

OSCAR LEESER
MAYOR



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

TOMMY GONZALEZ
CITY MANAGER

**AGENDA REVIEW MINUTES
COUNCIL CHAMBERS AND VIRTUALLY
CITY HALL, 300 N. CAMPBELL
June 6, 2022
9:00 A.M.**

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The City Council met at the above place and date. Meeting was called to order at 9:48 a.m. Mayor Leeser present and presiding. The following Council Members answered roll call: Peter Svarzbein, Alexsandra Annello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Henry Rivera, and Cissy Lizarraga. Late arrival: Claudia Rodriguez joined virtually at 9:54 a.m.

The agenda items for the June 7, 2022 Regular City Council and Mass Transit Board Meetings were reviewed.

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3. CONSENT AGENDA – RESOLUTIONS

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

Ms. Jessica Cordova, Economic Development Contract Compliance Coordinator, commented.

Representative Lizarraga commented.

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5. CONSENT AGENDA – RESOLUTIONS

Approve a Resolution that the City Manager is hereby authorized to sign a temporary Alcohol Sales in Memorial Park Reserve for the 2022 Art in the Park Event. Further, that the City Manager and/or the Managing Director of Cultural Affairs and Recreation be authorized to sign any certification reports and amendments related to this agreement, including amendments that change the certification amount if needed.

Representative Svarzbein questioned the following City staff members:

- Mr. Ben Fyffe, Managing Director of Cultural Affairs and Recreation
- Ms. Kristen Hamilton-Karam, Senior Assistant City Attorney

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10. CONSENT AGENDA – RESOLUTIONS

That the City Manager be authorized to sign an Agreement between the CITY OF EL PASO and the EL PASO COMMUNITY FOUNDATION (“EPCF”) to coordinate with the Shelter to promote programming initiatives, projects, and provide a not-for-profit vehicle for gifts from private and other donors for the benefit of the Shelter for a term of five (5) years and shall automatically renew for successive additional one (1) year periods.

Representative Annello questioned the following City staff members:

- Mr. Terry Kebschull, Animal Services Director
- Mr. Tommy Gonzalez, City Manager

Ms. Lisa Turner, citizen, commented.

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23. REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL

Discussion and action following a presentation by Moms on Board (MOB) regarding their requests for the Parks and Recreation Department to provide additional all-abilities playgrounds, shade structures, restrooms, and other family-friendly amenities.

Mr. Tommy Gonzalez, City Manager, commented.

Ms. Lisa Turner, citizen, commented.

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24. REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL

Discussion and action formalizing the names of the City of El Paso Open Space Preserves to read “Lost Dog” and “Knapp Land Nature Preserve”.

Representative Annello commented.

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26. REGULAR AGENDA – OPERATIONAL FOCUS UPDATES

Council briefing from the Bond Overview Advisory Committee (BOAC).

Ms. Yvette Hernandez, Capital Improvement Grant Funded Programs Director, commented.

Ms. Lisa Turner, citizen, commented.

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30. REGULAR AGENDA – FIRST READING OF ORDINANCES

An Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title and interest in real property described as Lots Twenty-nine (29) and Thirty (30) in Block Two (2), Orchard Park Addition to the City of El Paso, El Paso County, Texas, to Figueroa Holdings, LLC (Figueroa), in accordance with Section 34.05 (h) of the Tax Code. This Deed is executed as a Corrected Tax Resale Deed, given and accepted in place of that deed executed by the City Manager, to Figueroa Holdings, LLC, so named in that instrument, dated September 14, 2018, and recorded in Ordinance Number 018848, in accordance with Section 34.05 (h) of the Tax Code. Said prior deed contained a clerical error in the property’s legal description. This Deed corrects the error and confirms the deed described above, and it shall be effective as of and retroactive to September 14, 2018 for the following described real property: Lot Twenty-nine (29) and a portion of lot Thirty (30), (30 ft. on street, 116.6 ft. on the North, 44 ft. on the East, and 115 ft. on the South) 4255 sq. ft., in Block Two (2), Orchard Park Addition to the City of El Paso, El Paso County, Texas.

Representative Lizarraga questioned the following City staff member:

- Ms. Maria Pasillas, Tax Assessor Collector

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ITEMS 34 AND 35 WERE REVIEWED TOGETHER

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

An Ordinance amending Title 9 (Health and Safety), Chapter 9.40 (Noise), Section 9.40.020 (Applicability) to clarify the Reasonable Sensibilities Standard; Section 9.40.030 (Sound Level Violations) to clarify the maximum sound level, that sound levels apply to properties producing the noise, and the locations of sound readings; Section 9.40.040 (Vibration) to clarify that Vibration Violations can occur on any affected property; Section 9.40.070 (Penalties) to clarify that the city may seek civil action and penalties of up to \$1,000 per day; Section 9.40.080 (Enforcement) to clarify which departments have authority to enforce; the penalty as provided in Section 9.40.070 of the City Code. [POSTPONED FROM 03-01-2022, 04-26-2022, AND 05-10-2022]

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

An Ordinance amending Title 5 (Business License and Permit Regulations), Chapter 5.03 (Amplified Sound Permit), Article I (General Provisions), Section 5.03.020 (A) and Section 5.03.020 (E) (Definitions), Article II (Permit Application Process) Section 5.03.040 (B) (3) (Permit Application Processing), Article III (Denial, Suspension, Revocation, and Appeals) Section 5.03.080 (B) (5) and Section 5.03.090 (A) (2), Article IV (Permit Standards), Section 5.03.110 (A) (Permit Standards), Article VI (Violation; Penalty) Section 5.03.130 (C) Violation and adding Section 5.03.130 (E); The penalty as provided in 5.03.130 of the El Paso City Code. [POSTPONED FROM 03-01-2022, 04-26-2022, AND 05-10-2022]

Representative Svarzbein commented.

Assistant Police Chief Peter Pacillas commented.

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38. REGULAR AGENDA – OTHER BUSINESS

Discussion and action on a Resolution to establish City of El Paso Women's Commission comprised of members from across the community, inclusive of all, not a select or limited group, focused on Women's equality and protecting their rights.

Ms. Tracey Jerome, Senior Deputy City Manager, commented.

Ms. Lisa Turner, citizen, commented.

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EX1. EXECUTIVE SESSION

City Attorney and City Manager annual performance evaluations. Matter No. 21-1043-688 (551.071) (551.074)

Ms. Lisa Turner, citizen, commented.

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Motion made by Representative Rivera, seconded by Representative Hernandez, and unanimously carried to **ADJOURN** this meeting at 10:15 a.m.

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

NAYS: None

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk