment to the Standard Form of Agreement by and between the City of El Paso and Sundt Construction, Inc. (“Construction Manager”) for the project known as “Eastside Regional Park Phase I 2017-1185R”, which will include:

- An indoor natatorium provides a 50-meter competition ready pool, diving well with 1 and 3 meter diving boards, spectator seating, warm-up/cool down pool, office, training room, and lockers
- A multi-generational community center with a gymnasium, spectator seating, multi-purpose classrooms, kitchen, dining area, library and reading room, computer center, indoor running track, and fitness area.

- A themed outdoor neighborhood water park with a family pool, kiddie pool, water slides, climbing walls, artificial wave surfing feature, lazy river, food concessions, and dressing rooms
- Other general improvements include parking, entrance plaza, walking path, landscaping, and public art

and to accept and incorporate the Construction Manager's Guaranteed Maximum Price Proposal and establishing the Guaranteed Maximum Price ("GMP") for the project in the amount of Thirty Seven Million Six Hundred Ninety Eight Thousand Seven Hundred Seventy and No/100 dollars (\$37,698,770.00), that the City Manager or Designee be authorized to 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 and do not make changes to the prices and are within the appropriate budget, and 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 agreement.

Mayor Margo and Representatives Noe, and Lizarraga questioned the following City staff member:

- Mr. Sam Rodriguez, City Engineer

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 Motion made by Representative Ordaz Perez, seconded by Representative Morgan, and unanimously carried to **ADJOURN** this meeting at 9:48 a.m.

ABSENT: Representative Hernandez

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 APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk