

DEE MARGO  
MAYOR



CITY COUNCIL  
PETER SVARZBEIN, DISTRICT 1  
ALEXSANDRA ANNELLO, DISTRICT 2  
CASSANDRA HERNANDEZ, DISTRICT 3  
SAM MORGAN, DISTRICT 4  
ISABEL SALCIDO, DISTRICT 5  
CLAUDIA ORDAZ PEREZ, DISTRICT 6  
HENRY RIVERA, DISTRICT 7  
CISSY LIZARRAGA, DISTRICT 8

TOMMY GONZALEZ  
CITY MANAGER

**AGENDA REVIEW MINUTES  
COUNCIL CHAMBERS  
CITY HALL, 300 N. CAMPBELL  
September 16, 2019  
9:00 A.M.**

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The City Council met at the above place and date. Meeting was called to order at 9:07 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Cassandra Hernandez, Sam Morgan, Henry Rivera, and Cissy Lizarraga. Late arrival: Claudia Ordaz Perez at 9:13 a.m. Aleksandra Annello and Isabel Salcido requested to be excused.

The agenda items for the Regular City Council meeting of September 17, 2019 were reviewed.  
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**3.1. CONSENT AGENDA – RESOLUTIONS**

That the Managing Director of Aviation and International Bridges or designee is authorized to temporarily extend free parking past the 10 minute time limit due to irregular operations, temporary construction, emergencies or security incidents when it will benefit Airport operations by limiting or reducing curbside vehicle activity. Such extended free parking time shall not exceed 30 days without authorization from City Council.

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

- Mr. Terry Sharpe, Aviation Assistant Director

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**4.2. CONSENT AGENDA – RESOLUTIONS**

That the Mayor be authorized to sign a First Amendment to the Interlocal Agreement for City/County Project for Enhanced Law Enforcement Communication Interconnectivity regarding the P25 public safety radio equipment and the amended cost allocation for maintenance between the City of El Paso and the County of El Paso, Texas as follows:

1. The County will pay City \$300,000.00 for the period September 1, 2015 through August 31, 2018 as full and complete payment for all maintenance costs due and owing on equipment; and
2. The County will pay City 18% for the period September 1, 2018 through August 31, 2019 of the costs paid by the City to Motorola (or its successor) for the ongoing maintenance, repair and upgrade on the equipment; and
3. The City and County will meet and renegotiate the maintenance cost allocation for the next three (3) year period which begins September 1, 2019 through August 31, 2022.

Mayor Margo questioned the following City staff member:

- Ms. Aracely Guerra, Information Technology Services Interim Director

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**4.3. CONSENT AGENDA – RESOLUTIONS**

That the City Manager be authorized to sign a Government Entity Tower License Agreement between the Pinnacle Towers, LLC, and the City of El Paso for antenna, shelter and/or antenna space, including any antennas, cables connectors, wires, radios, radio shelter or cabinet and related transmission and reception hardware and software and other personal property necessary to carry out City's Public Safety P-25 communications system located a portion of E.D. Strong Survey 221 and of E.D. Strong Survey 222, City of El Paso, El Paso County, Texas more commonly known as Ranger Peak on the top of Franklin Mountains, for an initial term of five (5) years with automatic renewal periods of 5 years unless either party provides notice of non-renewal, at cost to the City of \$1,043.34 per month for rent with a 3% annual increase.

Mayor Margo questioned the following City staff member:

- Ms. Aracely Guerra, Information Technology Services Interim Director

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**6.1. CONSENT AGENDA – RESOLUTIONS**

A Resolution updating the Park Naming Policy related to guidelines for naming and renaming of parks and recreation facilities.

Representative Hernandez questioned the following City staff member:

- Mr. Joel McKnight, Parks and Recreation Assistant Director

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**7.1. CONSENT AGENDA – RESOLUTIONS**

That the City Manager be authorized to sign a Consent to Assignment of and Amendment to Television Sub-Channel Lease and Premises License Agreement from El Paso Public Television Foundation d/b/a KCOS-TV to Texas Tech University, a Texas public institution of higher education with respect to the City's lease of a sub-channel for the broadcasting of City Cable 15, and for the shared use of studio facilities and equipment leased from El Paso Community College, and to authorize the City Manager to execute any related documents necessary to effectuate this assignment, including any amendments to the Landlord Consent to License Agreement with the El Paso Community College District.

Mayor Margo commented.

Ms. Laura Cruz-Acosta, Strategic Communications Director, commented.

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**8.2. CONSENT AGENDA – RESOLUTIONS**

A Resolution amending lines 400, 633, and 635 of Schedule C attached to the FY 2020 Budget Resolution to adjust the fees charged for building permits and inspections.

Mayor Margo questioned the following City staff member:

- Mr. Javier De La Cruz, Building, Permits and Inspections Assistant Director

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**ITEMS 10.1 THROUGH 10.4 WERE REVIEWED TOGETHER**

**10.1. CONSENT AGENDA – RESOLUTIONS**

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and the Village of Vinton, Texas, for the period of September 1, 2019, through August 31, 2020, for the provision of public health and environmental services by the City of El Paso to the Village of Vinton, for which the Village of

Vinton shall pay to the City of El Paso an annual amount of TWENTY EIGHT THOUSAND FOUR HUNDRED TWENTY EIGHT DOLLARS AND NO/100 (\$28,428.00).

**10.2. CONSENT AGENDA - RESOLUTIONS**

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso, Texas and the Town of Clint, Texas, for the period of September 1, 2019 through August 31, 2020, for the provision of public health and environmental services by the City of El Paso to the Town of Clint, for which the Town of Clint shall pay to the City of El Paso an annual amount of THIRTY EIGHT THOUSAND FOUR HUNDRED THREE DOLLARS AND NO/100 (\$38,403.00).

**10.3. CONSENT AGENDA - RESOLUTIONS**

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and the City of San Elizario, Texas, for the period of September 1, 2019 through August 31, 2020, for the provision of public health and environmental services by the City of El Paso to the City of San Elizario, for which the City of San Elizario shall pay to the City of El Paso an annual amount of ONE HUNDRED SEVEN THOUSAND ONE HUNDRED THIRTEEN DOLLARS AND NO/100 (\$107,113.00).

**10.4 CONSENT AGENDA - RESOLUTIONS**

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso, Texas and the City of Anthony, Texas, for the period of September 1, 2019 through August 31, 2020, for the provision of public health and environmental services by the City of El Paso to the City of Anthony, for which the City of Anthony shall pay to the City of El Paso an annual amount of SIXTY TWO THOUSAND THREE HUNDRED NINETY SIX DOLLARS AND NO/100 (\$62,396.00).

Mayor Margo questioned the following City staff member:

- Mr. Robert Resendes, Public Health Director

**10.5. CONSENT AGENDA – RESOLUTIONS**

That the City Council approves of the appointment of Hector I. Ocaranza, M.D., as the local health authority for a two-year term and sets the total compensation of the health authority at \$70,000.00 for services rendered for that two-year term, pursuant to Section 121.033 of the Texas Health and Safety Code, and delegates the authority to City Manager to sign the Certificate of Authority for a Health Authority and all related agreements and forms required by the Department of State Health Services of the State of Texas.

Mayor Margo questioned the following City staff member:

- Mr. Robert Resendes, Public Health Director

**14.2. CONSENT AGENDA – BIDS**

Request that City Council authorize the purchase and re-sale of items pursuant to the Texas Local Government Code, Section 252.022 (14).

This exemption will allow El Paso Museums & Cultural Affairs Department to make purchases of inventory for retail sale in the following general categories: books, items produced by artists, and items from wholesalers. Items include, but not limited to, souvenirs, jewelry, art, children’s toys, kitchen and home goods, artisan soaps, stationary, clothing and DVDs.

The estimated amount is \$413,898.00 for a three (3) year period.

Mayor Margo questioned the following City staff members:

- Ms. Paula Salas, Purchasing Agent
- Ms. Tracy Jerome, Museums and Cultural Affairs, Libraries, and Tourism Managing Director

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**15.1. REGULAR AGENDA – FIRST READING OF ORDINANCES**

An Ordinance amending Title 5 (Business License and Permit Regulations), Chapter 5.03 (Amplified Sound Permit), Article I (General Provisions), Section 5.03.020 (Definitions); Title 5 (Business License and Permit Regulations), Chapter 5.03 (Amplified Sound Permit), Article II (Permit Application Process), Section 5.03.030 (Permit Application), Subsection A (Permit Application), Paragraph 5; Title 5 (Business License and Permit Regulations), Chapter 5.03 (Amplified Sound Permit), Article II (Permit Application Process) to add Section 5.03.35 (Extended Hours Allowed By Permit); Title 5 (Business License and Permit Regulations), Chapter 5.03 (Amplified Sound Permit), Article VI (Violation, Penalty), Section 5.03.130 (Violation), Subsection D; Title 5 (Business License and Permit Regulations), Chapter 5.03 (Amplified Sound Permit), to add Article VII (Severability), Section 5.03.140 (Severability) to allow for outdoor amplified sound until 2 A.M. with duly issued permit, provided required noise control measures have first been installed or constructed and verified by a designated City Inspector; the penalty being as provided in Section 5.03.130 (Violation) of the El Paso City Code.

Representatives Svarzbein, Hernandez, Morgan, and Rivera questioned the following City staff members:

- Ms. Ellen Smyth, Environmental Services Director
- Mr. Javier De La Cruz, Building, Permits and Inspections Assistant Director

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**17.1. REGULAR AGENDA – FIRST READING OF ORDINANCES**

An Ordinance amending 4(b), Ordinance No. 14978 providing for the taxation of motor vehicles leased for personal use to amend the definition of a Motor Vehicle presumed to be used primarily for activities that do not involve the production of income.

Mayor Margo questioned the following City staff member:

- Ms. Maria Pasillas, Tax Assessor/Collector

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

Discussion and action on the award of Solicitation No. 2019-947R EMS Stretchers to Stryker Sales Corporation, for a total estimated award of \$613,347.00 for three (3) years. The award is to include a two (2) year option to extend. This contract will provide up to 34 new EMS stretchers, plus annual maintenance and repairs as needed for the stretchers.

Contract Variance: New contract, no cost variance.

Department:	Fire
Award to:	Stryker Sales Corporation Kalamazoo, MI
Items:	All
Estimated Award:	\$773,347.00
	-\$160,000.00 (less trade-in allowance)
Total Estimated Award:	\$613,347.00

Account No.: 322 – 22090 – 580090 – 1000 – P2214  
Funding Source: Assistance to Firefighters, Public Safety Equipment and City Grant Match  
Districts: All

This is a Request for Proposal, unit price contract.

The Purchasing & Strategic Sourcing Department and Fire Department recommend award as indicated to Stryker Sales Corporation, the highest ranked proposer based on evaluation factors established for this procurement.

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

Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Mayor Margo questioned the following City staff member:

- Ms. Paula Salas, Purchasing Agent

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

Discussion and action on the award of Solicitation 2019-1173 Lomaland and Paddlefoot Street Reconstruction to KARLSRUHER, INC. dba CSA Constructors for an estimated total award of \$3,717,116.62. This project consists of the full street reconstruction of Lomaland Drive between North Loop Drive and San Jose Road and Paddlefoot Lane from one end of Prado Road to the other. This project will include new street pavement with Hot Mix Asphaltic Concrete (HMAC) with base course and compacted subgrade, ADA compliant sidewalks, driveways, ramps, streetlights, and street signage. This project will also provide drainage improvements, which consist of water and sanitary sewer replacement.

Department: Capital Improvement  
Award to: KARLSRUHER, INC. dba CSA Constructors  
El Paso, TX  
Items: All  
Initial Term: 360 Consecutive Calendar Days  
Base Bid I: \$ 1,969,357.42  
Base Bid II: \$ 477,286.70  
Base Bid III: \$ 255,177.50  
Base Bid IV: \$ 648,127.61  
Base Bid V: \$ 126,686.30  
Base Bid VI: \$ 127,417.70  
Additive Alternate I: \$ 113,063.39  
Total Estimated Award: \$ 3,717,116.62  
Account No.: 190-4740-28900-580270-PCP20ST007  
/PCP19ST013  
Funding Source: 2013 Street Infrastructure  
District: 7

This is a Competitive Seal Proposal, unit price contract.

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

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

Mayor Margo and Representative Rivera questioned the following City staff members:

- Mr. Franklin Godinez, Senior Purchasing Analyst
- Mr. Sam Rodriguez, City Engineer

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

Discussion and action that the City Manager be authorized to sign a Professional Services Agreement for Veterinary Services, Contract No. 2019-1141 for the City of El Paso's Animal Services Department by and between the City of El Paso and Dr. Alvaro Medina, DVM, dba Pet Mobile Vet. for a term of sixty (60) months from the effective date of the Agreement, to be compensated on a task by task basis for an estimated contract amount of \$690,412.88.

In addition, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Mayor Margo questioned the following City staff member:

- Mr. Tayo Sokale, Purchasing and Strategic Sourcing Assistant Director

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

An Ordinance amending Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Article VII (Public Hearings), Section 20.04.520 (Notice); Title 20 (Zoning), Appendix A (Table Of Permissible Uses); Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities) Subsection A; Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities) Subsection D; Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities) Subsection E; Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities) Subsection F; Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities) Subsection G; And Title 20 (Zoning), Chapter 20.22 (Nonconforming Situations), Section 20.22.100 (Nonconforming PWSF) of the El Paso City Code to modify existing standards, update notification requirements, update the Table Of Permissible Uses; Require compliance with a Policy Guide; to establish location preferences, clarify organization of the Title; and provide for Non Conforming Situations. The Penalty is as provided for in Chapter 20.24 of the El Paso City Code.

Mayor Margo and Representative Hernandez questioned the following City staff members:

- Mr. Jeff Howell, Capital Improvement Project Manager

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**22.1. REGULAR AGENDA – OTHER BUSINESS**

Discussion and action that the El Paso City Council authorizes the submission of the Office of the Governor of the State of Texas, Criminal Justice Division, grant application number 3926601, for the City of El Paso Police Department project identified as “Law Enforcement Response to Active Shooter” to provide financial assistance to the City of El Paso as a result of the mass shooting incident that occurred on August 3, 2019. Requesting \$1,000,000.00 no cash match is required. Grant period will be from August 3, 2019 to August 31, 2020.

The Law Enforcement Response to Active Shooter grant will reimburse for personnel salary and benefits related to the incident on August 3, 2019.

Mayor Margo questioned the following City staff member:

- Police Assistant Chief Patrick Maloney

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**25.1. REGULAR AGENDA – OTHER BUSINESS**

Discussion and action that Policies and Procedures for the 46th Program Year implementing the 2020-2021 Community Development Block Grant (CDBG) Program, Emergency Solutions Grant (ESG) Program, Housing Opportunities for Persons with AIDS (HOPWA) Program, and HOME Investment Partnerships (HOME) Program are approved and adopted, and that the Director of Community and Human Development be authorized to make amendments to the policies and grant exceptions to the policies and procedures provided such exceptions do not violate any federal regulations and are made prior to the commencement of the 30 day public comment period for adoption of the Annual Plan.

Mayor Margo questioned the following City staff members:

- Mr. Tommy Gonzalez, City Manager
- Ms. Sarah Ortiz, Grant Project Manager

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**27.1. REGULAR AGENDA – MANAGEMENT UPDATES**

Presentation about 2019 Public Safety Bond and Communications Efforts.

Mayor Margo commented.

Mr. Tommy Gonzalez, City Manager, commented.

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Motion made by Representative Ordaz Perez, seconded by Representative Rivera, and unanimously carried to **ADJOURN** this meeting at 9:40 a.m.

ABSENT: Representatives Annello and Salcido

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APPROVED AS TO CONTENT:

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Laura D. Prine, City Clerk