

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

CORRECTED
MINUTES FOR REGULAR COUNCIL MEETING

June 8, 2021
9:00 AM

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Due to the temporary suspension of specified provisions of Texas Open Meetings laws due to the COVID-19 emergency this meeting was conducted via telephonic and videoconference platforms.
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ROLL CALL

The City Council of the City Council met on the above time and date. Meeting was called to order at 9:00 a.m.. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Alessandra Annello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera and Cissy Lizarraga. Peter Svarzbein joined the meeting at 9:02 a.m.

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INVOCATION BY POLICE CHAPLAIN DENNIS COFFMAN
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PLEDGE OF ALLEGIANCE

Students from Ms. Liseth Martin's 4th Grade Class at Pasodale Elementary School

Daniela Rodriguez, Jovanna Contreras, Daffney Ponce, Jan Valle,
Sofia Sanchez, Jayden Granados, Felipe Lopez, Aaliyah Villareal

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MAYOR'S PROCLAMATIONS
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Riverside High School Baseball Day

Army 246th Birthday

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NOTICE TO THE PUBLIC
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Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Hernandez, 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, Annelo, Hernandez, Molinar, Salcido, Rodriguez, Rivera and Lizarraga
NAYS: None

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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 25, 2021, the Agenda Review Meeting of May 24, 2021 and the Work Session of May 24, 2021.

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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**

That the City Manager be authorized to sign a General Aviation Lease Agreement by and between the City of El Paso ("Lessor") and FAR WEST TEXAS & SOUTHERN NEW MEXICO TRAUMA REGIONAL ADVISORY COUNCIL ("Lessee") regarding the following described property:

The 9,500 square foot warehouse space attached to the building located on a portion of Lot 2A, Block 4, El Paso International Airport Tract, Unit 10, consisting of approximately 3.41 acres for a total of approximately 148,915 square feet, City of El Paso, El Paso County, Texas, municipally known and numbered as 1820 American Drive, El Paso, Texas.

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4. ***RESOLUTION**

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

That the City Manager be authorized to sign a Consulting Services Agreement by and between the CITY OF EL PASO and the BETTER BUSINESS BUREAU OF EL PASO ("BBB"), for the BBB to provide marketing services for the "EPBUSINESSSTRONG AND BUY EL PASO PROGRAMS" in an amount not to exceed \$116,500.

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5. ***RESOLUTION**

WHEREAS, the City of El Paso is proud to be home to Fort Bliss Texas, America's 2nd largest military installation; and

WHEREAS, the City of El Paso supports military expansion in the region and recognizes the importance and economic impact of the U.S. Department of Defense's stationing decisions; and

WHEREAS, Fort Bliss is home to the 151 Armored Division, America's only armored tank division; as well as the 32nd Air and Missile Defense Command, an Air Defense Headquarters with oversight of four Air Defense Brigades; and

WHEREAS, Fort Bliss is one of the Army's largest power projection platforms and is the largest joint mobilization force generation installation in the Army; and

WHEREAS, Fort Bliss has 1.12 million acres of training space and abuts White Sands Missile Range, the largest Department of Defense military installation; and

WHEREAS, Fort Bliss supports a variety of training programs with 54 training areas, 29 villages and towns, 58 live-fire ranges, 1,700 miles of tank trails, three base camps and rail-head facilities; in addition to 343 million cubic acres of airspace to allow training on every weapons platform in America's arsenal; and

WHEREAS, El Paso is a welcoming, diverse community with exceptional quality of life, ranked as the fifth safest large city in America. El Paso is proud to have five exceptional schools located on the installation and multiple universities, colleges and technical schools in the community that welcome soldiers and their family members; and

WHEREAS, Fort Bliss possess a new state-of-the-art 1.13 million square foot medical facility and the community has numerous hospitals and care clinics able to support any and all types of specialty care; and

WHEREAS, Fort Bliss and the City of El Paso maintain a strong and supportive relationship as seen by the more than 57% of the military assigned to Fort Bliss who live in the El Paso community with their families; and

WHEREAS, the City of El Paso works closely with the military community to ensure that military spouses are able to find meaningful employment during their time at Fort Bliss; and

