

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
MICHEL R. NOE, DISTRICT 5
CLAUDIA ORDAZ, DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

November 18, 2014
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 8:04 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, Claudia Ordaz, Lilia Limón, and Cortney Carlisle Niland. 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

Children's Courtyard Montessori

Thomas Martel
Alexis Martel
Nicolas Tea
Stephen Hawkins
Juan Pablo Anchondo
Marian Montoya
Vivian Mercurio
Sofia Mora
Zara Estrada
Nicole Jia

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

The following members of the public commented:

1. Mr. James Perry

2. Ms. Lisa Turner
3. Ms. Wally Cech
4. Mr. Salvador Gomez
5. Mr. Steven Strumer
6. Mr. Leo Mendoza
7. Mr. Josef Ozer
8. Mr. Pierre Andre Euzarraga
9. Ms. Sylvia Searfoss

Mayor Leeser and Representatives Robinson and Niland commented.

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

MAYOR'S PROCLAMATIONS

1. **Epilepsy Awareness Month in El Paso**
2. **National Estate Planning Awareness Week**

RECOGNITIONS

El Paso Municipal Police Officers Association being awarded "Outstanding Local of the Year Award" by the Combined Law Enforcement Association of Texas (CLEAT)

NOTICE TO THE PUBLIC

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

1. APPROVAL OF MINUTES:

*Motion made, seconded, and unanimously carried to **APPROVE** minutes for the Regular City Council Meeting of November 11, 2014, and the Legislative Review Meeting of the Whole of November 10, 2014.

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

NO ACTION taken on this item.

3. RESOLUTIONS:

3.1.

***RESOLUTION**

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

That the City Manager be authorized to sign a Third Amendment to the Industrial Site Lease by and between the City of El Paso ("Lessor") and the El Paso Independent School District ("Lessee") for the premises described which will allow the Lessee additional time, which will not extend beyond March 31, 2015, to submit the required Implementation Plan:

A 686,218 square foot parcel, more or less, being Lots 4-8, Block 3 and Lots 6 and 7, Block 2C and a portion of Bonanza Street vacated by Ordinance No. 2947, El Paso International Airport Tracts Replat of Unit 3; a portion of Lot 10, Block 2C, El Paso International Airport Tracts Replat of Unit 4, and Lots 3 and 4, Block 3, El Paso International Airport Tracts Replat of Unit 5, El Paso, El Paso County, Texas, and municipally known as 6531 Boeing Dr., El Paso, Texas.

3.2.

***RESOLUTION**

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

WHEREAS, FGGSV, LLC d/b/a The Garden (hereinafter referred to as "Grantee") is producing Thanksgiving Eve Block Party to be open to the public from 7:00 p.m. Wednesday, November 26, 2014 to 2:00 a.m. Thursday, November 27, 2014 (hereinafter referred to as "Event"); and

WHEREAS, the Grantee has submitted an application for a Special Privilege Permit pursuant to Title 15.08.120 (D) of the El Paso Municipal Code, for the use and closure of portions of City rights-of-way on West San Antonio Avenue and Western Street between Anthony Street and Durango Street Service Road, the walkway connecting Anthony Street and Durango Street Service Road, the walkway connecting West San Antonio Avenue and Western Street, the sidewalk between 500 West San Francisco Avenue and Western Street, 522 West San Francisco Avenue and 200 Anthony Street, 513 and 518 West San Antonio Avenue, and 501 West San Antonio Avenue and the alley servicing the 500 block of West San Antonio Avenue in conjunction with the Event; and

WHEREAS, the Grantee has indicated their intent to authorize the FGGSV, LLC d/b/a The Garden, (hereinafter referred as "TABC Permittee") to provide for the temporary sale and service of alcoholic beverages within the identified closed portions of City rights-of-way during the Event; and

WHEREAS, the Texas Alcoholic Beverage Commission (TABC) requires that the City Council for the City of El Paso approve, as a permissible activity, the sale and service of alcoholic beverages within City rights-of-way, prior to issuance of such permit; and

WHEREAS, the Grantee assumes full responsibility for the TABC Permittee, including verification that the Permittee has obtained a permit for the temporary sale and service of alcoholic beverages from the TABC prior to the Event.

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

REGULAR COUNCIL MEETING – NOVEMBER 18, 2014

That the temporary sale and service of alcoholic beverages by FGGSV, LLC d/b/a The Garden, in the closed portions of City rights-of-way on West San Antonio Avenue and Western Street between Anthony Street and Durango Street Service Road, the walkway connecting Anthony Street and Durango Street Service Road, the walkway connecting West San Antonio Avenue and Western Street, the sidewalk between 500 West San Francisco Avenue and Western Street, 522 West San Francisco Avenue and 200 Anthony Street, 513 and 518 West San Antonio Avenue, and 501 West San Antonio Avenue and the alley servicing the 500 block of West San Antonio Avenue from 7:00 p.m. Wednesday, November 26, 2014 to 2:00 a.m. Thursday, November 27, 2014 is a permissible activity in conjunction with FGGSV, LLC d/b/a The Garden's Thanksgiving Eve Block Party, upon issuance of the required permits from the Texas Alcoholic Beverage Commission and the City of El Paso.

3.3.

***RESOLUTION**

WHEREAS, The City of El Paso Parks and Recreation Department desires to host The Celebration of Lights Parade from 1:00 p.m. to 11:00 p.m. on Saturday, December 6, 2014 (hereinafter referred to as the "Event"); and

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

WHEREAS, The City of El Paso (hereinafter referred to as the "City") has found the Event serves a public purpose; and

WHEREAS, The City has permission to utilize portions of City rights-of-way for the Event; 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 and Mesa Street (SH20) within El Paso, Texas; 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 for The Celebration of Lights Parade from 1:00 p.m. to 11:00 p.m. on Saturday, December 6, 2014 serves a public purpose and in accordance with 43 TAC, Section 22.12, the City Manager be 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 in excess of four hours for portions of Texas Avenue and Mesa Street (SH20), 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

3.4.

***RESOLUTION**

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

That the City Manager be authorized to sign a Retail Lease Agreement between the CITY OF EL PASO and LOTZFRESHER DELI'S LLC, a Texas limited liability company, for the lease of 1,834 square feet at that certain property described as Lots 11-14, Block 230, Campbell Addition, City of El Paso, El Paso County, Texas, commonly known as 218 N. Campbell Street, Suite 106, El Paso, Texas 79901 (Mulligan Building), to operate a Schlotzsky's deli style sandwich restaurant business, for an initial annual base rental amount of \$14,672.00 per annum (or \$1,222.67 per month), El Paso, Texas for a ten (10) year initial term with one option to extend for two additional five (5) year terms, and to execute any necessary documents to accomplish the intent of this Resolution. The annual rental amount is escalated by \$1.00 per square foot for the initial five years of the lease Term.

3.5.

***RESOLUTION**

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

That the City Manager be authorized to sign a Retail Lease Agreement between the CITY OF EL PASO and SUMATRA HOOKAH LOUNGE LLC, a Texas limited liability company, for the lease of approximately 3,750 square feet of the commercial retail space at the Glory Road Transit Terminal on that certain property described as Lots 11 through 20, Block 224, Alexander Subdivision, City of El Paso, El Paso County, Texas, commonly known as 100 Glory Road, Suite 100, for the operation of a retail business establishment for the on-site sale, serving, and consumption of alcoholic beverages for a five (5) year initial term with the option to extend for two additional five (5) year terms with an initial annual base rental amount of \$31,875.00 per annum (or \$2,656.25 per month) and escalated three percent (3%) annually provided however that the cumulative increase for the first three years will be payable on the first day of the fourth lease year, and to execute any necessary documents to accomplish the intent of this Resolution.

4. BOARD APPOINTMENTS:

- 4.1. *Motion made, seconded, and unanimously carried to **APPOINT** Israel Rivera to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Claudia Ordaz, District 6.

5. NOTICE FOR NOTATION:

- 5.1. *Motion made, seconded and unanimously carried to **APPROVE** for notation the donation of \$500.00 from Union Pacific Railroad for Movies Under the Stars in District 3.

REGULAR AGENDA - INTRODUCTIONS

6. **INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE
REGULAR COUNCIL MEETING – NOVEMBER 18, 2014**

EL PASO CITY CHARTER:

Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, 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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- 6.1. An Ordinance amending Title 20 (Zoning), Chapter 20.12 Density and Dimensional Standards; Section 20.12.020 Table of Density and Dimensional Standards, Appendix B of the El Paso City Code, to amend the minimum district area for Residential, General, and Industrial Mixed Use Districts. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON DECEMBER 16, 2014

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- 6.2. An Ordinance changing the zoning of Tract 3-A, a portion of Tract 4A, all of Tract 4-E and 4-E-1, Block 39, Ysleta Grant, 133, 139, and 153 Snelson Drive, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) and R-4 (Residential) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 133, 139, 153 Snelson Drive. Property Owner: Rosa Padilla. PZRZ14-00037

PUBLIC HEARING WILL BE HELD ON DECEMBER 16, 2014

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- 6.3. An Ordinance releasing all conditions placed on Parcel 1 by Ordinance No. 5714 which changed the zoning of Tracts 1A and 1C, A.F. Miller Survey No. 211 and Tracts 15J, 15J1A, and 15J1B, A.F. Miller Survey No. 213, 6927 North Mesa Street, City of El Paso, El Paso County, Texas and On Parcel 2 by Ordinance No. 6206 which change the zoning of Tracts 1B, A.F. Miller Survey No. 211, and Tracts 15H and 15T, A.F. Miller Survey No. 213, 6851 and 6801 North Mesa Street, 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: 6927, 6851, and 6801 N. Mesa Street. Property Owner: CSM Realty Holdings, LTD. PZCR14-00008

PUBLIC HEARING WILL BE HELD ON DECEMBER 16, 2014

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- 6.4. An Ordinance changing the zoning of Tracts 1A and 1C, A.F. Miller Survey No. 211 and Tracts 15J, 15J1A, and 15J1B, A.F. Miller Survey No. 213, 6927 North Mesa Street, City of El Paso, El Paso County, Texas from C-1/sc (Commercial/special contract) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 6927 North Mesa Street. Property Owner: CSM Realty Holdings, LTD. PZRZ14-00048

PUBLIC HEARING WILL BE HELD ON DECEMBER 16, 2014

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REGULAR AGENDA – PUBLIC HEARINGS

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7. CITY DEVELOPMENT:

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- 7.1.1. *Motion made, seconded, and unanimously carried to **POSTPONE** three weeks an

Ordinance changing the zoning of a portion of Lots 21 and 26 and all of Lots 22 through 25, Block 9, Eastside Industrial District Unit One, 6966 Market Avenue, City of El Paso, El Paso County, Texas from M-1/sc (Light Manufacturing/special contract) to M-2/c (Heavy Manufacturing/condition), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 6966 Market Avenue. Property Owner: HW McKinney Jr. Wrecking, Inc. PZRZ14-00032

7.1.2. *Motion made, seconded, and unanimously carried to **POSTPONE** three weeks an Ordinance releasing all conditions placed on property by Resolution approved on October 23, 1956 which changed the zoning of a portion of Lots 21 and 26 and all of Lots 22 through 25, Block 9, Eastside Industrial District Unit One, 6966 Market Avenue, 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: 6966 Market Avenue. Property Owner: HW McKinney Jr. Wrecking, Inc. PZCR14-00006

7.2. *Motion made, seconded, and unanimously carried to **DELETE** an Ordinance changing the zoning of Lot 27, Block B, Pioneer Subdivision, 6550 Mohair Drive, City of El Paso, El Paso County, Texas from R-4/sp (Residential/special permit) to R-4 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Applicant: The City of El Paso, Location: 6550 Mohair Drive PZRZ14-00045

7.3.

ORDINANCE 018281

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST14-00022, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED LOT SIZE AND LOT WIDTH ON THE PROPERTY DESCRIBED AS LOT 10, BLOCK A, PATTERSON SUBDIVISION, 133 KEENEY COURT, 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: 133 KEENEY COURT. PROPERTY OWNER: EDGE CONSTRUCTION. PZST14-00022**

Mr. Alex Hoffman, Lead Planner for City Development, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Motion duly made by Representative Limón, 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, Robinson, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Acosta

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

7.4.

ORDINANCE 018282

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE LICENSE TO EDUARDO AND JOSEPHINA A. SOTO FOR THE CONSTRUCTION, USE, MAINTENANCE, AND REPAIR OF 40 BALCONIES AND 4 SIGNS CREATING AERIAL ENCROACHMENTS OVER THE PORTIONS OF CITY RIGHT-OF-WAY ALONG CAMPBELL STREET ADJACENT TO THE PROPERTY LOCATED AT 501 SOUTH CAMPBELL STREET, EL PASO, TEXAS.**

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, Robinson, Noe, Ordaz, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Acosta

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. CITY DEVELOPMENT:

8.1.

RESOLUTION

WHEREAS, pursuant to state law the CITY OF EL PASO ("City") does not regulate the zoning or construction of improvements and structures outside of its corporate boundaries; and,

WHEREAS, RANCHOS REAL XV, LLC., a Texas limited liability company (hereinafter referred to as the "Owner") and EL PASO DESERT EAST INVESTMENTS VI, LTD, a Texas Limited partnership and THE MESA GROUP V, LTD, a Texas limited partnership (collectively with Owner, the "Donors"), are the owners of record of real property which is not located within the corporate limits of any municipality but is contiguous to the corporate limits of the City; and Owner desires that the property be subject to a development agreement and subsequently be annexed into the City; and,

WHEREAS, Texas Local Government Code Chapter 212, Subchapter G, allows for the governing body of a municipality to enter into a written contract with an owner of land that is located in the extraterritorial jurisdiction of the municipality; and,

WHEREAS, Subchapter G, also allows for the City to extend its planning authority over the land and authorize the enforcement of the City's land use and development regulations over the land in the same manner the regulations are enforced within the municipality's boundaries and provide for the annexation of the land in a timely manner; and,

WHEREAS, Texas Local Government Code Chapter 212, Subchapter C, allows a municipality with 5,000 or more inhabitants, to enter into a contract with a developer of a subdivision of land in the municipality to construct public improvements, not including a building, related to the development without complying with the

competitive sealed bidding procedure of Chapter 252; and,

WHEREAS, Owner, after full consideration, accept the terms and conditions cited in the proposed Development Agreement due to the advantages and benefits resulting from the subsequent annexation of the property; and,

WHEREAS, the City, after due and careful consideration, and after consultation and approval from the El Paso Water Utilities-Public Service Board, has concluded that the annexation of the property on the terms and conditions set forth in the Development Agreement is in the best interest of the City to protect and provide for the public health, safety, morals and general welfare.

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

That the City Manager or his Designee, be authorized to sign a Development Agreement, and subsequent amendments or extensions, by and between the CITY OF EL PASO and RANCHOS REAL XV, LLC., a Texas limited liability company and EL PASO DESERT EAST INVESTMENTS VI, LTD, a Texas Limited partnership and THE MESA GROUP V, LTD, a Texas limited partnership, to set forth the rights and responsibilities between the parties to allow for the development of the property legally described as a Portion of Section 2, Block 79, Township 3, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, located within the City's East Extraterritorial Jurisdiction and containing 310.60 acres of land more or less.

Furthermore, that the City Manager or his Designee is authorized to provide any and all notices required under law in order to annex this property. That the Deputy Director of Planning is hereby directed to prepare an annexation service plan in accordance with Section 43.056 of the Local Government Code.

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

Mayor Leeser and Representatives Acosta and Noe commented.

Ms. Lisa Turner, citizen, commented.

Mr. Tommy Gonzalez, City Manager, commented.

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

8.2.

RESOLUTION

WHEREAS, the City of El Paso and Tomly Corporation Inc., hereinafter referred to as "Property Owner" wish to annex approximately 5.4325 acres of real property described in Exhibit "A" and Exhibit "B" of the Annexation Agreement, which is attached and incorporated for all purposes, and of which the County of El Paso is the owner of approximately .4247 acres of such real property; and,

WHEREAS, the Property Owner is the owner of approximately 5.0078 acres out of the 5.4325 acre tract with the remainder being a county road; and,

WHEREAS, the Property is not within the corporate limits of any municipality but is contiguous to the corporate limits of the City and the Property Owner desires

that the Property be annexed to the City in order to provide adequate and efficient improvements and facilities; and,

WHEREAS, the City has determined that if the Property is annexed, such annexation should be subject to certain terms and conditions which will require the Property Owner to participate in the costs for municipal infrastructure and costs for providing municipal services to the annexed area; and,

WHEREAS, Property Owner, after full consideration, accepts the terms and conditions cited in the Annexation Agreement due to the advantages and benefits resulting from the annexation of the Property; and,

WHEREAS, the City, after due and careful consideration, and after consultation and approval of the El Paso Water Utilities-Public Service Board, has concluded that should the City decide to annex the Property the annexation should be under the terms and conditions hereinafter set forth and that such terms and conditions are in the best interest of the City to protect and provide for the public health, safety, morals and general welfare.

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

That the City Manager or his Designee is authorized to sign an Annexation Agreement between the City and Tomly Corporation, for 5.4325 acres of real property located west of Zaragoza Road at Pebble Hills Boulevard, which will specify the terms and conditions in which the property will be annexed, should the City annex the property. Furthermore, that the City Manager or his Designee is authorized to provide any and all notices required under law in order to annex this property.

That the Deputy Director of Planning is hereby directed to prepare an annexation service plan in accordance with Section 43.056 of the Local Government Code.

Ms. Kimberly Forsyth, Lead Planner for City Development, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representative Noe commented.

Ms. Lisa Turner, citizen, commented.

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

9. ENGINEERING AND CONSTRUCTION MANAGEMENT:

9.1.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and AIA Engineers, LTD., for a project known as "Civil Engineering Consulting Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total

contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and CEA Engineering Group, Inc., for a project known as "Civil Engineering Consulting Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and CSA Design Group, Inc., for a project known as "Civil Engineering Consulting Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and ESSCO International, Inc., for a project known as "Civil Engineering Consulting Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Huitt - Zollars, Inc., for a project known as "Civil Engineering Consulting Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars

(\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Moreno Cardenas, Inc., for a project known as "Civil Engineering Consulting Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Parkhill, Smith & Cooper, Inc., for a project known as "Civil Engineering Consulting Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and URS Corporation, for a project known as "Civil Engineering Consulting Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Adalta Engineering Group, L.L.C., for a project known as "Electrical and Mechanical Engineering Consulting Services" for an amount not to exceed Two Hundred Thousand and No/00 Dollars (\$200,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Two Hundred Fifty Thousand and No/00 Dollars (\$250,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and BATH GROUP, INC., for a project known as "Electrical and Mechanical Engineering Consulting Services" for an amount not to exceed Two Hundred Thousand and No/00 Dollars (\$200,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Two Hundred Fifty Thousand and No/00 Dollars (\$250,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Parkhill, Smith & Cooper, Inc., for a project known as "Electrical and Mechanical Engineering Consulting Services" for an amount not to exceed Two Hundred Thousand and No/00 Dollars (\$200,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Two Hundred Fifty Thousand and No/00 Dollars (\$250,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and AMEC Environment & Infrastructure, Inc., for a project known as "Environmental Engineering Consulting Services" for an amount not to exceed Two Hundred Fifty Thousand and No/00 Dollars (\$250,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Three Hundred Thousand and No/00 Dollars (\$300,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and ESSCO Environmental, Inc., for a project known as "Environmental Engineering Consulting Services" for an amount not to exceed Two Hundred Fifty Thousand and No/00 Dollars (\$250,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Three Hundred Thousand and No/00 Dollars (\$300,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Stell Environmental Enterprises, Inc., for a project known as "Environmental Engineering Consulting Services" for an amount not to exceed Two Hundred Fifty Thousand and No/00 Dollars (\$250,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Three Hundred Thousand and No/00 Dollars (\$300,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and AMEC Environment & Infrastructure, Inc., for a project known as "Geotechnical & Materials Testing Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and CQC Testing and Engineering, L.L.C., for a project known as "Geotechnical & Materials Testing Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Professional Service Industries, Inc., for a project known as "Geotechnical & Materials Testing Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Raba Kistner, Inc., for a project known as "Geotechnical & Materials Testing Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Parkhill, Smith & Cooper, Inc., for a project known as "Landscape Architectural Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Sites Southwest, LTD. Co., for a project known as "Landscape Architectural Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Burns & McDonnell Engineering Company, Inc., for a project known as "Municipal Solid Waste Engineering Services" for an amount not to exceed Three Hundred Thousand and No/00 Dollars (\$300,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Three Hundred Fifty Thousand and No/00 Dollars (\$350,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Parkhill, Smith & Cooper, Inc., for a project known as "Municipal Solid Waste Engineering Services" for an amount not to exceed Three Hundred Thousand and No/00 Dollars (\$300,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Three Hundred Fifty Thousand and No/00 Dollars (\$350,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Frank X. Spencer and Associates, Inc., for a project known as "Surveying Consulting Services" for an amount not to exceed One Hundred Fifty Thousand and No/00 Dollars (\$150,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Two Hundred Thousand and No/00 Dollars (\$200,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Huitt - Zollars, Inc., for a project known as "Surveying Consulting Services" for an amount not to exceed One Hundred Fifty Thousand and No/00 Dollars (\$150,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Two Hundred Thousand and No/00 Dollars (\$200,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Roe Engineering, L.C., for a project known as "Surveying Consulting Services" for an amount not to exceed One Hundred Fifty Thousand and No/00 Dollars (\$150,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Two Hundred Thousand and No/00 Dollars (\$200,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and SLI Engineering, Inc., for a project known as "Surveying Consulting Services" for an amount not to exceed One Hundred Fifty Thousand and No/00 Dollars (\$150,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Two Hundred Thousand and No/00 Dollars (\$200,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Huitt - Zollars, Inc., for a project known as "Traffic Engineering Consulting Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Martinez Engineering Group, Inc., for a project known as "Traffic Engineering Consulting Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services by and between the City of El Paso and Walter P. Moore and Associates, Inc., for a project known as "Traffic Engineering Consulting Services" for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00); and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Five Hundred Fifty Thousand and No/00 Dollars (\$550,000.00); 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 the Agreement.

Ms. Julie Baldwin, Program Administrator for Engineering and Construction Management, presented a PowerPoint presentation (copy on file in City Clerk's Office).

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

Mr. Tommy Gonzalez, City Manager, commented.

Ms. Lisa Turner, citizen, commented.

Motion made by Representative Acosta, seconded by Representative Limón, and unanimously carried to **APPROVE** the Resolutions.

9.2. Presentation on status of Capital Improvement Program projects:

a. Downtown Pedestrian Pathways, District 8, Gilbert Guerrero

Mr. Gilbert Guerrero, Civil Engineering Associate II, Engineering and Construction Management, presented a PowerPoint presentation (copy on file in City Clerk's Office).

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

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION taken on this item.

10. MAYOR AND COUNCIL:

10.1. Motion made by Representative Acosta, seconded by Mayor Pro Tempore Niland, and unanimously carried to **DIRECT** the City Attorney to provide a briefing to Council on legal matters the third Tuesday of every month.

NOT PRESENT FOR THE VOTE: Representatives Romero and Ordaz

10.2. Motion made by Representative Noe, seconded by Representative Acosta, and carried to **DIRECT** staff to amend the Ordinance, to amend the compliance requirements for off-premise sign lighting from the standards set by Section 18.18.070.

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

NAYS: Representative Lilly

Mr. Michael Molt, Lamar Advertising, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Lilly, Acosta, Robinson, Noe, and Ordaz commented.

The following City staff members commented:

1. Ms. Sylvia Firth, City Attorney, gave legal advice.
2. Mr. Victor Morrison-Vega, Deputy Director of City Development

Ms. Lisa Turner, citizen, commented.

ITEM 10.3 TAKEN INTO EXECUTIVE SESSION WITH EX1. – EX5.

10.3. 1ST MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Noe, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 11:08 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

2ND MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and carried to adjourn the Executive Session at 2:18 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Romero and Ordaz

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Limón, and **APPROVE** that the City's collective bargaining team be directed to immediately proceed to fact finding, and that all communication during the fact finding process be made through the designated negotiators and fact finder, and not through the elected officials; provided however, at any time during the fact finding process, if either party submits a modified proposal with different terms, the parties may mutually agree to suspend fact finding and discuss the new proposal.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Romero and Ordaz

Mayor Leeser and Representatives Acosta and Noe commented.

Mr. David Almonte, Deputy City Manager, commented.

Ms. Lisa Turner, citizen, commented.

10.4.

RESOLUTION

WHEREAS, on October 7, 2014, the City of El Paso (the "City") adopted its Legislative Agenda for the 84th Texas Legislative Session; and

WHEREAS, on November 11, 2014, the City Council discussed and approved amending the City's State Legislative Agenda to include supporting legislation that amends the notification requirements for the Housing Tax Credit Program to include that property owners within 300 feet of the applicant's property are required to be notified; and

WHEREAS, the El Paso County's State Legislative Agenda includes supporting legislation that increases the ability of local governments to work towards eliminating illegal tire disposal and enhance opportunities and incentives for proper tire recycling; and

WHEREAS, the City desires to amend its Legislative Agenda to include similar language as the County's regarding its priority item for illegal tire disposal; and

WHEREAS, the Chamber's State Legislative Agenda includes supporting the funding and development of early childhood education programs; and

WHEREAS, the City desires to amend its Legislative Agenda to include similar language as the Chamber

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

1. That the City of El Paso amends its Legislative Agenda to include supporting legislation that amends the notification requirements for Housing the Tax Credit Program to include that property owners within 300 feet of the applicant's property are required to be notified; and
2. That the City of El Paso in collaboration with El Paso County amends its Legislative Agenda regarding illegal tire disposal to state that the City shall seek passage of legislation that increases the ability of local governments to work towards eliminating illegal tire disposal and enhance opportunities and incentives for proper tire recycling.

Representatives Lilly, Acosta, Robinson, and Niland commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager, commented.
2. Ms. Brie Franco, Assistant City Attorney, gave legal advice.

Ms. Lisa Turner, citizen, commented.

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

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- 10.5.** Motion made by Representative Lilly, seconded by Mayor Pro Tempore Niland, and unanimously carried to **DELETE** the item that the Mayor, with input from City Manager and City Council, perform an evaluation of the City Attorney as required by her employment contract. The evaluation tool used should be an electronic survey to allow all participants to provide feedback in a confidential manner without having to submit responses that then must be manually compiled. HR routinely has surveyed employees using these electronic instruments so it is not a difficult task to convert a performance evaluation tool to this format. I am also asking that the City Manager

solicit input from his user departments and compile their feedback as part of his overall review in order to have a fair and complete picture of the overall performance and responsiveness of the City Attorney to the needs of the organization. There is nothing in this request that is unreasonable or unfair and I respectfully ask for full consideration.

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

Ms. Lisa Turner, citizen, commented.

EXECUTIVE SESSION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Noe, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 11:08 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 Mayor Pro Tempore Niland, seconded by Representative Lilly, and carried to adjourn the Executive Session at 2:18 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representatives Romero and Ordaz

EX1. EP Hotel Partners, LP and Spokane Equities Limited Partnership and CP El Paso, Ltd v. City of El Paso and EP Vida, Cause No. 2014DCV0727, Matter No. 13-1003-362 (551.071)

NO ACTION taken on this item.

EX2. EP Vida, LLC Hotel Site Lease at the El Paso International Airport and the Chapter 380 Economic Development Program Agreement and Hotel and Convention Services Agreement by and between the City of El Paso and EP Vida, LLC. (551.071, 551.072, and 551.087)

NO ACTION taken on this item.

EX3. Application of El Paso Electric Company for Approval to Revise its Energy Efficiency Cost Recovery Factor and Request to establish revised cost caps, SOAH Docket No. 473-14-3429 and PUC Docket No. 42449. (551.071)

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and

unanimously carried that the CITY OF EL PASO authorizes the City Attorney to file a motion for rehearing on Public Utility Commission Docket No. 42449 (SOAH Docket No. 473-14-3429); Application of El Paso Electric Company for Approval to Revise its Energy Efficiency Cost Recovery Factor and Request to Establish Revised Cost Caps.

NOT PRESENT FOR THE VOTE: Representatives Romero and Ordaz

EX4. Public Utility Commission of Texas Rulemaking to Propose New Procedural Rule 22.146 Relating to Limitations on Discovery in Rate Proceedings, PUC Docket No. 42330. (551.071)

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried that the CITY OF EL PASO authorizes the City Attorney to file Comments and Reply Comments in the following Public Utility Commission Docket No. 42330; Rulemaking to Propose New Substantive Rule 22.146, relating to the Limitations on Discovery in Rate Proceedings.

This Motion is intended to grant broad authority to the City Attorney to take any action necessary to address these matters in consultation with the City Manager. This authorization also authorizes the City Attorney to retain outside Counsel in connection with this matter.

NOT PRESENT FOR THE VOTE: Representatives Romero and Ordaz

EX5. 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)

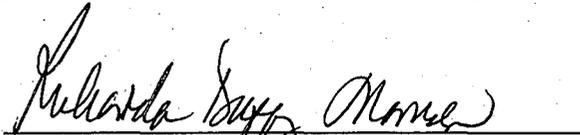
NO ACTION taken on this item.

ADJOURN

Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, and unanimously carried to **ADJOURN** this meeting at 2:24 p.m.

NOT PRESENT FOR THE VOTE: Representatives Romero and Ordaz

APPROVED AS TO CONTENT:


Richarda Duffy Mohnsen, City Clerk