

DEE MARGO
MAYOR

TOMMY GONZALEZ
CITY MANAGER



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

MINUTES FOR REGULAR COUNCIL MEETING

July 25, 2017
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 8:09 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Alexsandra Annello, Cassandra Hernandez-Brown, Sam Morgan, Michiel R. Noe, Claudia Ordaz Perez, Henry Rivera, and Cissy Lizarraga. Late arrival: Peter Svarzbein at 8:14 a.m. The invocation was given by Police, Fire and CIMA Chaplain Sam Faraone followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY POLICE, FIRE AND CIMA CHAPLAIN SAM FARAONE

PLEDGE OF ALLEGIANCE

Girl Scout Troop 55192

Emmeline Lindstrom
Evanni Cooksey
Gabriela Gonzalez
Gabrielle Juarez
Danika Juarez
Lyla Martinez

RECOGNITIONS BY MAYOR

NOTICE TO THE PUBLIC

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

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga
NAYS: None

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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, AS REVISED** the Minutes for the Regular City Council Meeting of July 11, 2017, the Legislative Review Meeting of the Whole of July 10, 2017, the Special City Council Meeting of July 5, 2017, and the Special City Council Meetings - FY2018 Budget Hearings of July 10, 2017 and July 11, 2017.

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CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:
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2. REQUEST TO EXCUSE ABSENT 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 1: Create an Environment Conducive to Strong, Sustainable Economic Development
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3.1. *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 a Lessor's Approval of Assignment by and among the City of El Paso ("Lessor"), Croucher Family Limited Partnership ("Assignor"), and Lomeli Investments, LLC ("Assignee"), for the Lease pertaining to the following described property:

Lot 8, Block 7, El Paso International Airport Tracts, Unit 2,
City of El Paso, El Paso County, Texas and municipally
known and numbered as 7501 Lockheed Dr., El Paso, El
Paso County, Texas.

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3.2. *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 Southern Industrial Park Site Lease by and between the City of El Paso ("Lessor") and Lomeli Investments, LLC, a Texas limited partnership, ("Lessee") for the following described property:

Lot 8, Block 7, El Paso International Airport Tracts, Unit 2, City of El

Paso, El Paso County, Texas, commonly known as 7501 Lockheed Dr.,
El Paso, Texas.

3.3.

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

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

That the City Manager be authorized to sign a Southern Industrial Park Site Lease by and between the City of El Paso ("Lessor") and West Texas Non-Profit Developments, a Texas non-profit corporation ("Lessee"), for the following described property:

All of Lots 4, 5, and 6, Block 2-A, El Paso International Airport Tracts, Unit 4, City of El Paso, El Paso County, Texas, municipally known and numbered as 6501 Boeing Dr., El Paso, Texas.

3.4.

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

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

That the City Manager be authorized to sign a Southern Industrial Park Site Lease between the City of El Paso ("Lessor") and Tomlin Partners, LLC ("Lessee") for the property located at 7741 Lockheed Dr., El Paso, Texas, and being more particularly described as follows:

The South ½ of Lot 9, Block 8, El Paso International Airport Tracts, Unit One, City of El Paso, El Paso County, Texas, containing 15,737.66 square feet of land more or less.

3.5.

***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 Southern Industrial Park Site Lease between the City of El Paso ("Lessor") and Tomlin Partners, LLC ("Lessee") for the property located at 1605 Beech St., El Paso, Texas, and being more particularly described as follows:

The North ½ of Lot 9, Block 8, El Paso International Airport Tracts, Unit One, City of El Paso, El Paso County, Texas, containing 15,823.50 square feet of land more or less.

3.6.

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

WHEREAS, the City of El Paso, as recipient of a grant of authority from the U.S. Foreign Trade Zones Board, is authorized to establish, operate, and maintain Foreign Trade Zone No. 68;

WHEREAS, the City of El Paso, by and through its Department of Aviation, established and owns, operates, and maintains Foreign Trade Zone No. 68 in order to expedite and encourage foreign commerce in the El Paso region;

WHEREAS, the City of El Paso desires to submit a minor boundary modification application to the U. S. Foreign Trade Zone Board to modify the boundaries of Foreign Trade Zone No. 68 to include a new site which will be used primarily for distribution operations and to delete an identified site which is no longer

suitable for use in Foreign-Trade Zone No. 68; and

WHEREAS, the City of El Paso desires the minor boundary application be subject to the activation limit under the traditional site framework,

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

That the Director of Aviation or designee be authorized to submit a minor boundary modification application, including all supporting documents and coordination with taxing entities for letters of support, to the U.S. Foreign Trade Zone Board, which will modify the boundaries of Foreign Trade Zone No. 68 to include the following:

(1) Adding 11333 Rojas Dr. (legal description -Westerly 255 ft. of Lot 2, Block 221-A, Vista del Sol #44, City of El Paso, El Paso County, Texas) (2.93 acres); and

(2) Deleting 12201 Montana Ave., (legal description -Lot 3, Block 1, El Cruzero), City of El Paso, El Paso County, Texas (3.05 acres).

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

4.1. *RESOLUTION

WHEREAS, on June 15, 2017, the Museums and Cultural Affairs Advisory Board recommended approval of the Collections Management Policy for the El Paso Museum of Archaeology.

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

THAT the City Council approves the Collections Management Policy for the El Paso Museum of Archaeology attached as Exhibit "A".

4.2. *RESOLUTION

WHEREAS, on June 15, 2017, the Museums and Cultural Affairs Advisory Board recommended approval of the Collections Care & Management Policy for the El Paso Museum of Art.

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

THAT the City Council approves the Collections Care & Management Policy for the El Paso Museum of Art attached as Exhibit "A".

4.3. *RESOLUTION

WHEREAS, on June 15, 2017, the Museums and Cultural Affairs Advisory Board recommended approval of the Collection Policy Manual for the El Paso Museum of History.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

EL PASO:

THAT the City Council approves the Collection Policy Manual for the El Paso Museum of History attached as Exhibit "A".

4.4.

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

WHEREAS, on May 22, 2007, the City of El Paso enacted a resolution Naming Policy for the El Paso History Museum.

WHEREAS, the City of El Paso wishes to amend the Naming Policy for the El Paso History Museum to reduce the donation amounts required to name spaces within the El Paso History Museum.

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

That the City Council authorizes and approves the Naming Policy for the El Paso History Museum as shown in the attached Exhibit "A".

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

5.1.

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

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

That the City Manager be authorized to sign an Agreement for Professional Services for two years to perform geotechnical and materials testing consulting services for the Reconstruction of Runway 4-22 project between the by City of El Paso and **AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE, INC.** for an amount not to exceed Four Hundred Thirty Nine Thousand Eight Hundred Ten and No/00 Dollars (\$439,810.00), and each agreement will include authorization for the City Engineer to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and authorization for the City Engineer to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if the identified services are necessary for proper execution of identified project and if the increased amounts are within the appropriate budget identified for a project. In addition, the City Manager is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution.

5.2.

***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 two year On-Call Agreement for Professional Services to perform mechanical and electrical professional services on a task order basis by and between the by City of El Paso and each of the following five (5) consultants:

1. ECM Engineers
2. Alegro Engineers L.P.
3. Bath Group Inc.
4. Parkhill, Smith & Cooper, Inc.
5. Adalta Engineering Group, LLC. dba AEG, LLC.

Each On Call Agreement will be for an amount not to exceed Two Hundred Fifty Thousand and No/00 Dollars (\$250,000.00), and each agreement will include authorization for the City Engineer to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and authorization for the City Engineer to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if the identified services are necessary for proper execution of identified project and if the increased amounts are within the appropriate budget identified for a project. In addition, the City Manager is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of each On-Call Agreement.

5.3.

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

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services to perform surveying consulting services on a task order basis by and between the by City of El Paso and each of the following four (4) consultants:

1. Brock & Bustillos, Inc.
2. Land-Mark Professional Surveying, Inc.
3. Huitt-Zollars, Inc.
4. Frank X. Spencer & Associates, Inc.

Each On Call Agreement will be for an amount not to exceed Three Hundred Thousand and No/00 Dollars (\$300,000.00), and each agreement will include authorization for the City Engineer to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and authorization for the City Engineer to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if the identified services are necessary for proper execution of identified project and if the increased amounts are within the appropriate budget identified for a project. In addition, the City Manager is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of each On-Call Agreement.

5.4.

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

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

That the Mayor is authorized to sign an Interlocal Agreement between the City of El Paso ("City") and the County of El Paso ("County") for the City to send annual notices to property owners who participate in the County's Property Assessed Clean Energy Program ("PACE") regarding upcoming assessments under the PACE Program along with the annual tax bills that the City's Tax Assessor-Collector sends to tax payers through the City's duties under the Amended and Restated Contract for Consolidated Tax Collection Agreement; and that the City may invoice the County's service provider, the Texas PACE Authority, for the City's cost for sending the PACE notices.

CONSENT AGENDA - BOARD RE-APPOINTMENTS:

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

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- 6.1.** *Motion made, seconded, and unanimously carried to **APPOINT** Don Baumgardt to the Open Space Advisory Board by Representative Alexandra Annello, District 2.
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CONSENT AGENDA - BOARD APPOINTMENTS:

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

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- 7.1.** *Motion made, seconded, and unanimously carried to **APPOINT** Geoffrey Wright to the Historic Landmark Commission by Representative Henry Rivera, District 7.
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8. Goal 6: Set the Standard for Sound Governance and Fiscal Management

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- 8.1.** *Motion made, seconded, and unanimously carried to **APPOINT** Representative Sam Morgan to the Financial Audit and Oversight Committee by Mayor Dee Margo.
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- 8.2.** *Motion made, seconded, and unanimously carried to **APPOINT** Representative Cassandra Hernandez-Brown to the Financial Audit and Oversight Committee by Mayor Dee Margo
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- 8.3.** *Motion made, seconded, and unanimously carried to **APPOINT** Representative Claudia Ordaz Perez to the Financial Audit and Oversight Committee by Mayor Dee Margo.
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- 8.4.** *Motion made, seconded, and unanimously carried to **APPOINT** Representative Henry Rivera to the Financial Audit and Oversight Committee by Mayor Dee Margo.
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9. Goal 7: Enhance and Sustain El Paso's Infrastructure Network

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- 9.1.** *Motion made, seconded, and unanimously carried to **APPOINT** Robert Melson to the Open Space Advisory Board by Representative Sam Morgan, District 4.
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- 9.2.** *Motion made, seconded, and unanimously carried to **APPOINT** William R. Veliz to the Zoning Board of Adjustment as a regular member by Representative Michiel R. Noe, District 5.
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10. Goal 8: Nurture and Promote a Healthy, Sustainable Community

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- 10.1.** *Motion made, seconded, and unanimously carried to **APPOINT** Charlie Moreno to the Animal Shelter Advisory Committee by Representative Sam Morgan, District 4.
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CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:

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

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- 11.1.** *Motion made, seconded, and unanimously carried that the following tax refund be

APPROVED, subject to auditor approval:

1. Seterus c/o Lereta, LLC in the amount of \$3,576.74 overpayment on April 29, 2016 of 2015 taxes. (Geo. #R577-999-0070-2500)

CONSENT AGENDA - NOTICE OF CAMPAIGN CONTRIBUTIONS:

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

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- 12.1.** *Motion made, seconded, and unanimously carried to **APPROVE** a notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contributions by Mayor Dee Margo on July 13, 2017 in the amount of \$500.00 from Nicolas Aurelio Bombach.

CONSENT AGENDA - BIDS:

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

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- 13.1.** *Motion made, seconded, and unanimously carried to **REJECT** all bids received for Solicitation No. 2017-584 (Automotive Fuel – Diesel and Unleaded) as recommended by the Purchasing and Strategic Sourcing Department and Streets and Maintenance, to re-bid as a Best Value Procurement to add evaluation factors.

CALL TO THE PUBLIC – PUBLIC COMMENT

The following members of the public commented:

1. Mr. Benjamin Miranda, Jr.
2. Mr. Jesus Luna
3. Ms. Blanca Gadney-Moss
4. Mr. Ken Margherio
5. Mr. Paul Northrop
6. Mr. Phelp R. Sloniger
7. Mr. Nicolas Anthony Vasquez
8. Mr. Steven Strumer
9. Mr. Pierre Andre Euzarraga
10. Mr. Guy Johnsen, DVM
11. Mr. Rene Fierro

REGULAR AGENDA - FIRST READING OF ORDINANCES

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

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

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- 14.1.** An Ordinance granting Special Permit No. PZST17-00014, to allow for Infill Development with lot size and width reductions on the property described as Lot 3, Block 1, Perez Subdivision, 5612 Joe Perez Court, 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: 5612 Joe Perez Court. Property Owner: Ricardo Adolfo Benavente, Jr. PZST17-00014 (District 8)

PUBLIC HEARING WILL BE HELD ON AUGUST 22, 2017

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

- 15.1.** An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.40 (Department of Museums and Cultural Affairs), Section 2.40.020 (Fees) of the El Paso City Code to provide a discount fee for City of El Paso employees and to identify the new rate in the annual City Budget Resolution.

City staff will recommend a 10% discount for City of El Paso employees as part of the FY 2018 Budget.

PUBLIC HEARING WILL BE HELD ON AUGUST 8, 2017

INTRODUCTION AND PUBLIC HEARING - JULY 25, 2017

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

16.1. 1ST MOTION

Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried to **APPROVE** the Introduction on the Ordinance.

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga
NAYS: None

2ND MOTION

Motion made by representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried to **RECONSIDER** the item.

ORDINANCE 018708

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF EL PASO, TEXAS TAX NOTES, SERIES 2017" IN THE ORIGINAL PRINCIPAL AMOUNT OF \$3,500,000 FOR THE ACQUISITION OF VEHICLES FOR PUBLIC SAFETY AND OTHER CITY VEHICLES AND EQUIPMENT AND RESOLVING MATTERS WHICH ARE NECESSARY TO EFFECTUATE THE ISSUANCE OF SUCH NOTES.**

Representative Hernandez-Brown commented.

Dr. Mark Sutter, Deputy City Manager Financial & Public Health, read revisions into the record.

3RD AND FINAL MOTION

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

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

NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED, AS REVISED**.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

17.1. RESOLUTION

WHEREAS, on March 14, 2012, the City of El Paso ("City") entered into a Parking Facilities Management Contract for the El Paso International Airport ("Contract") with SP Plus Corporation f/k/a Standard Parking Corporation, a Delaware corporation ("Company");

WHEREAS, the term of the Contract commenced on March 1, 2012; ended on February 28, 2017; and is currently continuing month-to-month until August 27, 2017;

WHEREAS, the City is soliciting proposals from qualified, professional firms interested in efficiently managing the parking facilities and the City and the Company desire to extend the term of the Contract for an additional period up to six months on a month-to-month basis to allow the City time to complete the solicitation process;

WHEREAS, Company is able to and agrees to amend the term of the Contract to add an additional period of up to six (6) months to the term of the agreement on a month-to-month basis.

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

That the City Manager be authorized to sign a First Amendment to the Parking Facilities Management Contract 2012-071R for the El Paso International Airport with Standard Parking Corporation ("Contract"), to extend the term for up to an additional six (6) month period on a month-to-month basis to begin on August 28, 2017 and ending on February 28, 2018, for a total amount not to exceed Sixty Five Thousand Dollars (\$65,000).

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

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

18.1. Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried to **AWARD Solicitation No. 2017-1150 Police Ordered and**

Non-Consent Towing of Motor Vehicles to the vendors indicated, for an initial term estimated amount of \$2,502,000.09. The award includes the option to extend amount of \$1,112,000.04 for a total five (5) year estimated award amount of \$3,614,000.13.

Department: Police
Vendor #1: AD Wrecker Service, Inc.
El Paso, TX
Item(s): Groups 1, 2 & 3
Option to Extend: 2 Years
Annual Estimated Amount: \$92,666.67
Initial Term Estimated Award: \$278,000.01 (3 years)
Total Estimated Award: \$463,333.35 (5 years)

Vendor #2: Extreme Towing
El Paso, TX
Item(s): Groups 1, 2 & 3
Option to Extend: 2 Years
Annual Estimated Amount: \$92,666.67
Initial Term Estimated Award: \$278,000.01 (3 years)
Total Estimated Award: \$463,333.35 (5 years)

Vendor #3: Julio Cesar Huerta dba Extreme Recovery
& Towing
El Paso, TX
Item(s): Groups 1, 2 & 3
Option to Extend: 2 years
Annual Estimated Amount: \$92,666.67
Initial Term Estimated Award: \$278,000.01 (3 years)
Total Estimated Award: \$463,333.35 (5 years)

Vendor #4: Vehicle Transportation LTD LLP dba El
Paso Towing
El Paso, TX
Item(s): Groups 1, 2 & 3
Option to Extend: 2 years
Annual Estimated Amount: \$92,666.67
Initial Term Estimated Award: \$278,000.01 (3 years)
Total Estimated Award: \$463,333.35 (5 years)

Vendor #5: Sohle Express Towing, Inc.
El Paso, TX
Item(s): Groups 1, 2 & 3
Option to Extend: 2 years
Annual Estimated Amount: \$92,666.67
Initial Term Estimated Award: \$278,000.01 (3 years)
Total Estimated Award: \$463,333.35 (5 years)

Vendor #6: Best Wrecker & Towing, Inc.
El Paso, TX
Item(s): Groups 1 & 2
Option to Extend: No Option

Annual Estimated Amount: \$92,666.67
Initial Term Estimated Award:\$278,000.01 (3 years)
Total Estimated Award: \$278,000.01 (3 years)

Vendor #7: Kamel Towing
El Paso, TX
Item(s): Groups 1 & 2
Option to Extend: No Option
Annual Estimated Amount: \$92,666.67
Initial Term Estimated Award:\$278,000.01 (3 years)
Total Estimated Award: \$278,000.01 (3 years)

Vendor #8: Raul Fernandez Jr. dba Dependable Towing
El Paso, TX
Item(s): Groups 1 & 2
Option to Extend: No Option
Annual Estimated Amount: \$92,666.67
Initial Term Estimated Award:\$278,000.01 (3 years)
Total Estimated Award: \$278,000.01 (3 years)

Vendor #9: 3H Towing, LLC
El Paso, TX
Item(s): Group 1
Option to Extend: 2 years
Annual Estimated Amount: \$92,666.67
Initial Term Estimated Award:\$278,000.01 (3 years)
Total Estimated Award: \$463,333.35 (5 years)

Total Annual Amount: \$834,000.03 (9 Vendors)
Total Initial Term Award: \$2,502,000.09 (3 years) (9 Vendors)
Total Estimated Award: (5 yrs.) \$3,614,000.13 (5 years - Vendors #1, 2, 3, 4, 5, & 9)
Account No.: 321-21280-4340-522150-P2121-P5002350
Funding Source: Municipal Vehicle Storage Facility

This is a Best Value, unit price contract.

The Purchasing & Strategic Sourcing Department and El Paso Police Department recommend award as indicated to AD Wrecker Service, Inc., Extreme Towing, Julio Cesar Huerta dba Extreme Recovery & Towing, Vehicle Transportation LTD LLP dba El Paso Towing, Sohle Express Towing, Inc., Best Wrecker & Towing, Inc., Kamel Towing, Raul Fernandez Jr. dba Dependable Towing, and 3H Towing, LLC the bidders offering the best value bids.

Representatives Noe, Lizarraga, and Ordaz Perez commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Bruce Collins, Director of Purchasing and Strategic Sourcing
3. Assistant Police Chief Patrick Maloney

The following members of the public commented:

1. Mr. Leo Manriquez
2. Mr. Raul Fernandez
3. Mr. Robert Baird

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

- 19.1.** Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried to **AWARD** Solicitation No. 2017-926R Digital Content Provider and Access Platform (Re-Bid) to Baker & Taylor, LLC, Overdrive, Inc., Midwest Tape, Inc., and Recorded Books Inc. for a total estimated award of \$2,875,000.00. The award is to include a two (2) 2-year optional amount of \$2,300,000.00 for a total nine (9) year award of \$5,175,000.00.

Department:	Libraries
Vendor #1:	Baker & Taylor, LLC Charlotte, NC
Item(s):	Group 1
Option:	2 - two-year option
Annual Estimated Award:	\$100,000.00
Initial Term Estimated Award:	\$500,000.00 (5 years)
Total Estimated Award:	\$900,000.00 (9 years)
Vendor #2:	Overdrive, Inc. Cleveland, OH
Item(s):	Group 1
Option:	2 - two-year option
Annual Estimated Award:	\$200,000.00
Initial Term Estimated Award:	\$1,000,000.00 (5 years)
Total Estimated Award:	\$1,800,000.00 (9 years)
Vendor #3:	Midwest Tape, Inc. Holland, OH
Item(s):	Groups 2 & 3
Option:	2 - two-year option
Annual Estimated Award:	\$200,000.00
Initial Term Estimated Award:	\$1,000,000.00 (5 years)
Total Estimated Award:	\$1,800,000.00 (9 years)
Vendor #4:	Recorded Books Inc. Prince Frederick, MD
Item(s):	Group 4
Option:	2 - two-year option
Annual Estimated Award:	\$75,000.00
Initial Term Estimated Award:	\$375,000.00 (5 years)
Total Estimated Award:	\$675,000.00 (9 years)

Total Annual Amount:	\$575,000.00
Total Initial Term Award:	\$2,875,000.00 (5 years)
Total Estimated Award:	\$5,175,000.00 (9 years)
Account No.:	453 – 53010 – 1000 - 531030
Funding Source:	General Fund – Publications & Subscriptions

This is a Request for Proposal, service contract.

The Purchasing & Strategic Sourcing and Library Departments recommend award as indicated to Baker & Taylor, LLC., Overdrive, Inc., Midwest Tape, Inc., and Recorded Books, Inc., the highest ranked proposers 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 contract documents and agreements necessary to effectuate this award.

Purchasing and Strategic Sourcing and Library Departments recommend Countrywatch, Inc. be deemed non-responsive because they did not submit a proposal for evaluation.

Purchasing and Strategic Sourcing and Library Departments recommend EBSCO Industries, Inc. and ProQuest, LLC be deemed non-responsive because they did not submit a proposal for all items in Group 1.

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

- 20.1.** Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing to issue a Purchase Order to H2U Wellness Centers, LLC dba First Onsite referencing Contract 2010-100R Onsite Wellness Clinics. This change order is to increase the contract by \$107,302.25 for a total amount not to exceed \$2,486,398.19. This is to cover increased bio-metric testing for the Shape It Up Program. The change order will cover expenses through December 2017. The worksite wellness program has indicated a positive return on investment.

Department:	Human Resources
Award to:	H2U Wellness Center, LLC dba First Onsite Nashville, TN
Total Estimated Amount:	\$107,302.25
Account No.:	209-521120-14045-3500-P1414
Funding Source	Self Insured – Healthcare Provider Services

This is a change order for a Request for Qualifications, Professional Services Agreement.

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

- 21.1. Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried to **AWARD** Solicitation No. 2017-1093 Galvanized Sign Posts (Re- Bid) to Centerline Supply for an initial term estimated award of \$813,684.00. The award is to include a two (2) year optional amount of \$542,456.00 for a total five (5) year award of \$1,356,140.00.

Department:	Streets & Maintenance
Award to:	Centerline Supply Grand Prairie, TX
Item(s):	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$271,228.00
Initial Term Estimated Award:	\$813,684.00 (3 years)
Total Estimated Award:	\$1,356,140.00 (5 years)
Account No.:	532 – 32020 - 531220 – 1000 – P3254
Funding Source:	General fund – Maintenance Supplies Parts
District(s):	All

This is a low bid, unit price contract.

The Purchasing & Strategic Sourcing and Streets & Maintenance Departments recommend award as indicated to Centerline Supply, the lowest responsive, responsible bidder.

In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

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

22.1. 1ST MOTION

Motion made by Representative Annello, seconded by Representative Ordaz Perez, and carried to **POSTPONE** four weeks an Ordinance amending a portion of the Northwest Upper Valley Plan, a study area plan incorporated within "Plan El Paso," to calibrate policy recommendations to meet the goals and policies of "Plan El Paso." PLCP16-00003. **THE MOTION FAILS**

AYES: Representatives Annello, Ordaz Perez, Rivera and Lizarraga

NAYS: Mayor Margo and Representatives Svarzbein, Hernandez-Brown, Morgan, and Noe

Mayor Margo broke the tie, voting Nay.

