

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
LARRY ROMERO, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHIEL R. NOE, DISTRICT 5
CLAUDIA ORDAZ, DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

November 4, 2014
COUNCIL CHAMBERS, CITY HALL
8:00 AM

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ROLL CALL

The City Council met in regular session at the above place and date. Meeting was called to order at 8:03 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Larry Romero, Emma Acosta, Carl Robinson, Michiel R. Noe, Lilia Limón, and Cortney Carlisle Niland. Late arrival: Claudia Ordaz at 8:04 a.m. The invocation was given by Police, Fire and CIMA Chaplain Carlos Clugy-Soto, followed by the Pledge of Allegiance to the Flag of the United States of America.

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INVOCATION BY CIMA CHAPLAIN CARLOS CLUGY-SOTO

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PLEDGE OF ALLEGIANCE

Hart Elementary School

Jose Montoya
Angel Ruelas
Sebastian Morales
Alejandra Martinez
Paris Guerrero
Kimberly Lugo

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

1. Ms. Lilia Dove
2. Mr. Michael Churchman
3. Ms. Stephanie Sotelo
4. Ms. Wally Cech
5. Mr. Steven Strumer
6. Mr. Jerry Thiedt

Mayor Leeser and Representatives Limón and Noe commented.

Mr. Tommy Gonzalez, City Manager, commented.

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MAYOR’S PROCLAMATIONS

- 1. **1. The 120th Anniversary of El Paso Public Library, the First Public Library of Texas**
- 2. **2. Cielo Vista Mall 40th Anniversary**
- 3. **3. Area 19 Special Olympics Fall Games Week**

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RECOGNITIONS

Civilian Citation: Highest Honor the Fire Department Bestows On Civilians

**Marco Montelongo, Teacher
David Cortez, Teacher
Mike Wilburn, KTSM Photographer**

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NOTICE TO THE PUBLIC

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Niland, 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 Romero, Acosta, Robinson, Noe, Ordaz, Limón, and Niland
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Lilly

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1. APPROVAL OF MINUTES:

Motion made, seconded, and unanimously carried to **APPROVE** minutes for the Regular City Council Meeting of October 28, 2014 and the Legislative Review Meeting of the Whole of October 27, 2014.

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2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

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3. RESOLUTIONS:

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3.1. *RESOLUTION

WHEREAS, the By-laws and Procedures for the Metropolitan Planning Organization’s Transportation Policy Board (TPB) provide that the City of El Paso’s representation on the TPB shall be equal to the number of unincorporated Texas municipalities who have representation on the TPB;

WHEREAS, the City of San Elizario became a member of the TPB on September 22, 2014;

WHEREAS, the City of El Paso now desires to appoint an additional representative of the City to the TPB; and

WHEREAS, the City of El Paso now desires to appoint Ted Marquez as a City representative to the TPB.

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

That Ted Marquez, Director, Department of Transportation, be appointed as a City representative to the Transportation Policy Board for the Metropolitan Planning Organization, effective immediately.

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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 of El Paso approve a renewal for the Fiscal Year 2015 Interlocal Agreement for the TJJD Grant "S" between the Municipal Court of the City Of El Paso and The County Of El Paso, on behalf of the El Paso County Juvenile Probation Department., in order to provide funding for the Juvenile Case Management Program at the Municipal Court. The City of El Paso will be reimbursed for all expenses related to Grant "S". This is the third year of the grant; the original grant was awarded in 2012.

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REGULAR AGENDA - INTRODUCTIONS

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4. **INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

Motion made by Mayor Pro Tempore 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, AS REVISED** for public hearing:

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4.1. An ordinance authorizing the City Manager to sign a purchase agreement with MCA Tech Park In. and MCA Revere Realty, Inc. for the sale of Lot 1A, Clock 1, Colfax MCA Addition Replat "A", an addition to the City of El Paso, El Paso County, Texas and a portion of Lot 1, Block 1, Colfax MCA Addition, an addition to the City of El Paso, El Paso County, Texas.

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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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5. **ENGINEERING AND CONSTRUCTION MANAGEMENT:**

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5.1. Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried to **AWARD** Solicitation No.2014-339 for Downtown Train Way Bridge Reconstruction - Kansas and Santa Fe Bridge to International Eagle Enterprises, Inc., for an estimated total amount of \$1,097,126.00.

Department:	Engineering and Construction Management
Award to:	International Eagle Enterprises, Inc. El Paso, TX
Base Bid I:	\$452,328.00
Base Bid II:	\$541,178.00
Base Bid III:	\$103,620.00
Total Estimated Award:	\$1,097,126.00.
Time for Completion:	140 Consecutive Calendar Days
Accounts:	190-4710-28300-580270-PCP10ST090 190-4950-38170-580270-PCP10ST090
Funding Source:	FHWA- Bridge Reconstruction \$772,232.00 2009 Certificates of Obligation \$221,274.00 El Paso Water Utilities \$103,620.00

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

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

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

This is a low bid, unit-price contract. The Engineering & Construction Management Department recommends award to the lowest responsive and responsible bidder and that MGB Group, Inc. be deemed non-responsive for their failure to meet the minimum requirements found in the solicitation package.

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REGULAR AGENDA – PUBLIC HEARINGS

6. CITY DEVELOPMENT:

6.1. ORDINANCE 018270

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 24, BLOCK 1, ALTA-MIRA ADDITION, 1200 CHELSEA STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-O (APARTMENT-OFFICE), AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 1200 CHELSEA STREET. PROPERTY OWNER: NICOLAUS MAASS & JUNG KU. PZRZ14-00035**

Mr. Carlos Gallinar, Deputy Director of Planning Division, presented a PowerPoint

presentation (copy on file in City Clerk's Office).

Mayor Leeson and Representative Romero commented.

The following members of the public commented:

1. Ms. Beatriz Baeza
2. Mr. Guadalupe Martinez, Jr.

Motion duly made by Representative Romero, seconded by Mayor Pro Tempore 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 Lilly, 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**.

ITEMS 6.2.1. AND 6.2.2. TAKEN TOGETHER

- 6.2.1.** Motion made by Representative Ordaz, seconded by Mayor Pro Tempore Niland, and unanimously carried to **POSTPONE** one week an Ordinance changing the zoning of a portion of Lot 8, Block 6, Maria Seanes Estates, Unit 1, being a portion of Section 8, Block 79, Township 3, Texas and Pacific Railroad Surveys, 1614 Jose Bombach Drive, City of El Paso, El Paso County, Texas from R-3A/c/sp (Residential/condition/special permit) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1614 Jose Bombach. Property Owner: Tepabe Properties, LLC. PZRZ14-00024

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

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

Representative Ordaz commented.

- 6.2.2.** Motion made by Representative Ordaz, seconded by Mayor Pro Tempore Niland, and unanimously carried to **POSTPONE** one week an Ordinance releasing all conditions placed on the property by Ordinance No. 8054 and Ordinance No. 14578, and imposing conditions, on the following real property: Parcel 1: Portion of Lot 8, Block 6, Maria Seanes Estates, Unit 1, being a portion of Section 8, Block 79, Township 3, Texas and Pacific Railroad Surveys, 1614 Jose Bombach Drive, City of El Paso, El Paso County, Texas; and, Parcel 2: Portion of Lot 8, Block 6, Maria Seanes Estates, Unit 1, being a portion of Section 8, Block 79, Township 3, Texas and Pacific Railroad Surveys, 1614 Jose Bombach Drive, City of El Paso, El Paso County, Texas; and, Parcel 3: Portion of Lot 8, Block 6, Maria Seanes Estates, Unit 1, being a portion of Section 8, Block 79, Township 3, Texas and Pacific Railroad Surveys, 1614 Jose

Bombach Drive, 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: 1614 Jose Bombach Drive. Property Owner: Tepabe Properties, LLC. PZCR14-00005

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

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

Representative Ordaz commented.

6.3.

ORDINANCE 018271

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE SOUTHERLY 140 FEET OF BLOCKS 201 AND 202 AND THE VACATED ALLEY AND STREET BETWEEN, CAMPBELL ADDITION, 216. S. OCHOA STREET AND 811-813 E. FIRST AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM M-1 (MANUFACTURING) AND M-1/SP (MANUFACTURING/SPECIAL PERMIT) TO C-4 (COMMERCIAL), AND REPEALING ORDINANCE NO. 012649 GRANTING SPECIAL PERMIT NO. SP-95 PERMITTING THE OFF-STREET PARKING OF 301 S. OCHOA TO BE SATISFIED ONSITE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 216 S. OCHOA STREET AND 811 – 813 FIRST AVENUE. PROPERTY OWNER: BLK INVESTMENTS 2 FAMILY LIMITED PARTNERSHIP. PZRZ14-00030**

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative 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 Lilly, 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**.

6.4.

ORDINANCE 018272

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 4C, (ALSO KNOWN AS TRACT 4C2 AND 4C1A), BLOCK 52, YSLETA GRANT, 9850 SOCORRO ROAD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2/SC (APARTMENT/SPECIAL CONTRACT) AND A-2/H/SC APARTMENT/HISTORIC/ SPECIAL CONTRACT) TO C-1/SC (COMMERCIAL/SPECIAL CONTRACT) AND C-1/H/SC (COMMERCIAL/HISTORIC/ SPECIAL CONTRACT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 9850 SOCORRO ROAD. PROPERTY OWNER: JAMES R. GONZALEZ. PZRZ14-00039**

Representative Ordaz commented.

Mr. Carlos Gallinar, Deputy Director of Planning Division, commented.

Motion duly made by Representative Ordaz, seconded by Mayor Pro Tempore 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 Lilly, 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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6.5.

ORDINANCE 018273

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST14-00020, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED LOT SIZE, REAR YARD SETBACK, AND CUMULATIVE FRONT AND REAR YARD SETBACKS ON THE PROPERTY DESCRIBED AS LOT 4, BLOCK 29, COLONIA DEL VALLE UNIT TWO, 9325 MILPAS LANE, 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: 9325 MILPAS LANE. PROPERTY OWNER: JESSICA NUNO. PZST14-00020**

Motion duly made by Representative Ordaz, seconded by Representative Romero, 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 Lilly, Romero, Acosta, Robinson, Ordaz, Limón, and Niland
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Noe

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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6.6.

ORDINANCE 018274

The City Clerk read an Ordinance entitled: **AN ORDINANCE REPEALING ORDINANCE NO. 017678 DATED NOVEMBER 29, 2011 WHICH GRANTED A SPECIAL PRIVILEGE LICENSE TO J.D. ABRAMS, LP FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND REPAIR OF A 380 LINEAR FOOT SUBSURFACE HMAC TY C TEMPORARY WATER LINE WITHIN PORTIONS OF CITY RIGHT-OF-WAY BENEATH FLOWER DRIVE BETWEEN FRANCIS STREET AND MODESTO GOMEZ PARK AND A PORTION OF MODESTO GOMEZ PARK**

AND BETWEEN FLOWER DRIVE AND HIGHWAY LOOP 375 (CESAR CHAVEZ HIGHWAY) FOR A TERM OF FIVE YEARS WITH ONE RENEWABLE FIVE YEAR TERM, THEREBY TERMINATING THE SPECIAL PRIVILEGE LICENSE.

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative Romero, 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 Lilly, Romero, Acosta, Robinson, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

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

6.7.

ORDINANCE 018275

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A 0.0578 ACRE PORTION OF DRAINAGE RIGHT-OF-WAY, LEGALLY DESCRIBED AS A PORTION OF LOT 1A, BLOCK 1, DESERT AIRE PARK REPLAT A, CITY OF EL PASO, EL PASO COUNTY, TEXAS AND ADJACENT TO LOT 4, BLOCK 1, DESERT AIRE PARK REPLAT A, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

Mr. Carlos Gallinar, Deputy Director of Planning Division, commented.

Motion duly made by Representative Robinson, seconded by Representative Romero, 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 Lilly, Romero, Acosta, Robinson, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

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

7. EL PASO WATER UTILITIES

7.1.

ORDINANCE 018276

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT OF SALE AND A SPECIAL WARRANTY DEED CONVEYING A 1.17 ACRE PARCEL OF LAND BEING DESCRIBED AS LOTS 16 & 17 AND LOTS 23-28, HILL TERRACE ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND ANY OTHER DOCUMENTS NECESSARY TO COMPLETE THE SALE TO ANVIA L.L.C.**

Motion duly made by Representative Romero, seconded by Mayor Pro Tempore 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 Lilly, Romero, Acosta, Robinson, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

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

8. ECONOMIC AND INTERNATIONAL DEVELOPMENT:

8.1.

R E S O L U T I O N

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

That the City Manager be authorized to execute a First Amendment to Chapter 380 Economic Development Agreement between the City and **NORTH DESERT PALMS. LTD** (Applicant) regarding Applicant's construction of a large-scale multi-family housing development in El Paso, Texas which extends the deadline to obtain a certificate of occupancy for the development and provides additional consideration to the City for the agreed upon extension.

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 Robinson, Acosta, Ordaz and Niland commented.

Mr. Tommy Gonzalez, City Manager, commented.

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

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Limón, and Niland

NAYS: Representative Ordaz

ITEMS 8.2.1. AND 8.2.2. TAKEN TOGETHER

8.2.1.

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 execute a Tax Abatement Agreement between the City of El Paso and Ricardo Benavente pursuant to the City's Infill Development Incentive Policy, for the construction of two quadraplexes on the vacant lot located at 5301, 5305, and 5309 Ridge St., El Paso, Texas 79932.

Ms. Nickole Heater Economic Development Liaison, presented a PowerPoint

presentation (copy on file in City Clerk's Office).

Motion made by Representative Lilly, seconded by Representative Noe, and unanimously carried to **APPROVE** the Resolution.

8.2.2

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 execute a Chapter 380 Economic Development Sales Tax Rebate Program Agreement by and between the City of El Paso and Ricardo Benavente pursuant to the City's Infill Development Incentive Policy for the construction of two quadraplexes on the vacant lot located at 5301, 5305, and 5309 Ridge St., El Paso, Texas 79932.

Ms. Nickole Heater Economic Development Liaison, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Motion made by Representative Lilly, seconded by Representative Noe, and unanimously carried to **APPROVE** the Resolution.

9. **PARKS AND RECREATION:**

9.1.

R E S O L U T I O N

WHEREAS, the Mayor and City Council accept the recommendation from the Parks and Recreation Advisory Board to rename Pollard Veterans Memorial Park located at 4500 Pollard Street within the City of El Paso, El Paso County, Texas, as **Jorge Almada Park**.

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

THAT the Pollard Veterans Memorial Park, located at 4500 Pollard Street, El Paso County, Texas, shall henceforth be renamed and known as **Jorge Almada Park**; and,

THAT Representative Larry Romero ("Applicant") shall incur the customary costs associated with the renaming of the park, such as installing or replacing signs with the park name or any other signs posted or affixed to a facility. Any proposed signs shall be acceptable to both the Parks and Recreation Department and Applicant. (District 2)

Mr. Wayne Thornton, Marketing & Customer Relations Coordinator, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representatives Lilly, Romero, and Acosta commented.

The following member of the public commented:

1. Ms. Susie Byrd
2. Mr. Jorge Almada

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE THE ITEM TO THE FOREFRONT OF THE AGENDA.**

2nd AND FINAL MOTION

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

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10. MAYOR AND COUNCIL:
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10.1. 1ST MOTION

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

2nd AND FINAL MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Noe, and unanimously carried to **APPROVE** a proposed resolution urging the National Cemetery Administration to replace the xeriscaping at Ft. Bliss National Cemetery with grass and sod.

Mayor Leeser and Representatives Niland, Robinson, Limón, and Lilly commented.

The following members of the public commented:

1. Mr. Eduardo Chavez, Jr.
2. Mr. David Combs
3. Mr. Ray Rivera

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EXECUTIVE SESSION
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Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 10:22 a.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 DELIBERATION 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 Romero, seconded by Mayor Pro Tempore Niland, and carried to adjourn the Executive Session at 1:15 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Lilly, Robinson and Noe

EX1. Roswitha M. Saenz vs. The City of El Paso, et al, Cause No. EP-14-CV-244, Matter No. 13-1026-2868.001 (551.071)

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero and unanimously carried that the City Attorney's Office be authorized to reject the Plaintiff's Settlement Offer dated October 20, 2014 and be granted broad authority to take any and all action necessary, both affirmative and defensive, as necessary, in connection with litigation related to the defense and protection of the City's interest and position in the lawsuit entitled *Roswitha Saenz, Individually and on behalf of The Estate of Daniel Saenz, Deceased v. The City of El Paso, Texas, et al*, Cause No. 3:14-CV-244; Our Matter No. 13-1026-2868.001.

AYES: Representatives Romero, Acosta, Ordaz, Limón, and Niland
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Lilly, Robinson and Noe

EX2. Discussion and action in recent activities in the City Attorney's office including limiting access of elected officials to their constituents and elected officials to city employees. (551.071 and 551.074)

NO ACTION taken on this item.

EX3. 130 Cotton Street, El Paso, Texas. (551.071 and 551.072)

NO ACTION taken on this item.

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ADJOURN

Motion made by Representative Romero, seconded by Mayor Pro Tempore Niland, and unanimously carried to **ADJOURN** this meeting at 1:16 p.m.

NOT PRESENT FOR THE VOTE: Representatives Lilly, Robinson and Noe

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk