

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
MICHEL R. NOE, DISTRICT 5
CLAUDIA ORDAZ, DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

August 9, 2016
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 8:06 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Emma Acosta, Carl Robinson, Michiel Noe, Claudia Ordaz, and Lilia Limón. Late arrivals: Cortney Niland at 8:07 a.m., Jim Tolbert at 8:25 a.m., and Peter Svarzbein at 8:26 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.

Motion made by Representative Niland, seconded by Representative Ordaz, and carried to **SUSPEND THE RULES OF ORDER** Council members to use electronic devices during the meeting.

AYES: Representatives Svarzbein, Tolbert, Acosta, Noe, Ordaz, Limón and Niland

NAYS: Representative Robinson

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

INVOCATION BY POLICE, FIRE AND CIMA CHAPLAIN SAM FARAONE

PLEDGE OF ALLEGIANCE

Myrtle Cooper Elementary

Charley Dohl
Alaiza Salas
Sebastian Ramirez
Karissa Ibarbo
Malachi Valenzuela
Leah Melchor
Marc Kondratowicz

**Sara Rosales
Audon Rosales
Abigail Cervantes
Olivia Natera
Sebastian Perez**

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NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz, 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 Acosta, Robinson, Noe, Ordaz, Limón and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

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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** Minutes for the Regular City Council Meeting of July 26, 2016 and July 19, 2016, the Legislative Review Meeting of the Whole of July 25, 2016, Special City Council Meeting - FY2017 Budget Hearing of July 12, 2016 and the Special City Council Meeting - FY2017 Budget Hearing/Intro Ordinance FY2017 Levying Tax Rate of July 28, 2016.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

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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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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. *RESOLUTION

**A RESOLUTION NOMINATING EL PASO HEALTHCARE SYSTEM, LTD.
AS A TEXAS STATE ENTERPRISE ZONE PROJECT**

WHEREAS, the City Council of the City of El Paso ("City") passed Ordinance No. 017116 on May 26, 2009, electing for the City to participate in the Texas Enterprise Zone Program; and

WHEREAS, the local incentives offered under this Resolution are the same on

this date as were outlined in Ordinance No. 017116; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code (“Act”), Las Palmas Medical Center (“LPMC”), has applied to the City for designation as an enterprise zone project; and

WHEREAS, the Office of the Governor Economic Development and Tourism (“EDC”) through the Economic Development Bank (“Bank”) will consider El Paso Healthcare System LTD., as an enterprise zone 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 and to other economically disadvantaged individuals; and

WHEREAS, the City finds that El Paso Healthcare System LTD., meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. El Paso Healthcare System LTD. 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 located inside an enterprise zone and at least twenty-five percent (25%) of the business' new employees will be residents of an enterprise zone or economically disadvantaged individuals; 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 El Paso Healthcare System LTD. 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 that El Paso Healthcare System LTD. meets the criteria for tax relief and other incentives adopted by the City and agrees to nominate El Paso Healthcare System LTD. for enterprise zone 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 El Paso Healthcare System LTD. 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 El Paso Healthcare System LTD., to be known as Las Palmas Medical Center, is a "qualified business" as defined in 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;
2. That the enterprise zone project shall take effect on the date of designation of the enterprise project by the agency and terminate five years after date of designation; and
3. That the City Manager or her designee be authorized to sign any and all documents required by EDC to complete the nomination process.

1ST MOTION

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

2ND AND FINAL MOTION

Motion made by Representative Niland, seconded by Representative Limón, and carried to **APPROVE** the Resolution.

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Ordaz, Limón and Niland

NAYS: None

ABSTAIN: Representative Noe

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 Lessor’s Approval of Assignment of the Industrial Site Lease by and among the City of El Paso (“Lessor”), Durham Properties, L.L.C. (“Assignor”) and Infinity Nine at El Paso, LLC (“Assignee”) for the following described property:

Lot 1, Block 14, El Paso International Airport Tracts, Unit 11, El Paso County, Texas and municipally known and numbered as 1701 Hawkins Boulevard, El Paso, Texas.

4.

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

4.1.

***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 Second Lease Amendment to that certain Lease Agreement dated August 3, 2010, as amended by that certain First Amendment dated August 28, 2013, by and between the CITY OF EL PASO and BLK INVESTMENTS 2 FAMILY LIMITED PARTNERSHIP, for sixty (60) parking spaces located at 216 South Ochoa Street, El Paso, Texas.

5.

Goal 3: Promote the Visual Image of El Paso

5.1.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, MAGANA, PABLO Z. & AGRIPINA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

CITY OF EL PASO:

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

5428 Frutas Ave, more particularly described as Lot 36 & 37 (6000 SQ FT), Block 9, Brentwood Heights Subdivision, City of El Paso, El Paso County, Texas, PID #B724-999-0090-8100

to be \$287.01, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 14th day of December, 2015, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED EIGHTY SEVEN AND 01/100 DOLLARS (\$287.01) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, GUERRERO, ELODIA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

111 S. Hills St., more particularly described as Lot N 30.5 FT OF 1 TO 3 (2288 SQ FT), Block 79, Magoffin Subdivision, City of El Paso, El Paso County, Texas, PID #M028-999-0790-0100

to be \$368.33, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 22nd day of January, 2016, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City

Code, declares the above total amount THREE HUNDRED SIXTY EIGHT AND 33/100 DOLLARS (\$368.33) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, ROBIN, JOHN, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

1407 North Florence St., more particularly described as
Lot 4 & S 1/2 OF 5 (4758 SQ FT), Block 32, Alexander
Subdivision, City of El Paso, El Paso County, Texas, PID
#A462-999-0320-1500

to be \$403.37, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 7th day of January, 2016, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED THREE AND 37/100 DOLLARS (\$403.37) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, HIDALGO, CLOTILDE, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance

due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

7121 Stiles Drive A, more particularly described as Lot N
1/2 OF 48 (0.215 AC), Block 4, Stiles Gardens
Subdivision, City of El Paso, El Paso County, Texas, PID
#S658-999-0040-5100

to be \$672.11, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 23rd day of December, 2015, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount SIX HUNDRED SEVENTY TWO AND 11/100 DOLLARS (\$672.11) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, MJ REAL PROPERTIES INC., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

2219 Bassett Ave, more particularly described as Lot 26 (3000 SQ FT), Block 39, Bassett Subdivision, City of El Paso, El Paso County, Texas, PID #B202-999-0390-8100

to be \$272.53, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 11th day of December, 2015, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SEVENTY TWO AND 53/100 DOLLARS (\$272.53) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, NIETO, FERNANDO & JOSEFINA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

403 Dolan St., more particularly described as Lot S 1/2 OF 2 (2220 SQ FT), Block 2, Pasadena #2 Subdivision, City of El Paso, El Paso County, Texas, PID #P577-999-0020-0900

to be \$285.79, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 16th day of December, 2015, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED EIGHTY FIVE AND 79/100 DOLLARS (\$285.79) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, GEO-BEAZER, LP, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

Lot 10 (31367.00 SQ FT), Block 1, Sun Valley Ranch
Subdivision, City of El Paso, El Paso County, Texas, PID
#S820-999-0010-1000

to be \$414.34, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 15th day of December, 2015, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED FOURTEEN AND 34/100 DOLLARS (\$414.34) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, RAYOS, FELIPE G. (CS), referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

407 S. Concepcion St., more particularly described as Lot 66 (3525 SQ FT), Block 11, Val Verde Subdivision, City of El Paso, El Paso County, Texas, PID #V088-999-0110-6300

to be \$299.60, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 5th day of January, 2016, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED NINETY NINE AND 60/100 DOLLARS (\$299.60) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, GARCIA, GERARDO & MARIA E., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

12421 Cougar St., more particularly described as Lot 6 (4125 SQ FT), Block 1, Desert View Estates Subdivision, City of El Paso, El Paso County, Texas, PID #D463-999-0010-0600

to be \$312.31, in accordance with the El Paso City Code Section 9.04.880 and the Texas

Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 21st day of July, 2015, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED TWELVE AND 31/100 DOLLARS (\$312.31) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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6. Goal 6: Set the Standard for Sound Governance and Fiscal Management
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6.1. *R E S O L U T I O N

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, EBS Enterprises, Inc. ("Taxpayer") has applied for a refund with the tax assessor for their 2012 property taxes that were overpaid on March 26, 2013 in the amount of \$109.18 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2012 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that EBS Enterprises, Inc. showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2012 taxes and the tax refund in the amount of \$109.18 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Reynolds Plastic Surgery Center through Dale Reynolds (“Taxpayer”) has applied for a refund with the tax assessor for the 2011 property taxes that were overpaid on February 29, 2012 in the amount of \$340.05 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer’s application for the overpayment of the 2011 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Reynolds Plastic Surgery Center through Dale Reynolds showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2011 taxes and the tax refund in the amount of \$340.05 is approved.

6.3.

***RESOLUTION**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Horizon RV through Mark Wickenheiser (“Taxpayer”) has applied for a refund with the tax assessor for their 2012 property taxes that were overpaid on November 8, 2012 in the amount of \$8.19 for all taxing entities and

WHEREAS, City Council may extend the deadline for the Taxpayer’s application for the overpayment of the 2012 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Horizon RV through Mark Wickenheiser showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2012 taxes and the tax refund in the amount of \$8.19 is approved.

6.4.

***RESOLUTION**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Horizon RV through Mark Wickenheiser ("Taxpayer") has applied for a refund with the tax assessor for their 2012 property taxes that were overpaid on November 8, 2012 in the amount of \$20.64 for all taxing entities and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2012 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Horizon RV through Mark Wickenheiser showed good cause to extend the deadline to apply for a refund of the overpayment of the 2012 taxes and the tax refund in the amount of \$20.64 is approved.

.....
6.5.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Tommy's Auto Sales ("Taxpayer") has applied for a refund with the tax assessor for their 2012 property taxes that were overpaid on January 29, 2013 in the amount of \$106.43 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2012 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Tommy's Auto Sales showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2012 taxes and the tax refund in the amount of \$106.43 is approved.

6.6.

***RESOLUTION**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Tommy's Auto Sales ("Taxpayer") has applied for a refund with the tax assessor for their 2012 property taxes that were overpaid on January 29, 2013 in the amount of \$23.58 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2012 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Tommy's Auto Sales showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2012 taxes and the tax refund in the amount of \$23.58 is approved.

6.7.

***RESOLUTION**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Citi Financial ("Taxpayer") has applied for a refund with the tax assessor for their 2012 property taxes that were overpaid on March 31, 2013 in the amount of \$103.64 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2012 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Citi Financial showed a good cause to extend the

deadline to apply for a refund of the overpayment of the 2012 taxes and the tax refund in the amount of \$103.64 is approved.

6.8.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an applicatic for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years o a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Kay F. Backer (“Taxpayer”) has applied for a refund with the tax assessor for their 2012 property taxes that were overpaid on January 16, 2013 in the amount of \$28.43 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer’s application for the overpayment of the 2012 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Kay F. Backer showed a good cause to extend th deadline to apply for a refund of the overpayment of the 2012 taxes and the tax refund in the amount of \$28.43 is approved.

6.9.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an applicatic for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years o a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Kay F. Backer (“Taxpayer”) has applied for a refund with the tax assessor for their 2012 property taxes that were overpaid on January 16, 2013 in the amount of \$28.45 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer’s application for the overpayment of the 2012 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Kay F. Backer showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2012 taxes and the tax refund in the amount of \$28.45 is approved.

6.10.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Eva Williams ("Taxpayer") has applied for a refund with the tax assessor for their 2011 property taxes that were overpaid on January 31, 2012 in the amount of \$20.01 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2011 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Eva Williams showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2011 taxes and the tax refund in the amount of \$20.01 is approved.

6.11.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Sterling & Baxter LLP. ("Taxpayer") has applied for a refund with the tax assessor for their 2012 property taxes that were overpaid on October 29, 2012 in the amount of \$36.00 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2012 taxes for a period not to exceed

two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Sterling & Baxter LLP. showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2012 taxes and the tax refund in the amount of \$36.00 is approved.

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

7.1. *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 is authorized to execute a Traffic Signal Maintenance Agreement (“Agreement”) between CSM Realty Holdings, LTD., and the City of El Paso for the maintenance of median opening and improvements and new traffic signal all located at the intersection of State Highway 20 (Mesa Street) and Champions Circle (“Project”).

Further, that the Director of Streets and Maintenance Department is authorized to accept the Project once it is completed in accordance to the terms of the Agreement.

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

WHEREAS, the City assigned a professional services agreement to the Camino Real Regional Mobility Authority (CRRMA) for the El Paso Streetcar Project; and

WHEREAS, the CRRMA and TxDOT entered into a funding agreement to construct a streetcar system in the City of El Paso; and

WHEREAS, the El Paso Streetcar Project includes the construction of a maintenance facility on City property at 601 S. Santa Fe St., El Paso, Texas, and underground electric service is required; and

WHEREAS, the City’s Mass Transit Department will operate the streetcars, the maintenance facility and project infrastructure upon the CRRMA’s completion of the El Paso Streetcar Project construction.

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

That the Director of the Capital Improvement Department be authorized to sign a Letter of Agreement with the El Paso Electric Company to provide underground electric service to the Streetcar Maintenance Facility Building at 601 S. Santa Fe St., El Paso, El Paso County, Texas.

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

WHEREAS, on Jan. 26, 1999, the City of El Paso entered into a lease with United States of America, acting through its General Services Administration (GSA), for a Designated Commuter Lane facility at the Stanton Street Bridge, more commonly known as 1090 Mesa Street, El Paso, El Paso County, Texas (GS-07B-14711) in conjunction with the Greater El Paso Chamber of Commerce acting by and through the El Paso Infrastructure Collaborative, LLC; and

WHEREAS, the City will continue to allow the GSA to use the City property through August 24, 2017.

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

That the City Manager is authorized to sign Lease Amendment No. 6 with the United States of America (GS-07B-14711) that will allow the General Services Administration to use the City property at the Stanton Street Bridge, with a municipal address of 1090 Mesa St., El Paso, El Paso County, Texas through Aug. 24, 2017.

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

8.1. *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 the lease between the County of El Paso, Texas and the City of El Paso for office and laboratory use by City's Department of Public Health at 4505 Alberta, El Paso, Texas, from August 9, 2016 to September 30, 2018, with the City's option to renew the lease for a one (1) year period, for a monthly rent of TEN THOUSAND ONE HUNDRED TWENTY-FIVE AND 50/100 DOLLARS (\$10,125.50).

.....
CONSENT AGENDA - SPECIAL APPOINTMENT:
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9. Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
.....

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

WHEREAS, by resolution dated September 3, 1996, the City of El Paso approved of the creation of the El Paso Downtown Management District ("District");

WHEREAS, pursuant to Chapter 375 of the Texas Local Government Code ("Code") the District was legally created by order of the Texas Natural Resources Conservation Commission on March 10, 1997;

WHEREAS, pursuant to Section 375.064(a) of the Code, the Board of Directors of the District ("Board") convened a meeting open to the public on July 28th, 2016 for the purpose of recommending a slate of persons to serve as members of the Board; and

WHEREAS, pursuant to Section 375.064(b) of the Code, the City Council is

required to approve or disapprove recommendations submitted by the Board.

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

That the City Council approve the recommendation of the Board of Directors of the El Paso Downtown Management District that the following persons be named directors of the District for the terms indicated:

<u>Nominee</u>	<u>Term#</u>	<u>Expiration Date</u>
Wayne Soza	2	August 2019
Brad Taylor	1	August 2019
Peter Spier	1	August 2019
Edie Zuvanich	1	August 2019
Laura Pople	2	August 2019
Lane Gaddy	1	August 2019
Arlene Carroll	3	August 2019

.....
CONSENT AGENDA - BOARD APPOINTMENTS:
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10. Goal 2: Set the Standard for a Safe and Secure City

- 10.1. *Motion made, seconded, and unanimously carried to **APPOINT** John Karlsruher to the Construction Board of Appeals by City Representative Jim Tolbert, District 2

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

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

- 11.1. *Motion made, seconded, and unanimously carried to **APPOINT** Bernie Olivas to the Greater El Paso Civic, Convention and Tourism Advisory Board.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

.....
CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:
.....

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

- 12.1. *Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds listed on the attachment posted with this agenda be approved.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

1. Accent Homes in the amount of \$3,074.17 overpayment on March 31, 2016 of 2015 taxes. (Geo. # L620-999-0010-3100)
2. Everbank c/o Lereta LLC in the amount of \$4,396.32 overpayment on March 28, 2016 of 2015 taxes. (Geo. # T287-999-1240-1300)

3. Flare Homes Texas in the amount of \$7,231.25 overpayment on February 29, 2016 of 2015 taxes. (Geo. # T957-999-0410-2400)

.....
CONSENT AGENDA - NOTICE FOR NOTATION:
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13. Goal 2: Set the Standard for a Safe and Secure City

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- 13.1. *Motion made, seconded, and unanimously carried to **APPROVE** the Municipal Court monthly activity reports and Office of Court Administration reports for May 2016 and June 2016.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

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

-
- 14.1. *Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$1,000 from Waste Connections, Inc. for District 5 Movies in the Park.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

-
- 14.2. *Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$1,500 from Waste Connections, Inc., \$500.00 from Union Pacific Railroad, and \$250.00 from J.P. Morgan Chase Bank for District 8 Movies in the Park.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

.....

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

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

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- 15.1. *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing to issue a Purchase Order to HUB International Insurance Services Inc. referencing Contract 2010-110R Comprehensive Loss Control Program. This will be a change order to increase the contract by \$91,751.00 for a total amount not to exceed \$708,750.00 for the initial term.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

Department:	Human Resources
Award to:	HUB International Insurance Services Inc. El Paso, TX
Increase Amount:	\$91,751.00
Account No.:	209 – 3500 – 14045 – P1414 - 521380
Funding Source	Self Insurance Fund – Payroll and Benefits

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CONSENT AGENDA - BEST VALUE PROCUREMENTS:
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16. Goal 6: Set the Standard for Sound Governance and Fiscal Management

- 16.1.** *Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2016-722 (Navistar Proprietary Parts & Service) to RJ Border International LP dba Border International Truck for a three (3) year term estimated award of \$360,000.00.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

Department: Streets & Maintenance
Award to: RJ Border International LP dba Border International Truck
El Paso, TX
Item(s): All
Initial Term: 3 years
Option to Extend: None
Annual Estimated Award: \$120,000.00
Total Estimated Award: \$360,000.00 (3 years)
Account No.: 532-37020-531210-3600-P3711
532-37020-531250-3600-P3701
Funding Source: Internal Service Fund: Inventory Purchases Materials
and Supplies
Internal Service Fund: Equipment Outside Repair
Services

This is a Best Value, parts and service contract.

The Purchasing & Strategic Sourcing Department and Streets & Maintenance Department recommends award as indicated to RJ Border International LP dba Border International Truck, the bidder offering the best value bid.

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

- 17.1.** *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing Department to exercise the City's option to extend current Contract 2013-257 (Trane HVAC System Units Proprietary Parts and Service) with Trane US, Inc. for two (2) additional years pursuant to the provisions of an award approved by the City Council on September 10, 2013. The extended contract period will be from September 10, 2016 to September 9, 2018.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

Department: Streets & Maintenance
Award to: Trane US, Inc.
El Paso, TX
Option: One [of One]
Annual Estimated Amount: \$165,000.00
Total Estimated Amount: \$330,000.00 (2 years)
Account No.: 532 – 31040 – 522260 – 1000 – P3120
532 – 31040 - 532000 – 1000 – P3120
Funding Source: General Fund – Building Facilities Maintenance
Contracts

This is a Best Value, services contract.

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CONSENT AGENDA - REQUEST FOR PROPOSAL:
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18. Goal 4: Enhance El Paso’s Quality of Life through Recreational, Cultural and Educational Environments
.....

18.1. *RESOLUTION

WHEREAS, on July 7, 2015, authorized through resolution the use of construction manager-at risk project delivery method for the El Paso Zoo Chihuahuan Desert Habitat construction project and approved for the Director of the Capital Improvement to issue a Request for Proposal for a two-step evaluation process for the El Paso Zoo Chihuahuan Desert Habitat construction project; and

WHEREAS, the City of El Paso (“City”) issued a Request for Proposal as part of the construction manager-at risk project delivery method through El Paso Zoo Chihuahuan Desert Habitat Solicitation 2016-012R; and

WHEREAS, Jordan Foster Construction, LLC (“Contractor”), a Texas Limited Liability Corporation, submitted the proposal offering the best value for the City on the basis of the published selection criteria and on the ranking evaluations; and

WHEREAS, the City negotiated a contract with Contractor and desires to award the El Paso Zoo Chihuahuan Desert Habitat Solicitation 2016-012R for construction manager-at risk services to Contractor; and

WHEREAS, the initial contract award will commence the preconstruction services and the parties understand that an amendment to establish the Guaranteed Maximum Price for the project will be subject to City Council approval.

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

THAT the City Manager is authorized to execute the construction manager-at risk agreement (“Contract”) between the City of El Paso and Jordan Foster Construction, LLC (“Contractor”), a Texas Limited Liability Corporation, for the project known as the El Paso Zoo Chihuahuan Desert Habitat Solicitation 2016-012R in an initial amount of \$23,500.00 for preconstruction services.

Motion made, seconded, and unanimously carried to **APPROVE** the Resolution.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

MAYOR’S PROCLAMATIONS

- 1. Assistance League of El Paso Week**
- 2. El Paso Braves Basketball Team Day**
- 3. Notre Dame Day**
- 4. David L. Carrasco Job Corps Week**

.....
RECOGNITIONS

Dana K. Boyd – Star on the Mountain Award

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

The following members of the public commented:

1. Ms. Ana Miles
2. Ms. Linda Concha
3. Ms. Marilyn Guida
4. Mr. Pierre Andre Euzarraga
5. Mr. Joe Gaston Barriga
6. Ms. Wally Cech
7. Ms. Nancy Calvin
8. Mr. Jesus D. Gonzalez

Mayor Leeser and Representative Niland commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Sylvia Firth, City Attorney, gave legal advice.

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

Motion made by Representative Niland, seconded by Representative Ordaz, 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:

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert

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

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- 19.1. An Ordinance amending Ordinance numbers 018064, 018223 and 018402 which amended and updated the Zone Schedule NO. 1, Rates, Rules, Charges and Regulations applying at Foreign Trade Zone NO. 68, El Paso, Texas; to revise the fee for the Foreign Trade Zone Operations training seminar as listed in the Tariff Schedule; and to revise the Tariff Schedule.

PUBLIC HEARING WILL BE HELD ON AUGUST 23, 2016

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- 19.2. An Ordinance granting a Special Privilege License to Hestra, LLC for the construction, installation, maintenance, use, and repair of sixteen (16) angled parking spaces within portions of City right-of-way along Mills Avenue and Willow Street adjacent to the property located at 2020 East Mills Avenue, El Paso, Texas for a term of five years with one (1) renewable five year term. (NESV2016-00016, District 8)

PUBLIC HEARING WILL BE HELD ON AUGUST 23, 2016

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

- 20.1. An Ordinance granting until August 22, 2019, a non-exclusive franchise to "Sun City Advertisements" to place and maintain up to 150 waste containers on sidewalks and other City property within the City of El Paso, subject to the terms and conditions described in the ordinance.

PUBLIC HEARING WILL BE HELD ON AUGUST 23, 2016

- 20.2. An Ordinance granting until August 22, 2019, a non-exclusive franchise to "Denise's Easy Enterprises LLC" to place and maintain up to 150 waste containers on sidewalks and other City property within the City of El Paso, subject to the terms and conditions described in the ordinance.

PUBLIC HEARING WILL BE HELD ON AUGUST 23, 2016

- 20.3. An Ordinance granting until August 22, 2019, a non-exclusive franchise to "VALU Advertising" to place and maintain up to 150 waste containers on sidewalks and other City property within the City of El Paso, subject to the terms and conditions described in the ordinance.

PUBLIC HEARING WILL BE HELD ON AUGUST 23, 2016

- 20.4. An Ordinance changing the zoning of All of Tract 456 and a portion of Tract 455, Sunrise Acres No. 1, 9025 Neptune Street, located in the City of El Paso, El Paso County, Texas from R-4 (Residential) to S-D/c (Special Development/condition), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 9025 Neptune Street. Property Owner: Miguel De La Riva, Jr., PZRZ16-00012 (District 2)

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 6, 2016

- 20.5. An Ordinance approving a major amendment to the Master Zoning Plan approved on April 21, 2009, by Ordinance No. 17111 which also rezoned a portion of Lot 1, Block 1, City View Subdivision, 1700 E. Cliff Drive, City of El Paso, El Paso County, Texas from C-3/sc (Commercial/special contract), C-1 (Commercial), and A-O (Apartment/Office) to GMU (General Mixed Use). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1700 E. Cliff Drive. Property Owner: GECU. PZRZ16-00017 (District 8)

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 6, 2016

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

- 21.1. Motion made by Representative Niland, seconded by Representative Limón, and unanimously carried to **AWARD** Solicitation No. 2016-1002 (Mailing Services Rebid)

to Go-Direct Mail Marketing, Inc. for an initial (3) year term estimated amount of \$1,041,660. The award is to include a (2) year option amount of \$694,440.00 for a total (5) year award of \$1,736,100.00.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Robinson

Department: Municipal Clerk and Courts
Vendor: Go-Direct Mail Marketing, Inc.
El Paso, Texas
Item(s): All
Annual Estimated Amount: \$347,220.00
Initial Term Estimated Award: \$1,041,660.00 (3 year)
Total Estimated Award: \$1,736,100.00
Account No.: 111-1000-11030-540030-P1132
Funding Source: General Fund and Court Hearing Administration

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing and Municipal Clerk and Courts Departments recommend that the contract be awarded to Go-Direct Mail Marketing, Inc. the sole vendor offering the best value bid.

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The City Council Meeting was **RECESSED** at 12:45 p.m.

The City Council Meeting was **RECONVENED** at 1:41 p.m.
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22. Goal 6: Set the Standard for Sound Governance and Fiscal Management
.....

22.1. Motion made by Representative Niland, seconded by Representative Limón, and unanimously carried to **AWARD** Solicitation No. 2016-1011R Public Officials and Employment Practices Liability Insurance for an initial one (1) year term estimated award of \$500,001.00. Performance period is from September 1, 2016 to August 31, 2017.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Robinson

Department: Human Resources
Award to: USI Southwest, Inc. (Option 1: Illinois National / AIG
Insurance Company)
El Paso, TX 79907
Item(s): All
Initial Term: 1 year
Annual Estimated Amount: \$500,001.00
Total Estimated Award: \$500,001.00 (1 year)
Account No.: 562 – 62030 – 3000 - 544020
334 – 34060 – 3100 – 544020 – P3401
341 – 41160 – 1000 – 544020 – P4101
560 – 60000 – 3200 – 544020 – P6003
999 – 99999 – 1000 – 544020
Funding Source: Airport Operation, Environmental Services,

This is a Request for Proposal, service contract.

The Purchasing & Strategic Sourcing Department and Human Resources recommend award as indicated to USI Southwest, Inc., the highest ranked proposer based on evaluation factors established for this procurement.

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

ITEMS 23.1 – 23.5 TAKEN TOGETHER

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

23.1. ORDINANCE 018546

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 6 OF THE EL PASO CITY CODE (VEHICLES FOR HIRE); MAKING IT APPLICABLE TO ALL MODES OF TRANSPORTATION FOR HIRE, TO ADD TRANSPORTATION NETWORK COMPANY REGULATIONS, UPDATE DEFINITIONS, AND REMOVE REDUNDANT LANGUAGE; REVISING CHAPTER 6.04 TO RENAME IT (TRANSPORTATION FOR HIRE), AND TO ADD ARTICLE I (GENERAL PROVISIONS), ARTICLE II (TAXICAB OPERATIONS), ARTICLE III (TNC OPERATIONS), ARTICLE IV (ALTERNATIVE TRANSPORTATION-FOR-HIRE), ARTICLE V (SIGHTSEEING, CHARTER, LIMOUSINE AND SHUTTLE OPERATIONS), ARTICLE VI (INTERNATIONAL TRANSPORTATION-FOR-HIRE); TO UPDATE LANGUAGE IN CHAPTER 6.36 (DRIVERLESS AUTOMOBILES); DELETE CHAPTER 6.16 (TAXICABS); DELETE CHAPTER 6.20 (INTERNATIONAL TAXICABS); DELETE CHAPTER 6.28 (SIGHTSEEING OR CHARTER OPERATIONS); DELETE CHAPTER 6.32 (LIMOUSINE SERVICE); DELETE CHAPTER 6.34 (NONMOTORIZED VEHICLES FOR HIRE); DELETE CHAPTER 6.08 (PASSENGER BUSES AND STREETCARS); DELETE CHAPTER 6.12 (CHAUFFER’S LICENSE); DELETE CHAPTER 6.24 (JITNEYS); DELETE CHAPTER 6.40 (EMERGENCY AND TRANSFER AMBULANCE SERVICES); THE PENALTY BEING AS PROVIDED IN SECTIONS 1.08.010, 1.08.020 AND 1.08.030 OF THE EL PASO CITY CODE.**

Assistant Police Chief Michelle Gardner presented a PowerPoint presentation (copy on file in City Clerk’s Office).

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

The following City staff members commented:

1. Mr. Jay Banasiak, Director of Mass Transit
2. Ms. Richard Momsen, Municipal Clerk
3. Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. Daniel Lopez
2. Mr. Raul Zamarripa
3. Mr. Leandre Johns
4. Mr. Jose Gaston Barriga

Motion duly made by Representative Acosta, seconded by Representative Niland, that the Ordinance be **ADOPTED** and **DIRECT** the City Attorney's Office to research how to make party bike operators legal. 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, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland

NAYS: None

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

23.2.

ORDINANCE 018547

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), ADDING CHAPTER 9.85 (EMERGENCY AND TRANSFER AMBULANCE SERVICES) AS A RESULT OF THE PROPOSED REVISIONS TO TITLE 6 (VEHICLES FOR HIRE) WHICH IS WHERE CHAPTER 6.40 (EMERGENCY AND TRANSFER AMBULANCE SERVICES) HAS BEEN LOCATED PRIOR TO SAID PROPOSED TITLE 6 REVISIONS; THE PENALTY BEING AS PROVIDED IN SECTIONS 1.08.010. 1.08.020 AND 1.08.030 OF THE EL PASO CITY CODE.**

Motion duly made by Representative Acosta, seconded by Representative Niland, that the Ordinance be **ADOPTED** and **DIRECT** the City Attorney's Office to research how to make party bike operators legal. 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, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland

NAYS: None

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

23.3.

ORDINANCE 018548

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 10**

OF THE EL PASO CITY CODE (PUBLIC PEACE, MORALS AND WELFARE), CHAPTER 10.24 (MISCELLANEOUS OFFENSES) TO ADD SECTION 10.24.050 (SUN METRO PRIORITY SEATING); THE PENALTY BEING AS PROVIDED IN SECTIONS 1.08.010, 1.08.020 AND 1.08.030 OF THE EL PASO CITY CODE.

Motion duly made by Representative Acosta, seconded by Representative Niland, that the Ordinance be **ADOPTED** and **DIRECT** the City Attorney's Office to research how to make party bike operators legal.. 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, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland

NAYS: None

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

.....
23.4.

ORDINANCE 018549

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 OF THE EL PASO CITY CODE (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.160 (SCHEDULE XV – CITY TAXICAB ZONE) TO UPDATE REFERENCES TO TITLE 6 SECTIONS; THE PENALTY BEING AS PROVIDED IN SECTIONS 1.08.010, 1.08.020 AND 1.08.030 OF THE EL PASO CITY CODE.**

Motion duly made by Representative Acosta, seconded by Representative Niland, that the Ordinance be **ADOPTED** and **DIRECT** the City Attorney's Office to research how to make party bike operators legal. 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, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland

NAYS: None

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

.....
23.5.

ORDINANCE 018550

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING EL PASO CITY CODE TITLE 14 (AIRCRAFT AND AIRPORTS), CHAPTER 14.16 (AIRPORT USE REGULATIONS), TO DELETE ARTICLE V (GROUND TRANSPORTATION TAXICAB SERVICES) IN ITS ENTIRETY; TO RENAME CHAPTER 14.16, ARTICLE III TO CHAPTER 14.16, ARTICLE III (GROUND TRANSPORTATION SERVICES) AND MAKING IT APPLICABLE TO ALL MODES OF GROUND TRANSPORTATION; THE PENALTY BEING AS PROVIDED IN SECTIONS 1.08.010, 1.08.020 AND 1.08.030 OF THE EL PASO CITY CODE.**

Motion duly made by Representative Acosta, seconded by Representative Niland, that the Ordinance be **ADOPTED** and **DIRECT** the City Attorney's Office to research how to make party bike operators legal. 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, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland

NAYS: None

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

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

24.1.

ORDINANCE 018551

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST16-00009, TO ALLOW FOR A GROUND-MOUNTED 50' PERSONAL WIRELESS SERVICE FACILITY ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 1, BLOCK 67A, CHAPARRAL PARK UNIT 22, 1020 BELVIDERE STREET, 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: 1020 BELVIDERE STREET. PROPERTY OWNER: RAIMUNDO PORTILLA F. & JOSE MANUEL PORTILLA F. PZST16-00009**

Motion duly made by Representative Svarzbein, seconded by Representative Niland, 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, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland

NAYS: None

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

24.2.

ORDINANCE 018552

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE PROPERTY DESCRIBES AS LOT 23 AND THE WEST ½ OF LOT 22 AND THE EAST 6.5 FEET OF LOT 24, BLOCK 92, OF EAST EL PASO ADDITION, 3320 MONTANA AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT), PURSUANT TO SECTION 20.04.360, AND PROVIDING A DETAILED SITE DEVELOPMENT PLAN PURSUANT TO SECTION 20.04.150 AND 20.10.360 OF THE EL PASO CITY CODE, AND APPROVING A SET-BACK REDUCTION, AND WAIVING THE ONE ACRE REQUIREMENT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE TO ALLOW FOR AN OFFICE**

BUILDING. SUBJECT PROPERTY: 3320 MONTANA AVE. OWNER: WESTMOUNT ASSETS INC. PZRZ16-00008

Motion duly made by Representative Tolbert, seconded by Representative Limón, 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 Tolbert, Acosta, Noe, Ordaz, Limón and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Robinson

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**.

ITEMS 24.3 AND 24.4 TAKEN TOGETHER

24.3.

ORDINANCE 018553

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING ALL CONDITIONS PLACED ON PROPERTY BY SPECIAL CONTRACT APPROVED ON APRIL 14,1987, WHICH WERE IMPOSED IN THE CHANGE OF ZONING OF TRACTS 12-A AND 13-A, BLOCK 51, YSLETA GRANT, 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: 9639 AND 9701 SOCORRO ROAD. PROPERTY OWNER: FMA REALTY, LLC. PZCR16-00002**

Motion duly made by Representative Ordaz, seconded by Representative Niland, 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 Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

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

24.4.

ORDINANCE 018554

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY KNOWN AS: PARCEL 1: TRACT 12-A BLOCK 51, YSLETA GRANT, 9639 SOCORRO ROAD, CITY OF EL PASO, EL PASO COUNTY TEXAS FROM A-2/SC (APARTMENTS/SPECIAL CONTRACT) AND C-4/H/SC (COMMERCIAL/HISTORIC/SPECIAL CONTRACT) TO S-D/SC (SPECIAL DEVELOPMENT/SPECIAL CONTRACT) AND S-D/H/SC (SPECIAL DEVELOPMENT/HISTORIC/SPECIAL CONTRACT); AND, PARCEL 2: TRACT 13-A, BLOCK 51, YSLETA GRANT, 9701 SOCORRO ROAD, CITY OF EL PASO, EL**

PASO COUNTY TEXAS FROM C-4/H/SC (COMMERCIAL/HISTORIC/SPECIAL CONTRACT) TO S-D/H/SC (SPECIAL DEVELOPMENT/HISTORIC/SPECIAL CONTRACT), PURSUANT TO SECTION 20.04.360; AND IMPOSING CONDITIONS; AND APPROVING A DETAILED SITE DEVELOPMENT PLAN PURSUANT TO SECTION 20.04.150 AND 20.10.360 OF THE EL PASO CITY CODE TO ALLOW FOR LOW-VOLUME COMMERCIAL RETAIL AND APARTMENT USE AS PERMITTED IN THE S-D (SPECIAL DEVELOPMENT) AND S-D/H (SPECIAL DEVELOPMENT/HISTORIC) ZONE DISTRICTS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 9639 AND 9701 SOCORRO ROAD. PROPERTY OWNER: FMA REALTY, LLC. PZRZ16-00004.

Representative Ordaz commented.

Mr. Raul Garcia, Planning and Inspections commented.

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

AYES: Representatives Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

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

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

25.1. Motion made by Representative Niland, seconded by Representative Robinson, and unanimously carried to **CLOSE** at 1:51 p.m. the 1st Public Hearing on the Proposed FY 2017 Property Tax Rate of \$0.768310

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland

NAYS: None

Mr. Robert Cortinas, Director of Office of Management and Budget presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representatives Niland and Robinson commented.

Mr. Tommy Gonzalez, City Manager, commented.

25.2. ORDINANCE 018555

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM (TAX RESALE) DEED CONVEYING TO STACYE MCCLAIN, 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 24, BLOCK 30, PANORAMA VILLAGE #5, EL PASO COUNTY, TEXAS.

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

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland

NAYS: None

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

.....
25.3.

ORDINANCE 018556

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM (TAX RESALE) DEED CONVEYING TO STACYE MCCLAIN, 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 25, BLOCK 30, PANORAMA VILLAGE #5, EL PASO COUNTY, TEXAS.**

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

AYES: Representatives Svarzbein, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland

NAYS: None

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

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

26.1.

ORDINANCE 018557

The City Clerk read an Ordinance entitled: **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.**

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

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Fred Lopez, Capital Improvement
3. Mr. Kevin Smith, Capital Improvement

The following members of the public commented:

1. Mr. Paul Wojcechowski
2. Mr. Ephrain Vivar
3. Ms. JoAnn Underwood
4. Mr. Pedro Martinez
5. Ms. Yvonne Padilla Soto
6. Mr. Jose Gaston Barriga
7. Ms. Melissa Lugo
8. Dr. Rick Bonart
9. Ms. Leticia Olivas
10. Mr. Bob Wiggs
11. Mr. Scott White

Motion duly made by Representative Svarzbein, seconded by Representative Niland, that the Ordinance be **ADOPTED** and **INCLUDE** this on the Master Transportation Plan at the MPO and **DIRECT** staff to bring back the amendments for District 5 as soon as possible. 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, Tolbert, Acosta, Robinson, Noe, Ordaz, Limón and Niland
 NAYS: None

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

.....
 The City Council Meeting was **RECESSED** at 10:29 a.m. in order to convene the Mass Transit Board Meeting.

The City Council Meeting was **RECONVENED** at 10:35 a.m.

.....
REGULAR AGENDA - OTHER BUSINESS

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

27.1. Motion made by Representative Acosta, seconded by Representative Ordaz, and carried to **POSTPONE** two weeks the presentation, discussion, and instruction on recommendations of the Mayor’s Blue Ribbon Working Group on Affordable Housing establishing evaluation criteria to be used in determining City support of Low Income Housing Tax Credit proposals.

AYES: Representatives Svarzbein, Tolbert, Acosta, Noe, Ordaz, Limón and Niland
 NAYS: Representative Robinson

Ms. Veronica Soto, Director of Community and Human Development presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Tolbert, Acosta, Robinson, Svarzbein, Limón, and Niland commented.

The following City staff members commented:

1. Mr. Cary Westin, Director of Economic and International Development
2. Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. Ray Aauto
2. Mr. Al Velarde
3. Mr. Randy Bowling
4. Mr. Gerald Cichon, Housing Authority of the City of El Paso

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

28.1.

R E S O L U T I O N

**RESOLUTION AMENDING SCHEDULE C FOR THE CITY OF EL PASO
FY 2016 BUDGET RESOLUTION**

WHEREAS, the City Council adopted the Budget Resolution for FY 2016 on August 18, 2015; and

WHEREAS, paragraph 51 of the Budget Resolution provides that revisions or additions to the fees set forth in Schedule C, attached to the Budget Resolution, may be approved by simple resolution of the City Council; and

WHEREAS, Police Department staff has studied the cost of administering and enforcing the regulations adopted by the City Council; and

WHEREAS, after receiving and reviewing the analysis, the City Council finds that the fees established are reasonable and necessary to administer and enforce the regulations.

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

That Schedule C, attached to the FY 2016 Budget resolution and effective September 1, 2015, shall be amended effective August 9, 2016, as set forth in Attachment A, to specify revised fees associated with amendments to El Paso City Code Title 6 and Chapter 14.16.

Motion made by Representative Niland, seconded by Representative Acosta, and unanimously carried to **APPROVE** the Resolution.

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

29.1. RESOLUTION

WHEREAS, on October 1, 2013, the City Council of the City of El Paso approved the Trailhead and Trails Project Priority list (“List”) using 2012 Quality of Life Bond funds; and

WHEREAS, the City’s Parks and Recreation Department is requesting that the List be amended to revise the number, location, scope and priority list of the trailheads pursuant to Schedule “A” attached hereto.

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

THAT the City’s Parks and Recreation Department amend the List to revise the number, location, scope and priority list of the Trailheads, as set forth on Schedule “A”, and to fund such projects under the 2012 Quality of Life Bond.

Mayor Leeser and Representatives Tolbert and Svarzbein commented.

Ms. Paula Powell, Assistant Director of Parks and Recreation presented a PowerPoint presentation (copy on file in City Clerk’s Office).

The following members of the public commented:

- 1. Dr. Rick Bonart
- 2. Ms. Sheri Bonart

Motion made by Representative Svarzbein, seconded by Representative Limón, and unanimously carried to **APPROVE** the Resolution.

29.2. RESOLUTION

A RESOLUTION OF THE CITY OF EL PASO, TEXAS HEREIN AFTER REFERRED TO AS “APPLICANT,” DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT AND IN DEALING WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT, HEREINAFTER REFERRED TO AS “DEPARTMENT,” FOR THE PURPOSE OF PARTICIPATING IN THE URBAN OUTDOOR RECREATION GRANT PROGRAM, HEREINAFTER REFERRED TO AS THE “PROGRAM”; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT MATCHING SHARE IS READILY AVAILABLE; AND UTILIZING THE PROPOSED SITE FOR PERMANENT PUBLIC PARK AND RECREATIONAL USES.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the department concerning the Program;

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

SECTION 1: That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that the notice of the application has been posted according to local public hearing requirements.

SECTION 2: That the Applicant hereby certifies that the matching share for this application is readily available at this time.

SECTION 3: That the Applicant hereby authorizes and directs its Parks and Recreation Department to act for the Applicant in dealing with the Department for the purposes of the Program, and that the Director of the Parks and Recreation Department, Tracy Novak, is hereby officially designated as the Applicant's representative in this regard.

SECTION 4: The Applicant hereby specifically authorizes the City Manager and the Applicant's representative to submit an application to the Department concerning the site to be known as the NE Regional Flat Field/Dog Park Project in the City of El Paso for \$1,000,000 for the purpose of providing additional funding to supplement the aforesaid Project which is hereby dedicated for public park and recreation purposes in perpetuity.

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

SECTION 5: That the Parks and Recreation Department is hereby authorized to expend any funds that are awarded by the Program for the NE Regional Flat Field/Dog Park Project.

Motion made by Representative Niland, seconded by Representative Tolbert, and unanimously carried to **APPROVE** the Resolution.

.....
29.3.

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 First Amendment to Agreement for Professional Services by and between the **CITY OF EL PASO** and **IN*SITU ARCHITECTURE PLLC**, a Texas Limited Liability Company, for a project known as "**WESTSIDE POOL**" for an amount not to exceed Seventy Seven Thousand Six Hundred Twenty Two and 00/100 Dollars (\$77,622.00) thereby extending the contract amount from \$700,504.00 to \$778,126.00 to provide additional services for construction administration; 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.

Motion made by Representative Niland, seconded by Representative Svarzbein, and unanimously carried to **APPROVE** the Resolution.

.....
29.4.

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 an Agreement for Professional Services by and between the City of El Paso and **ABACUS PROJECT MANAGEMENT, INC.**, an Arizona Corporation, for the "**Project Management Services for the Chamizal/Express Library Community Center, Alameda/Express**

Library Community Center and Loma Land Community projects” for a term of three years, for an amount not to exceed **ONE MILLION TWO HUNDRED THIRTY SEVEN THOUSAND THIRTY EIGHT AND 00/100 DOLLARS (\$1,237,038.00)**; and that the City Engineer be authorized to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if such services are necessary for proper execution the project and that the increased amounts are within the appropriate budgets of the project for a total amount of One Million Three Hundred Thirty Seven Thirty Eight and 00/100 Dollars (\$1,337,038.00); 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.

Mr. Tommy Gonzalez, City Manager commented.

Motion made by Representative Niland, seconded by Representative Limón, and unanimously carried to **APPROVE** the Resolution.

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

30.1. Discussion and action on the FY 2017 Proposed Budget.

Mr. Robert Cortinas, Director, Office of Management and Budget presented a PowerPoint presentation (copy on file in City Clerk’s Office).

Mayor Leeser and Representatives Ordaz, Noe, Acosta, Tolbert, Svarzbein, Limón, and Niland commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Linda Thomas, Director of Human Resources
3. Dr. Mark Sutter, Chief Financial Officer
4. Ms. Nancy Bartlett, Chief Performance Officer
5. Ms. Sylvia Firth, City Attorney, gave legal advice.
6. Mr. Ben Fyffe, Museums and Cultural Affairs

1st MOTION

Motion made by Representative Niland, seconded by Representative Tolbert, and unanimously carried to **APPROVE** the recommended reductions on Slide 14 (\$815,604).

**1. Recommended Reductions
 (Resulting from Certified Valuations)**

	Water Conservation Grant Match	(\$300,000)
	Striping Materials (Fund outside General Fund)	(\$200,000)

	Mayor's Office (Vacant Admin. Position)	(\$51,562)
	Cyber Security (Fund from Year-End Savings)	(\$264,042)
	Total	(\$815,604)

2ND MOTION

Motion made by Representative Niland, seconded by Representative Tolbert, and unanimously carried to **DENY** the reductions on Slide 15.

2. Reductions Requiring a Vote

#	Request	Fund	Amount	Rate Impact
83	Vehicles/Equipment (Short-term debt = \$535,000 x 7 years)	GF	(\$3,200,000)	(1.00)
87	2 Signalized Intersections, ADA improvements, 1 Fire Station Restroom upgrade (Long-term debt)	GF	(\$850,000)	(0.21)
85	Delay pay raises until March 2017 (Budgeted to be implemented Dec. 4)	GF	(\$500,000)	(0.15)
86	Combine Police Academies (80 Cadets)	GF	(\$400,000)	(0.12)
88	Animal Services 18 month implementation	GF	(\$400,000)	(0.12)
89	Vacancy management	GF	(\$198,438)	(0.06)
91	Reduce transfer for economic incentives (based on timing of reimbursement requests. Cost would occur in following year)	GF	(\$200,000)	(0.06)
Subtotal			(\$5,748,438)	(1.72)

3RD MOTION

Motion made by Representative Niland, seconded by Representative Tolbert, and unanimously carried to **DENY** the reductions on Slide 16.

3. Reductions Requiring a Vote

#	Request	Fund	Amount	Rate Impact
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		d		
92	Public safety items (fund outside General Fund)	G F	(\$200,000)	(0.06)
94	Reduce transfer for economic incentives (based on timing of reimbursement requests. Cost could occur in following year)	G F	(\$500,000)	(0.15)
95	Reduce fuel budget	G F	(\$200,000)	(0.06)
96	Reduce janitorial contract budget (new contracts about to be awarded)	G F	(\$100,000)	(0.03)
97	Vacancy management	G F	(\$350,000)	(0.10)
Subtotal			(\$1,350,000)	(0.40)

4TH MOTION

Motion made by Representative Niland, seconded by Representative Tolbert, and unanimously carried to **DENY** the reductions on Slide 17.

4. Reductions Requiring a Vote

#	Request	Fund	Amount	Rate Impact
98	More aggressive property & sales tax projection	GF	(\$1,386,532)	(0.41)
99	Bond Refunding	GF	(\$1,500,000)	(0.45)
100	Use of fund balance	GF	(\$2,944,001)	(0.88)
Subtotal			(\$5,830,533)	(1.74)

5TH MOTION

Motion made by Representative Niland, seconded by Representative Acosta, and unanimously carried to **APPROVE** the recommended use of debt capacity as listed on Slide 18.

5. Recommended Use of Debt Capacity

#	Items to be Capitalized	Fund	Amount	FY18 Debt Impact
101	MPO Match, plus Contingency	Debt	\$5,500,000	0.15
102	10 Signalized intersections	Debt	\$2,700,000	0.06

108	San Jacinto Plaza restrooms	Debt	\$700,000	0.02
109	Mexican-American Cultural Center (MACC)	Debt	\$10,000,000	0.22
Debt Capacity to be Used			\$18,900,000	0.45
Remaining Capacity Available			\$26,600,000	0.55
Total Capacity of 1 Penny			\$45,500,000	1.00

6th MOTION

Motion made by Representative Tolbert, seconded by Representative Niland, and carried **NOT** to consider Council’s additional items and to bring those up when and if savings are recouped throughout FY17.

AYES: Representatives Tolbert, Acosta, Robinson, Noe, Ordaz, and Niland

NAYS: Representatives Svarzbein and Limón

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

31.1. RESOLUTION

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

That the City Manager be authorized to sign a Second Amendment to the Master Interlocal Cooperation Agreement (“Agreement”) by and between the Metropolitan Planning Organization for the El Paso Urban Transportation Study Area (“MPO) and The Regents of New Mexico State University (“NMSU”), the City of El Paso, Texas acting in its capacity as the fiscal agent to the MPO. The Second Amendment will extend the initial term of the Agreement through August 31, 2019 and increase the total allowable compensation for all ordered tasks to SIX HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$650,000.00).

Motion made by Representative Niland, seconded by Representative Limón, and unanimously carried to **APPROVE** the Resolution.

.....
32. MAYOR AND COUNCIL

32.1. RESOLUTION

WHEREAS, the El Paso Mission Trail (hereinafter referred to as “the Trail”) encompasses a nine-mile corridor and links numerous culturally rich landmarks, many of which are listed on several registers of national historic places including, but not limited to, the Ysleta Del Sur Pueblo Native American Reservation, the Rio Vista Farm located in Socorro, and the San Elizario Cultural Arts District, all of which are part of El Paso County’s unique & iconic historical treasures; and,

WHEREAS, the Trail connects the oldest continuously active parishes in the United States: La Misión de Corpus Christi de San Antonio de la Ysleta del Sur, established in 1682 by the Tigua Indians; Nuestra Señora de la Concepción del Socorro, established in 1691 and is the second oldest mission in Texas; and the

Presidio Chapel of San Elizario, built in 1877 on the site of an old Spanish presidio; and,

WHEREAS, the Trail includes a segment of the El Camino Real de Tierra Adentro National Historic Trail, known as the “El Camino Real,” a major historic route for trade and commerce which extended from Mexico City to the San Juan Pueblo in Ohkay Owingeh, New Mexico, and is the oldest and once the longest road in North America; and,

WHEREAS, the corridor and the missions represent the rich history of their respective communities, as well as the history of the nations of Spain, Mexico, the Ysleta del Sur Pueblo Native Americans, and the diverse culture found in the Southwestern United States; and,

WHEREAS, for decades, numerous plans have been developed and proposed for enhancing the Trail, demonstrating the long-standing interest by all involved and affected jurisdictions and stakeholders in creating a unified effort to work toward a single vision; and,

WHEREAS, participating entities understand the importance of working together to preserve, enhance, and promote the cherished Mission Trail and via this resolution pledge to:

- Participate in a collaborative effort toward a common vision;
- Make available the appropriate staff to participate in stakeholder meetings and/or workshops regarding planning, funding, zoning, infrastructure and other areas requiring collaboration and commitment as identified;
- Ensure that staff keeps their respective governing body informed on progress and next steps via their designated staff;
- Assist in evaluating and identifying funding sources and revenue streams;
- Support a feasibility and economic impact study (and possibly a Master Plan) as recommended by the National Park Conservation Association; and
- Identify ways to maintain any investments made going forward.

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

That the City of El Paso pledges to support and play a meaningful role in the collaborative initiative to preserve, enhance and promote the El Paso Mission Trail.

Mayor Leeser and Representative Acosta commented.

Motion made by Representative Ordaz, seconded by Representative Niland, and unanimously carried to **APPROVE** the Resolution.

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32.2. Motion made by Representative Acosta, seconded by Representative Niland, and unanimously carried to **AUTHORIZE** the City Manager to direct staff to organize a

"Pokémon Go" Day event at all City parks on either a Saturday or Sunday during the month of August.

Representatives Svarzbein, Robinson, Limón, Acosta, and Ordaz commented.

The following City staff members commented:

1. Ms. Sylvia Firth, City Attorney, gave legal advice.
2. Ms. Paula Powell, Assistant Director of Parks and Recreation

EXECUTIVE SESSION

Motion made by Representative Niland, seconded by Mayor Pro Tempore Noe, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 3:57 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 NEGOTIATION

Motion made by Representative Niland, seconded by Representative Ordaz, and unanimously carried to adjourn the Executive Session at 4:12 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

EX1. High Ridge Construction, Inc. v. City of El Paso, Texas; Matter No. 11-1039-045 (551.071)

Motion made by Mayor Pro Tempore Noe, seconded by Representative Niland and unanimously carried that outside counsel for the City of El Paso, in consultation with the City Attorney, be authorized settlement authority to resolve the case entitled *High Ridge Construction v. City of El Paso*, Cause No. 2011DCV00361. The City Attorney, through outside counsel for the City of El Paso, is authorized to negotiate a settlement agreement and sign all documents to effectuate this authority under Matter No. 11-1039-045 as recommended by the City Attorney.

EX2 G.O.T. Supply, Inc. v. City of El Paso, Texas; Matter No. 12-1093-038 (551.071)

Motion made by Mayor Pro Tempore Noe, seconded by Representative Niland and unanimously carried that outside counsel for the City of El Paso in consultation with the City Attorney, be authorized settlement authority to resolve this case entitled *G.O.T. Supply, Inc. v. City of El Paso*; Cause No. 2012DCV06237. The City Attorney, through outside counsel for the City of El Paso, is authorized to negotiate a settlement agreement and sign all documents to effectuate this authority under Matter No. 12-1093-038, as recommended by the City Attorney.

EX3. PUC Docket 45885 SOAH Docket 473-16-4000 Application of El Paso Electric Company for Approval to Revise Its Energy Efficiency Cost Recovery Factor and request to establish Revised Cost Cap. (551.071)

Motion made by Mayor Pro Tempore Noe, seconded by Representative Niland and unanimously carried, that the City Attorney is authorized on behalf of the City to agree to execute a Settlement Agreement in SOAH Docket 473-16-4000, Public Utility Commission of Texas Docket 45885 Application of El Paso Electric Company for Approval to Revise its Energy Efficiency Cost Recovery Factor and Request to Establish Revised Cost Cap.

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ADDITIONS TO THE AGENDA
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CONSENT AGENDA - BOARD APPOINTMENT
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1. *Motion made, seconded, and unanimously carried to **APPOINT** Crystal Arrieta to the Regional Renewable Energy Advisory Council filling one of two “open experience” positions available.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Tolbert
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ADJOURN

Motion made by Representative Niland, seconded by Representative Limón, and unanimously carried to **ADJOURN** this meeting at 4:16 p.m.

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk