

OSCAR LEESER  
MAYOR

TOMMY GONZALEZ  
CITY MANAGER



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
LARRY ROMERO, 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

**LEGISLATIVE REVIEW MEETING OF THE WHOLE MINUTES  
COUNCIL CHAMBERS  
CITY HALL, 300 N. CAMPBELL  
SEPTEMBER 29, 2014  
9:00 A.M.**

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The City Council met at the above place and date. Meeting was called to order at 9:02 a.m. Mayor Pro Tempore Cortney Carlisle Niland present and presiding and the following Council Members answered roll call: Larry Romero, Emma Acosta, Michiel R. Noe, Claudia Ordaz and Lilia Limón. Late arrivals: Ann Morgan Lilly at 9:08 a.m., Mayor Oscar Leeser and Carl Robinson at 9:27 a.m.

The agenda items for City Council agenda September 30, 2014 were reviewed.

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**3.1 RESOLUTION**

That the temporary sale and service of alcoholic beverages by EP Events Productions and El Paso Sun City Pride Organization, with the assistance of Pan y Agua, LLC, on the closed portions of city rights-of-way on North Oregon Street between West Missouri Avenue and 109 North Oregon Street, North El Paso Street between East Franklin Avenue and West Main Street, East Franklin Avenue between North Mesa Street and North Santa Fe Street, East Main Street between North Mesa Street and North Oregon Street, and East Mills Avenue between North Mesa Street and North Oregon Street, from 12:00 p.m. to 8:00 p.m. Saturday, October 4, 2014, is a permissible activity (CSEV14-00157).

- Mr. Mathew McElroy, Director of City Development, commented.

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**3.2 RESOLUTION**

That the City Manager be authorized to sign a Multiple Use Agreement between the City of El Paso, on behalf of the El Paso Water Utilities, and the State of Texas by and between the Texas Department of Transportation to permit the construction, maintenance and operation of a public park pond on state highway right-of-way US 54, such land being located east of Pollard Street from Sacramento Drive to Fort Blvd. **[POSTPONED FROM 09-16-2014]**

- Ms. Lupe Cuellar, Land Manager and Counsel for El Paso Water Utilities, commented.

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**3.3 RESOLUTION**

That the City Manager be authorized to sign a Letter Agreement by and between the City of El Paso ("City") and the El Paso Electric Company ("EPEC") whereby the City shall pay \$124,050.00 for the relocation, removal, or modification of EPEC transmission lines that are interfering with TxDOT's Carolina Street bridge reconstruction project.

Representative Niland questioned the following City staff members.

- Mr. Tommy Gonzalez, City Manager
- Mr. Javier Reyes, Engineering Division Manager
- Mr. Mathew McElroy, Director of City Development

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**3.4 RESOLUTION**

That the City Manager be authorized to sign Consent to Assignment of Contract from InMotion Technology, Inc. to Sierra Wireless America, Inc. with respect to the City of El Paso's Sole Source Contract No. 2013-299 for OnBoard Mobile Gateway Support Services.

Department: El Paso Fire  
Districts(s): All

The following City staff members commented:

- Fire Chief Samuel Pena
- Ms. Veronica Campbell, Senior Purchasing Agent

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**6.1. REQUESTS TO ISSUE PURCHASE ORDERS:**

Request that the Purchasing Director, Purchasing and Strategic Sourcing Department be authorized to exercise the City's option to extend current Contract 2009-083 Copier Services – Citywide with Spectrum Imaging Technologies, Inc. for an additional six months pursuant to the provisions of an award approved by the City Council on March 03, 2009. The extended contract period will be from October 03, 2014 to March 03, 2015.

Department: Information Technology  
Award to: Spectrum Imaging Technologies Inc.  
El Paso, Texas  
Total Estimated Amount: \$250,588  
Funding Source: Departmental Funded  
District(s): All

This is a Low Bid Contract.

The following City staff members commented:

- Mr. Tommy Gonzalez, City Manager
- Ms. Veronica Campbell, Senior Purchasing Agent

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**6.2. REQUESTS TO ISSUE PURCHASE ORDERS:**

Request that the Purchasing Director for the Purchasing & Strategic Sourcing Department be authorized to exercise the City's option to extend the communication lease agreement with Missionary Radio Evangelism, Inc., (MRE), also known as Higher Ground Hosting for (5) additional years pursuant to the provisions of the award approved by City Council on September 29, 2009. The extended contract period will be from September 30, 2014 to September 29, 2019.

Department: Information Technology  
Award to: Missionary Radio Evangelism, Inc. (MRE)  
Also known as Higher Ground Hosting  
El Paso, TX  
Option: 1 (of Two)  
Annual Estimated Amount: \$47,700.00  
Total Estimated Amount: \$238,500.00 (5 year)  
Account No.: 239-15090-524000-1000-P1506  
Funding Source: IT Capital Funds  
District(s): All  
Reference No. 2015-278

This is a lease agreement type contract.

- Mr. Enrique Martinez, Interim Director of Information Technology, commented.

## 7.1. BIDS

The award of Solicitation No. 2014-386 for 9060 Socorro Rd. – Animal Clinic to Pride General Contractors, LLC, for an estimated total amount of \$174,000.00.

Department:	Engineering and Construction Management
Award to:	Pride General Contractors, LLC
	El Paso, TX
Base Bid I:	\$174,000.00
Total Estimated Award:	\$174,000.00
Time for Completion:	120 Consecutive Calendar Days
Accounts:	580270-3150-334-34060-PSWM00170
Funding Source:	Environmental Services Capital Improvements Fund
District:	6

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.

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.

This is a Competitive Sealed Proposal, lump sum contract. The Engineering & Construction Management Department recommends award as indicated to the lowest responsive and responsible bidder.

- Mr. Javier Reyes, Engineering Division Manager, commented.

## 8.1 INTRODUCTION – CITY DEVELOPMENT

**An Ordinance vacating a utility easement measuring 11.66 feet in width and 83.49 feet in length located within a portion of Lot 1, Block 1, North Desert Palms, City of El Paso, El Paso County, Texas.**

- Mr. Mathew McElroy, Director of City Development, commented.

## 8.2 INTRODUCTION – ENVIRONMENTAL SERVICES

**An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses and Permits), to replace the phrase “Trash Receptacles” with “Waste Containers”; the penalty as provided in section 15.08.125 of the El Paso City Code.**

- Ms. Ellen Smyth, Director of Environmental Services, commented.

## 8.3 INTRODUCTION – ENVIRONMENTAL SERVICES

**An Ordinance renewing a non-exclusive franchise to Paul Berube for waste containers on sidewalks and other city property.**

- Ms. Ellen Smyth, Director of Environmental Services, commented.

#### 8.4 INTRODUCTION – CITY DEVELOPMENT

**An Ordinance amending Title 20 (Zoning), Chapter 20.02 (Definitions) to amend the definition of shopping center. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.**

Representative Noe questioned the following City staff member.

- Mr. Tommy Gonzalez
- Mr. Mathew McElroy, Director of City Development

#### 8.5 INTRODUCTION – CITY DEVELOPMENT

**An Ordinance changing the zoning of a portion of Lot 14, Block 113, Eastwood Heights Unit V, Replat B, 10420 Montwood Drive & 10424 Brian Mooney Avenue, City of El Paso, El Paso County, Texas from A-O (Apartment-Office) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 10420 Montwood Drive & 10424 Brian Mooney Avenue. Property Owner: Severo Hughston, LLC. PZRZ14-00040**

- Mr. Mathew McElroy, Director of City Development, commented.

#### 8.6 INTRODUCTION – CITY DEVELOPMENT

**An Ordinance changing the zoning of Lots 18, 19, and 20, Block 6, Womble Addition, 6292 Trowbridge Drive, City of El Paso, El Paso County, Texas from R-5 (Residential) to S-D (Special Development), and imposing conditions. The penalty is as provided for in Chapter 20.24 of The El Paso City Code. Property Owner: City of El Paso, Location: 6292 Trowbridge Drive, PZRZ14-00020**

Representative Acosta questioned the following City staff member.

- Mr. Mathew McElroy, Director of City Development

#### 8.7.A. INTRODUCTION – CITY DEVELOPMENT

**An Ordinance changing the zoning of the east 10 feet of Lot 5, all of Lots 6, 7, 8, 9 and the west 8 feet of Lot 10, Block 108, Supplemental Map No. 1 of East El Paso, 3411, 3415, and 3417 Montana Avenue, City of El Paso, El Paso County, Texas from R-5 (Residential) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of The El Paso City Code. Property Owner: Hector M. Ruiz and Sharon Vaughn, Location: 3411, 3415, and 3417 Montana Avenue, PZRZ14-00034**

- Mr. Mathew McElroy, Director of City Development, commented.

#### 8.7.B. INTRODUCTION – CITY DEVELOPMENT

**An Ordinance approving a detailed site development plan and reduction of side setbacks for the east 10 feet of Lot 5, all of Lots 6, 7, 8, 9 and the west 8 feet of Lot 10, Block 108, Supplemental Map No. 1 of East El Paso, 3411, 3415 and 3417 Montana Avenue, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Applicant: Hector M. Ruiz and Sharon Vaughn, Location: 3411, 3415 and 3417 Montana Avenue, PZDS14-00025**

Representative Noe questioned the following City staff member.

- Mr. Mathew McElroy, Director of City Development

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**8.8. INTRODUCTION – CITY DEVELOPMENT**

**An Ordinance changing the zoning of the following parcels: Parcel 1: Portion of Lots 12 to 19, Block 9, Sunset Terrace Unit Four, an addition to the City of El Paso, El Paso County, Texas, and a portion of Lot 11, Block 9, Sunset Terrace Unit Four Replat “A”, City of El Paso, El Paso County, Texas, from C-4/sc (Commercial/special contract) to R-3A/sc (Residential/special contract); and, Parcel 2: Portion of Lot 10, Block 9, Sunset Terrace Unit Four Replat “A”, City of El Paso, El Paso County, Texas, from C-4/sc (Commercial/special contract) to R-3A/sc (Residential/special contract). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: West of Desert Boulevard and South of Bells Corner Avenue. Property Owner: Carefree Homes II, L.P. PZRZ14-00029**

Representative Niland questioned the following City staff member.

- Mr. Mathew McElroy, Director of City Development

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**8.9. INTRODUCTION – CITY DEVELOPMENT**

**An Ordinance changing the zoning of the west 5’ of Lot 5, all of Lot 6 and the east 13’ of Lot 7, Block 89, Bassett Addition, 2418 Montana Avenue, City of El Paso, El Paso County, Texas from A-2 (Apartment) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2418 Montana Avenue. Property Owner: AIC Global, LLC. PZRZ14-00004**

- Mr. Mathew McElroy, Director of City Development, commented.

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**8.10. INTRODUCTION – CITY DEVELOPMENT**

**An Ordinance changing the zoning of Lots 1 – 3, Block 1, Duenas Subdivision, 5301, 5305, & 5309 Ridge Street, City of El Paso, El Paso County, Texas from R-5 (Residential) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5301, 5305, & 5309 Ridge Street. Property Owner: Ricardo Benavente. PZRZ14-00018**

Representative Lilly questioned the following City staff member.

- Mr. Mathew McElroy, Director of City Development

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**8.11. INTRODUCTION – CITY DEVELOPMENT**

**An Ordinance changing the zoning of Lot 1, Block 1, Loyas Place Subdivision, 320 Thorn Avenue, City of El Paso, El Paso County, Texas from R-3 (Residential) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 320 Thorn Avenue. Property Owner: David A. Aber PZRZ14-00036**

- Mr. Mathew McElroy, Director of City Development, commented.

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**8.12. INTRODUCTION – CITY DEVELOPMENT**

An Ordinance approving a detailed site development plan for Lots 52-57, Block 1, Barcelona Estates, 12253 Costa Brava, to allow for reduced front, rear and side street yard setback, City of El Paso, El Paso County, Texas, Pursuant to Sections 20.10.360 and 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 12253 Costa Brava. Property Owner: Omar & Adriana Galache. PZDS13-00021

- Mr. Mathew McElroy, Director of City Development, commented.

## 9.1. PURCHASING AND STRATEGIC SOURCING

Discussion and action on the request that the Purchasing Director, Purchasing and Strategic Sourcing Department be authorized to exercise the City's option to extend current Contract 2010-181R Transport Medical Billing, Collections and ePCR Services with Advanced Data Processing, Inc., DBA Intermedix for one (1) additional year pursuant to the provisions of an award approved by the City Council on December 14, 2010. The extended contract period will be from December 14, 2014 to December 13, 2015.

Department: El Paso Fire Department  
Award to: Advanced Data Processing, Inc. DBA Intermedix  
Fort Lauderdale, FL  
Option: Two [of Two]  
Total Estimated Amount: \$1,309,867.76 (2nd one year option)  
Account No.: 322 – 22070 - 522010 – 1000 – P2212  
Funding Source: General Fund - Billing/Collect Agency Contracts  
District(s): All

This is a Request for Proposals Services, (RFP) Contract

Representatives Niland and Noe questioned the following City staff members.

- Mr. Tommy Gonzalez, City Manager
- Fire Chief Samuel Pena

## 9.2. PURCHASING AND STRATEGIC SOURCING

Discussion and action on the request that the Director of the Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order to Tyler Technologies, Inc., the sole source provider for maintenance and support of Municipal Court's existing case management software system in the annual amount of \$125,665.96.

Department: Municipal Clerk  
Award to: Tyler Technologies, Inc.  
Plano, TX  
Annual Estimated Amount: \$125,665.96  
Funding Source: Municipal Court Technology Fund  
Account No: 111-11030-522020-2535-PMC00010  
Sole Source No.: 2015-200  
Districts: All

This is a Sole Source, services contract.

- Ms. Veronica Campbell, Senior Purchasing Agent commented.

## 10.1.A. PUBLIC HEARING – CITY DEVELOPMENT

An Ordinance changing the zoning of a portion of Lot 27, Block 123, Chaparral Park Subdivision Unit 33, 820 Redd Road, City of El Paso, El Paso County, Texas from A-O/c (Apartment/Office/condition) to C-1/c (Commercial/condition). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 820 Redd Road. Property Owner: George M. Dipp, Jr. PZRZ14-00027

Representative Niland questioned the following City staff member.

- Mr. Mathew McElroy, Director of City Development

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**10.3. PUBLIC HEARING – CITY DEVELOPMENT**

An Ordinance releasing all conditions placed on property by special contract dated September 5, 1972, which changed the zoning of a portion of Tract 2A2, A.F. Miller Survey 215, 5670 North Mesa Street, 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: 5670 North Mesa Street. Property Owner: William & Carolina Avila. PZCR14-00004 THIS IS AN APPEAL CASE

- Mr. Mathew McElroy, Director of City Development, commented.

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**10.4. PUBLIC HEARING – CITY DEVELOPMENT**

An Ordinance vacating a portion of Cliff Drive Right-of-Way and a portion of Golden Hill Terrace Right-of-Way, adjacent to Lot 1, Block 1, City View Subdivision, City of El Paso, El Paso County, Texas.

- Mr. Mathew McElroy, Director of City Development, commented.

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**11.1. PUBLIC HEARING – ENVIRONMENTAL SERVICES**

An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.20 (Miscellaneous Street and Sidewalk Use Regulations), to add Section 13.20.120 (Sidewalk Waste Container Franchises) to provide for the granting and administration of sidewalk waste container franchises; the penalty as provided in Chapter 1.08 of the City Code.

- Ms. Ellen Smyth, Director of Environmental Services, commented.

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**12.1. COMMUNITY AND HUMAN DEVELOPMENT**

Discussion and action that the City Manager, on behalf of the City, be authorized to sign the Assumption Agreements and Modification of Community Development, Community Housing Development Organization (CHDO) HOME Program Written Agreement, Note, and Lien in a form substantially similar to the form contract, by and among the City, TVP Non Profit Corporation, and the Opportunity Center for the Homeless, as well as any related contract documents necessary to effectuate the assumptions and to secure and protect the City's lien interest, upon the recommendation of the Director of Community and Human Development and the approval of the City Attorney's Office.

- Ms. Veronica Soto, Director of Community and Human Development, commented.

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**13.1. ECONOMIC AND INTERNATIONAL DEVELOPMENT**

Discussion and action that the City Manager be authorized to sign a Chapter 380 Grant Agreement by and between the City of El Paso, a home-rule municipality of El Paso County, Texas and Charles Schwab &

Co., Inc., a California Corporation for the relocation of its offshore operations within the city limits of the City of El Paso.

Representative Niland questioned the following City staff member.

- Mr. Tommy Gonzalez, City Manager

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**14.1. EL PASO WATER UTILITIES**

Discussion and action on a Resolution granting the El Paso Water Utilities Public Service Board President/CEO the authority to apply for Texas Water Development Board (TWDB), State Water Implementation Fund of Texas and State Water Implementation Revenue Fund for Texas, low-cost financing for water projects to include the authority to manage such projects. In such matters, the President/CEO shall be considered as acting on behalf of the City of El Paso, Texas. [POSTPONED FROM 09-16-2014]

Mr. Robert Andron, EPWU General Counsel, commented.

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**15.1. GENERAL SERVICES**

Discussion and action on a Resolution to approve the Green Building Grant extension request from Artspace and the Green Building Grant extension request from Tropicana Building Corporation.

Representative Niland questioned the following City staff members.

- Mr. Larry Nichols, Interim Director of General Services
- Mr. Mathew McElroy, Director of City Development
- Ms. Veronica Soto, Director of Community and Human Development

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**16.1. MAYOR AND COUNCIL**

Discussion and action pertaining to flooding and FEMA flood plains and to develop short term and long term plans to mitigate flooding in our neighborhoods.

Representative Robinson questioned the following City staff member.

- Mr. Tommy Gonzalez, City Manager

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Motion made by Representative Romero, seconded by Representative Noe, and unanimously carried to **ADJOURN** this meeting at 9:32 a.m.

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APPROVED AS TO CONTENT:

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Richarda Duffy Momsen, City Clerk