

Oscar Leeser  
Mayor

Tommy Gonzalez  
City Manager



CITY COUNCIL  
Peter Svarzbein, District 1  
Alexandra Anello, District 2  
Cassandra Hernandez, District 3  
Joe Molinar, District 4  
Isabel Salcido, District 5  
Claudia L. Rodriguez, District 6  
Henry Rivera, District 7  
Cissy Lizarraga, District 8

## **AGENDA FOR THE REGULAR COUNCIL MEETING**

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**February 02, 2021**

**3:30 PM**

**Teleconference phone number 1-915-213-4096**

**Toll free number: 1-833-664-9267**

**Conference ID: 707-592-504#**

**AND**

### **AGENDA REVIEW MEETING**

**February 1, 2021**

**3:30 PM**

**Teleconference phone number 1-915-213-4096**

**Toll free number: 1-833-664-9267**

**Conference ID: 400-439-280#**

### **TEMPORARY SUSPENSION OF OPEN MEETINGS LAWS DUE TO EMERGENCY**

The Texas Governor temporarily suspended specified provisions of the Texas Open Meetings Act to allow telephonic or videoconference meetings and to avoid congregate settings in physical locations.

Notice is hereby given that an Agenda Review Meeting will be conducted on February 1, 2021 at 3:30 P.M. and a Regular Meeting of the City Council of the City of El Paso will be conducted on February 2, 2021 at 3:30 P.M. Members of the public may view the meeting via the following means:

Via the City's website. <http://www.elpasotexas.gov/videos>

Via television on City15,

YouTube: <https://www.youtube.com/user/cityofelpasotx/videos>

In compliance with the requirement that the City provide two-way communication for members of the public, members of the public may communicate with Council during public comment, and regarding agenda items by calling the following number:

1-915-213-4096 or Toll free number: 1-833-664-9267

**At the prompt please enter the corresponding Conference ID:**

**Agenda Review, February 1, 2021 Conference ID: 400-439-280#  
Regular Council Meeting, February 2, 2021 Conference ID: 707-592-504#**

**The public is strongly encouraged to sign up to speak on items on this agenda before the start of this meeting on the following links:**

**<https://www.elpasotexas.gov/city-clerk/meetings/city-council-meetings>  
and  
[http://legacy.elpasotexas.gov/muni\\_clerk/Sign-Up-Form-Call-To-The-Public.php](http://legacy.elpasotexas.gov/muni_clerk/Sign-Up-Form-Call-To-The-Public.php)**

**The following members of City Council will be present via video conference:**

**Mayor Oscar Leeser and Representatives Peter Svarzbein, Aleksandra Anello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga**

**A quorum of City Council must participate in the meeting.**

At the request of the Mayor, the Invocation, Pledge of Allegiance, Proclamations, and Recognitions by Mayor have been temporarily suspended.

## **ROLL CALL**

## **NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

## **CONSENT AGENDA - APPROVAL OF MINUTES:**

### **Goal 6: Set the Standard for Sound Governance and Fiscal Management**

1. Approval of Minutes of the Regular City Council Meeting of January 19, 2021. [21-140](#)

#### **All Districts**

City Clerk's Office, Laura D. Prine, (915) 212-0049

## **CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

2. **CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

## **CONSENT AGENDA - RESOLUTIONS:**

### **Goal 2: Set the Standard for a Safe and Secure City**

3. Approve budget transfer to increase FY2021 Confiscated Funds and appropriations as follows: State Confiscated Funds Budget by \$1,092,167; Federal Confiscated Funds Budget by \$447,468. [21-103](#)  
**All Districts**  
Police, Chief Gregory K. Allen, (915) 212-4302
  
4. The El Paso City Council authorizes the submission to the Office of the Governor of the State of Texas, Criminal Justice Division, grant application number 3952702, for the City of El Paso Police Department project identified as "Project Safe Neighborhoods Grant Program, FY 2021" to provide financial assistance to the City of El Paso. Requesting \$86,701.04, no cash match is required. Grant period will be from October 1, 2021 - September 30, 2022. [21-108](#)  
**All Districts**  
Police, Assistant Chief Zina Silva, (915) 212-4306
  
5. That the City Manager, or designee, is authorized to sign a Commercial Lease Addendum for Extension of Term between the City of El Paso and Cyndi Boaz for the lease of office space for the El Paso Police Department. This addendum extends the lease for an additional two years ending on February 28, 2023 with a monthly base rent of \$6,500. Further, that City Manager or designee is authorized to exercise all rights under the lease including termination of the lease. The City Manager or designee is also authorized to sign any amendments to the lease. [21-109](#)  
**All Districts**  
Capital Improvement Department, Sam Rodriguez, (915) 212-0065
  
6. A Resolution authorizing the City Manager or designee to submit a grant application number 2950607 for the City of El Paso Police Department project identified as the "Homeland Security Program FY 2021- LETPA Project " through the Office of the Governor of the State of Texas, Homeland Security Grant Division, including all related paperwork, including but not limited to, authorization of budget transfers, and/or revisions to the operation plan, and to accept, reject, amend, and/or terminate the grant which will provide financial assistance to the City of El Paso. In the event of loss or misuse of the grant funds, the City of El Paso assures that it will return the funds to the Office of the Governor in full. Requesting \$148,455.00, no cash match required. Grant period will be from September 1, 2021 - August 31, 2022. [21-111](#)  
**All Districts**  
Police, Assistant Chief Patrick Maloney, (915) 212-4309
  
7. A Resolution authorizing the City Manager or designee to submit grant [21-112](#)

application number 3967902 for the City of El Paso Police Department project identified as the “Homeland Security Program FY 2021- Sustainment of First Responders” through the Office of the Governor of the State of Texas, Homeland Security Grant Division, including all related paperwork, including but not limited to, authorization of budget transfers, and/or revisions to the operation plan, and to accept, reject, amend, and/or terminate the grant which will provide financial assistance to the City of El Paso. In the event of loss or misuse of the grant funds, the City of El Paso assures that it will return the funds to the Office of the Governor in full. Requesting \$160,000.00 no cash match required. Grant period will be from September 1, 2021 - August 31, 2022.

**All Districts**

Police, Assistant Chief Patrick Maloney, (915) 212-4309

8. Authorize the submission to the Office of the Governor of the State of Texas, Criminal Justice Division, grant application number 3550602, for the City of El Paso Police Department project identified as “ Crime Scene Investigation, FY 2022” to provide financial assistance to the City of El Paso. Requesting \$53,875.00, no cash match is required. Grant period will be from October 1, 2021 - September 30, 2022. [21-133](#)

**All Districts**

Police, Assistant Chief Patrick Maloney, (915) 212-4309

9. The El Paso City Council authorizes the submission to the Office of the Governor of the State of Texas, Criminal Justice Division, grant application number 2592808, for the City of El Paso Police Department project identified as “General Victims Services” to provide financial assistance to the City of El Paso. Requesting \$254,031.86 which requires a cash match by the City of \$63,507.97 for a total project amount of \$317,539.83. Grant period will be from October 1, 2021 - September 30, 2022. [21-134](#)

**All Districts**

Police, Assistant Chief Zina Silva, (915) 212-4306

10. A Resolution authorizing the City Manager or designee to submit a grant application number 2950707 for the City of El Paso Police Department project identified as the “Homeland Security Program FY 2021 - MATRIX El Paso Fusion Center Sustainment and Enhancement” through the Office of the Governor of the State of Texas, Homeland Security Grant Division, including all related paperwork, including but not limited to, authorization of budget transfers, and/or revisions to the operation plan, and to accept, reject, amend, and/or terminate the grant which will provide financial assistance to the City of El Paso. In the event of loss or misuse of the grant funds, the City of El Paso assures that it will return the funds to the Office of the Governor in full. Requesting \$489,173.32, no cash match required. Grant period will be from September 1, 2021 - August 31, 2022. [21-136](#)

**All Districts**

Police, Assistant Chief Patrick Maloney, (915) 212-4309

**Goal 7: Enhance and Sustain El Paso’s Infrastructure Network**

11. Authorizing a dedication for use of the public as public right-of-way portions of the following property: Portions of Lot 1, Block 4, Riverside International Industrial Center recorded in Volume 74 Page 3, Plat Records of El Paso County Texas; A portion of Lot 1, Block 2, Riverside International Industrial Center, recorded in Volume 74 Page 3, Plat Records of El Paso County, Texas; A portion of Tract 5, Block 53, Ysleta Grant Survey; a portion of Tract 5A, Block 53, Ysleta Grant Survey; a portion of Tract 6A, Block 53, Ysleta Grant Survey as shown on Map dated July 1928; a portion of Tract 6A, Block 53, Ysleta Grant Survey, as shown on Map dated July 1928; Lot 1, Block 5, Riverside International Industrial Central, recorded in Volume 74 Page 3, Plat Records of El Paso County, Texas; a portion of Lot 1, Block 3, Riverside International Industrial Center, recorded in Volume 74, Page 3, Plat Records of El Paso County Texas. [21-166](#)

**All Districts**

Capital Improvement Department, Sam Rodriguez, (915) 212-0065

**Goal 8: Nurture and Promote a Healthy, Sustainable Community**

12. A Resolution authorizing the Mayor of the City of El Paso, Texas to sign a resolution of no objection for a 2021 4% Non-Competitive, Low Income Housing Tax Credit (LIHTC) application submitted by CDV 34, LLC to the Texas Department of Housing and Community Affairs (TDHCA) for the rehabilitation of 101 affordable housing units at Corona del Valle, 5453 Ridge St, El Paso, TX 79932. [21-124](#)

**District 1**

Community & Human Development, Nicole Ferrini, (915) 212-1659

13. That the Mayor of the City of El Paso, Texas be authorized to sign a Resolution providing that the City of El Paso acknowledges that the proposed Sun Pointe Apartment project by the Housing Authority of the City of El Paso is located in a census tract that has a poverty rate above 55% for developments and that the City authorizes the development to move forward consistent with prior action taken by City Council on December 15, 2020. [21-125](#)

**All Districts**

Community & Human Development, Nicole Ferrini, (915) 212-1659

Community & Human Development, Mark Weber, (915) 212-1682

14. A Resolution authorizing the City Manager to sign an amendment to a Local Cash Match Agreement between the City of El Paso and Workforce Solutions Borderplex, Inc., reducing the amount of match certification of 45th Year (2020) Community Development Block Grant (CDBG) funds and Parks and Recreation Department General Funds from \$90,000.00 to \$43,327.08, to reflect actual expenditures. [21-151](#)

**All Districts**

Community & Human Development, Nicole Ferrini, (915) 212-1659

**CONSENT AGENDA - SPECIAL APPOINTMENT:**

**Goal 6: Set the Standard for Sound Governance and Fiscal Management**

15. A Resolution that District 6 Representative, Claudia L. Rodriguez, be appointed as the City's representative to the Texas Municipal League Board of Directors effective upon City Council approval. [21-126](#)  
Mayor and Council, Mayor Oscar Leeser, (915) 212-0021
16. A Resolution that the Mayor elects to appoint District 1 Representative Peter Svarzbein to serve on the Texas Mayors of Military Communities committee. [21-164](#)  
Mayor and Council, Mayor Oscar Leeser, (915) 212-0021

**CONSENT AGENDA - BOARD RE-APPOINTMENTS:**

**Goal 3: Promote the Visual Image of El Paso**

17. Ivan Lopez to the Historic Landmark Commission by Representative Henry Rivera, District 7. [21-137](#)  
Mayor and Council, Representative Henry Rivera, (915) 212-0007

**Goal 6: Set the Standard for Sound Governance and Fiscal Management**

18. Holly Wright to the Civil Service Commission by Representative Joe Molinar, District 4. [21-105](#)  
Mayor and Council, Representative Joe Molinar, (915) 212-0004

**Goal 7: Enhance and Sustain El Paso's Infrastructure Network**

19. Evi Marisa Licona to the Zoning Board of Adjustment in the Alternate Position by Representative Cissy Lizarraga, District 8. [21-155](#)  
Mayor and Council, Representative Cissy Lizarraga, (915) 212-0008

**CONSENT AGENDA - BOARD APPOINTMENTS:**

**Goal 3: Promote the Visual Image of El Paso**

20. Mark Wancho to the Open Space Advisory Board by Representative Aleksandra Annelo, District 2. [21-143](#)  
Mayor and Council, Representative Aleksandra Annelo, (915) 212-0002

**Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational**

## Environments

21. Fernando Delgado to the Parks and Recreation Advisory Board by Representative Claudia L. Rodriguez, District 6. [21-152](#)  
Mayor and Council, Representative Claudia L. Rodriguez, (915) 212-0006

## Goal 6: Set the Standard for Sound Governance and Fiscal Management

22. Mark-Thomas Bray to the Ethics Review Commission by Representative Joe Molinar, District 4. [21-114](#)  
Mayor and Council, Representative Joe Molinar, (915) 212-0004
23. Danny Perea to the El Paso Bond Overview Advisory Committee by Representative Cassandra Hernandez, District 3. [21-117](#)  
Mayor and Council, Representative Cassandra Hernandez, (915) 212-0003
24. Emma Acosta to the El Paso Bond Overview Advisory Committee by Representative Henry Rivera, District 7. [21-159](#)  
Mayor and Council, Representative Henry Rivera, (915) 212-0007
25. Representative Cassandra Hernandez to the Financial Oversight Audit Committee by Mayor Oscar Leeser. [21-160](#)  
Mayor and Council, Mayor Oscar Leeser, (915) 212-0021
26. Representative Joe Molinar to the City of El Paso Employees Retirement Trust Board of Trustees by Mayor Oscar Leeser. [21-150](#)  
Mayor and Council, Mayor Oscar Leeser, (915) 212-0021
27. Luis Yañez to the Civil Service Commission by Representative Cissy Lizarraga, District 8. [21-163](#)  
Mayor and Council, Representative Cissy Lizarraga, (915) 212-0008

## Goal 7: Enhance and Sustain El Paso's Infrastructure Network

28. Martina Lorey to the City Plan Commission by Representative Aleksandra Annelo, District 2. [21-153](#)  
Mayor and Council, Representative Aleksandra Annelo, (915) 212-0002
29. Daniel Carey-Whalen to the City Plan Commission by Representative Joe Molinar, District 4. [21-156](#)  
Mayor and Council, Representative Joe Molinar, (915) 212-0004
30. William J. Ellis to the City Accessibility Advisory Committee by Representative [21-154](#)

Cissy Lizarraga, District 8.

Mayor and Council, Representative Cissy Lizarraga, (915) 212-0008

31. Kate Felzer to the Building and Standards Commission by Representative  
Alexsandra Anello, District 2.

[21-161](#)

Mayor and Council, Representative Alexsandra Anello, (915) 212-0002

### **CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:**

#### **Goal 6: Set the Standard for Sound Governance and Fiscal Management**

32. That the tax refunds listed on the attachment posted with this agenda be approved. This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00. (See Attachment A)

[21-115](#)

#### **All Districts**

Tax Office, Maria O. Pasillas, (915) 212-1737

### **CONSENT AGENDA - NOTICE OF CAMPAIGN CONTRIBUTIONS:**

#### **Goal 6: Set the Standard for Sound Governance and Fiscal Management**

33. For notation pursuant to Section 2.92.110 of the City Code, receipt of the following campaign contributions by Mayor Oscar Leeser: \$2,500 from Randall J. Bowling and \$2,500 from Robert L. Bowling IV.

[21-119](#)

Mayor and Council, Mayor Oscar Leeser, (915) 212-0021

34. For notation pursuant to Section 2.92.110 of the City Code, receipt of campaign contributions by Representative Cassandra Hernandez: \$2,500 from Woody and Gayle Hunt.

[21-157](#)

Mayor and Council, Representative Cassandra Hernandez, (915) 212-0003

### **CONSENT AGENDA - REQUEST FOR PROPOSAL:**

#### **Goal 2: Set the Standard for a Safe and Secure City**

35. The linkage to Strategic Plan is subsection 2.1 - Maintain standing as one of the nation's top safest cities. This contract will support the Police Department's efforts to comply with S.B. 944 which requires law enforcement to preserve public information stored on an electronic device and forward that information to a governmental body server to be preserved based on standard governmental document storage guidelines. This service provides group messaging, person-to-person communication and the capability to send and receive photos

[21-135](#)



and documents in real time situation.

Award Summary:

The award of Solicitation No. 2020-975R Secure Messaging for First Responders to Infinite Convergence Solutions, Inc. for an initial three (3) year term estimated award of \$202,500.00.00. The award is to include two (2) one-year options in amount of \$135,000 for a total five (5) year award of \$337,500.00.

Contract Variance:  
N/A

Department: Police Department  
Award to: Infinite Convergence Solutions, Inc.  
Rockville, MD  
Annual Estimated Award: \$67,500.00  
Initial Term Estimated Award: \$202,500.00 (3 years)  
Total Estimated Award: \$337,500.00 (5 years)  
Account No.: 321-21280-2811-522150  
Funding Source: Confiscated Fund  
Districts: All

This is a Request for Proposal, service contract.

The Purchasing and Strategic Sourcing and Police Departments recommend award as indicated to Infinite Convergence Solutions, Inc. 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.

**All Districts**

Police, Chief Gregory Allen, (915) 212-4302  
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

**Goal 6: Set the Standard for Sound Governance and Fiscal Management**

36. The linkage to Strategic Plan is subsection 6.3 - Implement programs to reduce organizational risk. This contract will continue to provide plans offered as a supplement to the City's defined benefit pension plan.

[21-131](#)

Award Summary:

The award of Solicitation No. 2021-0043R 457(b) Deferred Compensation Plan Administrator and 401(a) Profit Sharing Plan Administrator to Empower Retirement, LLC for an initial five (5) year term. The award is to include a two (2), two (2) year optional terms for a total of nine (9) years.

Contract Variance:  
No cost to the City.

Department: Human Resources

Award to: Empower Retirement, LLC  
Greenwood Village, CO  
Items: ALL  
Initial Term: 5 years  
Option to Extend: Two, two (2) years  
Annual Estimated Award: NA  
Initial Term Estimated Award: NA  
Total Estimated Award: NA  
Account No.: NA  
Funding Source: Employee Voluntary Contributions Only  
Districts: All

This is a Request for Proposal, service contract.

The Purchasing and Strategic Sourcing and Human Resources Departments recommend award as indicated to Empower Retirement, LLC 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.

**All Districts**

Human Resources, Mary L. Michel, (915) 212- 1267  
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

**REGULAR AGENDA - OPERATIONAL FOCUS UPDATES**

**Goal 6: Set the Standard for Sound Governance and Fiscal Management**

37. Budget Update.

[21-110](#)

**All Districts**

City Manager's Office, Nicole Cote, (915) 212-1092

**CALL TO THE PUBLIC – PUBLIC COMMENT:**

**Call to the Public will begin at 5:30 p.m. Requests to speak must be received by 9:00 a.m. on the date of the meeting. Sixty minutes in total will be devoted for Call to the Public. This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

**Members of the public may communicate with Council during public comment, and regarding agenda items by calling 1-915-213-4096 or toll free number 1-833-664-9267 at the prompt please enter the following Conference ID: 707-592-504#**

**A sign-up form is available on line for those who wish to sign up in advance of the meeting at: [http://legacy.elpasotexas.gov/muni\\_clerk/signup\\_form.asp](http://legacy.elpasotexas.gov/muni_clerk/signup_form.asp)**

**REGULAR AGENDA - FIRST READING OF ORDINANCES:**

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

**Public comment typically is not taken during the first reading of ordinances. Public comments are invited at the date of the scheduled public hearing.**

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 3:30 p.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk’s office, 300 N. Campbell, Monday through Friday, 8:00 a.m. to 5:00 p.m.

**Goal 3: Promote the Visual Image of El Paso**

38. **An Ordinance changing the zoning of a portion of Lots 2 & 3, Block 1, Las Terrazas Subdivision, 1351 and 1355 Zaragoza Rd., City of El Paso, El Paso County, Texas from C-1/C/SC (Commercial/condition/special contract) to C-4/C/SC (Commercial/condition/special contract). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.** [21-127](#)

**The proposed rezoning meets the intent of the Future Land Use designation for the property and is in accordance with *Plan El Paso*, the City’s Comprehensive Plan.**

**Subject Property: 1351 and 1355 Zaragoza Rd.  
Applicant: Palo Verde Business Park, LLC; PZRZ20-00017**

**District 7**  
Planning and Inspections, Philip F. Etiwe, (915) 212-1553

**PUBLIC HEARING WILL BE HELD ON MARCH 2, 2021**

39. **An Ordinance releasing all conditions placed on the property by Ordinance No. 7313 and 17870 which changed the zoning of Lot 2 & 3, Block 1, Las Terrazas Subdivision, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.** [21-130](#)

**The proposed condition release meets the intent of the Future Land Use designation for the property and is in accordance with *Plan El Paso*, the City’s Comprehensive Plan.**

**Subject Property: 1351 and 1355 Zaragoza Rd.  
Applicant: Palo Verde Business Park, LLC; PZCR20-00002**

**District 7**  
Planning and Inspections, Philip F. Etiwe, (915) 212-1553

**PUBLIC HEARING WILL BE HELD ON MARCH 2, 2021**

**Goal 6: Set the Standard for Sound Governance and Fiscal Management**

40. **An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.92 (Ethics) of the El Paso City Code in its entirety to clarify the rules and procedures related to the ethical requirements of City officers and employees by reorganizing the structure to create three articles: Code of Ethics; Standards of Conduct; and Ethics Review Commission; to amend, clarify and add definitions, to define the jurisdiction of the Ethics Review Commission, and to streamline the complaint process. The penalty for violations of Chapter 2.92 (Ethics) of the El Paso City Code is provided in Section 2.92.200 (Disposition) as amended in this Ordinance.**

[21-165](#)

**All Districts**

City Attorney's Office, Karla M. Nieman, (915) 212-0033

City Manager's Office, Cary Westin, (915) 212-1063

**PUBLIC HEARING WILL BE HELD ON FEBRUARY 16, 2021**

**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:**

**Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments**

41. The linkage to the Strategic Plan is subsection 4.2 - Create innovative, recreational, and cultural programs.

[21-120](#)

Award Summary:

Discussion and action on the award of Solicitation 2021-0260 Modesto Gomez Park Improvements to MARTINEZ BROS. CONTRACTORS, LLC for an estimated award of \$1,986,506.88. Park Improvements are to include stabilization and reconstruction of the walking/jogging path, rehabilitation of the two baseball and two soccer fields, installation of a desert garden. In addition, picnic tables, trash receptacles, accessible park benches, entry plaza, trees in raised planters and berms, a pet waste station, and exercise stations will also be installed.

Department: Capital Improvement  
Award to: MARTINEZ BROS. CONTRACTORS, LLC  
El Paso, TX  
Item(s): All  
Initial Term: 350 Consecutive Calendar Days  
Base Bid: \$1,986,506.88  
Total Estimated Award: \$1,986,506.88  
Account No.: 190-29010-4800-580220- PCP13PRKA14  
Funding Source: 2012 Quality of Life  
District(s): 8

This is a Low Bid procurement, unit price contract.

The Purchasing and Strategic Sourcing and Capital Improvement Departments recommend award as indicated to MARTINEZ BROS. CONTRACTORS, LLC lowest responsive and responsible bidder.

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

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

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

**District 8**

Capital Improvement Department, Sam Rodriguez, (915) 212-0065  
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

**Goal 7: Enhance and Sustain El Paso’s Infrastructure Network**

- 42. The linkage to the Strategic Plan is subsection 7.2 - Improve competitiveness through infrastructure improvements impacting the quality of life.

[21-121](#)

Award Summary:

Discussion and action on the award of Solicitation 2020-036 Delta Drive Bridge Replacement to International Eagle Enterprises, Inc. for an estimated award of \$1,662,906.55. This award will support the enhancement of pedestrian safety, provide ADA accessibility, and full-depth pavement rehabilitation.

Department: Capital Improvement  
Award to: International Eagle Enterprises, Inc.  
El Paso, TX  
Item(s): All  
Initial Term: 180 Standard Workweek Days  
Base Bid I: \$1,592,578.55  
Base Bid II: \$58,800.00  
Base Bid III: \$11,528.00  
Total Estimated Award: \$1,662,906.55  
Account No.: 190-580270-4743-38290-PCP18TRAN04  
190-580270-4950-38170-PCP18TRAN04  
Funding Source: 2018 Certificates of Obligation and Federal Highway  
Administration  
District(s): 3

This is a Low Bid procurement, unit price contract.

The Purchasing and Strategic Sourcing and Capital Improvement Departments recommend award as indicated to International Eagle Enterprises, Inc., lowest responsive and responsible bidder. The award is contingent upon Texas Department of Transportation (TXDOT) concurrence of award.

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, contingent upon concurrence of award from TXDOT.

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

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

**District 3**

Capital Improvement Department, Sam Rodriguez, (915) 212-0065  
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

**REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:**

**Goal 6: Set the Standard for Sound Governance and Fiscal Management**

- 43.** An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.92 (Ethics) of the El Paso City Code to perform the following: Divide the Chapter into Articles and reorganize provisions under the new Articles; add definitions for “City”, “Confidential Information”, “Conducting Business with the City”, “Days”, “Mailbox Rule”, “Ministerial Act”, “Newly Discovered Evidence” and “Resident”; delete definition for “Negotiating Concerning Prospective Employment” and “Person”; update definition for “Board”; relocate definitions for “Clear and Convincing”, “Designated Employee”, “Frivolous Complaint”, and “Honorarium”; delete Section 2.92.050(G) of the Standards of Conduct; add Standard of Conduct regarding interest affecting official conduct by City Officers and Employees; add Standard of Conduct to restrict a City Officer or Employee from inducing or attempting to induce another City Officer or Employee to violate this Chapter; restrict the jurisdiction of the Ethics Review Commission to only violations by City Officers within two years of an alleged violation; update the process for complaints filed before the Ethics Review Commission; add restrictions applicable to members of other Boards and Commissions throughout the City; clarify restrictions for City Employees and Officers; add a provision to allow the Ethics Review Commission to consolidate certain complaints; eliminate prohibition of Ethics Review Commission members from participating in political campaigns or campaigns related to a City Referendum or other ballot issue; add a reconsideration process before the Ethics Review

[20-42](#)

Commission for sanctioned parties; eliminate all Ethics Review Commission Panels except for a Panel to write advisory opinions for Officers or when Panel is needed to dispose of a complaint; add a provision to allow the City Attorney to write advisory opinions for employees; add a requirement for Ethics Review Commission Member to recuse themselves if a member has engaged in Ex Parte Communications; add requirement for Ethics Review Commission members to recuse themselves if a complaint involves a City Officer whose campaign they donated to or participated in; delete Section 2.92.150 (Penalty); and clarified language throughout Chapter 2.92 (Ethics) of the El Paso City Code. The penalty for violations of Chapter 2.92 (Ethics) of the El Paso City Code is listed in Section 2.92.200 (Disposition) as amended in this Ordinance. **[POSTPONED FROM 01-05-2021]**

**All Districts**

City Attorney's Office, Karla M. Nieman, (915)212-0033  
City Manager's Office, Cary Westin, (915) 212-1063

**Goal 8: Nurture and Promote a Healthy, Sustainable Community**

44. An Ordinance amending Title 17 (Housing), Chapter 17.20 (Fair Housing Ordinance) of the El Paso City Code to amend in its entirety the Chapter to change the word handicap to disability and to include protections against discrimination for reasons of sexual orientation and gender identity. [21-62](#)

**All Districts**

Community & Human Development, Nicole Ferrini, (915) 212-1659

**REGULAR AGENDA - OTHER BUSINESS:**

**Goal 7: Enhance and Sustain El Paso's Infrastructure Network**

45. Discussion and action on a Resolution adopting the 2019 City of El Paso Eastside Growth Management Plan and directing City Manager to create a cross functional team to report recommendations to City Council regarding the implementation of the plan. [21-122](#)

**All Districts**

Capital Improvement Department, Sam Rodriguez, (915) 212-0065

**MEMBERS OF THE CITY COUNCIL**

46. Discussion and action on amending the City Council's adopted Rules of Order, including but not limited to the rules governing debate. [21-162](#)

**All Districts**

Mayor and Council, Representative Isabel Salcido, (915) 212-0005  
Mayor and Council, Representative Henry Rivera, (915) 212-0007  
Mayor and Council, Representative Cissy Lizarraga, (915) 212-0008

**EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

### **TEMPORARY SUSPENSION OF OPEN MEETINGS LAWS DUE TO EMERGENCY**

The Texas Governor temporarily suspended specified provisions of the Texas Open Meetings Act to allow telephonic or videoconference meetings and to avoid congregate settings in physical locations.

**The following members of City Council will be present via video conference:**

**Mayor Oscar Leeser and Representatives Peter Svarzbein, Aleksandra Annello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga**

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 OR SECURITY AUDITS
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS
Section 551.089	DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS; CLOSED MEETING

### **ADJOURN**

#### **NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

**ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET ON THURSDAY PRIOR TO THE MEETING AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov/>