

DEE MARGO  
MAYOR



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

TOMMY GONZALEZ  
CITY MANAGER

**AGENDA REVIEW MINUTES  
COUNCIL CHAMBERS  
CITY HALL, 300 N. CAMPBELL  
October 28, 2019  
9:00 A.M.**

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The City Council met at the above place and date. Meeting was called to order at 9:06 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexandra Annello, Cassandra Hernandez, Sam Morgan, Isabel Salcido, and Henry Rivera. Late arrivals: Cissy Lizarraga at 9:08 a.m. and Claudia Ordaz Perez at 9:25 a.m.

The agenda items for the Regular City Council meeting of October 29, 2019 were reviewed.  
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**3.1. CONSENT AGENDA – RESOLUTIONS**

A Resolution to authorize the City Manager to sign a Southern Industrial Park Site Lease between the City of El Paso ("Lessor") and Price's Producers, Inc. ("Lessee") for all of Lot(s) 5, 6, 17 and 18, Block 9, El Paso International Airport Tracts, Unit 7, City of El Paso, El Paso County, Texas municipally known and numbered as 8101 Lockheed, El Paso, Texas

The lease term is 25 years with two (2) ten-year options. The site is 123,300 square feet at \$0.48 per square feet and the annual rental rate is \$59,184.00, an increase of \$46,743.00 over the previous annual rate.

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

- Mr. Jeff Schultes, Aviation Assistant Director

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**3.5. CONSENT AGENDA – RESOLUTIONS**

A Resolution to authorize the City Manager to sign a First Amendment to the Air Cargo Center Agreement by and between the City of El Paso (Lessor) and Mesa Airlines, Inc. (Lessee) regarding Lessee's use of that certain office, warehouse, aircraft parking apron and ground service equipment parking apron, and vehicle parking area located at 301 George Perry Blvd., Suite B, El Paso, Texas, to allow for up to four additional extension options, to allow for a rental adjustment and to update the U.S. Federal Aviation Administration required language.

This amendment adds options as the initial term of the lease, 5 years, has since passed. The options provide the opportunity for 3 years and 3 months of additional term to be exercised on an annual basis. The space rental is as follows:

|                  | Sq. Ft. | Annual Rate | Annual Rent  |
|------------------|---------|-------------|--------------|
| Office/Warehouse | 6,292   | \$ 7.0106   | \$ 44,110.70 |
| GSE Parking      | 25,000  | \$ 0.7260   | \$ 18,150.00 |
| Total            | 31,292  |             | \$ 62,260.70 |

This represents an increase of \$3,149.81.

Mayor Margo questioned the following City staff member:

- Mr. Jeff Schultes, Aviation Assistant Director

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**3.6. CONSENT AGENDA – RESOLUTIONS**

A Resolution to authorize the City Manager to sign a Lessor’s Approval of Assignment by and among the City of El Paso (“Lessor”), Manir Properties 3, LLC (“Assignor”) and 7 Hills El Paso, LLC (“Assignee”) for property described as a portion of Lot 1, Block1A, El Paso International Airport Tracts, Unit 4, City of El Paso, El Paso County, Texas, commonly known as 1940 Airway Boulevard, El Paso, Texas. The remaining lease term is 27 years and 2 months with one (1) ten-year option.

Lease Area: 57,375 square feet  
Rent: \$0.6845 per square feet  
Annual Rent: \$39,273.18.

Mayor Margo questioned the following City staff member:

- Mr. Jeff Schultes, Aviation Assistant Director

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**7.1. CONSENT AGENDA – RESOLUTIONS**

That the City Manager be authorized to sign a Mutual Termination and Release Agreement between the City of El Paso and PMWEB PROJECT MANAGEMENT SOFTWARE INC., for the agreed upon termination of the Software Subscription Agreement between the parties. The contract is due to expire in February 2020. The City has come to an agreement to terminate the agreement early, saving the City \$86,000.

Representative Lizarraga questioned the following City staff member:

- Mr. Sam Rodriguez, City Engineer

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**8.1. CONSENT AGENDA – RESOLUTIONS**

That the Mayor be authorized to sign a First Amendment to Interlocal Agreement for Dental Services between the County of El Paso, Texas ("County"), on behalf of its Juvenile Probation Department ("JPD"), and the City of El Paso, Texas ("City"), on behalf of its Department of Public Health ("DPH"), to clarify the duties of and services to be performed by the parties, which entail the DPH Rawlings Dental Clinic providing dental health services, counseling and prevention education services to juveniles at the JPD.

Mayor Margo questioned the following City staff member:

- Mr. Robert Resendes, Public Health Director

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**16.1. CONSENT AGENDA – REQUEST TO ISSUE PURCHASE ORDERS**

Request that the Director of Purchasing & Strategic Sourcing be authorized to issue a Purchase Order to Ace Government Services, LLC. referencing Contract 2017-417 General Cleaning – Parks and Recreation Facilities. This will be a change order to increase the contract by \$57,840.00 for a total amount not to exceed \$4,464,579.00 for the initial term. The change order will cover expenses for cleaning restrooms and offices at the new San Jacinto Park from November 20, 2019 to November 19, 2020.

Contract Variance: The cost for this change order is the same as in the original contract. There is no variance.

Department: Parks and Recreation  
Award to: Ace Government Services, LLC  
El Paso, TX  
Total Estimated Amount: \$57,840.00  
Account No.: 451-522060-1000-P5120  
Funding Source: General Fund  
Districts: All

Mayor Margo questioned the following City staff member:

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

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

An Ordinance changing the zoning of the East 168 feet of Tract 84, Sunrise Acres, City of El Paso, El Paso County, Texas from R-4 (Residential) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. The proposed rezoning meets the intent of the Future Land Use designation for the property and is in accordance with Plan El Paso, the City’s Comprehensive Plan. Subject Property: 8435 Leo Street. Property Owner: Casas Diamantina, LLC. PZRZ19-00006

Representative Anello questioned the following City staff members:

- Ms. Anne Guayante, Zoning Administrator
- Mr. Philip Etiwe, Planning and Inspections Director
- Mr. Kevin Smith, Planning and Inspections Assistant Director

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

Discussion and action on the award of Solicitation No. 2019-1062R Fully Insured Medicare Advantage Plan, Under 65 years old Fully Insured Retiree Group Medical and Prescription Drug Plan to Aetna Life Insurance Company for an initial estimated award estimated award of \$9,362,032.56. The award is to include two, one-year optional amount of \$18,724,065.12 or a total five (5) year award of \$46,810,162.80. The period of performance is from January 1, 2020 through December 31, 2020.

**CONTRACT VARIANCE:**

This award combines two previous separate contracts. The difference in cost, based on the comparison to the previous contracts, is as follows: A 5% decrease for Under 65 years old Fully Insured Retiree Group Medical and Prescription Drug Plan due to a decrease in insurance rates. An 8% increase for Fully Insured Medicare Advantage Plan due to an increase in insurance rates. The total increase overall would be 3%, the adopted budget assumed a 10% increase for both plans.

Department: Human Resources  
Award to: Aetna Life Insurance Company  
Hartford, CT  
Items: All  
Initial Term: 3 years  
Option: Two (2) additional terms of one (1) year each  
Annual Estimated Award: \$ 9,362,032.56  
Initial Term Estimated Award: \$28,086,097.68 (3 years)  
Option Total: \$18,724,065.12 (2 years)  
Total Estimated Award: \$46,810,162.80 (5 years)  
Account No.: 521120-209-3500-14045-P1414  
Funding Source: Self-Insurance Fund – Non-Uniform Wages and Salaries

Districts: All

This is a Request for Proposal, service contract.

The Purchasing & Strategic Sourcing Department and Human Resources Department recommend award as indicated to Aetna Life Insurance Company, the highest ranked proposer based on evaluation factors established for this procurement.

In accordance with this award the City Manager or designee is authorized to exercise future options if needed and that the City Attorney’s Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award upon City Attorney’s Office review.

Mayor Margo questioned the following City staff member:

- Mr. Jacob Torres, Procurement Analyst

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

Discussion and action on the award of Solicitation 2019-1343 Holly Place Reconstruction to LESNA CONSTRUCTION, INC. for an estimated total award of \$655,271.40. The project will consists of the full street reconstruction of Holly Place between Montecito Road and Mauer Road. The work includes the demolition of existing of sidewalk, driveways, ramps and existing pavement structure, new pavement structure consisting of Hot Mix Asphaltic Concrete (HMAC) with base course and compacted subgrade, new ADA compliant sidewalks and driveways, new ADA concrete ramps, dark sky compliant street lights and new street signage, drainage improvements, water replacement and sanitary sewer replacement.

|                        |   |
|------------------------|---|
| Department:            | Capital Improvement                                   |
| Award to:              | LESNA CONSTRUCTION, INC.<br>El Paso, TX               |
| Items:                 | All   |
| Initial Term:          | 210 Consecutive Calendar Days                         |
| Base Bid I:            | \$377,252.40  |
| Base Bid II:           | \$113,265.60  |
| Base Bid III:          | \$ 81,593.40  |
| Base Bid IV:           | \$ 83,160.00  |
| Total Estimated Award: | \$655,271.40  |
| Account No.:           | 190-4740-289000-580220-PCP19ST010                     |
| Funding Source:        | 2013 Street Infrastructure Certificates of Obligation |
| District:              | 7   |

This is a Low bid, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to LESNA CONSTRUCTION, INC., the lowest responsive, responsible bidder.

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.

Representative Rivera questioned the following City staff members:

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

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**ITEMS 20.3 AND 20.4 WERE REVIEWED TOGETHER**

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

Discussion and action on the award of Solicitation No. 2019-607R Management of Fixed-Route Transit Services and Contracted Service for Lift Paratransit – Option 2: Contracted Service for Lift Paratransit to MV Contract Transportation, Inc. for a five (5) year initial term estimated award of \$46,324,357.72. The award is to include a three (3) year optional amount of \$34,017,075.67 and a two (2) year optional amount of \$24,673,583.20 for a total ten (10) year estimated award of \$105,015,016.59. This contract will provide qualified personnel required to operate LIFT service as required by the Americans with Disabilities Act (ADA) and conduct ADA eligibility certification for LIFT applicants. Contractor must meet and exceed performance standards for service quality, safety, responsiveness, customer satisfaction and vehicle reliability while using innovative strategies to reduce the cost of providing paratransit, including subcontracting service. MV Contract Transportation, Inc. must also provide monthly, quarterly, and annually management reports.

Contract Variance:

For this contract to operate LIFT paratransit services, the total cost (fixed and variable) per ADA-eligible passenger trip performed in 2020 is estimated to be at least 7.7% lower than the actual total cost per ADA-eligible passenger trip performed in FY2018, and at least 5.2% lower than actual total cost per ADA-eligible passenger trip performed in FY2019 Year to Date.

|                                |  |             |
|--------------------------------|--|-------------|
| Department:                    | Mass Transit (Sun Metro)                 |             |
| Award to:                      | MV Contract Transportation, Inc.         |             |
|                                | Dallas, TX                               |             |
| Item(s):                       | Option 2: Contracted Service for Lift    | Paratransit |
| Initial Term:                  | 5 years                                  |             |
| Option to Extend:              | 5 years                                  |             |
| Initial Term Estimated Award:  | \$ 46,324,357.72 (5 years)               |             |
| Option 1 Term Estimated Award: | \$ 34,017,075.67 (3 years)               |             |
| Option 2 Term Estimated Award: | \$ 24,673,583.20 (2 years)               |             |
| Total Estimated Award:         | \$105,015,016.59 (10 years)              |             |
| Account No.:                   | 3210-522070-60020-P60FTA117-P6008-       | G60195307   |
|                                | 3200-522070-60020-P6008                  |             |
| Funding Source:                | 5307 Formula Funding Grant and Sun Metro | Operating   |
| Fund                           |  |             |
| District(s):                   | All                                      |             |

This is a Request for Proposals, service contract.

The Purchasing & Strategic Sourcing and Mass Transit (Sun Metro) Departments recommend award as indicated to MV Contract Transportation, Inc., the highest ranked proposer based on evaluation factors established for this procurement.

In addition, it is requested that the City Attorney's Office review and that the City Manager be authorize to execute and related contract documents and agreements necessary to effectuate this award. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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

Discussion and action that the Director of Purchasing & Strategic Sourcing Department be authorized to issue a change order to First Transit, Inc. referencing Contract 2012-040R Management and Operation Transit and LIFT System. This change order is to increase the contract by \$600,000.00 for a total amount not to exceed \$8,128,313.00. The change order will cover expenses for Transit Management Service for Fixed Route from December 1, 2019 to May 31, 2020.

Department: Mass Transit Department (Sun Metro)  
Award to: First Transit, Inc.  
Cincinnati, OH  
Total Estimated Amount: \$600,000.00  
Account No.: 522070-560-3210-60030-P60FTA442-G60185307  
522070-560-3210-60030-P60FTA442-G60195307  
Funding Source: Annual Recurring FTA Formula Grant Funding 5307  
District(s): All

This is a change order for a RFP, service contract.

Representatives Anello, Hernandez and Lizarraga questioned the following City staff members:

- Ms. Claudia Garcia, Purchasing and Strategic Sourcing Assistant Director
- Mr. Ted Marquez, Deputy City Manager
- Mr. Tommy Gonzalez, City Manager

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

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

Representative Rivera questioned the following City staff member:

- Mr. Jeff Howell, Project Manager

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

An Ordinance granting a special privilege license to Summit Indigo EP LLC. to permit the construction, installation, maintenance, use, and repair of a surface encroachment of two (2) new planter beds over portions of city right-of-way along Main and Kansas streets adjacent to the property located at 325 N. Kansas street, El Paso, Texas Subject Property: 325 N. Kansas Property Owner: Summit Indigo EP, LLC. NESV2019-00008.

Representative Lizarraga questioned the following City staff member:

- Ms. Anne Guayante, Zoning Administrator

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

An Ordinance changing the zoning of Tracts 4C, 4D, 4E, 4F, 4G, 4J, 4K, 4L, and 5, Block 8, Ysleta Grant, Texas, 343-345 Zaragoza Road, City of El Paso, El Paso County, Texas from R-F (RanchFarm) to C-1 (Commercial), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property : 343-345 Zaragoza Road. Property Owner: Iwaloye Properties, LLC and the Estate of Maria Germany. PZRZ19-00013

Representative Rivera questioned the following City staff member:

- Ms. Anne Guayante, Zoning Administrator

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**25.1. REGULAR AGENDA – OTHER BUSINESS**

Discussion and action on information related to City Council direction from July 23, 2019 to explore a conservation easement and associated items regarding the approximately 1,000 acres of land owned by the City of El Paso in northwest El Paso, including Lost Dog Trail.

Representative Svarzbein questioned the following City staff members:

- Mr. Kevin Smith, Planning and Inspections Assistant Director
- Ms. Laura Prine, City Clerk

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**26.2. REGULAR AGENDA – OTHER BUSINESS**

Discussion and action on a Resolution of the City Council of the City of El Paso, Texas, calling for a Special Election to fill a City Council vacancy in the office of Representative for District No. 6, to be held on December 14, 2019; and making provisions for the conduct of the Special Election; and authorizing a contract with El Paso County to furnish election services and equipment.

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

- Ms. Laura Prine, City Clerk

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**27.1. REGULAR AGENDA – MAYOR AND COUNCIL**

Discussion and action to select and replace the Alternate Mayor Pro Tempore.

Representatives Ordaz Perez and Rivera questioned the following City staff members:

- Ms. Laura Prine, City Clerk
- Ms. Karla Nieman, City Attorney

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**27.5. REGULAR AGENDA – MAYOR AND COUNCIL**

Presentation and update on binational events in the community by Mario Porras (Director of Binational Affairs, El Paso Community Foundation), Austria Galindo (Deputy Secretary of Culture, State of Chihuahua), Adriana Chavez (Director, Fundacion Comunitaria Frontera Norte), Kerry Doyle (Director, Rubin Center for the Visual Arts), Juan Acereto (Binational Affairs, Representante del Gobierno Independiente de Juarez)

Events Include:

Border Tuner / Sintonizador Fronterizo (Nov 13 - 24)

The U.S. - Mexico 10K (Nov. 16)

Representative Svarzbein commented.

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Motion made by Representative Annello, seconded by Representative Lizarraga, and unanimously carried to **ADJOURN** this meeting at 9:36 a.m.

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APPROVED AS TO CONTENT:

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Laura D. Prine, City Clerk