

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**

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**December 13, 2022**  
**COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY**  
**9:00 AM**

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### **ROLL CALL**

The City Council of the City of El Paso met on the above time and date. Meeting was called to order at 9:03 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Annello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, and Henry Rivera. Cissy Lizarraga requested to be excused from this meeting. The invocation was given by El Paso Police Senior Chaplain David Mayfield followed by the Pledge of Allegiance to the Flag of the United States of America.

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### **INVOCATION BY EL PASO POLICE SENIOR CHAPLAIN DAVID MAYFIELD**

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### **PLEDGE OF ALLEGIANCE**

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### **MAYOR'S PROCLAMATIONS**

Tony the Tiger Sun Bowl Week

One Grub Community Day

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### **RECOGNITIONS BY MAYOR**

Mayor's Distinguished Award

Peter Svarzbein, City Representative, District 1

Cissy I. Lizarraga, City Representative, District 8

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### **RECOGNITIONS**

Service Recognitions for Representatives Peter Svarzbein and Cissy Lizarraga presented by City Manager, Mr. Tommy Gonzalez

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The Regular City Council Meeting was **RECESSED** at 10:05 a.m. in order to take photos with the honorees and to convene the Downtown Development Corporation Board of Directors meeting.

The Regular City Council Meeting was **RECONVENED** at 11:00 a.m.

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**NOTICE TO THE PUBLIC**  
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Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, 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, Rodriguez, and Rivera

NAYS: None

ABSENT: Representative Lizarraga  
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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 December 6, 2022, the Agenda Review Meeting of December 5, 2022, and the Work Session of December 5, 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:**

\*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Cissy Lizarraga from the Regular City Council Meeting of Tuesday, December 13, 2022.  
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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 be authorized to sign an Airport Building Lease Agreement by and between the City of El Paso ("Lessor") and Southwest Airlines Co. ("Lessee") for ground service equipment warehouse and maintenance shop at the Airport Building located at 6765 Convair Road, El Paso, Texas.

With an initial term of one year with one (1) year renewal option.  
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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 an Air Cargo Building Lease Agreement by and between the City of El Paso ("Lessor") and Southwest Airlines Co. ("Lessee") for warehouse and office space at the Air Cargo Building located at 6435 Convair Road, El Paso, Texas. The initial term of said Lease shall be for five years.  
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5. **\*RESOLUTION**

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

That the City Manager, or designee, be authorized to sign Contract No. 80JSC0 18P0035-NNJ19ZA01P by and between the National Aeronautics and Space Administration ("NASA") and the City of El Paso ("Contractor") for the lease of hangar and office space located at 8101 and 8201 Boeing Drive, El Paso, Texas to incorporate two three (3) month options into that agreement.

6.

**\*RESOLUTION**

**WHEREAS**, the City of El Paso ("City") and the Paso del Norte Community Foundation ("PdN") recognize the importance of federal and state grant opportunities for funding the development and construction of trails, corridor improvements, transportation, civic spaces, and public facilities.

**WHEREAS**, the parties recognize that such grant opportunities benefit both parties, as well as the residents and visitors of the El Paso region.

**WHEREAS**, the City and PdN wish to collaborate to develop a strategy to apply for grant opportunities, to plan and write grant applications, and to develop and implement public outreach.

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

**THAT** the City Manager be authorized to sign a Memorandum of Understanding between the City and PdN to collaborate on securing grant opportunities related to trails, corridor improvements, transportation, civic spaces, and public facilities, wherein PdN will coordinate public outreach, including writing certain grant proposals, and the City will reimburse costs in an amount not to exceed \$260,000.00 over the two-year term of this Memorandum of Understanding.

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

7.

**\*RESOLUTION**

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

That the Mayor be authorized to sign an Amendment to an Interlocal Agreement by and between the City of El Paso ("City") and the El Paso County Hospital District d/b/a University Medical Center ("UMC") to establish timely notification and change the maximum annual staffing fee amount that UMC will allocate to the City for staffing of the Mobile Stroke Unit ("MSU") not to exceed \$70,000.00 annually for the EMT-Paramedic and not to exceed \$60,000.00 annually for EMT-Basic, and in return, the City, through the El Paso Fire Department will provide an adequate pool of EMT-Paramedics and EMT-Basic to staff the MSU throughout the applicable service periods.

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

8.

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, MARCENA SARA, 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:

1299 Southwestern Dr, more particularly described as Lot 27 (7700 Sq Ft), Block 2, Scenic Heights Subdivision, City of El Paso, El Paso County, Texas, PID #S171-999-0020-5300

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 2nd day of November, 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 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, SANCHEZ JOSE R O C, 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:

1521 Cidra Del Sol Dr, more particularly described as Lot 84 (10313.00 Sq Ft), Block 9, Lomas Del Sol #2 Subdivision, City of El Paso, El Paso County, Texas, PID #L626-999-0090-8400

to be \$333.50, 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 1st day of October, 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 THREE HUNDRED THIRTY THREE AND 50/100 DOLLARS (\$333.50) 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, MELENDEZ JESUS M, 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:

4631 Atlas Ave, more particularly described as Lot 100, Sunrise Acres #2 Subdivision, City of El Paso, El Paso County, Texas, PID #S917-999-002D-5200

to be \$534.50, 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 20th day of October, 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 FIVE HUNDRED THIRTY FOUR AND 50/100 DOLLARS (\$534.50) 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.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, KOLB ANNA M, 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:

518 Bataan Circle, more particularly described as Lot 58 (4316 Sq Ft), Block 4, El Valle Subdivision, City of El Paso, El Paso County, Texas, PID #E416-999-0040-2500

to be \$615.00, 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 2<sup>nd</sup> day of October, 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 SIX HUNDRED FIFTEEN AND 00/100 DOLLARS (\$615.00) 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, OLIVAS EVELIA (CS), 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:

4857 Apollo Ave, more particularly described as W 52.6 Ft Of E 105.2 Ft Of (198 & 65.35 Ft Of 197) (11080.19 Sq Ft), Sunrise Acres #2 Subdivision, City of El Paso, El Paso County, Texas, PID #S917-999-002H-1955

to be \$343.50, 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 13th day of October, 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 THREE HUNDRED FORTY THREE AND 50/100 DOLLARS (\$343.50) 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.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, OLIVAS EVELIA (CS) , 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:

4853 Apollo Ave, more particularly described as W 52.6 Ft Of (198 & S 65.35 Ft Of 197) (11080.19 Sq Ft), Sunrise Acres #2 Subdivision, City of El Paso, El Paso County, Texas, PID #S917- 999-002H-1975

to be \$343.50, 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 13th day of October, 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 THREE HUNDRED FORTY THREE AND 50/100 DOLLARS (\$343.50) 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.

### **\*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 \$519.50, 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 7th day of October, 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 FIVE HUNDRED NINETEEN AND 50/100 DOLLARS (\$519.50) 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.

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

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, RAUL S GUTIERREZ, 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:

325 Guadalajara St, more particularly described as Lot 63, Singh Subdivision, City of El Paso, El Paso County, Texas, PID #S445- 999-0010-6300

to be \$431.00, 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 27th day of October, 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 FOUR HUNDRED THIRTY ONE AND 00/100 DOLLARS (\$431.00) 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, VAN PETER, 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:

2929 Alabama St, more particularly described as Lots 20 To 23 (1200 Sq Ft), Block 138, Highland Park Subdivision, City of El Paso, El Paso County, Texas, PID #H453-999-1380-5500

to be \$454.00, 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 21st day of October, 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 FOUR HUNDRED FIFTY FOUR AND 00/100 DOLLARS (\$454.00) 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 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments**  
.....

**9. \*RESOLUTION**

**WHEREAS**, Goal 4 of the Strategic Plan for the City of El Paso ("City") is to enhance the City's quality of life through recreational, cultural, and educational environments:

**WHEREAS**, Goal 3 of the Strategic Plan for the City is to promote the City's visual image;

**WHEREAS**, Mary Frances Keisling Park has been identified as a targeted City park for improvements, based on criteria related to population growth and expansion, amenities, and service gaps related to the quality of life;

**WHEREAS**, the City conducted a public outreach and engagement campaign consisting of both in-person and virtual activities for the Mary Frances Keisling Park community, including virtual focus group meetings, virtual work sessions with an application-based steering committee for the park, in-person information meetings including interactive surveys and activities at the park, an online interactive public comment mapping tool, and a project website;

**WHEREAS**, the City Representative for District 1 has been briefed and has provided input and feedback to inform the final documents.

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

1. That the “Mary Frances Keisling Park Master Plan Report”, as attached hereto, be adopted;
2. That the City Manager, or his designee, be authorized to begin implementation of the “Mary Frances Keisling Park Master Plan Report” in a manner generally consistent with the recommended strategies and policies contained therein and generally consistent with the recommended implementation phases;
3. That the adoption of the “Mary Frances Keisling Master Plan Report” shall not commit the City of El Paso to specific funding levels or implementation strategies, but shall provide guidance for the City’s vision for the enhancement of the park.

Mr. Ben Fyffe, Managing Director for Cultural Affairs and Recreation, and Ms. Apolonia Roldan, Urban Design Manager, presented a PowerPoint presentation.

Mayor Leeser and Mayor Pro Tempore Svarzbein commented.

Mr. Tommy Gonzalez, City Manager, commented.

**1<sup>ST</sup> MOTION**

\*Motion made, seconded, and unanimously carried to **MOVE** the item to the **REGULAR AGENDA**.

**2<sup>ND</sup> AND FINAL MOTION**

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

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

**10.**

**\*RESOLUTION**

**WHEREAS**, the federal off-system bridge program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as deficient) bridges located on public roads and streets off the designated state highway system; and

**WHEREAS**, City of El Paso, hereinafter referred to as the Local Government owns the bridge: Located at **Alps Drive over Tobin Drainage Ditch**, National Bridge Inventory (NBI) Structure Number **240720B0236001**, State Control-Section-Job (CSJ) Number **0924-06-655**; and

**WHEREAS**, a project to remedy the bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order Number **116073**, Dated **August 31, 2021**; and

**WHEREAS**, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government, unless reduced by participation in the Economically Disadvantaged County Program; and

**WHEREAS**, the estimated local match fund participation requirement on the approved federal off-system bridge project is **\$31,500.00** and

**WHEREAS**, the estimated local match fund participation requirement will be paid by the Local Government; and

**NOW, THEREFORE, BE IT RESOLVED** that the Local Government approves the execution of an Advance Funding Agreement with the State. The City Manager is authorized to execute the agreement on behalf of the Local Government.

11.

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

**WHEREAS**, the federal off-system bridge program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as “deficient”) bridges located on public roads and streets off the designated state highway system; and

**WHEREAS**, City of El Paso, hereinafter referred to as the “Local Government” owns a bridge: Located at **Concepcion St. over Franklin Canal**, National Bridge Inventory (NBI) Structure Number **240720B15843001**, State Control-Section-Job (CSJ) Number **0924-06-656**; and

**WHEREAS**, a project to remedy the bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order Number **116073**, Dated **August 31, 2021**; and

**WHEREAS**, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government, unless reduced by participation in the Economically Disadvantaged County Program; and

**WHEREAS**, the estimated local match fund participation requirement on the approved federal off-system bridge project is **\$56,250.00**; and

**WHEREAS**, the estimated local match fund participation requirement will be paid by the Local Government; and

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

**THAT** the Local Government approves the execution of an Advance Funding Agreement with the State. The City Manager is authorized to execute the agreement on behalf of the Local Government.

12.

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

**WHEREAS**, the federal off-system bridge program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as “deficient”) bridges located on public roads and streets off the designated state highway system; and

**WHEREAS**, City of El Paso, hereinafter referred to as the “Local Government” owns the bridge: Located at **N El Paso St. over Union Pacific RR** National Bridge Inventory (NBI) Structure Number **240720B23340001**, State Control-Section-Job (CSJ) Number **0924-06-658**; and

**WHEREAS**, a project to remedy the bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order Number **116073**, Dated **August 31, 2021**; and

**WHEREAS**, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government, unless reduced by participation in the Economically Disadvantaged County Program; and

**WHEREAS**, the estimated local match fund participation requirement on the approved federal off-system bridge project is **\$74,250.00** and

**WHEREAS**, the estimated local match fund participation requirement will be paid by the Local Government; and

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

**THAT** the Local Government approves the execution of an Advance Funding Agreement with the State. The City Manager is authorized to execute the agreement on behalf of the Local Government.

13.

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

**WHEREAS**, the federal off-system bridge program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as deficient) bridges located on public roads and streets off the designated state highway system; and

**WHEREAS**, City of El Paso, hereinafter referred to as the Local Government owns the bridge: Located at **Hollings St SB over Tobin Drainage Ditch**, National Bridge Inventory (NBI) Structure Number **240720B33040001**, State Control-Section-Job (CSJ) Number **0924-06-657**; and

**WHEREAS**, a project to remedy the bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order Number **116073**, Dated **August 31, 2021**; and

**WHEREAS**, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government, unless reduced by participation in the Economically Disadvantaged County Program; and

**WHEREAS**, the estimated local match fund participation requirement on the approved federal off-system bridge project is **\$36,000.00** and

**WHEREAS**, the estimated local match fund participation requirement will be paid by the Local Government; and

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

**THAT** the Local Government approves the execution of an Advance Funding Agreement with the State. The City Manager is authorized to execute the agreement on behalf of the Local Government

.....  
**CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS:**  
.....

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

**14. \*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, RAE S CHANG (“Taxpayer”) has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on January 30, 2018 in the amount of \$1,250.00 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 Rae S Chang 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 \$1,250.00 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, Bobcat of El Paso c/o Total Equipment & Rental of El Paso (“Taxpayer”) has applied for a refund with the tax assessor for their 2019 property taxes that were overpaid on January 29, 2019 in the amount of \$410.71 for all taxing entities; and

**WHEREAS**, City Council may extend the deadline for the Taxpayer’s application for the overpayment of the 2019 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 Bobcat of El Paso c/o Total Equipment & Rental of El Paso showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2019 taxes and the tax refund in the amount of \$410.71 is approved.

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

**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, Sylvia Tellez (“Taxpayer”) has applied for a refund with the tax assessor for their 2019 property taxes that were overpaid on March 11, 2019 in the amount of \$125.12 for all taxing entities; and

**WHEREAS**, City Council may extend the deadline for the Taxpayer’s application for the overpayment of the 2019 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 Sylvia Tellez showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2019 taxes and the tax refund in the amount of \$125.12 is approved.

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

**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, Flexy Bags & Packaging c/o Bags & Packaging Corp (“Taxpayer”) has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on March 06, 2018 in the amount of \$151.45 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 Flexy Bags & Packaging c/o Bags & Packaging Corp 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 \$151.45 is approved.

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

**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, Nationstar Mortgage LLC dba Champion Mortgage Co through Texas Title ("Taxpayer") has applied for a refund with the tax assessor for their 2018 property taxes that were overpaid on December 19, 2018 in the amount of \$945.63 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 Nationstar Mortgage LLC dba Champion Mortgage Co through Texas Title 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 \$945.63 is approved.

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

**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, Esther M Rossini through Jose R Fernandez ("Taxpayer") has applied for a refund with the tax assessor for their 2018 property taxes that were overpaid on March 07, 2019 in the amount of \$10.01 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 Esther M Rossini through Jose R Fernandez 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 \$10.01 is approved.

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



**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, Stewart Title through Stewart Title Company (“Taxpayer”) has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on April 30, 2018 in the amount of \$1,865.07 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 Stewart 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 \$1,865.07 is approved.

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

**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, Autos Y Camiones Liberty LLC (“Taxpayer”) has applied for a refund with the tax assessor for their 2018 property taxes that were overpaid on January 07, 2019 in the amount of \$616.40 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 Autos Y Camiones Liberty 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 \$616.40 is approved.

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

**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, Janice A Torres through Laura E & Oswaldo Melchor (“Taxpayer”) has applied for a refund with the tax assessor for their 2018 property taxes that were overpaid on January 15, 2019 in the amount of \$223.35 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 Janice A Torres through Laura E & Oswaldo Melchor 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 \$223.35 is approved.

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

**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, Janice Schmidtke (“Taxpayer”) has applied for a refund with the tax assessor for their 2018 property taxes that were overpaid on March 15, 2019 in the amount of \$4,395.95 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 Janice Schmidtke 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 \$4,395.95 is approved.

- .....
- 15.** \*Motion made, seconded, and unanimously carried to **APPROVE** a refund to Denar Joyner, in the amount of \$3,566.33 for an overpayment made on November 21, 2022 of 2022 taxes. (Geo. # T820-999-0100-1400). This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00.

.....

**CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS:**

.....

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

16. \*Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code, receipt of the following campaign contributions by City Representative Claudia L. Rodriguez, District 6 : \$2,500.00 from Stanley Jobe; \$200.00 from Garrett J. Yancey; \$10,000.00 from Woody & Gale Hunt; \$1,000.00 from E.C. Houghton, Jr.; \$500.00 from William Correa; \$10,000.00 from Paul L. Foster; \$1,000.00 from Donald & Adair Margo; \$2,500.00 from Anthony Maldonado; \$1,000.00 from Pam Agullo.
17. \*Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by City Representative Aleksandra Anello: JP & Mary Jon Bryan \$1,000.

**CONSENT AGENDA – REQUESTS TO ISSUE PURCHASE ORDERS:**

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

18. \*Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2023-0234 On Call Plumbing Services to RP of EPT, Inc., for a term of three (3) years for an estimated amount of \$360,000.00. This contract will allow for the on-call maintenance of plumbing services at various City locations.

Contract Variance:  
N/A

Department:	Streets and Maintenance
Award to:	RP of EPT, Inc. El Paso, TX
Initial Term:	3 years
Annual Estimated Award:	\$120,000.00 (1 year)
Total Estimated Award:	\$360,000.00 (3 years)
Account No:	532 - 1000 - 522260 - 31040 - P3120
Funding Source:	General Fund
District(s):	All

This is a Non-Competitive, service contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to RP of EPT, Inc.

**CONSENT AGENDA – BIDS:**

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

19. **1<sup>ST</sup> MOTION:**  
\*Motion made, seconded, and unanimously carried to **MOVE** the item to the **REGULAR AGENDA**.

**2<sup>ND</sup> AND FINAL MOTION:**  
Motion made by Representative Anello, seconded by Representative Svarzbein, and unanimously carried to **AWARD** Solicitation 2023-0097 Tom Lea Lower Dog Park to Keystone

GC, LLC. for an estimated total award of \$245,882.17. The project consists of the construction of a fenced in dog park to be located on the northwest site of Tom Lea Lower Park located at 1203 Schuster Ave. The scope of work includes but not limited to the furnish and install park benches, chain link fence with maintenance gates, concrete plaza, irrigation modifications, water fountains, waste disposal stations and mutty paw dispenser.

Department: Capital Improvement  
Award to: Keystone GC, LLC.  
El Paso, TX  
Item(s): Base Bid I  
Initial Term: 150 Consecutive Calendar Days  
Base Bid I: \$245,882.17  
Total Estimated Award: \$245,882.17  
Funding Source: Community Development Block Grant  
Accounts: 471-2400-71240-580270- G7147CD62  
District(s): 8

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Keystone GC, 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.

Representative Svarzbein commented.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

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

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

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- 20.** Discussion and action to Adopt Section 510 Emergency Responder Communication Coverage as originally stated in the 2021 International Fire Code to Title 9 (Health and Safety), Chapter 9.52.070.10 (Fire Preventing Code) of the El Paso City Code.

Representatives Svarzbein, Annello, Hernandez, Salcido, and Rivera commented.

The following City staff members commented:

- Fire Chief Jonathan Killings
- Retired Fire Chief Mario D'Agostino, Deputy City Manager of Public Safety
- Mr. Tommy Gonzalez, City Manager

Mr. Scott Adkins, citizen, commented.

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annelo, and unanimously carried to **DIRECT** staff to continue communications and outreach and engagement with relevant stakeholders, community partners, and relevant departments towards discussions relating to Section 510 Emergency Responder Communication Coverage for the upcoming El Paso City Code.

AYES: Representatives Svarzbein, Annelo, Hernandez, Molinar, Salcido, Rodriguez, and Rivera  
 NAYS: None  
 ABSENT: Representative Lizarraga

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

21. Discuss updates on Sister Cities International initiatives for El Paso.

Mayor Leeser and Representative Svarzbein commented.

**NO ACTION** was taken on this item.

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

22. **RESOLUTION IN RECOGNITION OF SERGEANT MICHAEL SHORT**

**WHEREAS**, Sergeant Michael Short #1293 entered the El Paso Police Academy in December of 1988 and was assigned to patrol at Central Regional Command until 1993; and

**WHEREAS**, Sergeant Short was transferred to the Freeway Patrol Unit in 1993 at the El Paso Police Headquarters and Mission Valley Regional Command Center and was promoted to the Air Support Unit in 2004, where Sergeant Short became a Helicopter pilot for patrol operations and the Alpha HIDTA Task Force; and

**WHEREAS**, Sergeant Short was transferred to Pebble Hills Regional Command in 2009 and in 2013, was promoted to the rank of Sergeant and supervised at the Northeast Regional Command Center and Criminalistics Unit; and

**WHEREAS**, Sergeant Short supported and developed the Mental Health Response Division for the EPPD under the direction of Police Chief Allen which included the Crisis Intervention Team that began in October of 2018 and served in that unit until May of 2019, when he was transferred temporarily to Human Resources; and

**WHEREAS**, Sergeant Short was elected and currently serves as the President of the El Paso Municipal Police Officers' Association in 2019, representing more than 1,100 EPPD officers; and

**WHEREAS**, Sergeant Short worked with insurance professionals to develop and improve a retiree health plan that is now named the "1293 Retiree Health Plan," after Sergeant Short; and

**WHEREAS**, Sergeant Short is only El Paso Police Officer to have been invited to the National Crisis Negotiations Center in Quantico at the FBI Academy to train with negotiators from the FBI; and

**WHEREAS**, Sergeant Short served 34 years of service with the El Paso Police Department to include: 29 years as a Hostage / Crisis Negotiator, 2 ½ years on the Combined Search and Rescue Team, 30 years as a board member of the EPMPOA (3 years as President), Certified Accident Reconstructionist, and an adjunct instructor at the Academy.

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

That the City of El Paso proudly honors and recognizes the significant contributions of Sergeant Michael Short throughout many decades of public service to our community, and December 13, 2022 shall be known as, "**MICHAEL SHORT DAY.**"

Representative Hernandez commented and read the resolution into the record.

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

**1<sup>ST</sup> MOTION**

\*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT** of the Regular Agenda

**2<sup>ND</sup> AND FINAL MOTION**

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

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

NAYS: None

ABSENT: Representative Lizarraga

23.

**RESOLUTION**

**WHEREAS**, we are here today to recognize and honor the Barbed Wire Open Mic Series, its founders (Verónica Guajardo, Trent Hudley, Amit Ghosh, Roberto A. Santos, and Ricardo Marrufo), and all of the community members and organizations that have contributed to more than fifteen years of providing performance spaces for people to freely express their artistic voices and connect with one another through the performing arts; and

**WHEREAS**, the Barbed Wire Open Mic Series was founded in 2007 and sponsored by BorderSenses (a literary arts organization) with the goal of nurturing local poets, songwriters, musicians, comedians, dancers, and artists from all walks of life by providing them a safe space to explore and develop their artistry before a live audience; and

**WHEREAS**, the Barbed Wire Open Mic Series, in the last fifteen years, has organized over 300 open mic events supporting over 10 local establishments and online platforms,

showcasing more than 7,500 performers and holding space for thousands of art appreciating community members; and

**WHEREAS**, the Barbed Wire Open Mic Series enriches our city by providing a creative hub that incubates and amplifies the voices, narratives, experiences, and creativity of our diverse population leading to the communal creation of culture; and

**WHEREAS**, City Council wishes to recognize the contributions of the Barbed Wire Open Mic Series in their generous and continued service to the community and the arts.

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

That December 13, 2022 shall be known as, "Barbed Wire Open Mic Series Day"

Representative Svarzbein commented and read the resolution into the record.

The following members of the public commented:

- Mr. Ricardo Marrufo
- Mr. Roberto Santos
- Mr. Amir Ghosh

**1<sup>ST</sup> MOTION**

\*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT** of the Regular Agenda

**2<sup>ND</sup> AND FINAL MOTION**

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

24.

**RESOLUTION**

**WHEREAS**, Dave "Grave" Herrera founded what is known as the "Border Youth Mural Collective; an all-volunteer organization in the City of El Paso to help keep the city clean by giving local artists the opportunity to promote public art and keep them productive since 1995; and

**WHEREAS**, Jose "Match" Fernandez, Francisco "Kid Ice" Camacho, Mario "Durock " Alvarado, Luie "Skew" Martinez, Myk Yorrobali. These artists and community builders help shape, mentored, and inspired youth in El Paso in positive ways for over 30 years throughout many border walls with community beautification mural works; and

**WHEREAS**, artists were provided with curated, public art wall space, mentoring and re-purposed paint supplies. The organization raised needed, dry good donations to assist local homeless shelters every year as "Border Youth" accomplish the mission of promoting the City of El Paso's culture, local talent, and uniqueness; and

**WHEREAS**, in 2009 it became known as “The Borderland Jam” and artists from all over the world were invited every year to the City of El Paso to express themselves by creating a mural in selected buildings of our community; and

**WHEREAS**, young local artists were mentored through this project and transformed prior vandalism into public art helping small local businesses to flourish in our community; and

**WHEREAS**, on February 2022 “The Borderland Jam” hosted one of the most successful events in El Paso, over one hundred artists from all over the world participated by leaving murals in South Central El Paso, at the corners of South Cotton Street and E 3rd Avenue;

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

That the City of El Paso proudly honors and recognizes the significant contributions of “The Borderland Jam” and Dave “Grave” Herrera throughout many years of service to our community and December 13, 2022, shall be known as, "Borderland Jam and Border Youth Out Beautifying Day.”

Representative Svarzbein commented and read the resolution into the record.

The following members of the public commented:

- Mr. Jose Fernandez
- Mr. Frank Camacho

**1<sup>ST</sup> MOTION**

\*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT** of the Regular Agenda

**2<sup>ND</sup> AND FINAL MOTION**

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

25.

**RESOLUTION**

**WHEREAS**, Maynard Joseph Haddad Sr. served as a leader, mentor, friend and small business owner of H & H Car Wash, who gave of his time and selfless service for the betterment of the El Paso community; and

**WHEREAS**, Maynard Joseph Haddad Sr. served as a proud son of a Syrian descendant, served his country in the military, helped build the family business H & H Car Wash, and supported local businesses whilst helping to pave the way for future generations of Syrian Americans in this community; and

**WHEREAS**, Maynard Joseph Haddad Sr. served with distinction as an exemplary first generation Syrian American, who supported and served as a member of the St.



Clements Church congregation and as a supporter and advocate for the University of Texas at El Paso for over 60 years; and

**WHEREAS**, for decades, Maynard Joseph Haddad Sr. served, donated and supported the University of Texas at El Paso’s athletics programs, served as President for the Touchdown Club, and built lifetime relationships reflecting our diverse community; and

**WHEREAS**, Maynard Haddad Sr. has been the counselor, the mentor, and the friend to hundreds of citizens of El Paso who were researching their historic connection to them Syrian ancestors, or were researching their connection to El Paso; and

**WHEREAS**, Maynard Joseph Haddad Sr. and H & H Car Wash has brought thousands upon thousands of El Pasoans and visitors together for good food and great conversation; and

**WHEREAS**, H & H Car Wash will forever live on in our history as an iconic El Paso destination and small business.

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

That the City of El Paso proudly honors and recognizes the significant contributions of Maynard Joseph Haddad Sr. throughout many decades of service to our community, and December 13, 2022 shall be known as, “Maynard Joseph Haddad Sr. H & H Car Wash Day.”

Representative Svarzbein read the resolution into the record.

Mayor Leeser and Representative and Molinar commented.

The following members of the public commented:

- Mr. Bernie Olivas
- Ms. Laura Haddad
- Ms. Julie Haddad

**1<sup>ST</sup> MOTION**

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

**2<sup>ND</sup> AND FINAL MOTION**

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

.....  
The Regular City Council Meeting was **RECESSED** at 12:19 p.m. for lunch

The Regular City Council Meeting was **RECONVENED** at 1:01 p.m.

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

26. Motion made by Representative Salcido, seconded by Representative Rivera, and unanimously carried to **DIRECT** the City Manager to work with the Metropolitan Planning Organization (MPO), Texas Department of Transportation (TXDOT), the County of El Paso and other applicable regional partners to study congestion in East El Paso to identify an appropriate study area and transportation analysis zone and develop a plan to identify strategies and potential capital projects to mitigate congestion and accommodate future growth in the East El Paso Planning area.

Representative Salcido commented.

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

27. \*Motion made, seconded, and unanimously carried to **DELETE** the discussion and action to direct the City Manager to ask and advocate EP Water and any other relevant parties towards property acquisition to support efforts to establish a community shelter of last resort.

**REGULAR AGENDA – OPERATIONAL FOCUS UPDATES**

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

28. Presentation and discussion on El Paso Animal Services Animal Care Attendants

Mr. Adan Parra, Operations Manager for Animal Services, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Mayor Leeser and Representative Molinar commented.

The following members of the public commented:

- Mr. Ron Cameau
- Ms. Barbara Valencia

**NO ACTION** was taken on this item.

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

Ms. Rita Gallup, citizen, commented.

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

**1<sup>ST</sup> MOTION**

Motion made, seconded, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow for public comment.

Representative Rodriguez commented.

Mr. Carlos Alarcon, citizen, commented.

**2<sup>ND</sup> MOTION**

Motion made by Representative Rivera, 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 Annello, Hernandez, Molinar, Salcido, Rodriguez, and Rivera

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

ABSENT: Representative Lizarraga

**3<sup>RD</sup> MOTION**

Motion made by Representation Rivera, seconded by Representative Annello, and unanimously carried to **RECONSIDER** the item.

**4<sup>TH</sup> AND FINAL MOTION**

Motion made by Representative Annello, seconded by Representative Svarzbein, 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, Annello, Hernandez, Molinar, Salcido, and Rivera

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

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

29. An Ordinance granting a Franchise for STAR Inc., d/b/a Revive Mobile Health, to operate a non-emergency ambulance transfer service.  
.....

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

30. An Ordinance vacating a portion of Oregon Street located between Block 5 and Block 6, Mills Addition, City of El Paso, El Paso County, Texas.

Applicant: Kress Tunnel, LLC, SURW22-00009  
.....

**PUBLIC HEARING WILL BE HELD ON JANUARY 3, 2023 FOR ITEMS 29-30**  
.....

31. \*Motion made, seconded, and unanimously carried to **DELETE** the introduction of an Ordinance amending the following provisions of El Paso City Code Title 20 (Zoning): Chapter 20.02 (General Provisions and Definitions), Article II (Definitions) to add definitions for Type 1 and Type 2 Short Term Rentals and amend the definition for Bed and Breakfast Establishment; Chapter 20.08 (Permissible Uses), Section 20.08.030.C (Permissible Uses) Appendix A (Table of Permissible Uses) to add Type 1 and Type 2 Short Term Rentals; Chapter 20.10 (Supplemental Use Regulations) to add supplemental use regulations for Type 1 and Type 2 Short Term Rentals; and Title 20 (Zoning) Chapter 20.14 (Off-street Parking, Loading and Storage Standards), Section 20.14.050 (Parking Requirements and Standards), Subsection C, Table of Parking Requirements and Standards: Appendix C (Table of Parking Requirements and Standards) to add parking requirements for Type 1 and Type 2 Short Term Rentals. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.  
.....

32. \*Motion made, seconded, and unanimously carried to **DELETE** the introduction of an Ordinance amending Title 5 (Business License and Permit Regulations), to create Chapter 5.19 (Short Term Rentals) and subsections thereafter in the El Paso City Code relating to the

permitting and registration requirement for short term rentals within the City of El Paso; the penalty as provided in 5.19.110 of the El Paso City Code.

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

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

**33. RESOLUTION**

**WHEREAS**, on September 28, 2021, the City of El Paso formally advertised for Officials and Assigners for Sports, Solicitation No. 2022-0153 and received no bids; and

**WHEREAS**, on April 26, 2022, the City of El Paso formally advertised for Officials and Assigners for Sports (Re-Bid), Solicitation No. 2022-0669, which resulted with no bidder achieving the minimum evaluation points required to be eligible for award; and

**WHEREAS**, in accordance with the City of El Paso Procurement and Sourcing Policy the requirements of these procurements will be fulfilled by a non-competitive award.

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

1. That the City Council ratify the award of Sports Officials and Assigners, Solicitation No. 2023-0245 in the amount of \$621,700.00 to Daniel Padilla and that the City Council award Sports Officials and Assigners, Solicitation 2023-0245 for a one (1) year period, in the estimated amount of \$621,700.00.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

.....  
**REGULAR AGENDA – INTRODUCTION AND PUBLIC HEARING:**  
.....

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

**34. ORDINANCE 019415**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF EL PASO, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2023, IN ONE OR MORE SERIES, IN AN AGGREGATE AMOUNT NOT TO EXCEED \$46,100,000; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SUCH BONDS; AND RESOLVING OTHER MATTERS WHICH ARE NECESSARY TO EFFECTUATE SUCH ISSUANCE, INCLUDING THE DELEGATION OF MATTERS RELATING TO THE SALE AND ISSUANCE OF SUCH BONDS TO AN AUTHORIZED CITY OFFICIAL WITHIN CERTAIN SPECIFIED PARAMETERS.**

Mayor Leeser and Representative Annello commented.

The following staff members commented and/or responded to questions:

- Mr. Robert Cortinas, Chief Financial Officer/Deputy City Manager
- Mr. Tommy Gonzalez, City Manager

Motion duly made by Representative Hernandez, 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, and Rivera  
 NAYS: None  
 NOT PRESENT FOR THE VOTE: Representative Rodriguez  
 ABSENT: Representative Lizarraga

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 – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:**  
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**Goal 3: Promote the Visual Image of El Paso**  
 .....

**35. ORDINANCE 019416**  
 .....

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST21-00013, TO ALLOW FOR PARKING SPACES SERVING ANOTHER PROPERTY AND REDUCTION OF LOT SIZE ON THE PROPERTY DESCRIBED AS A PORTION OF TRACT 1-B-3-A-2, AND A PORTION OF TRACT 1-U-1, BLOCK 5, ASCARATE GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 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 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**.

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, and Rivera  
 NAYS: None  
 ABSENT: Representative Lizarraga

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

.....  
**36. ORDINANCE 019417**  
 .....

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 2, BLOCK 1, JEFF’S SUBDIVISION, 8835 NEPTUNE STREET, CITY OF EL PASO,**

**EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-2 (APARTMENT). 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 Annelo, 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 Annelo, Hernandez, Molinar, Salcido, Rodriguez, and Rivera

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

ABSENT: Representative Lizarraga

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

37.

**ORDINANCE 019418**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACTS 1, 7A, 19A, AND PORTIONS OF TRACTS 11,12,13,14,15,16, AND 17, BLOCK 53, YSLETA GRANT AND PORTIONS OF TRACTS 12A, 13A, 14B, AND 15A, SOCORRO GRANT BLOCK 24, 10001 SOUTHSIDE ROAD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO M-2 (HEAVY 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.**

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, Annelo, Hernandez, Molinar, Salcido, Rodriguez, and Rivera

NAYS: None

ABSENT: Representative Lizarraga

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

38.

**ORDINANCE 019419**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE SOUTH 60 FEET OF TRACT 187 AND THE SOUTH 60 FEET OF THE EAST 90 FEET OF TRACT 188, MAP OF SUNRISE ACRES, CITY OF EL PASO, EL PASO**

**COUNTY, TEXAS FROM R-4 (RESIDENTIAL) AND C-2 (COMMERCIAL) TO C-3 (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 Annello, 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 Annello, Hernandez, Molinar, Salcido, Rodriguez, and Rivera

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

ABSENT: Representative Lizarraga

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

- 
- 39.** \*Motion made, seconded, and unanimously carried to **POSTPONE NINE WEEKS** a public hearing of an Ordinance changing the zoning for the property described as Lot 135, Sunrise Acres #2, 4645 Vulcan Avenue, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-O (Apartment/Office) and imposing a condition. 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: 4645 Vulcan Avenue

Applicant: Aguilar Pedro M. & Morales Francisca, PZRZ22-00023

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

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**40. ORDINANCE 019420**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.64 (CITY EMPLOYEES' PENSION FUND), SECTION 2.64.190 (CONTRIBUTIONS), SUBSECTION (A) OF THE EL PASO CITY CODE, TO ALLOW THE CITY TO MAKE THE REQUIRED EMPLOYEE PARTICIPANT CONTRIBUTIONS ON BEHALF OF THE CITY MANAGER AS AGREED TO BY CONTRACT.**

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, and Rivera

NAYS: None

ABSENT: Representative Lizarraga

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:**  
.....

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

**41. 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 CITY OF EL PASO (“City”) and MIGUEL VILLANUEVA and JULIO VILLANUEVA (“Applicant”) in support of the renovation of a mixed-use building located at 301 S. El Paso Street in downtown El Paso. The Agreement requires the Applicant to make a minimum investment of \$413,392.

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

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

NAYS: None

ABSENT: Representative Lizarraga  
.....

**42. RESOLUTION**  
.....

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

That the Director of Aviation be authorized to sign and submit a grant application and related documentation to the Federal Aviation Administration (FAA) and be designated the official representative of the City of El Paso to act in connection with the application process for the Airport Terminals Program (ATP) Project.

That upon approval and issuance of such grant by the FAA, the City Manager be authorized to accept and sign the grant agreement, any related grant modifications, and other necessary documents when those documents have been reviewed and approved by the City Attorney's Office, and that such authorization will include the ability to accept and sign multiple agreements and documents, as the FAA grant may be issued in various disbursements.

That the City Manager be authorized to approve and sign any budget transfers needed to establish appropriations in connection with this grant.

Further, that the total grant amount shall include a federal estimated share of \$5,000,000 and an estimated match of \$6,000,000 to be paid for with Airport Enterprise Funds, for an estimated total project cost of \$11,000,000 for the following project:

- Rehabilitate Terminal Building (Ceiling, Lighting, Seating, & Wayfinding)

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



AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, and Rivera  
NAYS: None  
ABSENT: Representative Lizarraga

.....  
**Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments**  
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43. \*Motion made, seconded, and unanimously carried to **REVISE AND POSTPONE FIVE WEEKS** the discussion and action on a Resolution approving capital improvements totaling approximately \$7,930,335.00, updating the document known as the "Five Year Capital Maintenance Improvement Plan for the Ballpark" for FY2023 through FY2027 and approving the use of 5-year ballpark revenues and proceeds from the sale of capital assets as funding sources for the Plan and authorizing the City Manager to make all necessary budget transfers to complete the improvements. Funding sources are from 5 Year Ballpark Revenue \$5,851,983 and Proceeds from the Sale of Capital Assets \$2,078,352.

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

44. **RESOLUTION**

**WHEREAS**, on December 3, 2002 the City Council of the City of El Paso ("City") consented to the creation of Paseo Del Este Municipal Utility Districts Nos. 1 through 9 ("Districts") in the City of El Paso's Extraterritorial Jurisdiction; and

**WHEREAS**, the City's consent to the creation of the Districts was subject to several conditions; and

**WHEREAS**, one of the City's conditions for the creation of the Districts was that the City is to review and approve the Districts' bonds and notes prior to issuance and may place restrictions on the terms and provisions of each of the District's bonds and notes issued to provide service to the land and conditions on the sale of the District's bonds and notes to the extent such restrictions and conditions do not generally render the bonds and notes of the Districts unmarketable; and

**WHEREAS**, Paseo Del Este Municipal Utility District No. One ("M.U.D. No. 1") requested review and approval of the issuance of the Unlimited Tax Bonds, Series 2023 Bonds by M.U.D. No. 1 (the "Series 2023 Bonds"); and

**WHEREAS**, the City reviewed the proposed issuance of Series 2023 Bonds by M.U.D. No. 1 and desires to approve the issuance of the bonds.

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

That the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2023 Bonds in the estimated amount of \$2,015,000, by Paseo Del Este Municipal Utility District No. 1, with the acknowledgment that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

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

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

NAYS: None  
ABSENT: Representative Lizarraga

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

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**45.** Discussion and action on funding source for Frontera Rd. closures and traffic study.

Mr. Joaquin Rodriguez, Project Manager for Capital Improvement Department, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein, Annelo, Hernandez, Molinar, Salcido, Rodriguez, and Rivera commented.

The following City staff members commented:

- Ms. Karla Nieman, City Attorney
- Mr. Tommy Gonzalez, City Manager

The following members of the public commented:

1. Ms. Deliris Montanez Berrios
2. Ms. Rita Paton
3. Ms. Susan Martinez

**1<sup>ST</sup> MOTION:**

\*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT** of the Regular Agenda after item #26.

**2<sup>ND</sup> MOTION:**

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Molinar, to **INSTRUCT** the City Manager to allocate up to \$200,000 from non-departmental contingency funds for traffic study and subsequent design and construction of necessary infrastructure to close Frontera Road and other roads at the TX-NM border that may be impacted by additional traffic generated by the proposed Sun River Estates Subdivision. City Manager is further instructed to present results of study to council before moving forward with design and construction as contemplated in this Motion. City Manager is authorized to undertake any budget transfers and sign any documents required to effectuate the intent of this Motion.

AYES: Representatives Svarzbein and Molinar

NAYS: Representatives Annelo, Hernandez, Salcido, Rodriguez, and Rivera

ABSENT: Representative Lizarraga

**THE MOTION FAILED.**

**3<sup>RD</sup> MOTION:**

Motion made by Representative Hernandez, seconded by Representative Rodriguez, and carried to **RECONSIDER** the item.

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

NAYS: Representative Svarzbein

ABSENT: Representative Lizarraga

**4<sup>TH</sup> MOTION:**

Motion made, seconded, and carried to **SUSPEND THE RULES OF ORDER** to allow a member of the public to speak a second time.

Ms. Deliris Montanez Berrios, citizen, commented.

**5<sup>TH</sup> AND FINAL MOTION:**

Motion made by Representative Hernandez, seconded by Representative Salcido, and carried to **INSTRUCT** the City Manager to allocate up to \$80,000 from non-departmental contingency funds for traffic study to analyze the impact of the additional traffic generated by the proposed Sun River Estates Subdivision on Frontera Road and other roads on the Texas-New Mexico border. City Manager is further instructed to present results of study, once available to council. City Manager is authorized to undertake any budget transfers and sign any documents required to effectuate the intent of this Motion.

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

NAYS: Representative Svarzbein

ABSENT: Representative Lizarraga

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**Goal 8: Nurture and Promote a Healthy, Sustainable Community**  
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46.

**RESOLUTION**

**WHEREAS**, El Paso Electric Company, a vertically-integrated utility, distributes electric power within the City Limits of the City of El Paso pursuant to a franchise granted to El Paso Electric Company dated as of July 15, 2005, as amended, and is an electric utility; and

**WHEREAS**, on September 26, 2022, El Paso Electric Company (“EPE” or the “Company”), filed with the City of El Paso its Request for Approval of new Rate No. PEVC-A, Public Electric Vehicle Charging Rate, as a pilot program (“Application”); and

**WHEREAS**, pursuant to applicable law, the City of El Paso maintains original jurisdiction over rates of EPE for rates charged within the City limits of the City of El Paso and the Application specifies that the rate change within the City’s jurisdiction should be effective on upon approval of City Council; and

**WHEREAS**, EPE has agreed that it will bear all costs associated with the Application program, provided however, that EPE may recover its costs of providing EV charging services at EPE-owned charging stations only via the rate schedule proposed in the Application; and

**WHEREAS**, the Public Utility Commission of Texas (“PUCT”) is currently considering, in a utility’s base rate case Docket No. 53719, whether it is appropriate for an electric utility in a vertically integrated area to own EV-charging facilities or other transportation electrification and charging infrastructure or whether the ownership of such facilities be left to competitive providers (“Entergy Case”); and

**WHEREAS**, EPE and the City have agreed that in the event the PUCT rules either in the Entergy Case, a rulemaking proceeding, or a rate case of another utility, that a vertically integrated utility or a transmission and distribution utility area may not own EV-charging facilities or other transportation electrification and charging infrastructure then all investments made by EPE relating to the Application shall be divested by EPE at their sole and exclusive cost and at no cost to City of El Paso ratepayers; and

**WHEREAS**, EPE has agreed that it will only recover the costs of establishing this program from participating customers, including but not limited to the costs of: purchasing any

equipment, meters, other infrastructure, administrative and general expense or vendor fees; and

**WHEREAS**, Rate Schedule PEVC-A attached to this resolution as Attachment “A” provides a reasonable rate structure to implement a pilot program for 20 installations, and

**WHEREAS**, EPE has proposed to limit participation in this pilot program to twenty (20) locations within the City of El Paso, and that any expansion of the pilot program will be subject to approval by the City Council and without waiving any rights; and

**WHEREAS**, the City Council has determined that it is in the best interest of the citizens and ratepayers to approve the Application under the terms and conditions set forth herein; and

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

1. That recitals set forth above are incorporated herein by this reference.
2. That Rate Schedule PEVC-A attached to this resolution as Attachment “A” is approved as a pilot program for service at no more than 20 installations within the City of El Paso effective December 15, 2022
3. That EPE is directed to file an Annual Report with the City by April 1 of each year, beginning in 2024, during which the pilot program is in effect summarizing the pilot program's installations, participation, revenues, and costs. The Annual Report should include but not be limited to (1) identification of hosts and host locations; (2) annual total revenue collected at each charging station; and (3) available billing data by charging station. The Annual Report will also summarize public engagement efforts, and any upcoming changes to the program proposed by EPE.
4. That the costs for establishing this pilot program, including but not limited to: purchasing any equipment, meters, other infrastructure, administrative and general expense or vendor fees will be recovered from only the participating customers charging electric vehicles at any of these installations.
5. That EPE is ordered to reimburse the City of El Paso for its expenses in reviewing this proposed rate within 30 days of being invoiced by the City.
6. That the City Manager and City Attorney or his/her designee is granted broad authority to take all action necessary to address these matters and effectuate the intent of this Resolution.

Mr. Ian Voglewede, Strategic Partnerships Officer, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Mayor Leeser and Representatives Svarzbein, Anello, Hernandez, Molinar, Salcido, Rodriguez and Rivera commented.

Mr. James Pleasant II, Engineering Associate for El Paso Electric, commented and responded to questions.

The following City staff members commented:

- Ms. Karla Nieman, City Attorney
- Mr. Sam Rodriguez, Chief Operations Officer
- Ms. Tracey Jerome, Senior Deputy City Manager

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello, and carried to **APPROVE** the Resolution.

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

NAYS: Representative Rodriguez

ABSENT: Representative Lizarraga

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**ADJOURN**  
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Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello and unanimously carried to **ADJOURN** this meeting at 3:21 p.m.

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

NAYS: None

ABSENT: Representative Lizarraga

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APPROVED AS TO CONTENT:  
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Laura D. Prine, City Clerk