ORDINANCE 018709

2ND AND FINAL MOTION

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING A PORTION OF THE NORTHWEST UPPER VALLEY PLAN, A STUDY AREA PLAN**

INCORPORATED WITHIN "PLAN EL PASO," TO CALIBRATE POLICY RECOMMENDATIONS TO MEET THE GOALS AND POLICIES OF "PLAN EL PASO." PLCP16-00003.

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

AYES: Representatives Svarzbein, Annello, Morgan, Noe, Ordaz Perez

NAYS: Representatives Hernandez-Brown, Rivera and Lizarraga

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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

Mr. Jeffrey Howell, Lead Planner for Planning and Inspections, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo and Representatives Annello, Noe, Hernandez-Brown, Lizarraga, Rivera, Ordaz Perez, and Morgan commented.

The following City staff members commented:

1. Mr. Larry Nichols, Director of Planning and Inspections
2. Mr. Alex Hoffman, Deputy Director for Planning and Inspections

The following members of the public commented:

1. Mr. George Ambacher
2. Mr. Jim Maxfield, letter read by Mr. Ambacher
3. Ms. Laure Searls
4. Ms. Blanca Trout
5. Mr. Joseph Nestor

22.2. 1ST MOTION

Motion made by Representative Annello, seconded by Representative Ordaz Perez, and carried to **POSTPONE** four weeks an Ordinance amending the Future Land Use Map contained in "Plan El Paso" for certain properties within the Northwest Upper Valley Plan area, as identified in exhibit "A", from O-3, Agriculture to G-4, Suburban (Walkable). **THE MOTION FAILS.**

AYES: Representatives Annello, Ordaz Perez, Rivera and Lizarraga

NAYS: Mayor Margo and Representatives Svarzbein, Hernandez-Brown, Morgan, and Noe

Mayor Margo broke the tie, voting Nay.

ORDINANCE 018710

2ND AND FINAL MOTION

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE FUTURE LAND USE MAP CONTAINED IN “PLAN EL PASO” FOR CERTAIN PROPERTIES WITHIN THE NORTHWEST UPPER VALLEY PLAN AREA, AS IDENTIFIED IN EXHIBIT “A”, FROM O-3, AGRICULTURE TO G-4, SUBURBAN (WALKABLE).**

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

AYES: Representatives Svarzbein, Annello, Morgan, Noe, Ordaz Perez

NAYS: Representatives Hernandez-Brown, Rivera and Lizarraga

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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

Mr. Jeffrey Howell, Lead Planner for Planning and Inspections, presented a PowerPoint presentation (copy on file in City Clerk’s Office).

Mayor Margo and Representatives Annello, Noe, Hernandez-Brown, Lizarraga, Rivera, Ordaz Perez, and Morgan commented.

The following City staff members commented:

1. Mr. Larry Nichols, Director of Planning and Inspections
2. Mr. Alex Hoffman, Deputy Director for Planning and Inspections

The following members of the public commented:

1. Mr. George Ambacher
2. Mr. Jim Maxfield, letter read by Mr. Ambacher
3. Ms. Laure Searls
4. Ms. Blanca Trout
5. Mr. Joseph Nestor

22.3. 1ST MOTION

Motion made by Representative Annello, seconded by Representative Ordaz Perez, and carried to **POSTPONE** four weeks an Ordinance releasing a condition imposing a maximum density of 2.5 dwelling units per gross acre, placed on property by Ordinance No. 16704 which changed the zoning from R-F (Ranch and Farm) to PR-I/C (Planned Residential/ Conditions) for Lot 1-H-1, Block 10, Upper Valley, City of El Paso, El Paso County, Texas; and Lot 1-H, Block 10, Upper Valley, City of El Paso, El Paso County, Texas; 6100 Westside Drive. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner GE Land Development. PZCR16-00006 (District 1) **THE MOTION FAILS**.

AYES: Representatives Annello, Ordaz Perez, Rivera and Lizarraga
NAYS: Mayor Margo and Representatives Svarzbein, Hernandez-Brown, Morgan, and Noe
Mayor Margo broke the tie, voting Nay.

ORDINANCE 018711

2ND AND FINAL MOTION

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING A CONDITION IMPOSING A MAXIMUM DENSITY OF 2.5 DWELLING UNITS PER GROSS ACRE, PLACED ON PROPERTY BY ORDINANCE NO. 16704 WHICH CHANGED THE ZONING FROM R-F (RANCH AND FARM) TO PR-I/C (PLANNED RESIDENTIAL/ CONDITIONS) FOR LOT 1-H-1, BLOCK 10, UPPER VALLEY, CITY OF EL PASO, EL PASO COUNTY, TEXAS; AND LOT 1-H, BLOCK 10, UPPER VALLEY, CITY OF EL PASO, EL PASO COUNTY, TEXAS; 6100 WESTSIDE DRIVE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. PROPERTY OWNER GE LAND DEVELOPMENT. PZCR16-00006 (DISTRICT 1)**

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

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

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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

Mr. Jeffrey Howell, Lead Planner for Planning and Inspections, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo and Representatives Annello, Noe, Hernandez-Brown, Lizarraga, Rivera, Ordaz Perez, and Morgan commented.

The following City staff members commented:

1. Mr. Larry Nichols, Director of Planning and Inspections
2. Mr. Alex Hoffman, Deputy Director for Planning and Inspections

The following members of the public commented:

1. Mr. George Ambacher
2. Mr. Jim Maxfield, letter read by Mr. Ambacher
3. Ms. Laure Searls
4. Ms. Blanca Trout
5. Mr. Joseph Nestor

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

23.1. ORDINANCE 018712

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM (TAX RESALE) DEED CONVEYING ALL RIGHT, TITLE AND INTEREST TO OSCAR SANCHEZ, TO THE FOLLOWING DESCRIBED PARCEL:**

LOTS 27 AND 28, BLOCK 20, BASSETT ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, AS DESCRIBED IN VOLUME 1207, PAGE 31, DEED RECORDS OF EL PASO COUNTY, TEXAS (AS 1923 E. SAN ANTONIO).

AND THAT THE CITY OF EL PASO, TRUSTEE, ACTING THROUGH ITS CITY MANAGER, HEREUNTO DULY AUTHORIZED BY RESOLUTION AND ORDER OF THE GOVERNING BODY OF SAID CITY, WHICH IS DULY RECORDED IN ITS OFFICIAL MINUTES, HEREINAFTER CALLED GRANTOR, FOR AND IN CONSIDERATION OF THE SUM OF \$15,600.00 CASH IN HAND PAID BY OSCAR SANCHEZ.

Ms. Carmen Perez, outside counsel, gave legal advice.

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

AYES: Representatives Svarzbein, Annello, Hernandez-Brown, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

REGULAR AGENDA - OTHER BUSINESS

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

24.1. RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF EL PASO NOMINATING PHELPS DODGE REFINING CORPORATION TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM ("OOGEDT") THROUGH THE ECONOMIC DEVELOPMENT BANK ("BANK") FOR DESIGNATION AS A QUALIFIED BUSINESS AND ENTERPRISE PROJECT ("PROJECT") UNDER THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE ("ACT").

WHEREAS, THE CITY OF EL PASO (the "City") has previously passed

Ordinance No. 017116 dated May 26, 2009 electing to participate in the Texas Enterprise Zone Program, and the local incentives offered under this resolution are the same on this date as were outlined in Ordinance No. 017116; and

WHEREAS, City approved a Resolution on May 16, 2017 nominating PHELPS DODGE REFINING CORPORATION as an enterprise project being located inside an enterprise zone, based upon the 2016 distressed County information; and

WHEREAS, soon after the approval of the May 16, 2017 Resolution, it was determined that the State of Texas had removed the distressed county designation from El Paso County; thereby also negating the Enterprise Zone designation for El Paso County; requiring a new Resolution revising the location of the Project being located outside of an Enterprise Zone; and

WHEREAS, the Office of the Governor Economic Development and Tourism (OOGEDT) through the Economic Development Bank (the "Bank") will consider PHELPS DODGE REFINING CORPORATION as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones, veterans and to other economically disadvantaged individuals; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code (the "Act"), PHELPS DODGE REFINING CORPORATION has applied to the City for designation as an enterprise project;

WHEREAS, the City finds that PHELPS DODGE REFINING CORPORATION meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. PHELPS DODGE REFINING CORPORATION is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body's jurisdiction located outside of an enterprise zone and at least thirty-five percent (35.0%) of the business' new employees will be residents of an enterprise zone, economically disadvantaged individuals or veterans' and
2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and
3. The designation of PHELPS DODGE REFINING CORPORATION as an enterprise project will contribute significantly to the achievement of the plans of the city for development and revitalization of the area.

WHEREAS, the City finds PHELPS DODGE REFINING CORPORATION meets the criteria for tax relief and other incentives adopted by the City and nominates PHELPS DODGE REFINING CORPORATION for enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, the City finds that it is in the best interest of the City to nominate PHELPS DODGE REFINING CORPORATION as an enterprise project pursuant to the Act;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE

CITY OF EL PASO:

1. That the findings of the City and its actions approving this Resolution taken at the council meeting are hereby approved and adopted;
2. That PHELPS DODGE REFINING CORPORATION is a “qualified business”, as defined in the Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act;
3. That the enterprise project shall take effect on the date of designation of the enterprise project by OOGEDT and terminate five years from the date of designation; and
4. That the Director for Economic and International Development or her designee be authorized to sign and all documents required by the Bank to complete the nomination process.

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

24.2.

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 Mayor be authorized to sign an Interlocal Agreement for Project Contribution University Pedestrian Improvements by and between the City of El Paso and the Camino Real Regional Mobility Authority (the “CRRMA”) for project management and construction services in an amount not to exceed \$2,801,397.00 for the period beginning on the effective date of the agreement through project completion and acceptance by the CRRMA; 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.

Ms. Laura Foster, Chief Architect, Capital Improvement, presented a PowerPoint presentation (copy on file in City Clerk’s Office).

Mayor Margo and Representatives Hernandez-Brown, Svarbein, Annello, Ordaz Perez, Rivera and Noe commented.

The following City staff members commented:

1. Mr. Andy Goh, City Engineer
2. Mr. Khalil Zaied, Deputy City Manager Public Works
3. Mr. Cary Westin, Deputy City Manager Economic Development & Tourism
4. Ms. Sylvia Firth, City Attorney, gave legal advice.

Motion made by Representative Svarzbein, seconded by Representative Ordaz Perez, and carried to **APPROVE** the Resolution.

AYES: Representatives Svarzbein, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: Representatives Annello and Hernandez-Brown

24.3. Presentation by Project Arriba on their mid-year report (September 1, 2016 – March

31, 2017) on status of activities during the fiscal year, use of grant funds and progress in the performance measures required under the Chapter 380 agreement executed on August 27, 2013 with the City of El Paso.

Mr. Ramon Ortiz, CEO, Project Arriba, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Ms. Jessica Herrera, Director of Economic and International Development, commented.

NO ACTION taken on this item.

24.4. Economic Development Update: Veterans Program

Mr. Dwayne Williams, Economic and International Development, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo and Representative Svarzbein commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Cary Westin, Deputy City Manager Economic Development & Tourism

Mr. Darrell Mond, The El Paso Veterans and Riders Association, commented.

NO ACTION taken on this item.

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

25.1. 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 Lot 27, Block 110, Vista Hills Unit Thirty-Nine, 1950 Paseo Arena Place, City of El Paso, El Paso County, Texas.

Motion made by Representative Ordaz Perez, seconded by Representative Svarzbein, and carried to **APPROVE** a Resolution.

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

NAYS: None

ABSTAIN: Representative Noe

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

26.1.

RESOLUTION

WHEREAS, on November 25, 2005, the City of El Paso (“the City”) adopted a Debt Management Policy that set forth the parameters for issuing new debt as well as managing the outstanding debt portfolio, identifies the types and amounts of permissible debt, and ensures that the City maintains a solid bond rating in order to minimize borrowing costs and preserving access to credit;

WHEREAS, the City has reviewed its Debt Management Policy at least bi-annually, in accordance with the provisions of the Policy; and

WHEREAS, the City last reviewed and amended the City’s Debt Management Policy on August 23, 2016; and

WHEREAS, the City now desires to amend Section 5.2 Certificates of Obligation –For issuance less than \$100 million of the City’s Debt Management Policy to include the definition of “Quality-of-life Projects” and to allow the issuance of Certificates of Obligation for additional funding approved by City Council to complete or enhance quality of life facility projects previously approved by the voters.

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

THAT the City hereby amends Section 5.2 2 Certificates of Obligation –For issuance less than \$100 million of the City of El Paso Debt Management Policy to include a definition for the term “Quality-of-life Project” and to allow the issuance of Certificates of Obligation for additional funding approved by City Council that needed to complete or enhance Quality-of-life Projects previously approved by the voters. All other terms of the City of El Paso Debt Management Policy are unchanged and remain in full force and effect.

Ms. Pat Degman, Comptroller, presented a PowerPoint presentation (copy on file in City Clerk’s Office).

Mayor Margo and Representatives Annello, Svarzbein, Hernandez-Brown, and Ordaz Perez commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Dr. Mark Sutter, Deputy City Manager Financial & Public Health

Motion made by Representative Rivera, seconded by Representative Morgan, and unanimously carried to **APPROVE** the Resolution.

26.2.

RESOLUTION

WHEREAS, on August 23, 2016, the City of El Paso (the “**City**”) adopted the City’s Investment policy for Fiscal Year 2016; and

WHEREAS, pursuant to Section 2256.005 of the Texas Government Code,

the City is required to review its Investment Policy on an annual basis; and

WHEREAS, the City has reviewed its Investment Policy and as a result of such review desires to amend and restate the City's Investment Policy for Fiscal Year 2017.

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

That the City hereby adopts the amended and restated City of El Paso Fiscal Year 2017 Investment Policy which is attached hereto as ***Exhibit A*** and incorporated herein by reference.

Ms. Pat Degman, Comptroller, presented a PowerPoint presentation (copy on file in City Clerk's Office).

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

26.3. Presentation of the FY16 audit results from the financial audit and the grants audit.

Mr. David Coleman, BKD (external audit) and Ms. Rachel Ormsby, BKD presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo commented.

Ms. Pat Degman, Comptroller, commented.

NO ACTION taken on this item.

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

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on or before July 21, 2006, owners of real property located within El Paso Public Improvement District No. 1 (Thunder Canyon) delivered to the City of El Paso, Texas (the "City") a Petition (the "Petition") to create El Paso Public Improvement District No. 1 (Thunder Canyon) (the "District"); and

WHEREAS, after providing notices required by Section 372.009 of the Act, the City Council on January 16, 2007, conducted a public hearing on the advisability of the improvements and the creation of the District; and

WHEREAS, on January 16, 2007, the City Council passed a Resolution which modified the property included in the District, authorized and approved the creation of the District; and

WHEREAS, the authorization of the District took effect when notice of the

passage of the Resolution was published in a newspaper of general circulation in the City; and

WHEREAS, after statutory notice was provided, on April 17, 2007, the El Paso City Council approved Ordinance No. 016603 which approved the Service and Assessment Plan and the levying of assessments for the District; and

WHEREAS, the Act requires an annual review and update of the service plan for the purpose of determining the annual budget for improvements; and

WHEREAS, the City staff has reviewed the April 17, 2007 Service and Assessment Plan and has recommended that no changes or revisions are needed to the April 17, 2007 Service and Assessment Plan.

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

That the Service and Assessment Plan for the El Paso Public Improvement District No. 1 (Thunder Canyon) approved on April 17, 2007, as described in Ordinance No. 016603, has been reviewed annually as required by Chapter 372 of the Texas Local Government Code, and the City Council finds that there is no need to revise the adopted Service and Assessment Plan, and, as a result, there is no need to update the annual budget and all assessments shall remain the same as described in Ordinance No. 016603.

Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried **APPROVE** a Resolution to accept the annual review of Thunder Canyon PID Assessment Plan.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein, Annello and Hernandez-Brown

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26.5.

R E S O L U T I O N

WHEREAS, the Colorado Health Facilities Authority (the "Authority") is in the process of issuing its Health Facilities Revenue Bonds and Revenue Refunding Bonds (The Evangelical Lutheran Good Samaritan Society Project), Series 2017 (the "Bonds"), a portion of which will be used to finance the Evangelical Lutheran Good Samaritan Society—Facilities located in El Paso, Texas (the "Project");

WHEREAS, the City of El Paso has conducted and held a public hearing regarding issuance of the Bonds and the Project on July 25, 2017 at the Council meeting starting at 8:00 A.M. pursuant to the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended;

WHEREAS, the City approves and encourages the Authority in its efforts to accomplish the issuance of the Bonds and, as part of such transaction, is willing to provide a Certificate For Resolution and Certificate Of Public Hearing concerning the conduct of the Public Hearing June 2, 2017, copies of which are both attached hereto as Exhibits to this Resolution and made a part hereof for all purposes.

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

1. THAT the Preambles to this Resolution set forth above are incorporated herein and made part of this Resolution.
2. THAT the Mayor and the City Clerk of the City of El Paso and the other officers of the City are hereby authorized, jointly and severally, to execute and deliver such endorsements, instruments, certificates, documents, or papers necessary and advisable to carry out the intent and purposes of this Resolution and the issuance of the Bonds.

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried **APPROVE** a Resolution.

NOT PRESENT FOR THE VOTE: Representatives Annello and Hernandez-Brown

26.6.

R E S O L U T I O N

WHEREAS, on December 3, 2002 the City Council of the City of El Paso ("City") consented to the creation of Paseo Del Este Municipal Utility Districts Nos. 1 through 9 ("Districts") in the City of El Paso's Extraterritorial Jurisdiction; and

WHEREAS, the City's consent to the creation of the Districts was subject to several conditions; and

WHEREAS, one of the City's conditions for the creation of the Districts was that the City is to review and approve the Districts' bonds and notes prior to issuance and may place restrictions on the terms and provisions of each of the District's bonds and notes issued to provide service to the land and conditions on the sale of the District's bonds and notes to the extent such restrictions and conditions do not generally render the bonds and notes of the Districts unmarketable; and

WHEREAS, Paseo Del Este Municipal District Two ("M.U.D. 2") requested review and approval of the issuance of the Unlimited Tax Bonds, Series 2017 Bonds Utility by M.U.D. 2 (the "Series 2017 Bonds"); and

WHEREAS, the City reviewed the proposed issuance of Series 2017 Bonds by M.U.D. 2 and desires to approve the issuance of the bonds.

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

That the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2017 Bonds Utility by Paseo Del Este Municipal Utility District No. 2, with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

Motion made by Representative Rivera, seconded by Representative Ordaz Perez, and unanimously carried **APPROVE** the Resolution.

TAKEN WITH 27.4

26.7. Operations Management Update: ADA Improvements

Mr. Julio Perez, Sun Metro Lift Services, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Margo and Representatives Morgan and Hernandez-Brown commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Khalil Zaied, Deputy City Manager Public Works

NO ACTION taken on this item.

27. MAYOR AND COUNCIL

TAKEN WITH 26.1

- 27.1.** Discussion and action on updating and revising the Debt Management Policy to include staff recommendations on existing policy items 5.2 and 12.

NO ACTION taken on this item.

TAKEN INTO EXECUTIVE SESSION

27.2. 1ST MOTION

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

2ND MOTION

Motion made by Representative Hernandez-Brown, seconded by Representative Ordaz Perez, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 1:12 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	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	

3RD MOTION

Motion made by Representative Hernandez-Brown, seconded by Representative Rivera, and unanimously carried to adjourn the Executive Session at 3:01 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Ordaz Perez

4TH AND FINAL MOTION

Motion made by Representative Hernandez-Brown, seconded by Representative Rivera, and unanimously carried to **DIRECT** the City Manager to work with MACI

(Mexican American Cultural Institute) to resubmit an MOU by Oct 1 of this year that is comparable to current public and private partnerships that the City already has.

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

Mayor Margo and Representatives Hernandez-Brown, Svarzbein, Noe, and Lizarraga commented.

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

Ms. Corinne Chacon, member of Mexican Institute, commented.

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- 27.3.** Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried to **DIRECT** the City Manager to modify the current Shared Leave Program to add a Parental Leave Pool for city employees.

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

Mayor Margo commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Claudia Lujan, Assistant Director of Human Resources

TAKEN WITH 26.7

- 27.4.** Discussion on the compliance of the ADA transition plan and the associated funding, and feasibility of adhering to the requirements of the plan.

The following members of the public commented:

1. Mr. George Zavala
2. Ms. Mary Alice Gary

NO ACTION taken on this item.

27.5. RESOLUTION

WHEREAS, Article III of the By-laws and Procedures for the Metropolitan Planning Organization (MPO) states that the Mayor of the City of El Paso, or appointee, and no less than three (3) elected officials shall serve on the MPO's Transportation Policy Board (TPB);

WHEREAS, the Bylaws and Procedures for the MPO also require a resolution appointing the three (3) elected City Officials to the TPB of the MPO be provided to Executive Director of the MPO;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE

CITY OF EL PASO:

That Mayor Dee Margo shall serve on the MPO's Transportation Policy Board, and that City Council Representative Peter Svarzbein will replace former City Council Representative Cortney Niland and City Council Representative Cassandra Hernandez Brown will replace former City Council Representative Emma Acosta as the City of El Paso's designated representatives to the MPO's Transportation Policy Board, effective July 25, 2017. All other representatives to the TPB shall remain unchanged.

Motion made by Representative Ordaz Perez, seconded by Representative Rivera, and unanimously carried **APPROVE** the Resolution.

EXECUTIVE SESSION

Motion made by Representative Hernandez-Brown, seconded by Representative Ordaz Perez, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 1:12 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	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 Hernandez-Brown, seconded by Representative Rivera, and unanimously carried to adjourn the Executive Session at 3:01 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Ordaz Perez

EX1. Mexican American Cultural Center Project. (551.071)

NO ACTION taken on this item.

EX2. Ex Parte: City of El Paso; 250th District Court, Cause No. D-1-GN-17-001888; Travis County, Texas; Matter No. 17-1001-171 (551.071)

NO ACTION taken on this item.

EX3. Ramirez, Maria and Pedro Ramirez, as Representatives of the Estate and Statutory Death Beneficiaries of Daniel Antonio Ramirez v. Ruben Escajeda, Jr. and City of El Paso, Texas; Matter No. 17-1026-8594 (551.071)

Motion made by Mayor Pro Tempore Noe, seconded by Representative Rivera and carried that the City Attorney's Office is authorized to retain the law firm of Denton, Navarro, Rocha, Bernal, Hyde & Zech PC, as outside counsel in consultation with the City Manager to defend the City's interest and position in the lawsuit styled, *Maria Ramirez and Pedro Ramirez, as Representatives of the Estate and Statutory Death Beneficiaries of Daniel Antonio Ramirez v. Ruben Escajeda, Jr. and City of*

El Paso, Texas; pending in the United States District Court for the Western District of Texas, under Cause No. 3:17-CV-00193; that the City Attorney's Office is authorized to take any and all action necessary, affirmative and defensive, in connection with this lawsuit through outside counsel. This Motion is intended to grant broad authority to the City Attorney's Office to take all action necessary to address these matters, including but not limited to, the initiation and response to any litigation, complaint, administrative proceeding, judicial proceedings or process regarding this lawsuit.

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

NAYS: Representative Annello

EX4. State of Texas v. State of New Mexico and State of Colorado, No. 141 Original, United States Supreme Court. (551.071)

Motion made by Mayor Pro Tempore Noe, seconded by Representative Rivera and unanimously carried that the City of El Paso authorizes the filing of an Amicus Curiae Brief on its behalf in the lawsuit entitled *State of Texas v. State of New Mexico and State of Colorado*, currently pending in the United States Supreme Court, Number 141.

EX5. Economic Incentives for a Mixed Use Development to be located in the City of El Paso (551.071, 551.072, and 551.087)

NO ACTION taken on this item.

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ADJOURN

Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried to **ADJOURN** this meeting at 3:36 p.m.

ABSENT: Representative Niland

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APPROVED AS TO CONTENT:

Laura D. Prine, Interim City Clerk