WHEREAS, the City of El Paso has 202 Community Partnership Agreements with Fort Bliss to support a variety of programs including the Women's Business Counseling Services in collaboration with the El Paso Hispanic Chamber of Commerce; Citizen Immigration Services; ACES/UTEP Internship Program with The University of Texas at El Paso (UTEP); Hiring our Heroes Corporate Fellowship Program with the U.S. Chamber of Commerce Foundation; Workforce Center for Military, Military Spouses and Family Members with Workforce Solutions Borderplex (WFSBP); The Frontera Land Alliance and Child & Youth Services, which provides students exposure to Science, Technology, Engineering, and Mathematics (STEM) strands specific to environmental education, conservation efforts, and animal sciences.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO that it hereby supports the stationing of the United States Army's newest Air Defense Artillery Battalion at Fort Bliss, Texas, and that the City of El Paso welcomes these soldiers and their family members into our community with open arms.

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Goal 7: Enhance and Sustain El Paso's Infrastructure Network
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6. *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 Manager, or designee, be authorized to sign an Underground Electrical Easement, granting an easement to the El Paso Electric Company to provide electrical power to property located near the intersections of Boeing Dr. and Bonanza St. and Boeing Dr. and Continental Dr. legally described as a 0.0594 acre Portion of Lot 4, Block 20, El Paso International Airport Tracts Unit Twelve, Recorded in File No. 2020-0013751, Plat records of El Paso County, Texas, within the City of El Paso, El Paso County, Texas.

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

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

That the City Manager, or designee, be authorized to sign an Overhead Electrical Easement, granting an easement to the El Paso Electric Company to provide electrical power to property located near the intersection of Boeing Dr. and Bonanza St. legally described as a 0.0463 acre Portion of Lot 4, Block 3, El Paso International Airport Tracts Replat of Unit 5, recorded in Volume 28, Page 48, Plat records of El Paso County, Texas, within the City of El Paso, El Paso County, Texas.

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

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

That the City Manager be authorized to sign the First Amendment to the Parks Litter Control Contract by and between the City of El Paso (City) and WorkQuest f/k/a TIBH INDUSTRIES, INC. ("WorkQuest"), a private non-profit corporation and the certifying party, and BORDER TM INDUSTRIES, INC. D/B/A XCEED RESOURCES ("XCEED"), the performing party, to add additional park sites to the list of locations and to add additional cleanings to parks in the current list at which the contractors will perform cleaning and maintenance services until the expiration of this contract for an additional estimated cost to the City of an amount not to exceed \$63,044.52.

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

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

That the City Manager, or designee, be authorized to sign Consent to Assignment of Contract from PAVETEX ENGINEERING, LLC., a Texas limited liability company (Assignor) to Atlas Technical Consultants LLC., a Delaware foreign limited liability company ("Assignee") with

respect to the City of El Paso's Solicitation No. 2020-1184R to perform geotechnical and materials testing consulting services on a task by task basis.

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

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CONSENT AGENDA – BOARD RE-APPOINTMENTS:
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Goal 3: Promote the Visual Image of El Paso
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10. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Mark Wancho to the Open Space Advisory Board by Representative Aleksandra Annelo, District 2.
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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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11. *Motion made, seconded, and unanimously carried to **APPOINT** Joe Garibay to the Open Space Advisory Board by Representative Joe Molinar, District 4.
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Goal 8: Nurture and Promote a Healthy, Sustainable Community
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12. *Motion made, seconded, and unanimously carried to **APPOINT** Michelle Adjemian to the City Accessibility Advisory Committee by Representative Cassandra Hernandez, District 3.
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CONSENT AGENDA – BIDS:
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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13. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2021-0723 Background Checks to Honesta Screening LLC and KENTECH Consulting, Inc., for an initial term of three (3) years for an estimated amount of \$174,564.00. The award also includes a two (2) year optional term for an estimated amount of \$116,376.00. The total value of the contract is, including the initial term plus option is five (5) years, for an estimated amount of \$290,940.00. This contract will allow pre-employment and promotional background investigation services for prospective new hire, promotional or volunteer candidates with the City of El Paso.

Contract Variance:

New contract, no variance.

Department:	Human Resources
Vendor #1:	Honest Screening LLC
	El Paso, TX
Item(s):	Group I
Initial Term:	3 years

Option to Extend: 2 years
Annual Estimated Award: \$ 43,335.00
Initial Term Estimated Award: \$130,005.00 (3 years)
Total Estimated Award: \$216,675.00 (5 years)

Vendor #2: KENTECH Consulting, Inc.
Chicago, IL

Item(s): Group II
Initial Term: 3 years
Option to Extend: 2 years
Annual Estimated Award: \$14,853.00
Initial Term Estimated Award: \$44,559.00 (3 years)
Total Estimated Award: \$74,265.00 (5 years)

Total Annual Amount: \$ 58,188.00 (2 Vendors)
Total Initial Term Award: \$174,564.00 (3 years) (2 Vendors)
Total Estimated Award: \$290,940.00 (5 years) (2 Vendors)
Account No.:

522150-209-1000-14015-P1409
522120-451-1000-51230-P5106
522120-451-1000-51230-P5107
522120-451-1000-51270-P5113
522120-451-1000-51220-P5102
522120-451-1000-51220-P5103
522120-451-1000-51230-P5106
522120-451-1000-51230-P5107
522120-451-1000-51240-P5108
522120-451-1000-51260-P5111
522120-451-1000-51260-P5112
522120-451-1000-51260-P5121
522120-451-1000-51270-P5113
522120-451-1000-51270-P5114
522120-451-1000-51280-P5116
522150-322-1000-22010-P2202

Source: Outside Contracts - NOC
Security Contracts

Districts: All

REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL:

14. Discussion and action to direct the City Manager to develop a review of Climate Change Action Plans of other cities comparable to El Paso, not limited to Austin, Dallas, Houston, Denver, Oakland, and Las Cruces, and to report back to City Council in 60 days for the purpose of developing a City-wide Climate Action Plan.

Representative Peter Svarzbein, District 1, introduced the item and presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Mayor Leeser and Representatives Annello, Hernandez, Lizarraga commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Nicole Ferrini, Director of Community & Human Development

1ST MOTION

Motion made by Representative Annelo, seconded by Representative Salcido, and unanimously carried to **AMEND** the item to report back to City Council from 60 days to 90 days.

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

NAYS: None

2ND AND FINAL MOTION

Motion made by Representative Annelo, seconded by Representative Svarzbein, and unanimously carried to **DIRECT, AS AMENDED** the City Manager to develop a review of Climate Change Action Plans of other cities comparable to El Paso, not limited to Austin, Dallas, Houston, Denver, Oakland, and Las Cruces, and to report back to City Council in 90 days for the purpose of developing a City-wide Climate Action Plan.

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

NAYS: None

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- 15.** Discussion and action for the Mayor, on behalf of the city council, to sign a letter by Mayors United Against Antisemitism, united against hate and declaring unequivocally that antisemitism is incompatible with the fundamental values of democracy.

Mayor Leeser and Representative Svarzbein commented.

The following members of the public commented:

1. Mr. Stuart Blaugrund
2. Mr. Robert French filed a statement with the City Clerk's Office
3. Ms. Naomi Ruth Estrada
4. Mr. Ben Zeidman
5. Ms. Jeri Hallberg-Harmon

1ST MOTION

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

2ND MOTION

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Salcido, and unanimously carried to **AUTHORIZE** the Mayor, on behalf of the city council, to sign a letter by Mayors United Against Antisemitism, united against hate and declaring unequivocally that antisemitism is incompatible with the fundamental values of democracy.

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

NAYS: None

3rd MOTION

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Lizarraga and unanimously carried to **RECONSIDER** the item to allow for additional public input.

4TH AND FINAL MOTION

Motion made by Mayor Pro Temp Svarzbein, seconded by Representative Lizarraga, and unanimously carried to **AUTHORIZE** the Mayor, on behalf of the city council, to sign a letter by Mayors United Against Antisemitism, united against hate and declaring unequivocally that antisemitism is incompatible with the fundamental values of democracy.

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

NAYS: None

16.

RESOLUTION

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

That the City Council declares that the expenditure of District 7 discretionary funds in an amount not to exceed \$2,000.00 to purchase a laptop to be used by city representative District 7 staff serves a municipal purpose of providing better and more mobile communication with the District 7 office and District 7 constituents; promoting transparent and consistent communication amongst all members of the community.

That the City Manager be authorized to effectuate any budget transfer necessary to ensure that the funds are properly expended for such purpose and to execute any related agreements and amendments to such agreements.

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

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

NAYS: None

REGULAR AGENDA – OPERATIONAL FOCUS UPDATES:

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

17. Presentation and discussion providing the Strategic Plan Goal Team reporting series wrap-up.

Ms. Julie Baldwin-Muñoz, Learning and Innovation Director, introduced the item and presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representatives Svarzbein and Salcido commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

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The City Council Meeting was **RECESSED** at 10:26 a.m. in order to convene the Mass Transit Board Meeting.

The City Council Meeting was **RECONVENED** at 10:56 a.m.

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18. Budget Update - FY 2022 Preliminary Budget Overview.

Mr. Tommy Gonzalez, City Manager, introduced the item and presented a PowerPoint presentation (copy on file in the City Clerk's Office) in conjunction with Mr. Robert Cortinas, Chief Financial Officer.

Mayor Leeser and Representatives Svarzbein, Annelo and Hernandez commented.

The following City staff members commented:

1. Mr. Cary Westin, Senior Deputy City Manager
2. Ms. Nicole Cote, Director of Office Management & Budget
3. Mr. Bryan Crowe, General Manager, Destination El Paso
4. Ms. Tracey Jerome, Deputy City Manager

NO ACTION was taken on this item.

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CALL TO THE PUBLIC – PUBLIC COMMENT

Mr. Ron Comeau, citizen, commented.

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REGULAR AGENDA - FIRST READING OF ORDINANCES

Motion made by Representative Annelo, seconded by Representative Salcido, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

AYES: Representatives Svarzbein, Annelo, 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

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DISCUSSION ON ITEMS 19 AND 20 WAS TAKEN TOGETHER

- 19.** An Ordinance changing the zoning of all of Lots 1 through 20, Block 266, and a 20 foot alley out of Block 266, Campbell Addition, City of El Paso, El Paso County, Texas from C-1/c/sp (Commercial/conditions/special permit), A-2 (Apartments), and C-4/sp (Commercial/special permit) to G-MU (General Mixed Use) and approving a Master Zoning Plan. 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: 405 Montana Ave.

Applicant: SLI Engineering c/o Georges Halloul, PZRZ21-00001
[POSTPONED FROM 05-25-2021]

20. An Ordinance granting Special Permit No. PZST21-00001, to allow for a 100% reduction in parking on the property described as All of Lots 1-6 & 11-20, Block 266, Campbell Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070.B of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.

The proposed special permit and detailed site development plan 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: 405 Montana Ave.

Applicant: SLI Engineering, c/o Georges Halloul, PZST21-00001
[POSTPONED FROM 05-25-2021]

Mayor Leeser and Representatives Annelo, Hernandez, Molinar, Rivera and Lizarraga commented.

Ms. Karla Nieman, City Attorney, commented.

PUBLIC HEARING WILL BE HELD ON JUNE 22, 2021 FOR ITEMS 19 AND 20

21. An Ordinance changing the zoning of Tract 1J3, 1J1B, and 1K2, Block 10, and a portion of Tract 1H, Block 10, Upper Valley Grant Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) and P-R I/C (Planned Residential I/Conditions) to G-MU (General-Mixed Use) and G-MU/C (General-Mixed Use/Conditions) and approving a Master Zoning Plan. 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: South of Artcraft Road and East of Westside Drive

Applicant: Wright and Dalbin Architects c/o Geoffrey Wright, PZRZ21-00004

22. An Ordinance granting Special Permit NO. PZST21-00008, to allow for a 55' Ground-Mounted Personal Wireless Service Facility on the property described as a portion of Tracts 9B, 9C, and 10A, Block 48, Ysleta Grant, 9100 Alameda Avenue, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.455 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. **THIS IS AN APPEAL.**

The proposed special permit 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: 9100 Alameda Avenue
Applicant: Verizon c/o Les Gutierrez PZST21-00008

PUBLIC HEARING WILL BE HELD ON JULY 7, 2021 FOR ITEMS 21 AND 22

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

23. An Ordinance amending Title 3 (Revenue and Finance) of the El Paso Municipal Code, Chapter 3.04 (Property Taxes) by amending section 3.04.040 (Exemption - Residence Homestead) to increase the Ad Valorem Property Tax Exemption for individuals over 65 and disabled citizens who qualify under the current code.
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PUBLIC HEARING WILL BE HELD ON JUNE 22, 2021 FOR ITEM 23

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

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

WHEREAS, on February 26, 2019, the City of El Paso (“City”) awarded Contract No.2019- 639 Career Online High School (“Contract”) to the following (“Vendor”):

1. Cengage Learning Inc.

WHEREAS, pursuant to the provisions and requirements of the Purchase Order Terms and Conditions (Termination for Convenience) the City is authorized to terminate the Contract for convenience; and

WHEREAS, the City desires to terminate the Contract for convenience.

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

That the Purchasing & Strategic Sourcing Director is authorized to notify Vendor that the City is terminating Contract 2019-639 Career Online High School for convenience, pursuant to the provisions and requirements of the Purchase Order Terms and Conditions, and that the termination shall be effective as of July 31, 2021.

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

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

NAYS: None

25. Motion made by Representative Hernandez, seconded by Representative Salcido, and unanimously carried to **AUTHORIZE** the Purchasing & Strategic Sourcing Director to issue Purchase Orders over the next three (3) years totaling an estimated amount of \$172,125.00

to Smart Horizons Career Online High School, LLC dba Smart Horizons Career Online Education the sole source provider for Career Online High School (COHS), with the stipulation that the vendor provides an updated sole source letter and affidavit each year. The award of this contract will allow Library Department to continue with the career online high school.

Contract Variance:

The difference in price, based on comparison to the previous contract is as follows: A decrease of \$272,750.00 for the initial term, which represents a 61.31% decrease due to the program distribution coming directly from Smart Horizons Career Online High School, LLC dba Smart Horizons Career Online Education without a distributor.

Department: Library
Award to: Smart Horizons Career Online High School, LLC dba Smart Horizons Career Online Education Pensacola, FL
Initial Term: 3 years
Total Estimated Award: \$172,125.00 (3 years)
Account No.: 453-1000-53010-531030
Funding Source: General Funds
Districts(s): All
Sole Source No.: 2021-1197

This is a sole source, Service Contract.

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

NAYS: None

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- 26.** *Motion made, seconded and unanimously carried to **DELETE** Solicitation 2021-0762 Joey Barraza and Vino Memorial Park Phase II to PERIKIN ENTERPRISES, LLC for an estimated award of \$4,791,485.32. The project consists of the addition of a dog park and one soccer field addition to the existing park. The improvements lie between Joey Barraza and Vino Memorial Park (formerly known as Northeast Regional Park).

Department: Capital Improvement
Award to: PERIKIN ENTERPRISES, LLC Albuquerque, NM
Items: Base Bid I & Additive Alternate I
Initial Term: 300 Consecutive Calendar Days
Base Bid I: \$1,568,772.02
Additive Alternate I: \$3,222,713.30
Total Estimated Award: \$4,791,485.32
Funding Source: Parkland Dedication and Texas Wildlife Grant
Account: 190-4800-29010-580270-PCP13PRKA23A
451-2670-51440-580270-GS51170033
District: 4

This is a Low Bid procurement, unit price contract. The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to PERIKIN ENTERPRISES, LLC, the 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.

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27. Motion made by Representative Molinar, seconded by Representative Lizarraga and unanimously carried to **AWARD** Solicitation 2021-1152 Oregon Street Lighting to Tri-State Electrical, Ltd for an estimated award of \$1,014,900.00. The purpose of the project is to enhance Oregon Street by installing street and pedestrian illumination that will provide improved visibility and safety to pedestrians and vehicles using the corridor while encouraging the use of Sun Metro's BRIO and the El Paso Streetcar.
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|------------------------|--------------------------------------|
| Department: | Capital Improvement |
| Award to: | Tri-State Electrical, Ltd Vinton, TX |
| Items: | Base Bid I |
| Initial Term: | 80 Consecutive Calendar Days |
| Base Bid I: | \$1,014,900.00 |
| Total Estimated Award: | \$1,014,900.00 |
| Funding Source: | 2017 Certificates of Obligation |
| Account: | 190-4743-38290-580270-CP18ST015 |
| Districts: | 1 and 8 |

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Tri-State Electrical, Ltd, the 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.

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

NAYS: None

REGULAR AGENDA –PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:

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

ITEMS 28 AND 29 WERE TAKEN TOGETHER

28.

ORDINANCE 019194

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY OWNED BY THE CITY OF EL PASO TO THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS TRANSPORTATION COMMISSION, FOR THE PURCHASE PRICE OF \$2,680,182. SUCH REAL PROPERTY LEGALLY DESCRIBED AS A 6.6348 ACRE (289,013 SQ. FT.) PARCEL OF LAND LOCATED IN THE T.&P.R.R. CO. SURVEY, TOWNSHIP NO. 2, BLOCK NO. 80, SECTION NO. 35, ABSTRACT NO. 2418, EL PASO COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK 2, BUTTERFIELD TRAIL AVIATION PARK, UNIT TWO, A SUBDIVISION RECORDED IN VOLUME 78, PAGE 87 AND 87A, OF THE PLAT RECORDS OF EL PASO COUNTY, TEXAS (P.R.E.P.C.TX), DESCRIBED IN A DEED FROM THE UNITED STATES OF AMERICA TO THE CITY OF EL PASO, RECORDED IN VOLUME 407, PAGE 601, AND IN VOLUME 1348, PAGE 146, OF THE DEED RECORDS OF EL PASO COUNTY, TEXAS (D.R.E.P.C.TX.).**

29.

ORDINANCE 019195

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY OWNED BY THE CITY OF EL PASO TO THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS TRANSPORTATION COMMISSION, FOR THE PURCHASE PRICE OF \$3,893,309. SUCH REAL PROPERTY LEGALLY DESCRIBED AS PARCEL OF LAND CONTAINING 10.452 ACRES SITUATED IN SECTION NO. 34, ABSTRACT NO. 3746, (C.M. NEWMAN SURVEY), SECTION NO. 35, ABSTRACT NO. 2418, SECTION NO. 38, ABSTRACT NO. 5426, AND SECTION NO. 39, ABSTRACT NO. 2406 (C.M. NEWMAN SURVEY), BLOCK NO. 80, TOWNSHIP NO. 2, T. & P. R.R. CO. SURVEYS, EL PASO COUNTY, TEXAS, SAME BEING OUT OF AND A PART OF LOT 2, BLOCK 1, BUTTERFIELD TRAIL AVIATION PARK, UNIT TWO, AN ADDITION TO THE CITY OF EL PASO, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 78, PAGE 87, OF THE PLAT RECORDS OF EL PASO COUNTY, TEXAS (P.R.E.P.C.TX.), AND BEING OUT OF AND A PART OF THAT CERTAIN TRACT DESCRIBED IN DEED FROM THE UNITED STATES OF AMERICA TO THE CITY OF EL PASO, OF RECORD IN VOLUME 407, PAGE 601, AND IN VOLUME 1348, PAGE 146, OF THE DEED RECORDS OF EL PASO COUNTY, TEXAS (D.R.E.P.C.TX.).**

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

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinances which when so done resulted as follows:

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

NAYS: None

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

Goal 3: Promote the Visual Image of El Paso

30. ORDINANCE 019196

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 2-A, BLOCK 52, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH-FARM) AND R-F/H (RANCH-FARM/HISTORIC) TO R-3/C (RESIDENTIAL/CONDITION) AND R-3/H/C (RESIDENTIAL/HISTORIC/CONDITION) AND IMPOSING CONDITIONS.THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

The following members of the public commented:

1. Ms. Sylvia Carreon
2. Ms. Fabiola Campos-Lopez

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

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

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

NAYS: None

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

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

31. ORDINANCE 019197

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030**

(SCHEDULE III – PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) OF THE CITY CODE, TO ADD PORTIONS OF CROSS STREET; THE PENALTY BEING PROVIDED IN CHAPTER 12.84 OF THE EL PASO CITY CODE.

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

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

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

NAYS: None

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

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

32. ORDINANCE 019198

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV-SPEED LIMITS), TO AMEND PARAGRAPH F (THIRTY-FIVE MILES PER HOUR), BY AMENDING SUBPARAGRAPH 32; THE PENALTY BEING PROVIDED IN CHAPTER 12.84 OF THE EL PASO CITY CODE.**

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

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

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

NAYS: None

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

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

33. ORDINANCE 019199

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE EL PASO CITY CODE TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.44 (CITY OF EL PASO COURTS) SECTION 2.44.010 (CREATED), SUBSECTION (B); AND SECTION 2.44.030 (JUDGES), SUBSECTIONS (C) AND (F), IN ORDER TO ALLOW FOR SPECIFIED SUB-COURTS UNDER THE PURVIEW OF THE PRESIDING JUDGE; AND TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.44 (CITY OF EL**

PASO COURTS) SECTION 2.44.010 CREATED, SUBSECTION (D); SECTION 2.44.030 (JUDGES), SUBSECTION (E)(I); SECTION 2.44.040 (PRACTICE AND PROCEDURE), SUBSECTION (A); SECTION 2.44.060 (SUMMONS AND CITATIONS-FEE SCHEDULE-PAYMENTS); AND SECTION 2.44.080 (SPECIAL EXPENSE FEE) TO PROVIDE UPDATES, CORRECTIONS AND CLARIFICATION OF MUNICIPAL COURT PROCEDURES.

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

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

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

NAYS: None

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

.....
REGULAR AGENDA – OTHER BUSINESS:
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Goal 2: Set the Standard for a Safe and Secure City
.....

34.

R E S O L U T I O N

WHEREAS, Texas Government Code section 29.007 authorizes a home-rule municipality, by charter or ordinance, to divide its Municipal Court into divisions, one of which is presided over by the presiding judge, and the divisions by associate judges with the same powers of the presiding judge; and

WHEREAS, City Code Section 2.44.010(B) authorizes the City Council to establish, by resolution, a temporary division of the presiding judges to provide efficient adjudication of a large number of pending cases caused by unforeseen circumstances; and

WHEREAS, there is a significantly large number of pending cases caused by closures, and safe distancing requirements at the Municipal Courts due to the COVID-19 pandemic; and

WHEREAS, the creation of a temporary division of the current presiding Judge's designated court, Municipal Court Number Five for one year, will allow for a more expeditious adjudication of these pending cases and disposition of the business of the Courts.

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

That the City Council hereby authorizes a temporary municipal court, to be known as Court 5T, in accordance with City Code 2.44.010(B) for one year, beginning on August 1, 2021 and ending on July 31, 2022 in order to assist with a large number of pending cases

caused by the closures, and safe distancing requirements in response to the COVID-19 Pandemic.

Court 5 T shall operate as directed by the Presiding Municipal Judge, pursuant to Texas Government Code Section 30.00128(f). This division of the Court may be in concurrent and continuous session, either day or night or full time or part time, at the discretion of the Presiding Judge.

The Presiding Judge shall assign the various Substitute Associate Municipal Court Judges to Court 5 T in accordance with applicable law.

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

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

NAYS: None

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

35.

R E S O L U T I O N

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

That the City Manager be authorized to sign a First Amendment to a Chapter 380 Economic Development Program Agreement between the City of El Paso, Texas, a Texas home rule municipal corporation, and SDI Technologies, Inc., a Delaware Corporation, KIDdesigns, Inc., a New Jersey corporation; and EL PASO GATEWAY, LLC, a Texas Limited Liability Company [formerly: SDI ABP LLC], to extend the deadlines by which Applicant must meet its Full-Time Employment requirements, in the City of El Paso, Texas.

Ms. Denisse Carter, Economic Development Contract Compliance Coordinator, introduced the item and presented a PowerPoint presentation (copy on file in the City Clerk's Office).

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT** of the Regular agenda following item 16.

2ND AND FINAL MOTION

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

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

NAYS: None

36.

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 Manager be authorized to sign a two year On-Call Agreement for Professional Services to perform traffic engineering services on a task order basis by and between the City of El Paso and each of the following three (3) consultants:

1. AECOM Technical Services Inc.
2. CONSOR Engineering, LLC.
3. Walter P. Moore & Associates, Inc.

Each On-Call Agreement will be for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00), and each agreement will include authorization for the City Engineer to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and authorization for the City Engineer to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if the identified services are necessary for proper execution of identified project and if the increased amounts are within the appropriate budget identified for a project. In addition, the City Manager, or designee, is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of each On-Call Agreement.

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

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

NAYS: None

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EXECUTIVE SESSION

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 1:03 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 following:

Section 551.074 PERSONNEL MATTERS

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

NAYS: None

Motion made by Representative Hernandez, seconded by Representative Rivera, and unanimously carried to **ADJOURN** the Executive Session at 3:19 p.m. and **RECONVENE** the meeting of the City Council.

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

NAYS: None

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EX1 Annual performance evaluation for City Attorney (551.074)

NO ACTION was taken on this item.

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EX2 Annual performance evaluation for City Manager (551.074)

NO ACTION was taken on this item.

.....
ADJOURN

.....
Motion made by Representative Anello, seconded by Representative Molinar, and unanimously carried to **ADJOURN** this meeting at 3:20 p.m.

AYES: Representatives Svarzbein, Anello, Hernandez, Molinar, Salcido, Rodriguez and Rivera

NAYS: None

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk