

OSCAR LEESER  
MAYOR

TOMMY GONZALEZ  
CITY MANAGER



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

**LEGISLATIVE REVIEW MEETING OF THE WHOLE MINUTES  
MAIN CONFERENCE ROOM  
CITY HALL, 300 N. CAMPBELL  
JULY 25, 2016  
9:00 A.M.**

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The City Council met at the above place and date. Meeting was called to order at 9:02 a.m. Mayor Pro Tempore Michiel Noe present and presiding and the following Council Members answered roll call: Peter Svarzbein, Jim Tolbert, Carl Robinson, and Lily Limón. Late arrivals: Emma Acosta at 9:15 a.m. and Claudia Ordaz at 9:06 a.m. Mayor Oscar Leeser and Cortney Niland requested to be excused.

The agenda items for City Council agenda of July 26, 2016 were reviewed.

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**3.1. CONSENT AGENDA - RESOLUTIONS:**

That the Purchasing & Strategic Sourcing Director is authorized to notify Ace Government Services LLC, that the City is terminating Contract No. 2016-589 for default effective July 26, 2016, pursuant to the provisions and requirements of Part 4, Paragraph 8B of the Contract Clauses, due to contractor's failure to provide the required performance bonds.

Representative Limón questioned the following City staff member:

- Mr. Terry Freiburg, Purchasing and Strategic Sourcing

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**3.2. CONSENT AGENDA - RESOLUTIONS:**

That the City Manager be authorized to sign a Janitorial Services Contract ("Contract") entered into by and between the City of El Paso ("City") and TIBH Industries, Inc. and Goodwill Services the performing party, to provide janitorial services for the International Bridges department facilities, for a one-year term beginning on September 1, 2016 and continuing through August 31, 2017 for a cost not to exceed \$120,060.00.

Representative Limón questioned the following City staff member:

- Mr. Terry Freiburg, Purchasing and Strategic Sourcing

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**3.3. CONSENT AGENDA - RESOLUTIONS:**

A Resolution that the City Manager be authorized to sign the Butterfield Trail Industrial Park Lease Agreement between the City of El Paso as Landlord and Hunt 12 Founders, LLC as Tenant, regarding the following described property:

Portions of Lots 1, 2, and 9 and all of Lot 10, Block 2, Butterfield Trail Industrial Park Unit One, Replat "A", an Addition to the City of El Paso, El Paso County, Texas, containing approximately 325,219 square feet or 7.4665 acres of land, more or less, municipally known and numbered as 12 Founders Blvd., El Paso, Texas. This new lease will combine two leases for efficiencies.

Terms: 40 year lease, with two (2) five year options to extend, rent will be adjusted on each fifth (5th) anniversary based on percentage increases in the Consumer Price Index for all Urban Consumers (CPI-U), with a 20% cap

Lease area - 325,219 square feet

Rate - \$0.24 per square foot (based on fair market value), \$78,085.56 annually

Sub Tenant: AT & T

Representative Limón questioned the following City staff member:

- Mr. Terry Freiburg, Purchasing and Strategic Sourcing

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**7.1. CONSENT AGENDA - RESOLUTIONS:**

That Schedule C, attached to the FY 2016 Budget Resolution and effective September 1, 2015, shall be amended, effective July 26, 2016, as set forth in Attachment A, to reduce the maximum administration fee for Texas Vaccines for children immunizations for patients not covered by Medicaid or CHIP; and

That, City Council authorizes the Director of the Department of Public Health to establish a reduced immunizations program and set variable charges within the specified price range listed in Attachment A, based on the need for special health events including vaccine administration in order to assist members of the local community who are uninsured or underinsured.

Representative Robinson questioned the following City staff member:

- Mr. Robert Resendes, Director of Public Health

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**7.3. CONSENT AGENDA - RESOLUTIONS:**

That the City Manager be authorized to sign a Lease Agreement between the City of El Paso (Landlord) and Pro-Action, Inc. (Tenant), for the building located at 6292 Trowbridge Drive, El Paso, Texas, to operate "Immunize El Paso", a clinic which provides free or low-cost health services, for an initial term beginning on the effective date of the Lease for a 10-year period, at a rental rate of \$1.00 for the initial term, and the initial term may be extended for two, 5-year terms by the Tenant.

Representative Limón questioned the following City staff member:

- Mr. Jose Carlos Villalva, Economic and International Development

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**13.1. CONSENT AGENDA - RESOLUTIONS:**

Notation of upcoming Urban Energy Forum, which will take place on August 11, 2016 from 1 p.m. to 6 p.m., in partnership with the Hub of Human Innovation.

Representative Svarzbein questioned the following City staff member:

- Ms. Nicole Ferrini, Office of Resilience

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**14.1. CONSENT AGENDA - REQUESTS TO ISSUE PURCHASE ORDERS:**

Request that the Director of Purchasing & Strategic Sourcing Department be authorized to increase a purchase order previously issued administratively for \$50,000.00 to The Eagle Janitorial Service by an additional \$25,000.00 for Janitorial Services for City Hall 1,2,3,4 and UPTT for an additional transitional period of ten (10) days pursuant to Local Government Code, Chapter 252, Section 252.022(2)-General Exemptions, public health or safety exemption.

Department:	Streets & Maintenance
Award to:	The Eagle Janitorial Service
	El Paso, TX
Total Amount:	\$25,000.00
Account No.:	532-31040-522060-1000-P3120
Funding Source:	General Funds-Maintenance Service Janitorial
	Contract
District(s):	All
Reference No.:	2016-1154

This is Public Health or Safety Exemption pursuant to Local Government Code, Chapter 252, Section 252.022(2)-General Exemptions.

Representative Noe questioned the following City staff member:

- Ms. Deniese Baisley, Interim Assistant Director of Purchasing and Strategic Sourcing

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**19.6. REGULAR AGENDA - FIRST READING OF ORDINANCES**

**An ordinance amending Title 12 (Vehicles and Traffic)—Chapter 12.80 (Miscellaneous Traffic Regulations)—Section 12.80.030 (Coasters, Roller Skates, And Similar Devices—Use Restrictions) relating to the applicability in the Civic Center Plaza and the Arts Festival Plaza, and expanding applicability to the San Jacinto Plaza, Sidewalk Café Areas, and the entire area of the Downtown Management District. The penalty being as provided in Section 1.08.010 of the El Paso City Code.**

**PUBLIC HEARING WILL BE HELD ON AUGUST 9, 2016**

Representative Svarzbein questioned the following City staff member:

- Mr. Tommy Gonzalez, City Manager
- Ms. Laura Gordon, Deputy City Attorney, gave legal advice.

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**20.1. REGULAR AGENDA - FIRST READING OF ORDINANCES**

**An Ordinance granting Special Permit No. PZST16-00010, to allow for a ground-mounted 66' Personal Wireless Service Facility on the property described as a portion of Lots 1, Block 1, Radco Industrial Park, City of El Paso, El Paso County, Texas, Pursuant to Section 20.10.455 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 11400 Wilkinson Dr. Property Owner: Noe S. Castillo PZST16-00010**

**PUBLIC HEARING WILL BE HELD ON AUGUST 23, 2016**

Representative Noe questioned the following City staff member:

- Mr. Carlos Gallinar, Deputy Director for Planning and Inspections

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**22.1. REGULAR AGENDA - FIRST READING OF ORDINANCES**

**An Ordinance adopting the City of El Paso Bike Plan as the official bicycle master plan for the City of El Paso and to incorporate this plan as an addendum to Plan El Paso.**

Representative Noe questioned the following City staff member:

- Mr. Kevin Smith, Lead Planner, Planning and Inspections

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

Discussion and action to award Solicitation 2016-585 for Westside Pool - Natatorium to ARROW BUILDING CORP. for an estimated total amount of \$12,446,083.00.

Department:	Capital Improvement
Award to:	ARROW BUILDING CORP.
	El Paso, TX
Total Estimated Award:	\$12,446,083.00
Account No.:	580270-190-29010-4800-PCP13PRKC07
Funding Source:	2012 Quality of Life Bonds
District(s):	1 & 8

This is a Competitive Sealed Proposal, lump sum contract.

The Purchasing & Strategic Sourcing Department and Capital Improvement Department recommend award as indicated to ARROW BUILDING CORP., the bidder offering the best value bid.

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award and that an additional \$1,707,393.00 be allocated to the overall project to cover contingency, art and O & M costs related to the facility and that such funding come from savings from bond refinancing through the issuance of certificate of obligation funds.

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

Representative Limón questioned the following City staff member:

- Mr. Tommy Gonzalez, City Manager
- Ms. Monica Lombrana, Director of Capital Improvement

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

Discussion and action that the use of the Design-Build alternative project delivery method for the Lionel Forti and Chelsea Aquatic Facilities construction project is approved and the Director of the Capital Improvement Department is authorized to issue a solicitation using the Design-Build method for the Lionel Forti and Chelsea Aquatic Facilities construction project.

Representatives Limón and Ordaz questioned the following City staff member:

- Mr. Tommy Gonzalez, City Manager
- Ms. Monica Lombrana, Director of Capital Improvement
- Mr. Javier Reyes, Engineering Division Manager

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**25.2. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**

An Ordinance granting Special Permit No. PZST15-00044, to allow for infill development with a reduction in front setbacks, on the property described as a portion of Tract 3, Block 6, Christy Tract, 8040 Valley View, 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: 8040 Valley View. Property Owner: Jose M. Uresti. PZST15-00044

Representatives Noe and Limón questioned the following City staff member:

- Mr. Carlos Gallinar, Deputy Director for Planning and Inspections

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**25.4. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**

An Ordinance amending conditions placed on property by Ordinance No. 16788 which changed the zoning of Lots 1 and 2, Block 1, V.A.L. Tract, City of El Paso, El Paso County, Texas, and which imposed conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: El Paso City Employees' Pension Fund. PZCR16-00003

Representative Tolbert commented.

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**25.7. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**

An Ordinance amending Title 18 (Building and Construction), Chapter 18.46 (Landscape Code), reformatting existing provisions, adding variances, adjusting calculations based on land use and expanding plant selection options, the penalty being as provided in Section 18.46.320 (Violations-Penalty) of the El Paso City Code.

Representatives Tolbert and Limón questioned the following City staff members:

- Mr. Larry Nichols, Director for Planning and Inspections

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Motion made by Representative Limón, seconded by Representative Tolbert, and unanimously carried to **ADJOURN** this meeting at 9:49 a.m.

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APPROVED AS TO CONTENT:

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Richarda Duffy Momsen, City Clerk