

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

**February 16, 2021
3:30 PM**

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

ROLL CALL

The City Council of the City Council met on the above time and date. Meeting was called to order at 3:30 p.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, Henry Rivera, and Cissy Lizarraga.

NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Lizarraga, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

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

NAYS: None

CONSENT AGENDA - APPROVAL OF MINUTES:

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

1. *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes of the Regular City Council Meeting of February 2, 2021, the Agenda Review Meeting of February 1, 2021, the Special Meeting of December 21, 2020, and the corrected Minutes for the Regular City Council Meeting of January 19, 2021.

CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

NO ACTION was taken on this item.

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

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

That the City Manager be authorized to sign a Temporary Land Use Lease by and between the City of El Paso ("Lessor") and BT-OH, LLC d/b/a UNITED PARCEL SERVICE CO. ("Lessee") regarding the following described property:

A portion of Lot 9, Block 3, Butterfield Trail Industrial Park, Unit Three, City of El Paso, El Paso County, Texas (approximately 234,840.30 SQ FT), municipally known and numbered as 25 Founders Blvd., El Paso, Texas

with a term beginning on February 16, 2021, and ending on May 31, 2021, for a monthly fee of \$4,696.81.

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

WHEREAS, Section 3.5(A) of the El Paso City Charter, as approved by the voters on November 3, 2015, requires that Regular meetings of the Council shall be held in Council chambers no less than once every other week at such times as may be prescribed by resolution;

WHEREAS, Section 3.5(A) of the Charter also allows "special meetings and informal work sessions of the Council [to] be called by the Mayor or a majority of the entire Council by giving written notice to the City Clerk";

WHEREAS, on December 1, 2015, Council established the regularly scheduled meetings, and also resolved to call standing Monday City Council Work Sessions; and

WHEREAS, Council desires to allow for flexible days for the regular meetings standing Work Sessions for weeks that are affected by holidays or other City closures.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL AS FOLLOWS;

- REGULAR CITY COUNCIL MEETINGS.** Commencing on Tuesday, February 16, 2021, and continuing every other Tuesday thereafter, the El Paso City Council shall conduct regular meetings to address the business

of City Council, including but not limited to the adoption of ordinances, provided however, that if such Tuesday falls on the day after a City holiday or other closure, City Council will conduct the regular meeting on Wednesday of that same week.

2. **STANDING CITY COUNCIL WORK SESSIONS.** Commencing on Monday, March 1, 2021, and continuing every other Monday thereafter, the El Paso City Council shall conduct a standing work session for the purpose of reviewing the agenda prior to the Tuesday Regular City Council Meeting and any other matter which a Council Representative and/or the City Manager determine is appropriate for a Monday City Council Work Session, or Executive Session items as determined appropriate by the City Attorney. However, if there is a City holiday or other closure on such Monday, City Council will conduct the standing work session on Tuesday of that same week.
3. By the adoption of this Resolution, the City Council Work Sessions are regularly scheduled and approved by a majority of Council. This Resolution shall constitute notice to the City Clerk as required by Section 3.5 (A) and no further action by the Mayor or City Council shall be required to call City Council Work Sessions on the Monday immediately preceding Regular City Council Meetings, or the Tuesday immediately preceding Regular Wednesday City Council Meetings on weeks that the Council meeting is affected by a City holiday or other closure.
4. The City Manager is hereby authorized to set the agendas for the standing City Council Work Sessions and to cancel a standing City Council Work Session in the event he determines there is no need for a work session, or if a quorum of council is not available to attend the standing City Council Work Session.
5. That Exhibit "B", to the City Council Rules of Order effective January 5, 2021, and amended on February 2, 2021, when referring to call to the public during Regular City Council meetings shall include regular City Council meetings held on Wednesdays hereunder.
6. All City Council Rules and Procedures not expressly modified herein remain in full force and effect.

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5.

***RESOLUTION**

WHEREAS, the Division of Purchases and Supply (DPS) is a business unit of the Department of General Services for the Commonwealth of Virginia; and

WHEREAS, the DPS manages statewide procurement services for the Commonwealth of Virginia, including supporting cooperative procurements with public bodies or institutions outside the Commonwealth of Virginia in accordance with the ordering provisions of the DPS for the specific good and/or service in question; and

WHEREAS, the City of El Paso, Texas pursuant to the authority granted under Section 271.101 to 271.102 of the Local Government Code, desires to avail itself of procurement opportunities available through the DPS which are in the best interest of the taxpayers through cooperative savings to be realized; and

WHEREAS, pursuant to Section 271.102(c), purchases of goods or services under the cooperative procurement program satisfies state law requiring the City to seek competitive bids for the purchase of goods or services; and

WHEREAS, City Council finds that, as a matter of public interest, participating in the cooperative procurement program is in the best interest of the City of El Paso and its citizens in accordance with the terms and conditions herein.

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

That the City Manager or Designee be authorized to participate in cooperative procurements available through the Division of Purchases and Supply (DPS), a business unit of the Department of General Services for the Commonwealth of Virginia in order to procure goods and/or services required by the City.

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

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

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

THAT the City Manager be authorized to sign an Advance Funding Agreement by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the Downtown Bicycle Improvements Phase I project, for the design and construction of bicycle facilities at various downtown street locations to include signage, wayfinding, striping, and intersection treatments, which has an estimated total project cost of \$2,728,712.00 of which the estimated local government participation amount is \$331,706.00.

CONSENT AGENDA – SPECIAL APPOINTMENTS:

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

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

WHEREAS, the City of El Paso is entitled to appoint two members to the El Paso Central Appraisal District Board; and

WHEREAS, City Council desires to appoint one of its members to the El Paso Central Appraisal District Board.

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

That Jackie York is hereby appointed to the El Paso Central Appraisal District Board of Directors to replace Samuel Trimble.

8. ***RESOLUTION**

WHEREAS, the City of El Paso is entitled to appoint two members to the El Paso Central Appraisal District Board; and

WHEREAS, City Council desires to appoint one of its members to the El Paso Central Appraisal District Board.

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

That Tanny Berg is hereby appointed to the El Paso Central Appraisal District Board of Directors to replace Ronald Wallace Lowenfield.

CONSENT AGENDA - BOARD RE-APPOINTMENTS:

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

9. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Richard C. Bonart to the El Paso Bond Overview Advisory Committee by Representative Claudia Rodriguez, District 6.

10. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Ben Carnavale to the Capital Improvement Advisory Committee by Representative Claudia Rodriguez, District 6.

11. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Luis G. Hinojos to the Ethics Review Commission by Representative Claudia Rodriguez, District 6.

12. *Motion made, seconded, and unanimously carried to **RE-APPOINT** John E. Moye to the El Paso Bond Overview Advisory Committee by Representative Peter Svarzbein, District 1.

13. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Irene Morales to the Civil Service Commission by Representative Isabel Salcido, District 5.

CONSENT AGENDA - BOARD APPOINTMENTS:

Goal 3: Enhance and Sustain El Paso's Infrastructure Network

14. *Motion made, seconded, and unanimously carried to **APPOINT** Bianca Berry to the Building and Standards Commission by Representative Claudia Rodriguez, District 6.

15. *Motion made, seconded, and unanimously carried to **APPOINT** Don Luciano to the Zoning Board of Adjustment by Representative Peter Svarzbein, District 1.

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

16. *Motion made, seconded, and unanimously carried to **APPOINT** Deborah A. Zuloaga to the Parks and Recreation Advisory Board by Mayor Oscar Leeser.

17. *Motion made, seconded, and unanimously carried to **APPOINT** Daniel R. Valdez to the Museums and Cultural Affairs Advisory Board by Representative Isabel Salcido, District 5.

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

18. *Motion made, seconded, and unanimously carried to **APPOINT** Richarda Duffy Momsen to the Ethics Review Commission by Mayor Oscar Leeser.

19. *Motion made, seconded, and unanimously carried to **APPOINT** Adriano Perez to the Ethics Review Commission by Representative Aleksandra Anello, District 2.

Goal 8: Nurture and Promote a Healthy, Sustainable Community

20. *Motion made, seconded, and unanimously carried to **APPOINT** Veronica Carbajal to the Regional Renewable Energy Advisory Council by Mayor Oscar Leeser.

21. *Motion made, seconded, and unanimously carried to **APPOINT** Phillip Thomas Laign to the City Accessibility Advisory Committee by Representative Claudia Rodriguez, District 6.

CONSENT AGENDA – APPLICATION FOR TAX REFUNDS:

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

22. *Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds listed below and posted on the attachment with this agenda:

1. Gabriel Cervantes, in the amount of \$3,069.86, made an overpayment on January 31, 2021 of 2020 taxes. (Geo. # E049-999-0100-0800)
2. Ali Boureslan, in the amount of \$3,960.38, made an overpayment on January 20, 2021 of 2020 taxes. (Geo. # E222-999-1660-3100)
3. Manuel E. Salazar, in the amount of \$8,336.83, made an overpayment on January 25, 2021 of 2020 taxes. (Geo. # K408-999-0020-7100)
4. 3 C&A Crane Services LLC, in the amount of \$3,000.00, made an overpayment on December 24, 2020 of 2020 taxes. (Geo. #M641-999-0010-1500)
5. Member First Mortgage c/o Lereta LLC, in the amount of \$4,569.94, made an overpayment on November 18, 2020 of 2020 taxes. (Geo. #R570-999-0030-2100)

6. TexStar Escrow, in the amount of \$3,080.57, made an overpayment on January 15, 2021 of 2020 taxes. (S162-999-0270-1700)
7. Ortequi LTD, in the amount of \$5,331.17, made an overpayment on January 6, 2021 of 2020 taxes. (V893-999-3510-0100)

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CONSENT AGENDA – BIDS:

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

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23. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2021-0622 Riverside Park Improvements to BLACK STALLION CONTRACTORS INC. for an estimated award of \$125,335.58. This project entails park improvements to playground equipment, playground containment wall, playground access ramps and sidewalk. Installation of playground wood fiber, park rule signs, trash receptacles and Bermuda sod.

Department:	Capital Improvement
Award to:	BLACK STALLION CONTRACTORS INC. El Paso, TX
Items:	All
Initial Term:	60 Consecutive Calendar Days
Base Bid I:	\$125,335.58
Total Estimated Award:	\$125,335.58
Account No.:	471 - 2400 - 71240 - 580270 - G7145CD62
Funding Source:	Community Development Block Grant
Districts:	3

This is a Low Bid procurement, unit price contract.

The Purchasing and Strategic Sourcing and Capital Improvement Departments recommend award as indicated to BLACK STALLION CONTRACTORS INC., lowest responsive and responsible bidder.

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

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

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

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24. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2021-0621 Hueco Mountain Park, Seville Fustcal Court Park & E.L. Williams Phase II Improvements to MARTINEZ BROS. CONTRACTORS, LLC for Base Bid I: \$172,730.75; Base Bid II: \$121,542.59; and Base Bid III: \$71,500.00; for an estimated award of \$365,773.34. This contract will provide park improvements as follows:

Hueco Mountain Park - Construction of Metal Shade Canopy including canopy posts, footings, concrete drilling, anchors, fasteners and various items relevant to said project for existing playground.

Seville Fustcal Court Park - Demolition and removal of curb, sidewalk, concrete driveway, rockwall, asphalt parking lot, trees and wrought iron fence. Construction of Futsal Court, asphalt court surface, parking space, futsal fence with goal posts, addition of benches, trash receptacles, bike rack, ADA parking spaces, ADA ramps and lighting.

E.L. Williams Park - Construction of landscape, irrigation, trees, shrubs, concrete pads for benches, trash receptacles, mow strip curb and two shade canopies.

Department: Capital Improvement
Award to: MARTINEZ BROS. CONTRACTORS, LLC El Paso, TX
Item(s): All
Initial Term: 150 Consecutive Calendar Days
Base Bid I: \$172,730.75
Base Bid II: \$121,542.59
Base Bid III: \$71,500.00
Total Estimated Award: \$365,773.34
Account No.: 471 - 2400 - 71240 - 580270 - G7145CD12
471 - 2400 - 71240 - 580270 - G7145CD63
471 - 2400 - 71240 - 580270 - G7142CD15
Funding Source: Community Development Block Grant
District(s): 3, 5, 7

This is a Low Bid procurement, unit price contract.

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

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

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

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are

necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

CALL TO THE PUBLIC – PUBLIC COMMENT

The following members of the public commented:

1. Ms. Rosa Unzueta
2. Dr. Lorenzo Portillo

REGULAR AGENDA - FIRST READING OF ORDINANCES

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

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

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

25. An Ordinance authorizing the conveyance of real property owned by the City of El Paso to VTRE Development, LLC for the purchase price of \$18,600,000 such real property legally described as a portion of Lot 1, Block 1, El Paso West, as filed in Book 57, Page 5 of the plat records of El Paso County, Texas and located at the intersection of Desert Blvd. and Paso Del Norte.

Goal 3: Promote the Visual Image of El Paso

26. An Ordinance granting a special privilege license to EPCM Construction LLC to permit the construction, installation, maintenance, use, and repair of an aerial encroachment of an exterior terrace, doubling as an overhang marking the main public entrance to the Museum over a portion of city right-of-way along Main Street adjacent to the property located at 201 W. Main Drive, El Paso, Texas; setting the license term for a term of fifteen years (15) with one (1) renewable fifteen (15) year term. Subject property: 201 W Main. Owner: City of El Paso NESV2020-00001

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

27. An Ordinance amending Title 2 (Administration and Personnel) Section 2.64 (Board of Trustees - Membership), Subsection (A) in order to allow for electronic voting by City employees to elect Pension Board Trustees.

PUBLIC HEARING WILL BE HELD ON MARCH 2, 2021 FOR ITEMS 25 THROUGH 27

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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Goal 7: Enhance and Sustain El Paso’s Infrastructure Network
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28. Motion made by Representative Hernandez, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation No. 2021-0179 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids to M.J. Mader Enterprises, Inc., dba Bio Dyne Chemical Co. for an initial three (3) year term estimated award of \$ 1,029,278.40. The award also includes a two (2) year option for an estimated amount of \$ 686,185.60. The total value of the contract including the initial term plus the option is five (5) years for a total estimated award of \$ 1,715,464.00. The award of this contract will allow for the City to perform preventative maintenance on all vehicles.

Contract Variance:

The difference in cost, based on comparison from previous contract is as follows: An increase of \$465,166.11 for the initial term, which represents an 82.5% increase, due to increases in pricing and additional quantities.

Department:	Streets and Maintenance
Award to:	M.J. Mader Enterprises, Inc. dba Bio Dyne Chemical Co. El Paso, TX
Item(s):	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$343,092.80
Initial Term Estimated Award:	\$1,029,278.40 (3 years)
Total Estimated Award:	\$1,715,464.00 (5 years)
Account No.:	532-37020-531240-3600-P3701
Funding Source:	Internal Fleet Service Fund
District(s):	All

This is a Low Bid, unit price contract.

The Purchasing and Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to M.J. Mader Enterprises, Inc., dba Bio Dyne Chemical Co., the lowest responsive, responsible bidder, and that Cummins Inc. and Border International Trucks be deemed non-responsive for failure to bid on all items. In accordance with this award the City Manager or designee is authorized to exercise future options if needed

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

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REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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29. The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.92 (ETHICS) OF THE EL PASO CITY CODE IN ITS ENTIRETY TO CLARIFY THE RULES AND PROCEDURES RELATED TO THE ETHICAL REQUIREMENTS OF CITY OFFICERS AND EMPLOYEES BY REORGANIZING THE STRUCTURE TO CREATE THREE ARTICLES: CODE OF ETHICS; STANDARDS OF CONDUCT; AND ETHICS REVIEW COMMISSION; TO AMEND, CLARIFY AND ADD DEFINITIONS, TO DEFINE THE JURISDICTION OF THE ETHICS REVIEW COMMISSION, AND TO STREAMLINE THE COMPLAINT PROCESS. THE PENALTY FOR VIOLATIONS OF CHAPTER 2.92 (ETHICS) OF THE EL PASO CITY CODE IS PROVIDED IN SECTION 2.92.200 (DISPOSITION) AS AMENDED IN THIS ORDINANCE.**

Mr. Cary Westin, Senior Deputy City Manager, presented a PowerPoint Presentation (copy on file in the City Clerk's Office) and responded to questions from members of the City Council.

Mayor Leeser and Representatives Svarzbein, Annello, Hernandez, Molinar, and Rivera commented and posed questions.

Ms. Karla Nieman, City Attorney, commented.

The following Ethics Review Commission members commented and responded to inquiries:

1. Commissioner Mark Walker
2. Commissioner David Marcus
3. Commissioner Antonio Williams

1ST MOTION

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

2ND AND FINAL MOTION

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

NAYS: Representative Annello

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

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REGULAR AGENDA – OTHER BUSINESS
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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30. Discussion and action on a Resolution that the City Council of the City of El Paso approves of the implementation of the Texas Gas Service Company ("TGS") Application to Implement Initial Rates for a Conservation Adjustment tariff; that the implementation occur on February 23, 2021; and the tariff will be filed once every 3 years on October 15th; and that two full time employees based in El Paso be hired by TGS to administer the program.

Mr. Elizabeth Triggs, Strategic Partnerships Officer, introduced the item and responded to questions from Council members.

Mayor Leeser and Representatives Svarzbein, Annelo, Hernandez, Salcido, Rodriguez, and Rivera commented and posed questions.

The following representatives from Texas Gas Service responded to questions from Council members:

1. Ms. Elizabeth O'Hara, Community Relations Manager
2. Ms. Jasmine King-Bush, Energy Efficiency Program Supervisor

Motion made by Representative Annelo, seconded by Representative Svarzbein, to **APPROVE** the Resolution. **THE MOTION FAILED.**

AYES: Representatives Svarzbein, Annelo, Molinar, and Salcido

NAYS: Representatives Hernandez, Rodriguez, Rivera, and Lizarraga

Mayor Leeser broke the tie by voting "Nay"

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

31. Discussion and action on a Street Infrastructure Comprehensive Update Presentation.

Mr. Tommy Gonzalez, City Manager, introduced the item.

Mr. Jeff Howell, Capital Improvement Project Manager, and Mr. Sam Rodriguez, City Engineer, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Hernandez commented.

NO ACTION was taken on this item.

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32. Update on Round 5 of the Neighborhood Improvement Program (NIP).

Ms. Nickole Rodriguez, Community and Human Development Program Manager, and Ms. Daniela Quesada, Chief Architect, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Molinar commented.

NO ACTION was taken on this item.

MEMBERS OF THE CITY COUNCIL

33. RESOLUTION

WHEREAS, a vacancy in the El Paso Water Utilities Public Service Board will occur on March 13, 2021 with the expiration of the second term of Terri Garcia, in the area of Financial Management; and,

WHEREAS, the City of El Paso adopted Ordinance Number 017167 which requires that any vacancy in the membership of the El Paso Water Utilities Public Service Board be filled by the City Council; and,

WHEREAS, the City of El Paso by Resolution established the El Paso Water Utilities Public Service Board Selection Committee, to be comprised of the members of the Public Service Board and such additional members as appointed by the City Council to assist City Council in selecting eligible candidates to fill the vacancy; and,

WHEREAS, under the Resolution, the El Paso Water Utilities Public Service Board Selection Committee reviews resumes submitted by persons interested in filling the vacant position and submits to the City Council the names and the ranking of three eligible candidates; and,

WHEREAS, a quorum of the El Paso Water Utilities Public Service Board Selection Committee met on January 28, 2021 pursuant to the Texas Open Meetings Act and approved the nomination, ranking and recommendation of eligible candidates for consideration and appointment by City Council;

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

THAT, a quorum of the El Paso Water Utilities Public Service Board Selection Committee met on January 28, 2021 pursuant to the Texas Open Meetings Act and approved the nomination, ranking and recommendation to the City Council the following candidates to fill a vacancy on the El Paso Water Utilities Public Service Board in the area of Financial Management:

- Ranked 1st Lisa J. Saenz
Ranked 2nd James A. Easley
Ranked 3rd Michael T. White

THAT, the El Paso City Council hereby appoints Lisa J. Saenz to fill the vacancy on the El Paso Water Utilities Public Service Board in the area of Financial Management. The term of appointment shall commence on March 14, 2021 and shall be for a four (4) year term.

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

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

34.

RESOLUTION

WHEREAS, the Mayor of the City El Paso (“City”) declared El Paso a disaster area in need of immediate assistance due to the COVID-19 pandemic; and

WHEREAS, on March 17, 2020 City Council Issued an Emergency Ordinance Instituting Emergency Measures Due to A Public Health Emergency (“Emergency Ordinance”); and

WHEREAS, some local businesses have experienced negative impacts to their operations due to the national and local regulations related to the COVID-19 pandemic; and

WHEREAS, the effects of the COVID-19 pandemic requires immediate action from the City to mitigate the negative impacts to local small businesses; and

WHEREAS, the City Council Representative for District 6 desires to allocate the savings from the General fund generated by an unfilled administrative position in the office of City Council District 6 Representative in the amount of \$11,710.00 to the City’s Economic Development department for use in supporting the “El Paso Small Business Emergency Relief Program” administered via Chapter 380 Economic Development Program Agreement by Liffund Inc.; and

WHEREAS, the City Council finds that the allocation of the savings generated by unfilled administrative position in the office of the City Council District 6 Representative from the General Fund serves a municipal purpose of promoting local economic development and enhancing business and commercial activity within the City and desires to approve the expenditure in the amount of \$11,710.00.

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

THAT, the City Council declares that the expenditure of General Fund savings generated from the unfilled administrative position in the office of the City Council District 6 Representative in the amount not to exceed \$11,710.00, to the City’s Economic Development department for use in supporting the “El Paso Small Business Emergency Relief Program” administered via Chapter 380 Economic Development Program Agreement by Liffund Inc., serves the municipal purpose of promoting local economic development and enhancing business and commercial activity within the City as a result of the COVID-19 crisis and approves the expenditure; and

THAT, the City Manager, or designee, be authorized to effectuate any budget transfers and execute any contracts and/or related documents necessary to ensure that the funds are properly expended for such purpose.

Mayor Leeser and Representative Rodriguez commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

35. Discussion and action on the City's Historic Designation Process.

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

Ms. Karla Nieman, City Attorney, and Mr. Russell Abeln, Assistant City Attorney, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

The following City staff members commented and answered questions posed by Council members:

1. Mr. Philip Etiwe, Planning and Inspections Director
2. Mr. Sam Rodriguez, City Engineer
3. Mr. Tommy Gonzalez, City Manager

Mr. Jose Landeros, El Paso County Planning Department Director and County Commissioner David Stout commented and responded to questions.

The following members of the public commented:

1. Mr. Joe Gudenrath
2. Ms. Carmen Rodriguez
3. Mr. Max Grossman
4. Mr. Clay Baron

1ST MOTION

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

2ND MOTION

Motion made by Representative Hernandez, seconded by Representative Lizarraga, and unanimously carried to **RETIRE** into Executive Session at 4:20 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Section 551.071.

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

NAYS: None

3RD MOTION

Motion made by Representative Rivera, seconded by Representative Hernandez, and unanimously carried to **ADJOURN** the Executive Session at 5:45 p.m. and **RECONVENE** the meeting of the City Council.

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

NAYS: None

4TH MOTION

Motion made by Representative Rivera, seconded by Representative Svarzbein, and carried to **RETIRE** into Executive Session at 6:01 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Section 551.071.

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

NAYS: Representatives Annelo, Molinar, and Rodriguez

5TH MOTION

Motion made by Representative Lizarraga, seconded by Representative Rivera, and unanimously carried to **ADJOURN** the Executive Session at 6:12 p.m. and **RECONVENE** the meeting of the City Council.

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

NAYS: None

6TH AND FINAL MOTION

Motion made by Representative Hernandez, seconded by Representative Rivera, and carried to **DELETE** the item.

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

NAYS: Representatives Annelo, Molinar, and Rodriguez

.....
ADJOURN
.....

Motion made by Representative Annelo, seconded by Representative Molinar, and unanimously carried to **ADJOURN** this meeting at 8:27 p.m.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

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