

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
PETER SVARZBEIN, DISTRICT 1
ALEXSANDRA ANNELLO, 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

MINUTES FOR REGULAR COUNCIL MEETING

May 24, 2022
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY
9:00 AM

ROLL CALL

The City Council of the City of El Paso met on the above time and date. Meeting was called to order at 9:02 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alessandra Annello, Joe Molinar, Isabel Salcido, Henry Rivera, and Cissy Lizarraga. Cassandra Hernandez joined via videoconference. Late arrival and early departure: Claudia Rodriguez at 11:34. a.m. and 2:06 p.m. respectively.

INVOCATION BY POLICE, FIRE AND MINISTRY COORDINATOR FOR THE SHERIFF'S OFFICE, CHAPLAIN SAM FARAONE

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

Kayla Gomez Day

Young Women's Leadership Academy Month

Colonel Cary Westin Day

The Regular City Council meeting was **RECESSED** at 9:22 a.m. in order to take photos with the groups being recognized.

The Regular City Council meeting was **RECONVENED** at 9:34 a.m.

NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Lizarraga, 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 Svarzbein, Annello, Hernandez, Molinar, Salcido, Rivera and Lizarraga

NAYS: None
NOT PRESENT FOR THE VOTE: Representative Rodriguez

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CONSENT AGENDA - APPROVAL OF MINUTES:
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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1. *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes of the Regular City Council Meeting of May 10, 2022, the Agenda Review Meeting of May 9, 2022, the Work Session of May 9, 2022, and the Special Meeting of May 16, 2022.

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

NO ACTION was taken on this item.

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CONSENT AGENDA - RESOLUTIONS:
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Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
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3. ***RESOLUTION**

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

That the City Manager, or designee, be authorized to sign an Underground Electrical and Transformer Pad Easement, granting an easement to the El Paso Electric Company to provide electrical power to property located between the intersections of Global Reach Drive and George Perry Boulevard, legally described as a 0.4427 acre portion of Lot 1, Block 2, Butterfield Trail Aviation Park Unit Three Replat A, situate within the corporate limits of the City of El Paso, El Paso County, Texas, recorded in File No. 20210042139, El Paso County Plat Records.

4. *Motion made, seconded, and unanimously carried to **POSTPONE TWO WEEKS** a Resolution that the City Manager be authorized to sign the 1st Amendment to the Chapter 380 Economic Development Program Agreement (“Agreement”) between the CITY OF EL PASO and FLYZONE, LLC, to decrease the maximum, aggregated Grant payments due to the Applicant over the Term of the Agreement by 5 percent (from \$162,863 to \$154,720) as consideration for an approximate 5 percent reduction in the Minimum Investment required to be incurred by the Applicant (from \$12,414,000 to \$11,763,573).

5. ***RESOLUTION**

WHEREAS, on February 1, 2022, the El Paso City Council approved the Air Service Development Incentive Program revision to encourage new non-stop commercial passenger service, new airlines and new unserved markets, whether those markets be domestic or international; and

WHEREAS, City staff recommends that the Air Service Development Incentive Program be revised to separate seasonal service from non-seasonal service.

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

THAT the El Paso International Airport Air Service Development Incentive Program for passenger airlines, attached hereto as the revised Exhibit "A"**, be approved and made effective on May 24, 2022; and

THAT the El Paso International Airport Air Service Development Incentive Program effective on February 1, 2022 will no longer be in effect on May 24, 2022.

**Exhibit available at the City Clerk's Office.

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Goal 3: Promote the Visual Image of El Paso
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6. *RESOLUTION

WHEREAS, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, SONORA, JAIME, referred to as owner of the hereinafter described property after due notice and hearings, the BUILDING and STANDARDS COMMISSION of the City of El Paso ordered the owner of the property located at 3100 Zion Ln., El Paso, Texas to demolish the building on the property in thirty (30) days from the entry of the Order. The owner having failed to comply with such ORDER to demolish the building and clean the property of all rubbish and debris; and

WHEREAS, after thirty (30) days and due notice after the entry of the order, the Chief Building Official for the City of El Paso instructed Environmental Services Department to demolish the building located at 3100 Zion Ln., El Paso, Texas; and

WHEREAS, through the Environmental Services Department for the City of El Paso, the building was demolished; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The reasonable expenses and amount billed to the City for the demolition of the property including administrative costs and the cost of demolition, removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

3100 Zion Ln, more particularly described as Lot 1 (22623 SQ FT),
Block 20, Mountain Park Subdivision, City of El Paso, El Paso
County, Texas, PID #M820-999-0200-0100

to be \$14,539.88, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 3rd day of August, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FOURTEEN THOUSAND FIVE HUNDRED THIRTY NINE AND 88/100 DOLLARS (\$14,539.88) to be a lien on the

above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

7.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, FELIX JORGE L & PALMA VIRIDIANA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

5416 East River Ln, more particularly described as Lot 5 (29655.00 Sq Ft), Block 1, East River Estates Subdivision, City of El Paso, El Paso County, Texas, PID #E067-999-0010-0500

to be \$459.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 15th day of June, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED FIFTY NINE AND 00/100 DOLLARS (\$459.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, BARRAZA TOMASA & AGUIRRE FRANCISCA Y, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

4938 Meade Ct, more particularly described as Lot 2004 (12562.55 Sq Ft), Block 78, Mountain View Subdivision, City of El Paso, El Paso County, Texas, PID #M851-999-0780-4300

to be \$300.27, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 6th day of June, 2019, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED AND 27/100 DOLLARS (\$300.27) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, THE SHERIFF OF TARRANT COUNTY C/O TARRANT COUNTY BAIL BOND BOARD, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

8204 Mount Everest Dr, more particularly described as Lot 2 (6600 Sq Ft), Block 2, Mountain View Subdivision, City of El Paso, El Paso County, Texas, PID #M851-999-0020-3300

to be \$346.27, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 15th day of January, 2019, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FORTY-SIX AND 27/100 DOLLARS (\$346.27) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***R E S O L U T I O N**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, GONZALEZ ROGELIO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

7263 Alameda Ave, more particularly described as Tr 8-B (0.47 Ac) Tr 8-D (0.47 Ac), Block 24, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PID #Y805-999-024A-0806

to be \$1009.50, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 28th day of July, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE THOUSAND NINE AND 50/100 DOLLARS (\$1009.50) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, GLEASON GLEN T & MARIA E, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

10365 Wilshire St, more particularly described as Lot 17 (6500 Sq. Ft), Block 16, Sun Valley #2 Subdivision, City of El Paso, El Paso County, Texas, PID #S816-999-0160-3300

to be \$263.80, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 7th day of December, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SIXTY-THREE AND 80/100 DOLLARS (\$263.80) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, CHACON ALICIA R, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

10900 Whitey Ford St, more particularly described as Lot 2 (7565.87 Sq. Ft), Block 1, Cooperstown Subdivision, City of El Paso, El Paso County, Texas, PID #C762-999-0010-0200

to be \$271.58, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 12th day of October, 2015, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SEVENTY-ONE AND 58/100 DOLLARS (\$271.58) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, EL PASO KIWI ENTERPRISES, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the

Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

11793 Jim Webb Dr, more particularly described as Lot 51 (6419.96 Sq. Ft), Block 19, Mesquite Hills #2 Subdivision, City of El Paso, El Paso County, Texas, PID #M395-999-0190-5100

to be \$315.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 3rd day of August, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FIFTEEN AND 00/100 DOLLARS (\$315.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***R E S O L U T I O N**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, HERNANDEZ FEDERICO P & MARIA G, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

206 S Schutz Dr, more particularly described as Tr 8-A (0.1580 Ac), Block 39, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PID #Y805-999-039B-0801

to be \$278.62, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 25th day of October, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED SEVENTY-EIGHT AND 62/100 DOLLARS (\$278.62) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, UNITED STATES POSTAL SERVICE, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

880 N Zaragoza Rd, more particularly described as Exc Swc) & Wly Pt Of 2 (39.43 Ft On Nely 454.69 Ft On Sely-42.09 Ft On Swly-38.18 Ft Onn Wy) (162620.02 Sq. Ft), Block 9, Pecan Grove Subdivision, City of El Paso, El Paso County, Texas, PID #P656-999-0090-2500

to be \$295.40, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 1st day of June, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO HUNDRED NINETY-FIVE AND 40/100 DOLLARS (\$295.40) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, BURCIAGA PRISHMA P & MARTINEZ PANFILO I, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

9306 Roseway Dr, more particularly described as Tr 151 (8850 Sq. Ft), North Valumbrosa #2 Subdivision, City of El Paso, El Paso County, Texas, PID #N525-999-0010-7600

to be \$311.84, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 27th day of September, 2019, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED ELEVEN AND 84/100 DOLLARS (\$311.84) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, HOOPER ALTAGRACIA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

9605 Cindy Ln, more particularly described as TR 23 (1.09 AC), Richard Lee Subdivision, City of El Paso, El Paso County, Texas, PID #R410-999-0010-5500

to be \$844.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 6th day of July, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount EIGHT HUNDRED FORTY-FOUR AND 00/100 DOLLARS (\$844.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk’s office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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Goal 7: Enhance and Sustain El Paso’s Infrastructure Network
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8. *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 Agreement for Professional Services by and between the CITY OF EL PASO and CONSOR ENGINEERS, LLC, an Texas Corporation, for a project known as “ALABAMA, DAVIS, DELTA, AND YARBROUGH BRIDGE CONSTRUCTION”, to provide additional services for an increased cost not to exceed Thirteen Thousand Nineteen And 94/100 Dollars (\$13,019.94), for a total

contract amount of Seven Hundred Sixty Five Thousand Five Hundred Sixty One and 94/100 Dollars (\$765,561.94); 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 the execution of the Agreement and this Third Amendment.

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CONSENT AGENDA – BOARD APPOINTMENTS:
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Goal 3: Promote the Visual Image of El Paso
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9. *Motion made, seconded, and unanimously carried to **APPOINT** Justin Bass to the Zoning Board of Adjustment, as a Regular Member, by Representative Svarzbein, District 1.
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CONSENT AGENDA – APPLICATION FOR TAX REFUNDS:
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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10. ***RESOLUTION**
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WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Tony's Burrito House & Mexican Food, Inc. through Tony's Burrito House ("Taxpayer") has applied for a refund with the tax assessor for their 2018 property taxes that were overpaid on January 31, 2019 in the amount of \$2,630.58 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2018 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Tony's Burrito House & Mexican Food, Inc. through Tony's Burrito House showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2018 taxes and the tax refund in the amount of \$2,630.58 is approved.

***RESOLUTION**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Zenitram Automotive through Zenitram Automotive Service & Sales LLC ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on March 30, 2017 in the amount of \$19.98 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2016 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Zenitram Automotive Service & Sales LLC showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2016 taxes and the tax refund in the amount of \$19.98 is approved.

***RESOLUTION**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Texas Title Company ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on February 28, 2017 in the amount of \$53.00 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2016 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Texas Title Company showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2016 taxes and the tax refund in the amount of \$53.00 is approved.

***RESOLUTION**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Texas Title Company ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on May 17, 2017 in the amount of \$17.79 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2016 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Texas Title Company showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2016 taxes and the tax refund in the amount of \$17.79 is approved.

***RESOLUTION**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Texas Title Company ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on October 25, 2017 in the amount of \$86.53 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Texas Title Company showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2017 taxes and the tax refund in the amount of \$86.53 is approved.

***RESOLUTION**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Texas Title Company ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on July 13, 2018 in the amount of \$45.97 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Texas Title Company showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2017 taxes and the tax refund in the amount of \$45.97 is approved.

***RESOLUTION**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Helena Agri-Enterprises, LLC ("Taxpayer") has applied for a refund with the tax assessor for their 2018 property taxes that were overpaid on January 28, 2019 in the amount of \$1,635.36 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2018 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that Helena Agri-Enterprises, LLC showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2018 taxes and the tax refund in the amount of \$1,635.36 is approved.

.....
.....
REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL
.....

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

11. RESOLUTION

WHEREAS, it has been twenty years since the last Texas Democratic Convention was held in El Paso. The El Paso community has changed significantly since then and has received national attention. The city of El Paso is the first organization, across all sectors, to

earn the Texas Award for Performance Excellence for two consecutive years, in 2019 and 2020. El Paso has also won the All-America City (AAC) Award three times, in 2018, 2020, and 2021, and has been named an AAC finalist four additional years in a row; and,

WHEREAS, El Paso has preserved and is still known to be one of the safest cities throughout the Nation. El Paso has also undergone significant downtown revitalization efforts and our city is thriving! We welcome the opportunity to showcase the growth of our region and all that El Paso has to offer; and,

WHEREAS, we have a new generation of voters who are eager for change. El Paso truly knows the importance of progress, the importance of diversity, and we believe our community can help to lead the way in healing the soul of our beloved country; and,

WHEREAS, the process to secure the 2024 Texas Democratic Party state convention began more than a year ago by a delegation made up of members of the El Paso Democratic Party led by Chairwoman Dora Oaxaca and the City of El Paso's Destination El Paso team; and,

WHEREAS, A sustainable environment can be achieved on the community level through education and outreach efforts to help our communities and democracy thrive by working together for the common good; and

WHEREAS, the team which includes Chair Dora Oaxaca, Emma Acosta, Isela Castañon-Williams, Michael Apodaca, and Destination El Paso's Brooke Underwood, Jose Garcia, and Valerie Garcia all traveled to Houston to compete against San Antonio, and to help demonstrate why El Paso was the only choice to host the next statewide convention and won by a supermajority of 61 votes; and,

WHEREAS, from the State Democratic Executive Committee of 84 individuals El Paso was awarded this prestigious convention on Saturday, March 26, 2022; and

WHEREAS, this convention will be the first-of-its-kind on the US-Texas border in over 20 years in a Presidential Year. Congratulations to the El Paso Democratic Party and Destination El Paso, and other community leaders in El Paso!

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

1. Recognizes El Paso to host the 2024 Texas Democratic Convention in a Presidential Year the summer of 2024; and
2. Commends the members of the El Paso Democratic Party and City of El Paso's Destination El Paso team for securing a statewide convention; and,
3. Respectfully request that the City Clerk will make an executed copy of this resolution available to—
 - a. El Paso County Democratic Party Chairwoman, Dora Oaxaca; and,
 - b. Destination El Paso Executive Director, Brooke Underwood.

Mayor Leeser and Representatives Svarzbein, Salcido, and Rivera commented.

The following members of the public commented:

1. Ms. Brooke Underwood, Destination El Paso Executive Director

2. Ms. Dora Oaxaca, El Paso County Democratic Party Chairwoman
3. Ms. Emma Acosta, El Paso County Democratic Party Treasurer
4. Ms. Isela Castañon-Williams, El Paso County Democratic Party Delegation Member

Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

.....
 The Regular City Council meeting was **RECESSED** at 10:18 a.m. in order to convene the Mass Transit Board Meeting.

The Regular City Council meeting was **RECONVENED** at 10:27 a.m.

.....
Goal 5: Promote Transparent and Consistent Communication Amongst All Members of the Community

-
 12. **ITEM:** Discussion and action to authorize District 1 City Representative Peter Svarzbein to attend City Council meetings by video conference more than one regular meeting week in a row June 21 and 22, 2022 and July 5 and 6, 2022.

Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **APPROVE** the item.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

.....
REGULAR AGENDA – OPERATIONAL FOCUS UPDATES

.....
Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development

-
 13. The Department of Aviation will provide a management update regarding the ELP 5MW (Megawatts) Solar Farm Project.

Ms. Shane Brooks, El Paso International Airport Program Administrator, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Mayor Leeser and Representatives Svarzbein, Annello, and Rivera commented.

The following City staff members commented:

- Mr. Fernando Berjano, Sustainability Coordinator
- Mr. Sam Rodriguez, Director of Aviation

Mr. James Schichtl, El Paso Electric Vice President of Regulatory and Government Affairs, commented.

NO ACTION was taken on this item.

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

14. Presentation and discussion of the financial impacts of COVID-19 on the Public Safety Bond Program.

Mr. Jerry DeMuro, Capital Improvement Assistant Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Svarzbein commented.

Mr. Sam Rodriguez, City Engineer, commented.

NO ACTION was taken on this item.

Goal 6: Set the Standard for Sound Government and Fiscal Management

15. Presentation and discussion providing a wrap-up of the 2022 Goal Team Reporting Series and Budget Update.

Ms. Julie Baldwin, Performance Office Director, introduced the item and the following City staff members presented a PowerPoint presentation (copy on file in the City Clerk's Office) or provided responses to inquiries from Members of the City Council.

- Ms. Nicole Cote, Office of Management and Budget and Purchasing and Strategic Sourcing Interim Managing Director
- Mr. Ben Fyffe, Cultural Affairs and Recreation Managing Director
- Mr. Robert Cortinas, Chief Financial Officer
- Ms. Carolyn Patrick, Information Technology Assistant Director

Representatives Svarzbein, Annelo, Rodriguez, and Lizarraga commented.

NO ACTION was taken on this item.

Goal 8: Nurture and Promote a Healthy, Sustainable Community

16. Management update on modifications and improvements to the City's response to illegal dumping.

The following City staff members presented a PowerPoint presentation (copy on file in the City Clerk's Office) or provided responses to inquiries from Members of the City Council.

- Ms. Ellen Smyth, Chief Transit and Field Operations Officer and Environmental Services Director
- Ms. Astrid Bunner, Sun Metro Managing Assistant Director
- Ms. Karla Nieman, City Attorney

Mayor Leeser and Representatives Svarzbein, Annello, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga commented.

The following City staff members commented:

NO ACTION was taken on this item.

.....
CALL TO THE PUBLIC – PUBLIC COMMENT:
.....

The following members of the public commented:

1. Marc Salazar
2. Alberto Rivas
3. Norma De La Rosa
4. Ron Comeau
5. Efrain Saucedo
6. Steven Strummer
7. Jason E. Jones
8. Michael Castro
9. Wally Cech

Motion made, seconded, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Ms. Wally Cech to sign up to speak after the deadline.

.....
The Regular City Council meeting was **RECESSED** at 12:35 p.m. for lunch.

The Regular City Council meeting was **RECONVENED** at 1:10 p.m.

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REGULAR AGENDA – FIRST READING OF ORDINANCES:
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Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried that the Ordinances on items 17 through 20, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

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

17. An Ordinance amending the Future Land Use Map (FLUM) contained in “Plan El Paso” for the properties legally described as Tract 1C, Block 1 and Tract 1A, Block 2, Ysleta Grant, 9879 North Loop Drive, City of El Paso, El Paso County, Texas, from O-3, Agriculture to G-7, Industrial and/or Railyards.

Subject Property: 9879 North Loop Drive
Applicant: Hunt Eastlake Industrial, LLC. PLCP21-00004
[POSTPONED FROM 05-10-2022]
.....

18. An Ordinance changing the zoning of Tract 1C, Block 1 and Tract 1A, Block 2, Ysleta Grant, 9879 North Loop Drive, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to C-4/c (Commercial/condition) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: 9879 North Loop Drive
Applicant: Hunt Eastlake Industrial, LLC, PZRZ21-00017
[POSTPONED FROM 05-10-2022]

19. An Ordinance amending the Future Land Use Map (FLUM) contained in “Plan El Paso” for the properties legally described as Tract 2, 2B, and 3D, Block 2, Ysleta Grant, City of El Paso, El Paso County, Texas, from O-3, Agriculture to G-4, Suburban (Walkable).

Subject Property: North of Inglewood Drive and West of North Loop Drive
Applicant: BRE Development, LLC. PLCP21-00005
[POSTPONED FROM 05-10-2022]

20. An Ordinance changing the zoning of Tracts 2, 2B, and 3D, Block 2, Ysleta Grant, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to A-O/c (Apartment/Office/condition), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: North of Inglewood Drive and West of North Loop Drive
Applicant: BRE Development, LLC. PZRZ21-00035
[POSTPONED FROM 05-10-2022]

21. *Motion made, seconded, and unanimously carried to **POSTPONE TWO WEEKS** the introduction of an Ordinance changing the zoning of a portion of Lot 1, Block 4, Riverside International Industrial Center, 9751 Pan American Drive, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to M-1 (Light Manufacturing). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: 9751 Pan American Drive
Applicant: El Paso Water, PZRZ22-00004

PUBLIC HEARING WILL BE HELD ON JUNE 22, 2022 FOR ITEMS 17 THROUGH 21

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

22. Motion made by Representative Rivera, seconded by Representative Lizarraga, and unanimously carried to **AWARD** Solicitation No. 2022-0238 Security Guard Services to Night Eyes Protective Services, Inc., for an initial term of three (3) years for an estimated amount of \$349,500.00. The award also includes a two (2) year option for an estimated amount of \$233,000.00. The total value of the contract is, including the initial term plus the option for a total five (5) years, for an estimated amount of \$582,500.00. This contract will provide security guard services for the El Paso Fire Department facilities.

Contract Variance:

The difference in price, based on comparison to the previous contract is as follows: An increase of \$53,820.00 for the initial term, which represents a 18.20% increase due to increase in hourly rates.

Department:	Fire
Award to:	Night Eyes Protective Services, Inc. El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option to Extend:	2 Years
Annual Estimated Award:	\$116,500.00
Initial Term Estimated Award:	\$349,500.00 (3 Years)
Total Estimated Award:	\$582,500.00 (5 Years)
Account No:	322 - 22090 - 522120 - 1000 - P2216
Funding Source:	General Funds
District(s):	All

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing Department and Fire Department recommend award as indicated to Night Eyes Protective Services, Inc., the bidder offering the best value bid. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

Representative Annello commented.

The following City staff members commented:

- Ms. Claudia Garcia, Purchasing and Strategic Sourcing Interim Director
- Ms. Jennifer McCloud, Procurement Analyst

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

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

23. Motion made by Representative Annello, seconded by Representative Lizarraga, and unanimously carried to **AWARD** Solicitation 2022-0401 South Central Streets Phase V to Jordan Foster Construction, LLC for an estimated total amount of \$4,787,802.35. This

contract will allow for the reconstruction of Edna Street from Alicia to Huerta and Cortez from Delta to Flower.

Department: Capital Improvement
Award to: Jordan Foster Construction, LLC
El Paso, TX
Item(s): Base Bid I, Base Bid II, Base Bid III, Base Bid IV, Base V,
and Base Bid VI
Initial Term: 450 Consecutive Calendar Days
Base Bid I: \$1,694,951.00
Base Bid II: \$194,473.00
Base Bid III: \$56,444.00
Base Bid IV: \$1,841,876.35
Base Bid V: \$362,495.00
Base Bid VI: \$637,563.00
Total Estimated Award: \$4,787,802.35
Funding Source: 2013 Street Infrastructure
Accounts: 190-4740-580270-28900-PCP13ST003Y3A
190-4740-580270-28900-PCP13ST003Y3F
District(s): 8

This is a Competitive Sealed Proposal, unit price contract. The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Jordan Foster Construction, LLC the highest ranked offeror.

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

Representatives Annello and Lizarraga commented.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

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

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

24. *Motion made, seconded, and unanimously carried to **POSTPONE TWO WEEKS** the public hearing of an Ordinance granting a Franchise for Elite Medical Air Transport, LLC d/b/a Emergent Air, to operate a non-emergency ambulance transfer service.

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Goal 3: Promote the Visual Image of El Paso
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25. **ORDINANCE 019334**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF BEING ALL OF TRACT 1D, U.S. GOVERNMENT PARCEL #6, AND A PORTION OF TRACT 14-A, AND TRACT 15-B, BLOCK 27, YSLETA GRANT, 175 MIDWAY DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) AND C-4 (COMMERCIAL) TO C-1 (COMMERCIAL), AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

THE PROPOSED REZONING MEETS THE INTENT OF THE FUTURE LAND USE DESIGNATION FOR THE PROPERTY AND IS IN ACCORDANCE WITH PLAN EL PASO, THE CITY’S COMPREHENSIVE PLAN.

Motion duly made by Representative Hernandez, seconded by Representative Rivera, and carried that the Ordinance be **ADOPTED**.

AYES: Representatives Svarzbein, Hernandez, Molinar, Salcido, Rivera, and Lizarraga
NAYS: Representative Anello
NOT PRESENT FOR THE VOTE: Representative Rodriguez

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

.....
26. **ITEMS 26 AND 27 WERE TAKEN TOGETHER**

ORDINANCE 019335

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO AMEND TITLE 5 (BUSINESS LICENSE AND PERMIT REGULATIONS) CHAPTER 5.02 (ALCOHOLIC BEVERAGES), SECTION 5.02.090 (CITY PROTEST OF PERMIT/LICENSE), SECTION 5.02.100 (CITY LIQUOR LICENSE/PERMIT - FEE) AND SECTION 5.02.140 (LIQUOR LICENSE/PERMIT - TERM); THE PENALTY AS PROVIDED IN 5.02.170 (VIOLATIONS AND PENALTIES) OF THE EL PASO CITY CODE.**

Ms. Brenda Cantu, Business and Customer Service Assistant Manager for Planning and Inspections, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Motion duly made by Representative Anello, seconded by Representative Molinar, and carried that the Ordinance be **ADOPTED**.

AYES: Representatives Svarzbein, Anello, Hernandez, Molinar, Rivera, and Lizarraga
NAYS: None
ABSTAIN: Representative Salcido
NOT PRESENT FOR THE VOTE: Representative Rodriguez

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

.....
REGULAR AGENDA – OTHER BUSINESS:
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Goal 3: Create an Environment Conducive to Strong, Sustainable Economic Development
.....

**27. RESOLUTION AMENDING SCHEDULE C FOR THE CITY OF EL PASO
FY 2022 BUDGET RESOLUTION**

WHEREAS, the City Council adopted the Budget Resolution for FY 2022 on August 24, 2021 (the “Budget Resolution”); and,

WHEREAS, paragraph 50 of the Budget Resolution provides that any revisions or additions to the fees set forth in Schedule C, attached to the Budget Resolution, may be approved by simple resolution of the City Council; and

WHEREAS, the 86th Texas Legislature recently enacted legislation requiring the City to update Chapter 5.02 (Alcoholic Beverages) of the El Paso City Code;

WHEREAS, the City Council desires to amend Schedule C of the Budget Resolution to establish new fees authorized under the newly amended section of Title 5 (Business License and Permit Regulations).

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

That Schedule C, attached to the Budget Resolution, shall be amended to delete lines No. 806 through 848, and replace as shown in Exhibit A** attached to this resolution, effective immediately.

Except as herein modified, the Budget Resolution, Schedule C of the Budget Resolution, and all Budget Resolution schedules remain in full force and effect.

**Exhibits available at the City Clerk’s Office.

Ms. Brenda Cantu, Business and Customer Service Assistant Manager for Planning and Inspections, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Motion made by Representative Annello, seconded by Representative Molinar, and carried to **APPROVE** the Resolution.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Rivera, and Lizarraga

NAYS: None

ABSTAIN: Representative Salcido

NOT PRESENT FOR THE VOTE: Representative Rodriguez

.....
Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
.....

28. Presentation and discussion by Project Arriba on their combined mid-year and annual report on the status of activities during the fiscal year, use of grant funds and progress in the

performance measures required under the Chapter 380 Economic Development Program Agreement executed on October 2, 2018 between the City of El Paso and Project Arriba.

*Motion made, seconded, and unanimously carried to **MOVE THE ITEM** to the **FOREFRONT** of the Regular agenda.

Ms. Jessica Cordova, Economic Development Contract Compliance Coordinator, introduced the item.

Mr. Roman Ortiz, Chief Executive Officer for Project Arriba, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Hernandez commented

NO FURTHER ACTION was taken on this item.

29. **RESOLUTION NOMINATING EL PASO HEALTHCARE SYSTEM, LTD.
AS A TEXAS STATE ENTERPRISE ZONE PROJECT**

WHEREAS, the City Council of the City of El Paso ("City") has previously passed Ordinance No. 017116 on May 26, 2009, electing to participate in the Texas Enterprise Zone Program; and

WHEREAS, the local incentives offered under this Resolution are the same on this date as were outlined in Ordinance No. 017116; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code ("Act"), El Paso Healthcare System, Ltd., a Texas Domestic Limited Partnership, has applied to the City for designation as an enterprise zone project; and

WHEREAS, the Office of the Governor Economic Development and Tourism ("EDC") through the Economic Development Bank ("Bank") will consider El Paso Healthcare System, Ltd. as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the city and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals; and

WHEREAS, the City finds that El Paso Healthcare System, Ltd. meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. El Paso Healthcare System, Ltd. is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located inside an enterprise zone and at least twenty-five percent (25%) of the business' new employees will be residents of an enterprise zone, economically disadvantaged individuals, or veterans; and

2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and
3. The designation of El Paso Healthcare System, Ltd. as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

WHEREAS, the City finds that El Paso Healthcare System, Ltd. meets the criteria for tax relief and other incentives adopted by the City and nominates El Paso Healthcare System, Ltd. for enterprise project status on the grounds that it will be located at the qualified business her level of employment, economic activity and stability; and

WHEREAS, the City finds that it is in the best interest of the City to nominate El Paso Healthcare System, Ltd. as an enterprise project pursuant to the Act.

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

1. That El Paso Healthcare System, Ltd. is a "qualified business" as defined in Section 2303.402 of the Act, and El Paso Healthcare System, Ltd. meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act;
2. That the enterprise zone project shall take effect on the date of designation of the enterprise project by the agency and terminate five years after date of designation; and
3. That the City Manager or his designee be authorized to sign any and all documents required by EDC to complete the nomination process.

Mr. Kelly Kotlik, Economic and International Development Business Services Coordinator, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Representative Rivera commented.

Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Annello, Hernandez, Molinar, Salcido, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rodriguez

30.

R E S O L U T I O N

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

Discussion and action on a resolution that the City Manager be authorized to sign a Collaboration Agreement by and between the City of El Paso and LiftFund, together the “Anchor Organizations” and the Aspen Institute Latinos and Society (“AILAS”) seek to empower Latino communities and promote long-term economic growth and resiliency.

Motion made by Representative Salcido, seconded by Representative Lizarraga, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Annello, Hernandez, Molinar, Salcido, Rivera, and Lizarraga
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rodriguez

31. ITEMS 31 AND 32 WERE TAKEN TOGETHER

RESOLUTION

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

That the City Manager be authorized to sign a Chapter 380 Economic Development Program Agreement (“Agreement”) by and between the **CITY OF EL PASO, TEXAS** and **1 TEXAS TOWER, LLC** and **HOTEL DULCINEA, LLC** to support and facilitate the development of a hotel, which includes the redevelopment, rehabilitation and improvement of the downtown building commonly known as the Texas Tower, located at **109 North Oregon Street, El Paso, Texas 79901**. The Agreement requires the Applicant to make a minimum investment of \$18 million. Over the term of the Agreement, the City will provide local performance-based economic incentives not to exceed \$2,186,000; additionally, the City will apply to participate in the State Convention Center Hotel Program established by Chapter 351 of the Texas Tax Code.

32. RESOLUTION

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

That the City Manager be authorized to sign a long-term lease by and between the CITY OF EL PASO (“Lessor”) and 1 TEXAS TOWER, LLC (“Lessee”) to support and facilitate the development of a hotel, which includes the redevelopment, rehabilitation and improvement of the downtown building commonly known as the Texas Tower, located at 109 North Oregon Street, El Paso, Texas 79901.

1ST MOTION

*Motion made, seconded, and unanimously carried to **TAKE** items 31 and 32 together at 10:30 a.m.

2ND AND FINAL MOTION

Motion made by Representative Salcido, seconded by Representative Molinar, and unanimously carried to **APPROVE** the Resolutions.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

The Regular City Council meeting was **RECESSED** at 10:44 a.m. in order conduct a press conference.

The Regular City Council meeting was **RECONVENED** at 11:14 a.m.

33. *Motion made, seconded, and unanimously carried to **DELETE** a Resolution that the City Manager be authorized to sign a Chapter 380 Economic Development Program Agreement

("Agreement") by and between City Of El Paso ("City") and Parradame Family Partnership LP ("Applicant") in support of the rehabilitation of a 100-year-old mixed-use building located in Downtown El Paso. The Agreement requires the Applicant to make a minimum investment of \$481,000. Over the term of the Agreement the City will provide performance-based incentives in an aggregate amount not to exceed \$47,665.

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

34.

R E S O L U T I O N

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

That the City Council approves a change order in the amount of \$168,964.54 to Lesna Construction Inc. for the installation of 178 concrete collars at connecting points to manholes and inlets to the project under Contract No. 2021-0026 Central Business District Phase IV project. This notice provides for the additional scope of work, which allows for additional capacity to the awarded contract. An additional forty-five (45) working days will be allowed for the completion of the work. The new contract sum, including this change order notice and previous change order notices, is \$12,934,067.07. The City Manager, or designee, is authorized to execute any documents and contract amendments needed to carry out the intent of this resolution.

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Salcido, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

Goal 8: Nurture and Promote a Healthy, Sustainable Community

35. **ITEM:** Presentation and introduction to the 48th Year (2022-2023) Annual Action Plan for the following Federal Department of Housing and Urban Development (HUD) Entitlement Grants: Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Housing Opportunities for Persons with Aids (HOPWA), and Emergency Solutions Grant (ESG) programs. Following this introduction, a 30-day public comment period will commence, after which the Final Annual Action Plan will be presented to Council for approval.

Ms. Nicole Ferrini, Community and Human Development Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representative Annello commented.

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **APPROVE** the introduction of the 48th Year (2022-2023) Annual Action Plan.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rivera, and Lizarraga

NAYS: None
NOT PRESENT FOR THE VOTE: Representative Rodriguez

EXECUTIVE SESSION

Motion made by Representative Molinar, seconded by Representative Svarzbein, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 3:15 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss the executive session items:

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.072 DELIBERATION REGARDING REAL PROPERTY

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rivera, and Lizarraga
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Rodriguez

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried to **ADJOURN** the Executive Session at 5:07 p.m. and **RECONVENE** the meeting of the City Council.

AYES: Representatives Svarzbein, Hernandez, Molinar, Salcido, Rivera, and Lizarraga
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Annello and Rodriguez

EX1. Connie Patterson-Jimenez v. City of El Paso Matter No. 21-1039-1930 (551.071)

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera and unanimously carried that the City Attorney be **AUTHORIZED** to attend mediation and negotiate a settlement agreement for the case entitled Patterson-Jimenez, Connie vs. The City of El Paso; Cause No. 2020DCV3389.

In addition, the City Attorney is authorized to sign all necessary documents to effectuate any such settlement under Matter No. 21-1039-1930.

AYES: Representatives Svarzbein, Hernandez, Molinar, Salcido, Rivera, and Lizarraga
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Annello and Rodriguez

EX2. Texas Gas Service - Request to Approve Continued Use of Financial Instruments for Hedging Gas Costs for the 2022-2023 Heating Season. Matter No. 22-1008-192 (551.071)

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Lizarraga and unanimously carried that the City Council of the City of El Paso **APPROVES** the request of Texas Gas Service Company, a division of ONE Gas, Inc., for Written Approval for Continued Use of Financial Instruments for Hedging Gas Costs for the 2022-2023 Heating Season.

AYES: Representatives Svarzbein, Hernandez, Molinar, Salcido, Rivera, and Lizarraga
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Annello and Rodriguez

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EX3. Application of El Paso Electric Company to Revise Its Energy Efficiency Cost Recovery Factor (EECRF) and Establish Revised Cost Caps, Public Utility Commission of Texas Docket No. 53551. Matter No. 22-1008-193 (551.071)

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera and unanimously carried that the City Attorney is **AUTHORIZED** to retain Norman Gordon as outside counsel and any other necessary consultants, in consultation with the City Manager, to file an intervention in the Application to Revise its Energy Efficiency Cost Recovery Factor filed by El Paso Electric on May 2, 2022, under Public Utility Commission of Texas Docket No. 53551 and SOAH Docket No. 473-22-2610.

AYES: Representatives Svarzbein, Hernandez, Molinar, Salcido, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Annello and Rodriguez

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EX4. Application of El Paso Electric Company to Change Rates to Open Access Energy Regulatory Commission (FERC); Docket No. ER22-282-000. Matter No. 21-1008-183 (551.071)

NO ACTION was taken on this item.

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EX5. Application of El Paso Electric Company to Change Rates, Public Utility Commission of Texas Docket No. 52195. Matter No. 21-1008-174 (551.071)

Mr. Donald Davie, Senior Assistant City Attorney, presented a PowerPoint presentation and Ms. Karla Nieman, City Attorney, provided legal advice.

Mayor Leeser and Representatives Svarzbein and Hernandez commented.

Mr. James Schichtl, El Paso Electric Vice President of Regulatory and Government Affairs, commented.

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and carried that the City Attorney and City Manager be **AUTHORIZED** settlement authority, to sign all settlement documents to resolve all issues in Texas Public Utility Commission Docket No. 52195, Application of El Paso Electric for Rate Change.

AYES: Representatives Hernandez, Molinar, Salcido, Rivera, and Lizarraga

NAYS: Representative Svarzbein

NOT PRESENT FOR THE VOTE: Representatives Annello and Rodriguez

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EX6. Purchase, lease, exchange of real property located near East El Paso, Texas. Matter No. 22-1004-1384 (551.072)

*Motion made, seconded, and unanimously carried to **DELETE** this item.

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EX7. Purchase, lease, exchange of real property held by El Paso Water Utilities-PSB. Matter No. 22-1009-1145 (551.072)

NO ACTION was taken on this item.

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EX8. Quarterly Litigation Report. Matter No. 19-1021-1210 (551.071)

NO ACTION was taken on this item.

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ADJOURN

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Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Molinar, and unanimously carried to **ADJOURN** this meeting at 5:48p.m.

AYES: Representatives Svarzbein, Hernandez, Molinar, Salcido, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Annello and Rodriguez

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk