

DEE MARGO
MAYOR

TOMMY GONZALEZ
CITY MANAGER



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

CORRECTED

MINUTES FOR REGULAR COUNCIL MEETING

**July 24, 2018
COUNCIL CHAMBERS, CITY HALL
9:00 AM**

ROLL CALL

The City Council met in regular session at the above place and date. Meeting was called to order at 9:10 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Annello, Sam Morgan, Michiel R. Noe, Claudia Ordaz Perez, Henry Rivera, and Cissy Lizarraga. Cassandra Hernandez requested to be excused. The invocation was given by Police, Fire and CIMA Chaplain Sam Faraone followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY POLICE, FIRE AND CIMA CHAPLAIN SAM FARAONE

PLEDGE OF ALLEGIANCE

Boy Scout Troop 429 at the invitation of District 2 Representative Alexsandra Annello:

**Kyle Duncan
Sergio Sanchez
Daniel Negrete
Maximo Valverde**

MAYOR'S PROCLAMATIONS

- 1. World Hepatitis Week**
- 2. Ron Stallworth Week**

RECOGNITIONS BY MAYOR

RECOGNITIONS

Team El Paso: Governor's Achievement Level Award for Performance Excellence

Employee Recognitions

NOTICE TO THE PUBLIC

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

ABSENT: Representative Hernandez

CONSENT AGENDA - APPROVAL OF MINUTES:

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

- 1.1. *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of July 10, 2018 and the Legislative Review Meeting of the Whole of July 9, 2018.

CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

*Motion made, seconded, and unanimously carried to **EXCUSE** Cassandra Hernandez from the July 24, 2018 City Council meeting.

CONSENT AGENDA - RESOLUTIONS:

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

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

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

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and among the City of El Paso ("Lessor"); Blue Falcon Corporation ("Assignor"), and Chenausky Property & Investments, LLC ("Assignee") for the following described property:

Lot 21 and the east one half (½) of Lot 20, Block 4, El Paso International Airport
REGULAR CITY COUNCIL MEETING MINUTES – JULY 24, 2018

Tracts, commonly known as 7309 Boeing Dr., City of El Paso, El Paso County, Texas.

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 Council approves a Change Order to the EPIA- Checked Baggage Inspection System Project, Contract No. 2016-963 with Hensel Phelps Construction Co. ("Contractor") in the amount of three hundred EIGHTY FIVE thousand EIGHT hundred FIFTEEN AND NO/100 DOLLARS (\$385,815.00) for the additional cost necessary for the operation work to be performed during the Operational Period in which the Contractor will be responsible for all operations and maintenance of the main baggage handling system for a period of six (6) months beginning August 28, 2018 and ending February 24, 2019; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers.

3.3.

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

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

That the City Manager be authorized to sign an Agreement for Professional Services by and between the CITY OF EL PASO and **ABACUS, INC.**, an Arizona Corporation, for a project known as "**EL PASO INTERNATIONAL AIRPORT LANDSCAPE AND LIGHTING PROJECT CONSTRUCTION MANAGEMENT**" for an amount not to exceed **ONE HUNDRED SIXTY FOUR THOUSAND TWO HUNDRED FIFTY FIVE AND 00/100 DOLLARS (\$164,255.00)**; and that the City Engineer is 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 the proper execution of the project and that the increased amounts are within the appropriate budgets of the project for a total amount of Two Hundred Sixty Four Thousand Two Hundred Fifty Five and No/100 Dollars (\$264,255.00); 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 the execution of the Agreement.

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

4.1.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, REYES, YOLANDA and COLIN, IDA M., 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:

250 Fairview Ct., more particularly described as TR 6-A (2.4299 Ac), S A & M G, RR SURV 267 ABST 179, City of El Paso, El Paso County, Texas, PID #X267-999-S00A-4600

to be \$377.67, 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 January, 2018, 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 SEVENTY SEVEN AND 67/100 DOLLARS (\$377.67) 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, GARMON, JOSEFINA P. & AGUILAR, EVERARDO & 3, 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:

3306 Bisbee Ave., more particularly described as Lot 26 & E 20 Ft. of Lot 27, Block 132, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999-1320-7600

to be \$346.27, 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 January, 2018, 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 FORTY SIX AND 27/100 DOLLARS (\$346.27) 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, VILLALBA, MARIA, 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:

3519 Hamilton Ave., more particularly described as Lot 7 & 8 (6000 Sq. Ft.), Block 47, Grandview Subdivision, City of El Paso, El Paso County, Texas, PID #G686-999-0470-1900

to be \$352.77, 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, 2018, 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 FIFTY TWO AND 77/100 DOLLARS (\$352.77) 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, SALAS, ESPERANZA, 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:

7317 Alpine Dr., more particularly described as Lot 12 (6150 Sq. Ft.), Block 27, Ranchland Hills #4 Subdivision, City of El Paso, El Paso County, Texas, PID #R215-999-0270-7800

to be \$343.03, 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 January, 2018, 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 FORTY THREE AND 03/100 DOLLARS (\$343.03) 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, VAUGHN, KIMBERLY, 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:

11861 Jim Webb Dr., more particularly described as Lot 50 (4840.50 Sq. Ft.), Block 2, Mesquite Hills Subdivision, City of El Paso, El Paso County, Texas, PID #M395-999-0020-5000

to be \$327.87, 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 17th day of January, 2018, 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 TWENTY SEVEN AND 87/100 DOLLARS (\$327.87) 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, RESORTVIEW HOMES I, LTD, 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 20 COS (4974.00 Sq. Ft.), Block 1, Sun Valley Ranch Replat A Subdivision, City of El Paso, El Paso County, Texas, PID #S820-999-0010-2010

to be \$327.87, 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 January, 2018, 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 TWENTY SEVEN AND 87/100 DOLLARS (\$327.87) 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, JACKSON, PAMELA W., 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:

1828 Joan Francis St., more particularly described as Lot 18 (4725.00 Sq. Ft.), Block 26, Montwood Heights #6 Subdivision, City of El Paso, El Paso County, Texas, PID #M771-999-0260-1800

to be \$343.03, 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 24th day of January, 2018, 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 FORTY THREE AND 03/100 DOLLARS (\$343.03) 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, GOMEZ, ALICIA & MORALES, FRANCISCO & JUAN, 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:

8868 Leopoldo Rd., more particularly described as TR 11-M (0.161 Ac), Block 37, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PID #Y805-999-0370-1150

to be \$413.39, 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 17th day of January, 2018, 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 THIRTEEN AND 39/100 DOLLARS (\$413.39) 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, WEATHERS, MARIA, 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:

577 Gallagher St., more particularly described as Lot 4 EXC NE 50 Ft 125 Ft (12865 Sq. Ft.), Block 1, Linda Vista Gardens Subdivision, City of El Paso, El Paso County, Texas, PID #L362-999-0010-0700

to be \$582.80, 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 January, 2018, 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 FIVE HUNDRED EIGHTY TWO AND 80/100 DOLLARS (\$582.80) 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, DURAN, MARIA Y. L., 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:

7904 North Loop Dr., more particularly described as Lot 2 (EXC NLY Pt) (Homesite) (9961.84 Sq. Ft.), Block 11, Lafayette Place Subdivision, City of El Paso, El Paso County, Texas, PID #L125-999-0110-2700

to be \$514.06, 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 25th day of January, 2018, 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 FIVE HUNDRED FOURTEEN AND 06/100 DOLLARS (\$514.06) 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, MUNOZ, IVONNE D., 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:

6400 Fiesta Dr., more particularly described as Lot 375 (9566.27 Sq. Ft.), Block 26, Coronado Hills Subdivision, City of El Paso, El Paso County, Texas, PID #C818-999-0260-2400

to be \$324.62, 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 25th day of January, 2018, 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 TWENTY FOUR AND 62/100 DOLLARS (\$324.62) 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, MARTIN, ELVIRA 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:

907 S. Hills St., more particularly described as Lot 7, Block 36, Magoffin Subdivision, City of El Paso, El Paso County, Texas, PID #M028-999-0360-2900

to be \$361.43, 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 26th day of January, 2018, 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 ONE AND 43/100 DOLLARS (\$361.43) 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.

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

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

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

That the City Manager be authorized to sign a Second Amendment to the On-Call Agreement for Professional Services with Paragon Project Resources for On-Call Construction Management Services, to increase the contract amount by Three Hundred Eight Thousand and No/100 Dollars (\$308,000.00) in order for Consultant to provide additional work under this Agreement, thereby increasing the contract amount from Seven Hundred Fifty Thousand and No/100 Dollars (\$750,000.00) to One Million Fifty Eight Thousand and No/100 Dollars (\$1,058,000.00).

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

6.1. *Motion made, seconded, and unanimously carried to DELETE a Resolution

authorizing the City Manager to sign a License Agreement between the City of El Paso (the "City") and Lehigh University (hereinafter the "Licensee"), for a Licensee to use and occupy designated space inside the City's health clinic located at 701 Montana, El Paso, Texas, to conduct a health survey of a high risk population for HIV and HCV, in exchange for the City's access to test said population and provide them with referrals to appropriate treatment options, from July 24, 2018 until January 31, 2021, for a fee not to exceed \$70,000.00 over the entire term of the Agreement.

6.2.

***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 Consulting Services Agreement between the City of El Paso and Chickasaw Health Consulting, LLC, to provide vector-borne disease surveillance and investigation services, Zika pregnancy and birth defects registry services, and environmental/vector-borne disease prevention and education services, for the monthly amount of \$12,702.20 from August 22, 2018 through July 31, 2019, with the month of August 2018 to be prorated and invoiced based on the August 22 start date; and to authorize the City Manager to extend the Agreement for an additional period of time as agreed to by the parties.

6.3.

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

WHEREAS, the Housing Authority for the City of El Paso (HACEP) has proposed a development for affordable rental housing of 66 units that will be located at 5628 Eisenhower Ave., El Paso, Texas 79924, in the City of El Paso; and

WHEREAS, HACEP has submitted an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2018 4% Tax-Exempt Bond Housing Tax Credits for the Eisenhower Apartments, Phase III.

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

1. That in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4), it is hereby found that:
 - i. Notice has been provided to the Governing Body in accordance with Texas Government Code, §2306.67071(a); and
 - ii. The Governing Body has had sufficient opportunity to obtain a response from HACEP regarding any questions or concerns about the proposed Development; and
 - iii. The Governing Body has held a hearing at which public comment may be made on the proposed Development in accordance with Texas Government Code, §2306.67071(b); and
 - iv. After due consideration of the information provided by HACEP

and public comment, the Governing Body **does not object to** the proposed Application.

2. That for and on behalf of the Governing Body, Laura D. Prine, City Clerk, is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

CONSENT AGENDA - BOARD APPOINTMENTS:

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

- 7.1.** *Motion made, seconded, and unanimously carried to **APPOINT** Ricardo E. Cabrera to the City Plan Commission by Mayor Dee Margo.

The following members of the public commented:

1. Mr. Scott White
2. Mr. Ray Bannon

CONSENT AGENDA - NOTICE OF CAMPAIGN CONTRIBUTIONS:

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

- 8.1.** *Motion made, seconded, and unanimously carried to **APPROVE** notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contributions by Representative Peter Svarzbein in the amount of \$300.00 from Mike Dipp; \$250.00 from Andrew Stromberg; \$1,000.00 from James A. Cardwell Jr.

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

The City Council Meeting was **RECONVENED** at 10:18 a.m.

REGULAR AGENDA - FIRST READING OF ORDINANCES

Motion made by Representative Ordaz Perez, seconded by Representative Rivera, 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:

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

ABSENT: Representative Hernandez

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

- 9.1.** An Ordinance approving a Project and Financing Plan for Tax Increment Reinvestment Zone Number Seven, as a 30.802-acre site, encompassing the former Northgate Mall located in Northeast El Paso at the eastern intersection of Dyer Street

and Diana Drive in the City of El Paso, Texas; making various findings related to such a plan; identifying the tax increment to be contributed to the Zone's Tax Increment Financing Fund; providing for severability; and providing an effective date.

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

10.1. An Ordinance changing the zoning of Tracts 22A, 22C, and 23B, George L. Wilson Survey No. 91, 119 Atlantic Rd. & 4038 Doniphan Dr. City of EL Paso, El Paso County, Texas from R-4 (Residential) to C-1/c (Condition), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. 119 Atlantic Rd. & 4038 Doniphan Dr. Owner: Herrera Investment Properties, LLC & Iris Sandoval. PZRZ18-00011

10.2. An Ordinance vacating a portion of City right-of-way known as the alley between Reynolds St. and Concepcion St, Block 2, Val Verde Addition, City of El Paso, El Paso County, Texas. Subject Property: North of Alameda and East of Reynolds; Applicant: Texas Tech University Health Sciences Center of El Paso SURW17-00002

10.3. An Ordinance changing the zoning of Lots 10 to 13, Block P-2, Garden Subdivision to East El Paso addition, also known as 2915 & 2923 Central Avenue, City of El Paso, El Paso County, Texas from A-3 (Apartment) to C-1 (Commercial), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2915 & 2923 Central Avenue. Property Owner: Jose and Martha E. Contreras PZRZ18-00020

10.4. An Ordinance releasing certain conditions placed on property by Ordinance No. 8559 which changed the zoning of apportion of Tract 12A, A. F. Miller Survey 210 and a portion of Tract 14A, J. M. Jett Survey 155, 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: 201 E. Sunset Property Owner: Westside Community Church PZCR18-00002

10.5. An Ordinance granting Special Permit No. PZST17-00013, to allow for a parking reduction on the property described as Lots 1 to 15 & closed alley and adjacent street, Block 91, Alexander Addition, City of El Paso, El Paso County, Texas, 1800 Oregon; Lots 1 to 20 & Closed Alley, Block 90 Alexander Addition, 1801 Oregon Street, City of El Paso, El Paso County, Texas; Lots 16 to 20, Block 91, Alexander Addition, 101 Rim Road, City of El Paso, El Paso County, Texas; Lots 11 to 20, Block 77, Alexander Addition, 1700 Oregon Street, City of El Paso, El Paso County, Texas; Lots 4 to 8 and the north 18 feet of Lot 3 and the south 2 feet of Lot 9, Block 77, Alexander Addition, 1707 Mesa Street & 120 Rim Road, City of El Paso, El Paso County, Texas, Pursuant to Section 20.14.070 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1800 Oregon Street, 1801 Oregon Street, 101 Rim Road, 1700 Oregon Street. Property Owner: HCA Health Systems of Texas, Independent Mortgage Company, El Paso Electric Company. PZST17-00013

10.6. An Ordinance grating Special Permit No. PZST17-00013, to allow for a helistop on the property described as Lots 1 to 15 & closed alley and adjacent street, Block 91, Alexander Addition, 1800 Oregon St., City of El Paso, El Paso County, Texas,

Pursuant to Section 20.10.240 of the El Paso City Code. The Penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1800 Oregon Street. Property Owner: HCA Health Systems of Texas, Independent Mortgage Company, and El Paso Electric Company. PZST17-00013

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- 10.7.** An Ordinance granting Special Permit No. PZST17-00013, to allow for off-street parking serving another property in accordance with Section 20.10.410 on the property described as Lots 1 to 10, Block 78, Alexander Addition, City of El Paso, El Paso County, Texas, 1711 Oregon Street, City of El Paso, El Paso County, Texas; Lots 11 to 20, Block 46, Alexander Addition, City of El Paso, El Paso County, Texas, 1500 Oregon Street, City of El Paso, El Paso County, Texas; Lots 9 to 12, Block 79, and Lots 9 to 12, Block 80, and the Adjoining Alley and a Portion of Vacated Los Angeles Street, Alexander Addition, SW corner of El Paso & Rim Road, City of El Paso, El Paso County, Texas; Lots 9 to 12, Block 81, Alexander Addition, SE corner of Alexander and Rim Road, City of El Paso, El Paso County, Texas; Lots 1 to 8 and a Portion of the adjoining alley, Block 79, Alexander Addition, 1717 El Paso & 201 Schuster Ave., City of El Paso, El Paso County, Texas, pursuant to Section 20.10.410 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1800 Oregon, 1801 Oregon, 101 Rim, 1700 Oregon, 1711 Oregon, 1500 Oregon, SW Corner of El Paso & Rim, SE Corner of Randolph & Rim, 1717 El Paso & 201 Schuster. Property Owner: HCA Health Systems of Texas, Independent Mortgage Company, and El Paso Electric Company. PZST17-00013

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- 10.8.** An Ordinance amending the Future Land Use Map contained in "Plan El Paso" for the property legally described as Lot 4, Block 6, Northgate Subdivision, City of El Paso, El Paso County, Texas, from O-1, Preserve, to G-2, Traditional Neighborhood. PLCP18-00001

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- 10.9.** An Ordinance changing the zoning of a portion of Lot 1A and all of Lot 7, Block 6, Northgate Replat 'C' and all of Lot 4, Block 6, Northgate Subdivision, City of El Paso, El Paso County, Texas from C-3 (Commercial) and R-4 (Residential) to SCZ (SmartCode Zone), the penalty is as provided for in Chapter 21.60 of the El Paso City Code. PZRZ18-00025

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- 10.10.** An Ordinance amending Title 20 (Zoning), Chapter 20.20 (Historic Landmark Preservation), Section 20.20.080 (Alterations and Changes to Landmarks and H-Overlay Properties), of the El Paso City Code to amend Subsection A to delete subsection (1) in its entirety. The penalty is as provided for in Section 20.20.140 of the El Paso City Code.

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

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- 11.1.** An Ordinance amending Title 13 (Streets, Sidewalks, and Public Places), Chapter 13.25 (El Paso Zoo), Section 13.25.010 (El Paso Zoo fee authorization) of the El Paso City Code to update the fees authorized to be charged by the City through the El Paso Zoo, which will be set by the City's Budget Resolution or other duly authorized resolution.
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12. Goal 6: Set the Standard for Sound Governance and Fiscal Management:

- 12.1.** An Ordinance pursuant to Article III, Section 3.11 (Initiative), of the El Paso City Charter, that the City of El Paso shall preserve, in its natural state and in perpetuity, all of the City owned real property (approximately 1,106.9316 acres) referred to as "Reinvestment Zone Number Twelve, City of El Paso" described below (the "Land"). The City shall take all steps necessary and appropriate to preserve the Land and to prevent it from being developed with either private development or major public roadways. The Land is comprised of the following parcels in the City of El Paso, El Paso County, Texas, and is more particularly described as set out in Exhibit A : Parcel 1 - Nellie D. Mundy Survey 246 (approximately 73.6664 acres); Parcel 2 - S.J. Larkin Survey 267 (approximately 632.735 acres); Parcel 3 – S.J. Larkin Survey 269, Abstract 10070, Tract 1-A (approximately 8.175 acres); Parcel 4 - S.J. Larkin Survey 268, Abstract 10069 (approximately 15.8712 acres); Parcel 5 - S.J. Larkin Survey 268, Abstract 10069, Tract 1 (approximately 45.664 acres); Parcel 6 – Laura E. Mundy Survey 234, Abstract 1007, Tract 2 (approximately 255.39 acres); and Parcel 7 – Laura E. Mundy Survey 234, Abstract 1007, Tract 2 (approximately 105.43 acres).

13. MANAGEMENT UPDATES

- 13.1.** Update on Field Maintenance at Parks and Recreation facilities.

Mr. Joel McKnight, Parks and Recreation Assistant Director, presented a PowerPoint presentation, (copy on file in the City Clerk's Office).

Mayor Margo commented.

The following City staff members commented:

1. Mr. Tracy Novak, Parks and Recreation Director
2. Mr. Tommy Gonzalez, City Manager

Ms. Sylvia Kohlberg, citizen, commented.

NO ACTION was taken on this item.

- 13.2.** Streetcar Transition Update

Mr. Jay Banasiak, Mass Transit Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Margo and Representatives Svarzbein and Lizarraga commented.

NO ACTION was taken on this item.

CALL TO THE PUBLIC – PUBLIC COMMENT

The following members of the public commented:

1. Mr. Jud Burgess

2. Ms. Marilyn Guida
3. Ms. Sharon Bonart
4. Mr. Rick Bonart
5. Mr. Jorge Artalejo
6. Mr. Steven Strumer
7. Ms. Wally Cech

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

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

14.1. ORDINANCE 018813

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 4, SECTION 35, BLOCK 79, TSP2, TPR&R COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-4 (COMMERCIAL) TO PR-I (PLANNED RESIDENTIAL –I). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. EAST OF RICH BEAM BLVD. & NORTH MONTANA AVE. OWNER: JNC DEVELOPMENT INC. PZRZ18-00003**

Motion duly made by Representative Ordaz Perez, seconded by Representative Rivera, 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 results as follows:

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

ABSENT: Representative Hernandez

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

14.2. ORDINANCE 018814

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT A, BLOCK 1, SCOTSDALE ADDITION, 9426 MONTANA AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1 (COMMERCIAL) TO C-3 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. 9426 MONTANA AVENUE. OWNER: ALBERT NABHAN. PZRZ17-00013**

Motion duly made by Representative Ordaz Perez, seconded by Representative Lizarraga, 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 results as follows:

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

ABSENT: Representative Hernandez

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

14.3.

ORDINANCE 018815

The City Clerk read an Ordinance entitled: **AN ORDINANCE APPROVING DETAILED SITE DEVELOPMENT PLAN FOR A PORTION OF SECTION 27, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, 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. SUBJECT PROPERTY: EAST OF RICH BEAM BLVD. & NORTH MONTANA AVE. OWNER: G BOWLING ENTERPRISES LLC. PZDS18-00001**

Motion duly made by Representative Ordaz Perez, seconded by Representative Rivera, 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 results as follows:

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

ABSENT: Representative Hernandez

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

14.4.

ORDINANCE 018816

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST17-00016, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCTION IN FRONT, REAR, CUMULATIVE, AND SIDE YARD SETBACK ON THE PROPERTY DESCRIBED AS LOT 15, BLOCK 25, MAP OF INDIAN RIDGE SUBDIVISION UNIT 2, 11260 THUNDERCLOUD DR., AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS , PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. 11260 THUNDERCLOUD DR. OWNER: LUIS PIZAÑA & LOREINA PIZANA PZST17-00016**

Motion duly made by Representative Ordaz Perez, seconded by Representative Rivera, 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 results as follows:

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

ABSENT: Representative Hernandez

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

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14.5.

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISION), ARTICLE III (DETAILED SITE DEVELOPMENT PLAN APPROVAL PROCESS) SECTION 20.04.160 (CONTENT OF APPLICATION) AND ARTICLE VI (CHANGES AND AMENDMENTS) SECTION 20.04.380 (APPLICATION REQUIREMENTS) AND 20.04.430 (RECOMMENDATION BY COMMISSION) OF THE EL PASO CITY CODE TO REMOVE REQUIREMENTS FOR GENERALIZED SITE PLAN, ADD A REQUIREMENT FOR DIGITAL APPLICATION SUBMITTAL AND ADD AN EXPIRATION DATE FOR APPLICATIONS AFTER ACTION BY CITY PLAN COMMISSION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

1ST MOTION

Motion made by Representative Annello, seconded by Representative Ordaz Perez, and unanimously carried to **AMEND** the Ordinance by striking out "to remove requirements for generalized site plan" and bring back the item in 60 days.

ABSENT: Representative Hernandez

Mayor Margo and Representatives Svarzbein, Annello, Morgan, Ordaz Perez, Rivera, and Lizarraga commented.

The following City staff members commented:

1. Ms. Kimberly Forsyth, Planning and Inspections Project Manager
2. Mr. Raul Garcia, Lead Planner
3. Mr. Tommy Gonzalez, City Manager

The following members of the public commented:

1. Mr. Jorge Arenas
2. Mr. Ray Mancera

2ND AND FINAL MOTION

Motion duly made by Representative Annello, seconded by Representative Lizarraga, that the Ordinance be **ADOPTED AS AMENDED**.

ORDINANCE 018817

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISION), ARTICLE III (DETAILED SITE DEVELOPMENT PLAN APPROVAL PROCESS) SECTION 20.04.160 (CONTENT OF APPLICATION) AND ARTICLE VI (CHANGES AND AMENDMENTS) SECTION 20.04.380 (APPLICATION REQUIREMENTS) AND 20.04.430 (RECOMMENDATION BY COMMISSION) OF THE EL PASO CITY CODE TO ADD A REQUIREMENT FOR DIGITAL APPLICATION SUBMITTAL AND ADD AN EXPIRATION DATE FOR APPLICATIONS AFTER ACTION BY CITY PLAN COMMISSION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done results as follows:

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

NAYS: None

ABSENT: Representative Hernandez

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

14.6.

ORDINANCE 018818

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST17-00028, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY FOR THE PROPERTY DESCRIBED AS ALL OF BLOCKS 496, 497, 498, 499, 500, AND 507, TIERRA DEL ESTE UNIT 78, CITY OF EL PASO, EL PASO COUNTY, TEXAS (PARCEL 1) AND A PORTION OF SECTION 48, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY CO. SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS (PARCEL 2) THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: GENERALLY SOUTH OF MONTWOOD, EAST AND WEST OF TIM FOSTER (PARCEL 1) AND GENERALLY SOUTHEAST OF JOHN HAYES AND PEBBLE HILLS, NORTH OF MONTWOOD (PARCEL 2). OWNERS: LALOLANDS, INC.; ZIA HOMES, INC.; DIRECT HOME SALES, INC.; CUARTES INVESTMENTS, LLC; PACIFICA HOMES, INC.; MONTIEL BROTHERS, INC. DBA PALO VERDE HOMES.; TRI-STATE VENTURES, LLC DBA CAREFREE HOMES, RANCHOS REAL XV, LLC. PZST17-00028.**

Representative Noe commented.

Ms. Kimberly Forsyth, Planning and Inspections Project Manager, commented.

Mr. Scott White, citizen, commented.

Motion duly made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, 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 results as follows:

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annello

ABSENT: Representative Hernandez

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

14.7.

ORDINANCE 018819

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICE) TO AMEND CHAPTER 15.08 (STREET RENTALS) TO CLARIFY THE HOURS OF USE OF OUTDOOR PATIO CAFES IN THE CINCINNATI COMMERCIAL DISTRICT IN SECTION 15.08.120 (SPECIAL PRIVILEGE LICENSES AND PERMITS). NO USE OF THE OUTDOOR PATIO CAFES WILL BE PERMITTED BETWEEN THE HOURS OF 1 A.M TO 7 A.M.; THE PENALTY BEING AS PROVIDED FOR IN SECTION 15.08.070 AND 15.08.125 OF THE EL PASO CITY CODE.**

Motion duly made by Representative Ordaz Perez, seconded by Representative Morgan, that the Ordinance be **ADOPTED**.

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done results as follows:

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rivera

ABSENT: Representative Hernandez

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

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

15.1.

ORDINANCE 018820

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM (TAX RESALE) DEED CONVEYING TO EL PASO ELECTRIC COMPANY, 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 THIRTY-FOUR (34) IN BLOCK FOUR (4), OF THE WESTLYN HEIGHTS ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.

Motion duly made by Representative Ordaz Perez, seconded by Representative Lizarraga, 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 results as follows:

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

NAYS: None

ABSENT: Representative Hernandez

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

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

16.1. ORDINANCE 018821

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO AMEND TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.200 – SCHEDULE XVII – RESTRICTIONS ON PARKING IN RESIDENTIAL DISTRICTS, SUBSECTION ZONE K: NO PARKING 7:00 A.M. TO 4:00 P.M., SCHOOL DAYS ONLY, TO ADD LONE POINT COURT; NAVAJO POINT DRIVE; APACHE POINT DRIVE; HAWK POINT PLACE; FURY POINT PLACE. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 (A) AND 12.84.010 (B) OF THE EL PASO CITY CODE.**

Motion duly made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, 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 results as follows:

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

NAYS: None

ABSENT: Representative Hernandez

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

16.2. ORDINANCE 018822

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO AMEND TITLE 12, CHAPTER 12.88 (SCHEDULES), SECTION 12.88.180 (NO STOPPING OR STANDING-TOW-AWAY ZONE) OF THE EL PASO CITY CODE TO ADD COLOMA CIRCLE, FROM LIBERTY STREET TO A POINT 360' EAST THEREOF, NORTH SIDE ONLY, THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO CITY CODE.**

Motion duly made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, that the Ordinance be **ADOPTED**.

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done results as follows:

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

NAYS: None

ABSENT: Representative Hernandez

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

16.3.

ORDINANCE 018823

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO AMEND TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.20 (TRAFFIC CONTROL DEVICES) SECTION 12.88.010 (SCHEDULE I – ONE-WAY STREETS), SUBSECTION 20 (YANDELL DRIVE), TO AMEND TO READ, WESTBOUND FROM BIRCH STREET TO SANTA FE STREET. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 (B) OF THE EL PASO CITY CODE.**

Motion duly made by Representative Ordaz Perez, seconded by Representative Lizarraga, 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 results as follows:

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

NAYS: None

ABSENT: Representative Hernandez

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

16.4.

ORDINANCE 018824

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 13 (STREETS, SIDEWALKS AND PUBLIC PLACES) OF THE EL PASO CITY CODE TO ADD A NEW CHAPTER 13.42 (STREETCAR TRACK ACCESS PROGRAM PROCEDURE) TO ESTABLISH PERMITTING PROCEDURES FOR ANY ACTIVITY OCCURRING WITHIN THE VICINITY OF THE EL PASO STREETCAR INFRASTRUCTURE. THE PENALTY IS AS PROVIDED IN CHAPTER 13.42 OF THE EL PASO CITY CODE.**

Motion duly made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, that the Ordinance be **ADOPTED**.

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of

the Ordinance which when so done results as follows:

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

NAYS: None

ABSENT: Representative Hernandez

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

REGULAR AGENDA - OTHER BUSINESS

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

17.1. RESOLUTION

That the City Manager be authorized to execute the First Amendment to the Chapter 380 Economic Development Program Agreement between the City of El Paso (the "City") and Fred Loya Insurance Agency, Inc. (the "Applicant"), regarding the Applicant's development of the property located at 11577 Pellicano Drive, El Paso, Texas 79936. Wherein the parties agree to an extension of Applicant's Certificate of Occupancy and an extension on Applicant's deadline to meet Full-Time job requirements.

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

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

NAYS: None

ABSENT: Representative Hernandez

17.2. Presentation and discussion by Project Arriba on their Mid-Year (September 1, 2017 – March 31, 2018) report on status of activities during the fiscal year, use of grant funds and progress in the performance measures required under the agreement executed on August 27, 2013 with the City of El Paso.

Mr. Roman Ortiz, Project Arriba Chief Executive Officer, presented a PowerPoint presentation, (copy on file in the City Clerk's Office).

Mayor Margo and Representatives Annello and Lizarraga commented.

Ms. Denisse Carter, Economic and international Development Contract Compliance Coordinator, commented.

NO ACTION was taken on this item.

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

18.1.

ITEMS 18.1 AND 18.2 WERE TAKEN TOGETHER

R E S O L U T I O N

WHEREAS, on June 30, 2015, the City Council of the City of El Paso approved the Eastside Regional Park Master Plan (the "Master Plan"); and

WHEREAS, the City wishes to amend the Eastside Regional Park Public Art Plan portion ("Public Art Portion") of the Master Plan to update the locations of artwork within the Eastside Regional Park.

NOT THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That the Public Art Portion of the Master Plan is amended to remove and replace the pages shown in Exhibit "A", attached herein, with the page attached as Exhibit "B" attached herein.

Section 2. Except as herein amended, the Master Plan and the Public Art Portion of the Master Plan remain in full force and effect.

18.2.

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 is authorized to sign the Guaranteed Maximum Price Amendment to the Standard Form of Agreement by and between the City of El Paso and Sundt Construction, Inc. ("Construction Manager") for the project known as "Eastside Regional Park Phase I 2017-1185R", to accept and incorporate the Construction Manager's Guaranteed Maximum Price Proposal and establishing the Guaranteed Maximum Price ("GMP") for the project in the amount of Thirty Seven Million Six Hundred Ninety Eight Thousand Seven Hundred Seventy and No/100 dollars (\$37,698,770.00); and

That the City Manager or Designee be authorized to 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 and do not make changes to the prices and are within the appropriate budget; 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. Ben Fyffe, Museums and Cultural Affairs Assistant Director, and Mr. Sam Rodriguez, City Engineer presented a PowerPoint presentation (copies on file in the City Clerk's Office).

Mr. Tommy Gonzalez, City Manager, commented.

The following members of the public commented:

REGULAR CITY COUNCIL MEETING MINUTES – JULY 24, 2018

1. Ms. Joyce Chavez
2. Mr. Emmanuel Gardea

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

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

NAYS: None

ABSENT: Representative Hernandez

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

19.1. RESOLUTION

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 AIA Engineers, LLC., a Texas Limited Liability Corporation, for a project known as "McCUNE AND PADDLEFOOT STREET RECONSTRUCTION" for an amount not to exceed FOUR HUNDRED FIFTEEN THOUSAND FOUR HUNDRED SEVENTEEN AND 72/100 DOLLARS (\$415,417.72); that the City Engineer is 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 the proper execution of the project and that the increased amounts are within the appropriate budgets of the project for a total amount of Five Hundred Fifteen Thousand Four Hundred Seventeen and 72/100 Dollars (\$515,417.72); 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 the execution of the Agreement.

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

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

NAYS: None

ABSENT: Representative Hernandez

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

20.1. RESOLUTION

WHEREAS, the Alamito Public Facilities Corporation ("Alamito"), a public facility of the Housing Authority of the City of El Paso, Texas, is in the process of issuing the following Multi-Family Housing Revenue Bonds:

\$10,000,000 Alamito Public Facilities Corporation Multifamily Housing Revenue Bonds (HACEP RAD Conversion Program (Eisenhower 66 Apartments) Project),

\$30,000,000 Alamito Public Facilities Corporation Multifamily Housing Revenue Bonds (HACEP RAD Conversion Program (Robinson I and II Apartments) Project),

\$25,000,000 Alamito Public Facilities Corporation Multifamily Housing Revenue Bonds (HACEP RAD Conversion Program (Sherman South I and II Apartments and Pooley Cottages) Project), and

\$40,000,000 Alamito Public Facilities Corporation Multifamily Housing Revenue Bonds (HACEP RAD Conversion Program (Salazar I and II Apartments) Project);

\$40,000,000 Alamito Public Facilities Corporation Multifamily Housing Revenue Bonds (HACEP RAD Conversion Program (Tays North I and II Apartments) Project);

\$20,000,000 Alamito Public Facilities Corporation Multifamily Housing Revenue Bonds (HACEP RAD Conversion Program (Machuca Apartments) Project);

\$51,000,000 Alamito Public Facilities Corporation Multifamily Housing Revenue Bonds (HACEP RAD Conversion Program (Cramer Three Apartments) Project);

\$20,000,000 Alamito Public Facilities Corporation Multifamily Housing Revenue Bonds (HACEP RAD Conversion Program (Medano Heights Apartments) Project);

WHEREAS, Section 147(£) of the Internal Revenue Code of 1986 requires that before the bonds are issued, the issuance of such tax exempt bonds must be approved by the highest elected official of the local governmental unit having jurisdiction over the area in which such facility is located after a public hearing following reasonable notice to the public;

WHEREAS, Issuer published a Notice of Public Hearing in the El Paso Times as required by Section 147(£) of the Internal Revenue Code on June 22, 2018, and held a public hearing on Thursday, June 28, 2018; and

WHEREAS, Issuer now requests that the Mayor sign a Certificate of Approval of the Highest Elected Official.

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

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

NAYS: None
ABSENT: Representative Hernandez

21. MAYOR AND COUNCIL

21.1. Presentation and update on the implementation of the El Paso Fire Department Drone Program.

Mayor Margo and Representatives Svarzbein, Ordaz Perez, and Rivera commented.

The following City staff members commented:

1. Fire Chief Mario D'Agostino
2. Mr. Tommy Gonzalez, City Manager

NO ACTION was taken on this item.

21.2. RESOLUTION

A RESOLUTION DIRECTING THE FINANCIAL OVERSIGHT AND AUDIT COMMITTEE TO REVIEW AND MAKE A RECOMMENDATION, ON AN ANNUAL BASIS, ON THE COMPENSATION AND BENEFITS PACKAGE FOR THE CITY MANAGER AND THE CITY ATTORNEY

WHEREAS, the City Council, pursuant to Section 3.6 (Legislative Committees) of the City Charter, has established a Financial Oversight and Audit Committee "FOAC" for the purpose of, among other tasks, formulating recommendations for the City Council regarding City finances and other matters referred by the City Council or City Manager; and

WHEREAS, the City Council, pursuant to the authority granted it in the City Charter, desires to task the FOAC with reviewing and making a recommendation on the compensation and benefits package for the City Manager and the City Attorney on an annual basis, for the purpose of determining and recommending the appropriate salaries commensurate with the duties, responsibilities and performance of the positions covered by the review; and

WHEREAS, the FOAC's salary recommendation shall be presented to City Council for purposes of consideration during the subject employee's annual performance review.

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

That the City Council hereby directs the Financial Oversight and Audit Committee to review and make a recommendation, on an annual basis, on the compensation and benefits package for the City Manager and the City Attorney, for the purpose of determining and recommending the appropriate salaries commensurate with the duties, responsibilities and performance of the positions.

Mayor Margo and Representatives Annello, Morgan, and Rivera commented.

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

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

NAYS: None

ABSENT: Representative Hernandez

EXECUTIVE SESSION

Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried that the City Council retires into **EXECUTIVE SESSION** at 11:46 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss any of the following:

| | |
|-----------------|--|
| Section 551.071 | CONSULTATION WITH ATTORNEY |
| Section 551.072 | DELIBERATIONS REGARDING REAL PROPERTY |
| Section 551.073 | DELIBERATION REGARDING PROSPECTIVE GIFTS |
| Section 551.074 | PERSONNEL MATTERS |
| Section 551.076 | DELIBERATION REGARDING SECURITY DEVICES |
| Section 551.087 | DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS |
| Section 551.089 | DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS; CLOSED MEETING |

Motion made by Representative Rivera, seconded by Representative Morgan, and unanimously carried to adjourn the Executive Session at 12:02 p.m. and **RECONVENE** the meeting of the City Council.

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

NAYS: None

ABSENT: Representative Hernandez

EX1. PUC Control Number 48527 Petition of El Paso Electric Company for Approval to Revise Military Base Discount Recovery Factor Tariff pursuant to PURA §36.354, (17-1008-103) (551.071)

NO ACTION was taken on this item.

EX2. Request of Texas Gas Service Company, a Division of ONE Gas, Inc., to Approve Continued Use of Financial Instruments for Hedging Gas Costs for the 2018-2019 Heating Season. (18-1008-114) (551.071)

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried that the City of El Paso **APPROVES** the continuation of financial hedging of gas costs for the 2018-2019 heating season by Texas Gas Service Company, a division of ONE Gas, Inc.

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

NAYS: None

ABSENT: Representative Hernandez

EX3. 112 Mills Ave., El Paso, Texas (551.071 and 552.072)

NO ACTION was taken on this item.

EX4. Economic Incentives for a Convention Center Hotel located in the City of El Paso (17-1007-2206/17-1007-1895) (551.071) (551.072) (551.087)

NO ACTION was taken on this item.

EX5. Initiative Petition for the Preservation of Open Space within the Tax Increment Reinvestment Zone 12 (18-1065-099) (551.071) (551.072)

NO ACTION was taken on this item.

EX6. Entertainment Project located in the City of El Paso; Matter Nos.12-1033-043.010/18-1049-1127 (551.071 and 551.087)

NO ACTION was taken on this item.

EX7. Real estate acquisition for Scattered Flat Fields (551.071 and 551.072)

NO ACTION was taken on this item.

EX8. Real estate acquisitions for District 1 Neighborhood Water Park (551.071 and 551.072)

NO ACTION was taken on this item.

EX9. Real estate acquisition for Open Space (551.072 and 551.071)

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried to **APPROVE** that the City of El Paso City Council Direct Staff to evaluate the acquisition of open space.

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

NAYS: None

ABSENT: Representative Hernandez

EX10. EX10 – EX13 WERE TAKEN TOGETHER

City of El Paso v. Max Grossman; Second Court of Appeals, Fort Worth, TX; No. 02-17-00384-CV; Matter No. 17-1001-171.006 (551.071)

EX11. Ex Parte: City of El Paso; Third Court of Appeals; Travis County, TX #03-17-00566-CV; Matter No. 17-1001-171.002 (551.071)

EX12. Max Grossman v. City of El Paso; 384th District Court, El Paso, TX; Cause No.

2017-DCV-2528; Matter No. 17-1001-171.001 (551.071)

EX13. Max Grossman v. City Clerk Laura D. Prine and Mayor Dee Margo, City Representative Peter Svarzbein, City Representative Michiel R. Noe, City Representative Sam Morgan, City Representative Cassandra Hernandez-Brown, City Representative Henry Rivera, City Representative Claudia Ordaz Perez, and City Representative Cissy Lizarraga; 171st District Court No. 2018DCV2172; Matter No. 18-1019-204 (551.071)

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and carried that the Interim City Attorney be **AUTHORIZED** to reject Frank Ainsa's settlement offer dated June 24, 2018, in the following lawsuits:

Ex Parte City of El Paso; No. D1-GN-17-001888, 250th District Court, Travis County, Texas on appeal in the Third District Court of Appeals, Austin, Texas ("Lawsuit No. 1"); and,

Max Grossman v. City of El Paso, 2017-DCV-2528, 384th District Court, El Paso County, Texas on appeal in the Second District Court of Appeals, Ft. Worth, Texas ("Lawsuit No. 2"); and

Max Grossman v. Laura D. Prine, Mayor Dee Margo and the City Council, No. 2018DCV2172, 71st District Court, El Paso, Texas ("Lawsuit No. 3").

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

NAYS: Representative Annello

ABSENT: Representative Hernandez

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ADJOURN

Motion made by Representative Ordaz Perez, seconded by Mayor Pro Tempore Noe, and unanimously carried to **ADJOURN** this meeting at 2:30 p.m.

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

NAYS: None

ABSENT: Representative Hernandez

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk