

OSCAR LEESER
MAYOR



CITY COUNCIL
BRIAN KENNEDY, DISTRICT 1
JOSH ACEVEDO, DISTRICT 2
CASSANDRA HERNANDEZ DISTRICT 3
JOE MOLINAR, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
ART FIERRO DISTRICT 6
HENRY RIVERA, DISTRICT 7
CHRIS CANALES, DISTRICT 8

CARY WESTIN
INTERIM CITY MANAGER

**AGENDA REVIEW MINUTES
COUNCIL CHAMBERS AND VIRTUALLY
CITY HALL, 300 N. CAMPBELL
July 1, 2024
9:00 A.M.**

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The City Council met at the above place and date. Meeting was called to order at 9:07 a.m. Mayor Oscar Leeser was present and presiding. The following Council Members answered roll call: Josh Acevedo, Joe Molinar, Isabel Salcido, and Chris Canales. Brian Kennedy participated via videoconference. Late arrival: Cassandra Hernandez at 9:08 a.m. Art Fierro and Henry Rivera requested to be excused.

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The agenda items for the July 2, 2024 Regular City Council and Mass Transit Department Board Meetings were reviewed.

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28. REGULAR AGENDA – OPERATIONAL FOCUS UPDATES

Discussion regarding the presentation of the 2023 Animal Shelter Advisory Committee (ASAC) Annual Report to City Council.

Mayor Leeser commented.

Mr. Terry Kebschull, Animal Services Director, commented.

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29. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance authorizing the conveyance of real property owned by the City of El Paso to VTRE Development, LLC for the purchase price of \$18,720,000. Such real property legally described as a portion of Lot 1, Block 1, El Paso West, as filed in Book 57, Page 5 of the plat records of El Paso County, Texas.

Mayor Leeser commented.

Ms. Karina Brasgalla, Economic and International Development Interim Director, commented.

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30. REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

Discussion and action that the Managing Director of the Purchasing & Strategic Sourcing Department be authorized to issue Purchase Order(s) for Solicitation 2024-0554 Restroom Maintenance to Public Facilities and Services, Inc., the sole developer and provider of Exeloo Automated Public Toilets for a three (3) year term for an estimated amount of \$270,000.00 The supplier will be required to provide an updated sole source letter and affidavit each year. This contract will enable the International Bridges Department to purchase a three-year maintenance service agreement for their automated restrooms located at the Stanton and Paso Del Norte Bridges in El Paso.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$40,320.00 which represents a 17.55%. This is due to the higher frequency of replacing parts on the automated restrooms that are over 10 years old. The increase is also attributed to wage inflation and parts price Inflation.

Department: International Bridges
Award to: Public Facilities and Service, Inc.
City & State: Lithia Springs, GA
Item(s): All
Initial Term: 3 Years
Option Term: NA
Total Contract Time: 3 Years
Annual Estimated Award: \$90,000.00
Initial Term Estimated Award: \$270,000.00
Option Term Estimated Award: NA
Total Estimated Award: \$270,000.00
Account(s): 522060-564-3300-64830
Funding Source(s): International Bridges Operations
District(s): All

Non-competitive Procurement under Local Government General Exemption: Section 252.022 (7) a procurement of items that are available from only one source (A) items that are available from only one source because of patents, copyrights, secret processes or natural monopolies.

The Purchasing & Strategic Sourcing Department and International Bridges recommend award as indicated to Public Facilities and Services, Inc., under the exemption listed above.

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.

Mayor Leeser questioned the following City staff members:

- Mr. Omar Sepeda, Procurement Specialist
- Mr. Roberto Tinajero, International Bridges Director

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32. REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

Discussion and action on the award of Solicitation 2024-0291 Fire Station 38 to Dantex General Contractors, Inc., for a total estimated award of \$5,479,000.00. This contract will be used for the construction of the new Fire Station #38, which will be located within a complex and adjacent to the Eastside Regional Command Center (ERCC) at 14301 Pebble Hills Boulevard.

Department: Capital Improvement
Award to: Dantex General Contractors, Inc.
City & State: El Paso, TX
Item(s): All
Contract Term: 400 Consecutive Calendar Days
Base Bid I: \$5,479,000.00
Total Estimated Award: \$5,479,000.00
Account(s): 190-4820-29090-580270-PCP20FDSTATIO38
Funding Source(s): 2019 Public Safety Bond

District(s): 5

This was a Competitive Sealed Proposal Procurement lump sum contract

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Dantex General Contractors, Inc. the highest ranked offeror based on the evaluation factors established in the evaluation criteria for this procurement.

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.

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.

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

- Mr. Derek Russell, Lead Procurement and Contract Analyst
- Ms. Yvette Hernandez, City Engineer

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35. REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

Discussion and action that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for Solicitation 2024-0599 Police Ordered and Non-Consent Towing to 3H Towing, LLC, AD Wrecker Service, Inc., dba AD Towing & Recovery, Raul Fernandez Jr. dba Dependable Towing, Kamel Towing, Inc., and Sohle Express Towing, Inc., for six (6) months for an estimated amount of \$489,649.75 on a rotation and as needed basis.

Contract Variance:

Not applicable.

Department:	Police
Vendor #1:	3H Towing, LLC
City & State:	El Paso, TX
Item(s):	Group 1 - Item 1 Group 2 - Item 1
Initial Term:	6 months
Option Term:	NA
Total Contract Time:	6 months
Annual Estimated Award:	NA
Initial Term Estimated Award:	\$97,929.95
Option Term Estimated Award:	NA
Total Estimated Award:	\$97,929.95
Vendor #2:	AD Wrecker Service, Inc., dba AD Towing & Recovery
City & State:	El Paso, TX
Item(s):	Group 1 - Item 1, 2 & 3 Group 2 - Item 1

Initial Term: 6 months
Option Term: NA
Total Contract Time: 6 months
Annual Estimated Award: NA
Initial Term Estimated Award: \$97,929.95
Option Term Estimated Award: NA
Total Estimated Award: \$97,929.95

Vendor #3: Raul Fernandez dba Dependable Towing
City & State: El Paso, TX
Item(s): Group 1 - Item 1 & 2
Group 2 - Item 1

Initial Term: 6 months
Option Term: NA
Total Contract Time: 6 months
Annual Estimated Award: NA
Initial Term Estimated Award: \$97,929.95
Option Term Estimated Award: NA
Total Estimated Award: \$97,929.95

Vendor #4: Kamel Towing, Inc.
City & State: El Paso, TX
Item(s): Group 1 - Item 1 & 2
Group 2 - Item 1

Initial Term: 6 months
Option Term: NA
Total Contract Time: 6 months
Annual Estimated Award: NA
Initial Term Estimated Award: \$97,929.95
Option Term Estimated Award: NA
Total Estimated Award: \$97,929.95

Vendor #5: Sohle Express Towing, Inc.
City & State: El Paso, TX
Item(s): Group 1 - Item 1, 2 & 3
Group 2 - Item 1

Initial Term: 6 months
Option Term: NA
Total Contract Time: 6 months
Annual Estimated Award: NA
Initial Term Estimated Award: \$97,929.95
Option Term Estimated Award: NA
Total Estimated Award: \$97,929.95

Annual Estimated Award: NA
Initial Term Estimated Award: \$489,649.75 (5 Vendors)
Option Term Estimated Award: NA
Total Estimated Award: \$489,649.75 (5 Vendors)
Account(s): 321 - 2811 - 21280 - 522070
Funding Source(s): Police Tow Lot
District(s): All

Non-Competitive Procurement under Local Government General Exemption: Section 252.022 - (2) a procurement necessary to preserve or protect the public health or safety of the municipality's residents.

The Purchasing & Strategic Sourcing Department and Police Department recommend award as indicated to 3H Towing, LLC, AD Wrecker Service, Inc., dba AD Towing & Recovery, Raul Fernandez Jr. dba Dependable Towing, Kamel Towing, Inc., and Sohle Express Towing, Inc., under the exemption listed above.

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.

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

- Ms. Paula Salas, Lead Procurement and Contract Analyst
- Mr. Cary Westin, Interim City Manager
- Ms. Nicole Cote, Purchasing and Strategic Sourcing and Office of Management and Budget Managing Director
- Assistant Police Chief Julia Inciriaga

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37. REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

Discussion and action that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for Solicitation 2024-0314 PC Time & Print Management to Comprise Technologies, Inc., the sole developer and provider of SAM, SmartALEC, SmartPAY and Smart Kiosk Payment Centers for a term of three (3) years for an estimated amount of \$120,203.59. The supplier will be required to provide an updated sole source letter and affidavit each year. This contract will provide continued services and allow purchase of additional licenses and kiosks for the Main Library.

Contract Variance:

The difference based in comparison to the previous contracts is as follows: a decrease of \$43,282.41 for a three (3) year term, which represents a 26.47% decrease due to combining contracts of integrated solutions of software and hardware functions.

Department:	Libraries
Award to:	Comprise Technologies Inc
City & State:	Navesink, NJ
Item(s):	All
Initial Term:	3 Years
Option Term:	N/A
Total Contract Time:	3 Years
Annual Estimated Award:	\$35,274.58 Year 1 \$40,392.22 Year 2 \$44,536.79 Year 3
Initial Term Estimated Award:	\$120,203.59
Option Term Estimated Award:	N/A
Total Estimated Award:	\$120,203.59
Account(s):	239-1000-15240-522020-P1506
Funding Source(s):	General Fund
District(s):	All

Non-Competitive Procurement under Local Government General Exemption: Section 252.022 - (7) a procurement of items that are available from only one source (D) captive replacement parts or components for equipment.

The Purchasing & Strategic Sourcing Department and Libraries Department recommend award as indicated to Comprise Technologies Inc., under the exemption listed above.

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.

Additionally, it is requested that the City Attorney's Office review and that the City Manager or designee be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Mayor Leeser commented.

Ms. Jenny Simsuangco, Procurement Analyst, commented.

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ITEMS 38 THROUGH 40 WERE TAKEN TOGETHER

38. REGULAR AGENDA – OTHER BUSINESS

Discussion and action on a Resolution authorizing the City Manager to sign a Chapter 380 Economic Development Program Agreement by and between the City of El Paso, Texas and Notes Live Inc, in support of the construction of a 12,500 seat amphitheater at Northeast Corner of Cohen Avenue and Gateway Boulevard North, El Paso, Texas. Subject to the terms and conditions of the Agreement and provided that Company expends or causes to expend a minimum of \$80,000,000 in Qualified Expenditures for the Project and secures an operator contract for a minimum 40 national touring events per year, City agrees to provide Applicant with incentives totaling \$30,900,208 over the term of this Agreement. Incentives will take the form of a Real and Business Personal Property Tax Rebate; a Sales and Use Tax Rebate; a Mixed Beverage and Gross Receipts Tax Rebate; a Development Fee Waiver; a Construction Materials Sales Tax Rebate; and an 8-year Development Note backed by the Texas Economic Development Fund. Incentives also include the conveyance of City-owned land in accordance with Chapter 253.0125 of the Texas Local Government Code, executed via separate Contract of Sale.

39. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

An Ordinance authorizing the City Manager to sign a contract of sale with Notes Live Inc, a Colorado corporation, for the sale of approximately 17 acres of property located at the Northeast corner of Cohen Avenue and Gateway Boulevard North, El Paso, TX 79924, legally described as a portion of Block 7, Castner Range Subdivision No. 1, City of El Paso, El Paso County, Texas.

40. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

An Ordinance approving amendment number three to the Final Project and Financing Plan for Tax Increment Reinvestment Zone Number Eleven, City of El Paso, Texas; making various findings related to such Plan; providing for severability; and providing an effective date.

Mayor Leeser and Representative Hernandez questioned the following City staff member:

- Ms. Karina Brasgalla, Economic and International Development Assistant Director

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ITEMS 45 AND 46 WERE TAKEN TOGETHER

45. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READINGS OF ORDINANCES

An Ordinance authorizing the City Manager to sign a deed and any other documents necessary to convey approximately 0.0061 acres of land legally described as a portion of Section 35, Block 79, Township 2, T&P R.R. Co. Survey, Abstract No. 2139, City of El Paso, El Paso County, Texas.

46. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READINGS OF ORDINANCES

An Ordinance authorizing the City Manager to sign a purchase and sale agreement, a deed and any other documents necessary to convey approximately 16.2097 acres of land, legally described as portion of Section 9, Township 27, South Range 3 East, New Mexico Principle Meridian, Dona Ana County, New Mexico.

Mayor Leeser commented.

Ms. Rocio Alvarado, El Paso Water Real Estate Manager, commented.

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47. REGULAR AGENDA – OTHER BUSINESS

Discussion and action to approve a Resolution authorizing the City Manager or designee to submit FY2025 grant application for the Motor Vehicle Crime Prevention Authority (MVCPA) and to accept, alter, decline, modify, terminate and/or execute all necessary documents related to the grant. The grant period will be from September 1, 2024 to August 31, 2025. Requesting grant funding for \$2,016,853.00 for personnel salaries, travel, and operating expenses. Cash Match amount will be \$553,884.00. If awarded, the grant will provide financial support to the Police Department's Auto Theft Task Force to combat motor vehicle theft, burglary of motor vehicles and fraud-related motor vehicle crime.

Mayor Leeser questioned the following City staff member:

- Assistant Police Chief Humberto Talamantes

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Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Canales, and unanimously carried to **ADJOURN** this meeting at 9:38 a.m.

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, and Canales

NAYS: None

ABSENT: Representatives Fierro and Rivera

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk