

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
PETER SVARZBEIN, 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

MINUTES FOR REGULAR COUNCIL MEETING

**November 3, 2015
COUNCIL CHAMBERS, CITY HALL
8:00 AM**

ROLL CALL

The City Council met in regular session at the above place and date. Meeting was called to order at 8:02 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Larry Romero, Emma Acosta, Carl Robinson, Michiel Noe, Claudia Ordaz, and Lilia Limón. Late arrivals: Peter Svarzbein at 8:06 a.m. and Cortney Niland at 8:09 a.m. The invocation was given by Police, Fire and CIMA Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY POLICE, FIRE AND CIMA CHAPLAIN SAM FARAONE

PLEDGE OF ALLEGIANCE

Stanton Elementary

**Yoshua Yhisreal
Vivian Luna
Daniella Bohd
Mabel Caraveo
Justin Yhisreal
Alondra Royval
Lydia Reveles**

NOTICE TO THE PUBLIC – CONSENT AGENDA

Motion made by Mayor Pro Tempore Noe, seconded by Representative Romero, 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, Romero, Acosta, Robinson, Noe, Ordaz, Limón, and Niland
NAYS: None

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CONSENT AGENDA - APPROVAL OF MINUTES:

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

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- 1.1. *Motion made, seconded, and unanimously carried to **APPROVE** Minutes for the Regular City Council Meeting of October 27, 2015, the Legislative Review Meetings of the Whole of October 19, 2015 and October 26, 2015.
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CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

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2. REQUEST TO EXCUSE COUNCIL MEMBERS:

NO ACTION taken on this item.

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CONSENT AGENDA - RESOLUTIONS:

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

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- 3.1.1. *Motion made, seconded, and unanimously carried to **DELETE** a Resolution authorizing the City Manager to sign the First Amended and Restated Hotel Site Lease by and between the City of El Paso ("Lessor") and EP Vida, LLC ("Lessee") for the following described property: 376,174.23 sf, more or less, being Lots 1, 2, and 3, Block 5A, and Lots 1, 2, and 3, Block 5B, El Paso International Airport tracts, Replat of Unit 3, Replat "B", City of El Paso, El Paso County, Texas ("Premises"). The Premises shall consist of a Hotel Site, the commercial/Retail Parcels, an Open Space Site, and a Private Street.
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- 3.1.2. *Motion made, seconded, and unanimously carried to **DELETE** a Resolution authorizing the City Manager to sign the First Amendment to Chapter 380 Economic Development Program Agreement between the City of El Paso and EP Vida, LLC allowing the parties to modify the timeline obligations in the Agreement. This timeline modification is necessitated due to pending litigation which has rendered impossible Applicant's performance of duties and obligations under the terms and conditions in the Economic Development Program Agreement executed by the parties on or about May 28, 2013.
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- 3.1.3. *Motion made, seconded, and unanimously carried to **DELETE** a Resolution authorizing the City Manager be authorized to sign the First Amendment to Hotel and Convention Services Agreement between the City of El Paso and EP VIDA, LLC allowing the parties to modify the timeline obligations in the Agreement. This timeline modification is necessitated due to pending litigation which has rendered impossible Applicant's performance of its duties and obligations under the terms and conditions in the Hotel and Convention Services Agreement executed by the parties on or about May 28, 2013.
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3.2. *RESOLUTION

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

That the City Manager be authorized to sign a Consent of Assignment from Armando and Irma Araiza to Guido Salazar Development LLC, with respect to the City of El Paso's Chapter 380 Economic Development Program (Infill Construction Materials Sales Tax Rebate) Agreement.

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

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

WHEREAS, Adriana Bustillos, (hereinafter referred to as "Grantee") has submitted an application for a Special Privilege Permit pursuant to Title 15.08.120 (D) of the El Paso City Code, for the use and closure of rights-of-way within the City of El Paso's (hereinafter referred to as "the City") for the All Female Art Show Artestas Femeninas from 6:00 a.m. on Saturday, November 14, 2015 to 6:00 a.m. on Sunday, November 15, 2015 (hereinafter referred to as "Event"); and

WHEREAS, The City has found the Event serves a public purpose; and

WHEREAS, The State of Texas (hereinafter referred to as the "State") owns and operates a system of highways for public use and benefit, including Texas Avenue (SH 20) within El Paso, Texas; and

WHEREAS, The Event will utilize both City and State rights-of-way; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of portions of the State Highway System for periods of time exceeding four hours; and

WHEREAS, the State in recognition of the public purpose for the Event, provides a means of cooperating with the City for the temporary closure of State right-of-way, provided the closure is in accordance with the requirements of 43 TAC, Section 22.12 and the City enters into an Agreement for the Temporary Closure of State Right-of-Way for the Event (Form TEA 30A).

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

That the closure of rights-of-way within the City of El Paso for the All Female Art Show Artestas Femenina from 6:00 a.m. on Saturday, November 14, 2015 to 6:00 a.m. on Sunday, November 15, 2015 serves the public purpose of providing cultural and recreational activities for the residents and visitors of the City of El Paso, and in accordance with 43 TAC, Section 22.12, the City Manager is authorized to sign an Agreement For The Temporary Closure of State Right Of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the temporary closure and use of State owned and operated street(s) in excess of four hours for portions of Texas Avenue (SH 20), and the companion Agreement between the City of El Paso and Adriana Bustillos ("Grantee") for the Event, whereby Grantee shall assume responsibilities for the event upon the issuance of required permits from the City of El Paso and substantial conformity to the finalized TEA30 agreement between the City of El Paso and State of Texas Department of Transportation.

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 Council approves a Change Order in the amount of Three Hundred Nine Thousand Eight Hundred Eighty Four and 06/100 Dollars (\$309,884.06) to Ultimate Concrete, LLC. for additional quantities necessary to close out the project for the Montwood Street and Drainage Improvements, Contract No 2012-166. No additional days will be added to contract number 2012-166. The new contract sum, including this change order is Twelve Million, Eight Hundred Fifty Five Thousand One Hundred Ninety Six and 68/100 (\$12,855,196.68).

CONSENT AGENDA - BOARD RE-APPOINTMENTS:

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

6.1. *Motion made, seconded, and unanimously carried to **APPROVE** the notification of Reappointment of Robert Tollen to the El Paso Firemen & Policemen's Pension Board by Mayor Oscar Leeser.

6.2. *Motion made, seconded, and unanimously carried to **APPROVE** the notification of Reappointment of Presi Ortega to the El Paso Firemen & Policemen's Pension Board by Mayor Oscar Leeser.

CONSENT AGENDA - BOARD APPOINTMENTS:

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

7.1. *Motion made, seconded, and unanimously carried to **APPOINT** Ismael Legarreta to the Greater El Paso, Civic, Convention and Tourism Advisory Board by Representative Lily Limón, District #7.

CONSENT AGENDA - NOTICE FOR NOTATION:

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

8.1. *Motion made, seconded, and unanimously carried to **APPROVE** a donation of \$250.00 from Arrow Building Corporation for Movies in the Park, District 5.

CONSENT AGENDA - BIDS:

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

9.1. *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing to exercise the City's option to extend current Contract 2013-004 GMC/Chevrolet – Proprietary Parts and Service with Rush Truck

Center of Texas, LP dba Rush Truck Center El Paso for one (1) additional year pursuant to the provisions of an award approved by the City Council on December 11, 2012. The extended contract period will be from December 11, 2015 to December 10, 2016.

Department:	Streets & Maintenance – Fleet
Award to:	Rush Truck Center of Texas, LP dba Rush Truck Center El Paso Houston, Texas
Option:	One Year
Annual Estimated Amount:	\$50,000.00
Total Estimated Amount:	\$200,000.00
Account No.:	532 – 37020 – 531210 – 3600 – P3711 532 – 37020 – 531250 – 3600 – P3701
Funding Source:	Inventory Purchases Materials and Supplies Equipment Outside Repair Services

This is a Low Bid contract.

MAYOR’S PROCLAMATIONS

- 1. Rochelle Nieman Memorial Run CONQUER RACE
AGAINST OVARIAN CANCER**
- 2. Eat Local Homegrown Week**
- 3. Warrior Care Month**

RECOGNITIONS

Recognition for District 3 2015 Movies Under the Stars Sponsor & Partners

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

The following members of the public commented:

1. Ms. Wally Cech
2. Mr. Salvador Gomez
3. Mr. Hector Gonzales
4. Mr. Arnulfo Hernandez
5. Mr. Pierre Andre Euzarraga
6. Ms. Mary Elizabeth Legorreta

Motion made by Representative Niland, seconded by Representative Ordaz, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the signup period.

Mayor Leaser and Representatives Noe and Niland commented.

REGULAR AGENDA - OTHER BUSINESS

10. MAYOR AND COUNCIL

- 10.1. Discussion and action on the status of the alternative projects for multimodal use: Riverbend, Resler, Viscount, Independence Pedestrian and Bicycle enhancements. The projects have been let, yet a status to the neighborhoods has not been provided. When will the contracts be on the agenda for award? What is the timeline for construction?

Ms. Monica Lombrana, Director of Capital Improvement, presented a PowerPoint presentation (copy on file in City Clerk's Office).

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

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION taken on this item

- 10.2. Discussion and action on the Florence Street Vacation per the applicant.

Mr. Carlos Gallinar, Deputy Director Planning Division, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representative Niland commented.

NO ACTION taken on this item

- 10.3. *Motion made, seconded, and unanimously carried to **DELETE** the item for discussion and action on staff providing adequate information and updates on the Riverbend Hike and Bike Trail.

- 10.4. Discussion and action on the Love Road Neighborhood Improvement Project.

Ms. Monica Lombrana, Director of Capital Improvement, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Noe and Niland commented.

Mr. Tommy Gonzalez, City Manager, commented.

Ms. Alma Ramsey, Love Road Neighborhood Association, commented.

NO ACTION taken on this item

REGULAR AGENDA - FIRST READING OF ORDINANCES

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

11. **Goal 1: Create an Environment Conducive to Strong, Sustainable**

Economic Development:

- 11.1. An Ordinance granting a Special Privilege License to Integra El Paso, LLC for the construction, installation, maintenance, use, and repair of one (1) subsurface retaining wall within portions of City right-of-way along Alabama Street adjacent to the property located at 5312 Alabama Street, El Paso, Texas. (NESV2015-00017)

PUBLIC HEARING WILL BE HELD ON NOVEMBER 10, 2015

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

- 12.1. Motion made by Representative Niland, seconded by Representative Limón, and unanimously carried to **AWARD** Solicitation No. 2015-1093 (Traffic Signal Heads) to General Traffic Equipment Corp. for an initial term estimated award of \$447,750.00. The award is to include a two (2) year optional amount of \$298,500.00 for a total five (5) year award of \$746,250.00.

Department:	Streets and Maintenance
Award to:	General Traffic Equipment Corp. Newburgh, NY
Item(s):	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$149,250.00
Initial Term Estimated Award:	\$447,750.00 (3 years)
Total Estimated Award:	\$746,250.00 (5 years)
Account No.:	532-32020-532030-1000-P3252
Funding Source:	Public Access Maintenance & Repair General Fund

This is a low bid unit price type contract.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance recommend award as indicated to General Traffic Equipment Corp., the lowest responsive, responsible bidder.

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

- 12.2. Motion made by Representative Romero, seconded by Representative Limón, and unanimously carried to **AUTHORIZE** the Director of the Purchasing & Strategic Sourcing Department to issue a Purchase Order to Skidcar Systems, Inc. the sole source provider of the Skidcar System, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department:	Police Department
Award to:	Skidcar System, Inc.

	Las Vegas, Nevada
Total Estimated Award:	\$61,250.00
Account No.:	321 – 21270 – 580070 – 4342 – P5002320
Funding Source:	State Confiscated Funds – Public Safety Equipment
Sole Source No.:	2015-1215

This is a sole source, type contract.

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

13.1. RESOLUTION

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

That the City Council approves the expenditure of additional available funding in the amount of One Million Twenty Six Thousand One Hundred Ten and 00/100 Dollars (\$1,026,110.00) to J.A.R. CONCRETE, INC. dba JAR Construction Inc. for Contract No. 2014-051 Roadway, Sitework and Parkway Improvements. The construction quantity notice provides for the increase in estimated quantities, which allow for additional capacity. Inclusive of this quantity notice three hundred sixty five consecutive days will be added to Contract No. 2014-051. The new contract sum, including this construction quantity notice is Five Million Two Hundred Seventy Nine Thousand Four Hundred Seventy and 00/100 Dollars (\$5,279,470.00).

Representative Niland commented.

Ms. Monica Lombrana, Director of Capital Improvement, commented.

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

13.2. RESOLUTION

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

That the City Manager be authorized to sign a Second Amendment to Agreement for Professional Services by and between the CITY OF EL PASO and KIMLEY-HORN AND ASSOCIATES, INC., a North Carolina Corporation, for a project known as "RECONSTRUCTION OF RUNWAY 8L-26R, TAXIWAY "U", "V" AND NEW PARALLEL TAXIWAY", for the Consultant to provide additional earthwork analysis, project deliverables and construction services for an amount not to exceed One Hundred Ten Thousand Four Hundred Thirty Six and 58/100 Dollars (\$110,436.58); and that the new contract sum, including this amendment is One Million Three Hundred Twenty One Thousand Five Hundred Fifty Four and 66/100 (\$1,321,554.69); and that the Federal Aviation Administration ("FAA") contract provisions are incorporated to this Agreement as Attachment "F".

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

13.3. RESOLUTION

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

That the City Council approves a deductive Construction Change Order in the amount of One Million Forty One Thousand Nine Hundred Thirteen and 36/100 Dollars (\$1,041,913.36) to Jordan Foster Construction, LLC. due to the savings created by design modifications to the structural plans of the utility concrete cap, the deletion of the proposed installation of the navigational aid equipment as directed by the FAA and by the use of on-site soil material for the Reconstruction of Runway 8L-26R, Taxiway U & V and Construction of New Parallel Taxiway & Connectors, Solicitation No 2014-523. Forty Five (45) days will be added to contract number 2014-523. The new contract sum, including this deductive construction change order is Sixteen Million Seven Hundred Twelve Thousand Three Hundred Forty and 44/100 (\$16,712,340.44).

Mr. Tommy Gonzalez, City Manager, commented.

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

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- 13.4.** Motion made by Representative Romero, seconded by Representative Niland, and unanimously carried to **AWARD** Solicitation No. 2016-007 (Preformed Street Markings) to Flint Trading, Inc. for an initial term estimated award of \$730,410.00. The award is to include a two (2) year optional amount of \$486,940.00 for a total five (5) year award of \$1,217,350.00.

Department:	Streets and Maintenance
Award to:	Flint Trading, Inc. Thomasville, NC
Item(s):	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$243,470.00
Initial Term Estimated Award:	\$730,410.00 (3 years)
Total Estimated Award:	\$1,217,350.00 (5 years)
Account No.:	532-32020-532030-1000-P3254
Funding Source:	Public Access Maintenance & Repair General Fund

This is a low bid unit price type contract.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance recommend award as indicated to Flint Trading, Inc., the lowest responsive, responsible bidder.

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

Representative Limón commented.

The following City staff members commented:

1. Mr. Ted Marquez, Director of Streets and Maintenance
2. Ms. Rebecca Torres, Purchasing and Strategic Sourcing

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**REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF
ORDINANCES**
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14. Goal 3: Promote the Visual Image of El Paso
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14.1. ORDINANCE 018434
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The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST15-00026 TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN LOT AREA AND WIDTH, ON THE PROPERTY DESCRIBED AS A PORTION OF TRACT 85, MAP OF SUNRISE ACRES NO. 1, 8420 LEO STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 8420 LEO STREET. PROPERTY OWNER: MDA INVESTMENTS, L.L.C. PZST15-00026**

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

AYES: Representatives Svarzbein, Romero, Acosta, Robinson, Noe, Ordaz, Limón, and Niland
NAYS: None

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

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14.2. ORDINANCE 018435
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The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST15-00027 TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN LOT AREA AND WIDTH, AND A REDUCTION IN CUMULATIVE FRONT AND REAR YARD SETBACK, ON THE PROPERTY DESCRIBED AS LOT 24, BLOCK 2, SALAS SUBDIVISION, 192 RIO ROAD, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 192 RIO ROAD. PROPERTY OWNER: MJ REAL PROPERTIES. PZST15-00027**

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

AYES: Representatives Svarzbein, Romero, Acosta, Robinson, Noe, Ordaz, Limón, and Niland
NAYS: None

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

14.3.

ORDINANCE 018436

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, BLOCK 341, VISTA DEL SOL UNIT SIXTY NINE, 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. SUBJECT PROPERTY: WEST OF ZARAGOZA ROAD AND NORTH OF ROJAS DRIVE. PROPERTY OWNER: GEORGE R. GONZALEZ AND TEXTAPE, INC. PZRZ15-00023**

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

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

NAYS: None

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

14.4.

ORDINANCE 018437

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST15-00030, TO ALLOW FOR A GROUND-MOUNTED 65' PERSONAL WIRELESS SERVICE FACILITY ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 1, BLOCK 12, UNIT THREE EASTSIDE INDUSTRIAL DISTRICT, 1040 HAWKINS BOULEVARD, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.455 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 1040 HAWKINS BOULEVARD. PROPERTY OWNER: RUBEN NARES, JR. PZST15-00030**

Motion duly made by Representative Acosta, 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 resulted as follows:

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

NAYS: None

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

14.5. **1ST MOTION**

Motion made by Representative Noe, seconded by Representative Niland, and carried

to **POSTPONE** three weeks an Ordinance changing the zoning of Tract 17A & 17B, Block 29, Ysleta Grant & Tracts A & B & a portion of Tracts C & D, Henderson Subdivision, 8020 Alameda 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. Subject Property: 8020 Alameda Avenue. Property Owner: Finn's Real Estate Venture, LLC. PZRZ11-00055. THIS IS AN APPEAL CASE.

AYES: Representatives Svarzbein, Romero, Acosta, Robinson, Noe, Ordaz, and Niland

NAYS: Representative Limón

2nd MOTION

Motion made by Representative Svarzbein, seconded by Representative Romero, and unanimously carried to reconsider the item.

3rd AND FINAL MOTION

Motion made by Representative Limón, seconded by Representative Ordaz, and unanimously carried to **POSTPONE** two weeks an Ordinance changing the zoning of Tract 17A & 17B, Block 29, Ysleta Grant & Tracts A & B & a portion of Tracts C & D, Henderson Subdivision, 8020 Alameda 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. Subject Property: 8020 Alameda Avenue. Property Owner: Finn's Real Estate Venture, LLC. PZRZ11-00055. THIS IS AN APPEAL CASE.

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

The following City staff members commented:

1. Ms. Sylvia Firth, City Attorney, gave legal advice.
2. Mr. Carlos Gallinar, Deputy Director for Planning Division

The following members of the public commented:

1. Mr. David Ellis, representing applicant
2. Mr. Steve Finn, applicant/owner

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

15.1. ORDINANCE 018438

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A LEASE AND CONCESSION AGREEMENT WITH RUBEN HOLGUIN CUELLAR, DBA RENT-A-CHEF CATERING FOR THE LEASE OF THE FACILITY LOCATED AT SAN JACINTO PLAZA KNOWN AS THE SAN JACINTO PLAZA CAFÉ, CONSISTING OF 177 SQUARE FEET FOR A ONE-YEAR TERM COMMENCING ON THE DATE THE CITY APPROVES THE LEASE AND ENDING ONE YEAR FROM THE RENT COMMENCEMENT DATE, AT AN ANNUAL RENT OF \$5,400.00 AND AN ANNUAL CONCESSION FEE OF \$600.00 TO BE PAID ON A QUARTERLY BASIS, AND THAT THERE IS ONE OPTION TO EXTEND**

THE TERM FOR ONE ADDITIONAL YEAR BY THE CITY MANAGER UNDER THE SAME TERMS AND CONDITIONS.

Mr. Tracy Novak, Director of Parks and Recreation, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Limón and Niland commented.

Motion duly made by Representative Niland, 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 resulted as follows:

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

NAYS: None

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

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REGULAR AGENDA - OTHER BUSINESS
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16. Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
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16.1. RESOLUTION

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

That the City Manager be authorized to sign a First Amendment to an existing Chapter 380 Economic Development Incentive Agreement by and between the City of El Paso and Summit 11 Investment Group LLC for the redevelopment of a building for the use of a hotel located at 325 N. Kansas, El Paso, Texas.

Ms. Jessica Herrera, Redevelopment Manager, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Noe and Niland commented.

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

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16.2. RESOLUTION

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

That the City of El Paso Incentives Policy – Guidelines & Criteria attached hereto as Exhibit "A" be adopted as the City of El Paso Incentives Policy.

Mr. Cary Westin, Director of Economic and International Development, presented a PowerPoint presentation (copy on file in City Clerk's Office).

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

The following City staff members commented:

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

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

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

17.1. RESOLUTION

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

That the City Council hereby waives the two factor requirement to designate a property with an infill development overlay pursuant to Municipal Code, Section 20.10.280A for the following property legally described as Lot 14, Block 389, Tierra Del Este #69, 14504 Long Shadow Avenue, City of El Paso, El Paso County, Texas.

The following City staff members commented:

1. Mr. Larry Nichols, Director of Planning and Inspections
2. Ms. Sylvia Firth, City Attorney, gave legal advice.

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

17.2. RESOLUTION

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

That the City Council hereby waives the two factor requirement to designate a property with an infill development overlay pursuant to Municipal Code, Section 20.10.280A for the following property legally described as Tract 3B1, Block 42, Ysleta Grant, 216 Emma Way, City of El Paso, El Paso County, Texas.

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

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

18.1. DoITS Lean Six Sigma Project Presentation Landline Telephone & Internet Cost Reduction

Mr. Roman Sanchez, Business Systems Analyst, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Acosta and Limón commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Enrique Martinez, Director of Information Technology
3. Ms. Nancy Bartlett, Chief Performance Officer
4. Dr. Mark Sutter, Chief Financial Officer

NO ACTION taken on this item.

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 be authorized to sign the Contract for Assistance between the City of El Paso ("City") and The University of Texas at Arlington ("UTA"), under which UTA, through its research center known as TMAC-Metroplex, to continue to provide the City with Lean Six Sigma Program training, for a period beginning November 3, 2015 and continuing through December 31, 2016, or until the agreed upon services have been fully provided, for a cost not to exceed \$85,000.00, plus travel expenses.

Ms. Nancy Bartlett, Chief Performance Officer, presented a video presentation (copy on file in City Clerk's Office).

Representative Limón commented.

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

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

19.1.

R E S O L U T I O N

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

That the Mayor be authorized to sign a Memorandum of Understanding by and between the U.S. Department of Homeland Security, U.S. Customs and Border Protection ("CBP"), the U.S. General Services Administration and the City of El Paso ("City"), to allow for planning and development activities to occur regarding the City's removal of a traffic median at the Ysleta Port of Entry and reconstruction of the affected commercial inspection lanes in accordance with CBP's operational needs ("Project"), which could result in a future Donation Acceptance Agreement for the actual construction of said Project.

Mr. Mathew McElroy, Director of International Bridges, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Ordaz, Limón, and Niland commented.

Mr. Tommy Gonzalez, City Manager, commented.

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

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EXECUTIVE SESSION

Motion made by Representative Niland, seconded by Representative Svarzbein, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 1:03 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.087 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATIONS REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Motion made by Representative Niland, seconded by Representative Robinson, and unanimously carried to adjourn the Executive Session at 2:00 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

EX1. *Motion made, seconded, and unanimously carried to **DELETE** the item regarding EP Hotel Partners, LP et al v. City of El Paso, et al, No. 2014DCV0727, in the County Court at Law Number 5, El Paso County, Texas. (Section 551.071)

EX2. Motion made by Representative Robinson, seconded by Representative Niland, and unanimously carried to **POSTPONE** two weeks the item regarding monthly update from Legal Department regarding pending litigation, claims, real estate transactions and contract negotiations. (Sections 551.071, 551.072, 551.074 and 551.087)

EX3. El Paso Municipal Police Officers Association Grievance; Matter No. 15-1026-6678 (551.071)

NO ACTION taken on this item.

EX4. San Jacinto Plaza Redesign, Solicitation No. 2014-043; Matter No. 12-1004-214 (551.071)

NO ACTION taken on this item.

EX5. Barron Park, Contract No. 2014-007; Matter No. 13-1004-392 (551.071)

NO ACTION taken on this item.

EX6. PUC Docket No. 44941 – Application of El Paso Electric Company to Change Rates (551.071)

Mr. John Vandeven, citizen, commented.

Ms. Blanca Gadney-Moss, not present. City Clerk read her statement into the record.

NO ACTION taken on this item.

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ADJOURN

Motion made by Representative Niland, seconded by Representative Romero, and unanimously carried to **ADJOURN** this meeting at 2:07 p.m.

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk