

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

**LEGISLATIVE REVIEW MEETING OF THE WHOLE MINUTES
MAIN CONFERENCE ROOM
CITY HALL, 300 N. CAMPBELL
NOVEMBER 30, 2015
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 Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Larry Romero, Emma Acosta, Carl Robinson, Michiel Noe, and Lily Limón. Late arrival: Claudia Ordaz at 9:17 a.m. Not Present: Cortney Niland

The agenda items for City Council agenda of December 1, 2015 were reviewed.

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3.1. RESOLUTION – ECONOMIC AND INTERNATIONAL DEVELOPMENT

That the City Manager be authorized to sign the Retail Lease Agreement (the "Lease") by and between the City of El Paso ("Landlord") and Express My Coffee, LLC ("Tenant"), for the premises located at 218 North Campbell Street, Suite 103, El Paso, Texas, and any other documents related to said Lease, including but not limited to Landlord's Subordination Agreement.

- Mr. Memo Sotomayor, Real Estate Manager, commented.

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3.2. RESOLUTION – AIRPROT

That the City Manager be authorize to sign the Temporary Land Use Lease by and between the City of El Paso ("Lessor") and EAN Holdings, LLC ("Lessee") for additional off-site parking at the El Paso International Airport (EPIA).

- Mr. Jeff Schultes, Assistant Director of Aviation, commented.

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4.1. RESOLUTION – FIRE / ECONOMIC AND INTERNATIONAL DEVELOPMENT

That the City Manager is authorized to give notice to Paso del Norte Investment Property, L.P. exercising the option to extend the term of the lease at 425 North Kansas St., El Paso, Texas for an additional sixty (60) months, until March 16, 2021, and to sign any additional documents as needed to extend the term of the lease; and that the City Manager is authorized to exercise the second option to extend the lease term, if needed, in accordance with the terms and conditions of the Feb. 15, 2011 lease.

Mayor Leeser and Representative Acosta questioned the following City staff members:

- Mr. Memo Sotomayor, Real Estate Manager, commented.
- Ms. Sylvia Firth, City Attorney, gave legal advice.
- Ms. Therese Cullen, Deputy City Attorney, gave legal advice.

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4.2. RESOLUTION - FIRE

City Council's adoption and approval of the City's portion of the 2015 El Paso County Multi-Jurisdictional Hazard Mitigation Action Plan with the correction of minor typographical errors and minor clarifications being recommended to the Rio Grande Council of Governments, Federal Emergency Management Agency and/or the Governor's Division of Emergency Management, Mitigation Section, as made by the City Manager or his designee without further action of City Council.

Representative Svarzbein questioned the following City staff members:

- Mr. Avelardo Talavera, Emergency Management Coordinator
- Fire Chief Samuel Pena

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5.1. RESOLUTION - LIBRARIES

This Resolution establishes that the period of January 2, 2016 to January 16, 2016 as Food for Fines time at El Paso's Public Libraries. During this period, the Library will waive \$1.00 of fines owed to the Library for every canned or non-perishable food item donated to the MLK Canned Food Drive at Library locations up to \$5.00 per account per day provided their materials have been returned in good condition.

Representative Acosta requested to move item to regular agenda.

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5.2. RESOLUTION – PARKS AND RECREATION

Approve a Resolution to terminate the Lease Agreement between City of El Paso and the County of El Paso for the operation of the Happiness Senior Center, located at 563 North Carolina Drive, El Paso, Texas.

Representative Romero questioned the following City staff member:

- Mr. Tracy Novak, Director of Parks and Recreation

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6.1. RESOLUTION – CITY ATTORNEY’S OFFICE

Resolution scheduling Regular City Council Meetings and Monday Work Sessions in accordance with El Paso Municipal Charter.

Mayor Leeser and Representatives Svarzbein, Robinson, Niland and Limón questioned the following City staff members:

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

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6.4. RESOLUTION – CAPITAL IMPROVEMENT

That the City Manager be authorized to sign an Professional Services Agreement by and between the CITY OF EL PASO and ECM International, Inc., a Texas Corporation, to provide consulting services for a project known as “TxDOT REIMBURSEMENT REQUESTS PREPARATION FOR MULTIPLE PROJECTS”, for an amount not to exceed THREE HUNDRED TWENTY ONE THOUSAND NINE HUNDRED TWO AND 00/100 DOLLARS (\$321,902.00); 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 execution of this agreement.

- Ms. Monica Lombrana, Director of Aviation, commented.

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7.1. RESOLUTION – CAPITAL IMPROVEMENT

That the City Manager be authorized to sign an Underground Electrical and Transformer Pad Easement to the El Paso Electric Company for the provision of electrical power to the Northgate Transit Oriented Development, said easement being more particularly described as a portion of Lot 1A, Block 6, Northgate Replat C, El Paso, El Paso County, Texas.

- Ms. Monica Lombrana, Capital Improvement

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8.1. RESOLUTION – PUBLIC HEALTH

That the Mayor be authorized to sign a First Amendment to Interlocal Agreement between the City of El Paso (the "City") and the University of Texas at El Paso ("UTEP"), to correct the named Principal Investigator and to extend the ending date to August 31, 2016, regarding a project through which UTEP researchers shall conduct health research and make recommendations for policy and programs to improve the health status of underserved populations in El Paso, and for which the City shall pay UTEP up to \$300,000 with funding from the Texas Healthcare and Quality Improvement Program 1115 Demonstration Waiver Program to support Medicaid Waiver projects.

- Mr. Robert Resendes, Director of Public Health, commented.

13.1. BEST VALUE PROCUREMENT – PURCHASING AND STRATEGIC SOURCING

Request rejection of all bids received for Solicitation No. 2016-005 (Marked - 4 Wheel Drive Utility Crew Cab Truck – Police Department) as recommended by the Purchasing & Strategic Sourcing Department and the Streets and Maintenance Department – Fleet Division, due to inability to provide mobile radio equipment as specified.

Department: Metropolitan Planning Organization
Districts: All

- Ms. Deniese, Senior Purchasing Agent commented.

14.1. BEST VALUE PROCUREMENT – PURCHASING AND STRATEGIC SOURCING

Request rejection of all proposals received for Solicitation No. 2015-1142R (Management of Texas Department of Transportation (TXDOT) and Federal Highway Administration (FHWA) Programs as recommended by the Purchasing & Strategic Sourcing Department and Capital Improvement Department, in order to incorporate new requirements to ensure TxDOT reimbursements are provided for federally funded projects.

- Ms. Deniese, Senior Purchasing Agent commented.

15.2. MAYOR AND COUNCIL

Discussion and action on funding the Edgemere and Rich Beem intersection. [POSTPONED FROM 11-17-2015]

Representative Noe requested to delete this item.

16.1. FIRST READING OF ORDINANCES – PLANNING AND INSPECTIONS

An Ordinance changing the zoning of a portion of Blocks 2, 3, 4, 7, 9 and 10, all of Blocks 5 and 6, Green Acres Subdivision, South of Artcraft Drive and North of Bridal Drive, City of El Paso, El Paso County, Texas from R-2 (Residential) to P-R I (Planned Residential I). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: South of Artcraft Drive and North of Bridal Drive. Property Owner: Two Stars Joint Venture. PZRZ15-00028

- Ms. Kimberly Forsyth, Lead Planner, commented.

16.2. FIRST READING OF ORDINANCES – PLANNING AND INSPECTIONS

An Ordinance changing the zoning of a portion of Tract 14B and all of Tract 15B, Block 45, Ysleta Grant, 174 N. Zaragoza Street, City of El Paso, El Paso County, Texas, from R-4/H

(Residential/Historic) to S-D/H (Special Development/Historic). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owners: Gerardo and Consuelo Chacon. PZRZ15-00026

- Ms. Kimberly Forsyth, Senior Lead Planner, commented.

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17.1. FIRST READING OF ORDINANCES – ENVIRONMENTAL SERVICES

An Ordinance amending Ordinance No. 017380, Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management) to delete redundant Sections including types of permits in Section 9.04.961, the application for permits in Section 9.04.962, Vehicle Standards and Markings in Sections 9.04.963, term of permit in Section 9.04.964, permit transferability in Section 9.04.965, violation of permit in Section 9.04.966, and appeal from denial, suspension, revocation in Section 9.04.967 of the El Paso City Code.

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

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17.1. FIRST READING OF ORDINANCES – ENVIRONMENTAL SERVICES

An Ordinance amending Title 9 (Health and Safety), Chapter 9.11 (Tree Care), to amend Section 9.11.010G (General Provisions) to declare dead trees a nuisance; clarifying the delivery of notice of the City's Order; and adding an appeal to City Manager; the penalty as provided in Section 9.11.010H of the City Code.

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

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18.1. REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

Discussion and action on the award of Solicitation No. 2016-003R (Citywide Copier Services Rebid) to Dahill Office Technology Corporation, for an initial three (3) term in the estimated amount of \$1,391,400. The award is to include two (2) one year options in the amount of \$927,600 for a total five (5) year award of \$2,319,000.

Department:	Information Technology
Vendor:	Dahill Office Technology Corporation San Antonio, Texas
Item(s):	All
Initial Term:	3 years
Option to Extend:	Two, one year options
Annual Estimated Award:	\$463,800.00
Initial Term Estimated Award:	\$1,391,400.00(3 years)
Total Estimated Award:	\$2,319,000.00 (5 years)
Account No.:	524130; Departments Citywide
Funding Source:	Copier Contract Services
District(s):	All

This is a Request for Proposal service contract.

The Purchasing & Strategic Sourcing and Information Technology recommend award as indicated to Dahill Office Technology Corporation, 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.

- Mr. Terry Freiburg, Purchasing and Strategic Sourcing, commented.

19.1. REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

Discussion and action on the award of Solicitation No 2016-261 Pool Chemicals to Mayfield Pool Supply, LP, Third Gen, LLC dba Triple S Janitorial Supplies, and D. Gilmore Dist. Co. dba Sun City Pool Supply for an initial term estimated award of \$337,018.89 (3 years,) with an additional (2) year option to extend, \$224,679.26. The total estimated award of \$561,698.15 (5 years). The initial performance period is December 1, 2015, through November 30, 2018.

Department:	Parks and Recreation
Award to:	(Vendor #1) Mayfield Pool Supply, LP El Paso, TX
Item(s):	6-9, 12-14, 22 and 23.
Initial Term:	3 years
Option to Extend:	2 years
Initial Term Estimated Award:	\$63,735.90 (3 years)
Total Estimated Award:	\$106,225.15 (5 years)
Award to:	(Vendor #2) Third Gen, LLC dba Triple S Janitorial Supplies El Paso, TX
Item(s):	1, 2, 10, 17, 18 and 25.
Initial Term:	3 years
Option to Extend:	2 years
Initial Term Estimated Award:	\$263,668.80 (3 years)
Total Estimated Award:	\$439,448.00 (5 years)
Award to:	(Vendor #3) D. Gilmore Dist. Co. dba Sun City Pool Supply El Paso, TX
Item(s):	3-5 and 11
Initial Term:	3 years
Option to Extend:	2 years
Initial Term Estimated Award:	\$9,615.00 (3 years)
Total Estimated Award:	\$16,025.00 (5 years)
Annual Estimated Amount:	\$112,339.63
Initial Term Estimated Award:	\$337,018.89 (3 Years)
Total Estimated Amount:	\$561,698.15 (5 years)
Account No.:	451-51240-531260-1000-P5108
Funding Source:	General Fund
District(s):	All

This is a Low Bid, supplies contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

The Purchasing & Strategic Sourcing Department and Parks and Recreation Department recommend award as indicated to Mayfield Pool Supply, LP, Third Gen, LLC dba Triple S Janitorial Supplies, and D. Gilmore Dist. Co. dba Sun City Pool Supply, the bidders offering the lowest responsive and responsible bids.

- Ms. Diane Nunez, Purchasing and Strategic Sourcing, commented.

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20.1. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES – PLANNING AND INSPECTIONS

An Ordinance changing the zoning of a portion of Lot 18, Block 26, Regal Crest Unit Five Replat A, 851 Thorn Avenue, City of El Paso, El Paso County, Texas from R-3 (Residential) to R-MU (Residential Mixed-Use), approving a Master Zoning Plan and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 851 Thorn Avenue. Property Owner: Grace Baptist Church. PZRZ15-00005

Representatives Svarzbein and Acosta questioned the following City staff members:

- Ms. Kimberly Forsyth, Senior Lead Planner

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20.2. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES – PLANNING AND INSPECTIONS

An Ordinance changing the zoning of a portion of Tract 5D, Block 3, Ysleta Grant, 9522 North Loop Drive, City of El Paso, El Paso County, Texas from R-F (Ranch-Farm) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 9522 North Loop Drive. Property Owner: North Loop Apartments, LLC. PZRZ15-00025

- Ms. Kimberly Forsyth, Senior Lead Planner, commented.

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20.3. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES – PLANNING AND INSPECTIONS

An Ordinance granting Special Permit No. PZST15-00031, to allow for a 65'ground-mounted Personal Wireless Service Facility (PWSF) in a C-4 (Commercial) zoned parcel with a modified separation between PWSF antenna support structures on the property described as a Portion of Lots 25 and 26, inclusive, Block 11, East El Paso Addition (Supplemental Map No. 1), 3400 Alameda Avenue, 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: 3400 Alameda Avenue. Property Owner: Robert Malooly. PZST15-00031 THIS IS AN APPEAL CASE.

Representatives Niland, Acosta, and Noe questioned the following City staff members:

- Ms. Kimberly Forsyth, Senior Lead Planner
- Ms. Sylvia Firth, City Attorney, gave legal advice.
- Ms. Theresa Cullen, Deputy City Attorney, gave legal advice.

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20.4. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES – PLANNING AND INSPECTIONS

An Ordinance granting Special Permit No. PZST15-00033 to allow for infill development with a reduction in lot area and depth, as well as rear, side, and cumulative front and rear yard setback reductions on the property described as a Portion of Tract 29, Country Club Place South Side, 825 Sunset 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: 825 Sunset Road. Property Owner: Walter and Margaret Tippin. PZST15-00033

Representative Niland questioned the following City staff member:

- Ms. Kimberly Forsyth, Senior Lead Planner

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20.5. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES – PLANNING AND INSPECTIONS

An Ordinance vacating the city right-of-way over a 0.42 acre portion of Florence Street, between Blocks 82 and 83, Campbell's Addition, an Addition to the City of El Paso, El Paso County, Texas. (SURW15-00007)

Representative Niland questioned the following City staff member:

- Ms. Kimberly Forsyth, Senior Lead Planner

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20.6. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES – PLANNING AND INSPECTIONS

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. [POSTPONED FROM 10-27-2015, 11-03-2015, AND 11-17-2015]

Representative Limón questioned the following City staff member:

- Ms. Kimberly Forsyth, Senior Lead Planner

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20.7. PUBLIC HEARINGS AND SECOND READING OF ORDINANCES – PLANNING AND INSPECTIONS

An Ordinance changing the zoning of All of Tract 4G, E.L. De Shazo Survey 218, City of El Paso, El Paso County, Texas, from R-3 (Residential) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: East of N. Mesa Street and South of Castellano Drive. Property Owner: MALBER, LLC. PZRZ14-00050. THIS IS AN APPEAL CASE. [POSTPONED FROM 11-17-2015]

Representatives Niland, Acosta, Svarzbein, and Noe questioned the following City staff members:

- Mr. Tommy Gonzalez, City Manager
- Ms. Kimberly Forsyth, Senior Lead Planner
- Mr. Larry Nichols, Director of Planning and Inspections
- Ms. Sylvia Firth, City Attorney, gave legal advice.

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21.1. REGULAR AGENDA – OTHER BUSINESS – CITY MANAGER'S OFFICE

Discussion and action that the Mayor be authorized to sign, on behalf of the City of El Paso, an Interlocal Agreement between the City of El Paso and the El Paso Downtown Management District ("DMD") for the period December 5, 2015 through September 30, 2020, for the purpose of implementing activities to preserve, maintain, and enhance the economic health and vitality of the downtown El Paso area through public outreach development, downtown marketing services, and supplemental sanitation services, with the governmental purpose of stimulating commercial development and business activity in the downtown area.

Mayor Leeser and Representatives Svarzbein, and Niland questioned the following City staff members:

- Mr. Tommy Gonzalez, City Manager
- Mr. Bryan Crowe, Quality of Life Managing Director
- Ms. Sylvia Firth, City Attorney, gave legal advice.
- Mr. Juan Gonzalez, Assistant City Attorney, gave legal advice.

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22.1. REGULAR AGENDA – OTHER BUSINESS – PLANNING AND INSPECTIONS

Discussion and action on a request from Hector Bernal for City Council to grant an exception from the prohibition of the sale of alcoholic beverages within three hundred feet of a school for the property located at 8949 Dyer, and legally described as a Tract 17-C-5, Section 9, Block 81, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas pursuant to Title 20 Zoning, Section 20.10.060B of the El Paso City Code.

- Ms. Kimberly Forsyth, Senior Lead Planner commented.

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23.1. REGULAR AGENDA – OTHER BUSINESS – CAPITAL IMPROVEMENT

Discussion and action that the El Paso City Council approves an identified list of projects, totaling approximately \$355,238,330, referenced as the “City of El Paso Quality of Life Bond Issue FY2020 Plan” (“the FY2020 Plan”), as the 2012 Quality of Life five year implementation plan for FY 2015 – 2020 , and that the City Manager be authorized, subject to annual budget requirements, to establish the funding sources for the for the FY2020 Plan enumerated in the “Capital Program” for Fiscal Years 2015-2020 and to make all necessary budget transfers prior to the execution of the projects. [POSTPONED FROM 11-10-2015]

Mayor Leaser and Representatives Limón and Acosta questioned the following City staff member:

- Mr. Tommy Gonzalez, City Manager

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24.1. REGULAR AGENDA – OTHER BUSINESS – CAPITAL IMPROVEMENT

Discussion and Action that the El Paso City Council approves an identified list of projects, totaling approximately \$21,500,000.00, referenced as the “City of El Paso Street Infrastructure Capital Plan” (“the Capital Plan”), as the established list of City of El Paso Street Infrastructure Capital Plan for FY 2016 and the use of the identified funding sources, and the City Manager be authorized, subject to annual budget requirements, to establish the funding sources for the Capital Plan enumerated in the “Capital Program” for Fiscal Year 2016 and make all necessary budget transfers prior to the execution of the projects. Funding source 2013-2019 Certificates of Obligation.

Mayor Leaser and Representative Niland questioned the following City staff member:

- Ms. Monica Lombrana, Director of Capital Improvement

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24.2. REGULAR AGENDA – OTHER BUSINESS – INTERNATIONAL BRIDGES

Discussion and action that the City Manager be authorized to sign Lease Amendment No. 5 with the United States of America (GS-07B-14711) that will allow the General Services Administration to use the City property at the Stanton Street Bridge, with a municipal address of 1090 Mesa St., El Paso, El Paso County, Texas through Aug. 24, 2016.

Mayor Leaser and Representatives Acosta and Noe questioned the following City staff member:

- Mr. Mathew McElroy, Director of International Bridges

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Motion made by Representative Noe, seconded by Representative Romero, and unanimously carried to **ADJOURN** this meeting at 10:14 a.m.

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk