

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

December 6, 2022
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY
9:00 AM

ROLL CALL

The City Council of the City of El Paso met on the above time and date. Meeting was called to order at 9:01 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Alexsandra Annelo, Joe Molinar, Isabel Salcido, Claudia Rodriguez, and Henry Rivera. Late arrival: Cassandra Hernandez at 9:05 a.m. Peter Svarzbein joined the meeting via videoconference at 9:06 a.m. Cissy Lizarraga requested to be excused from this meeting. Early departure: Peter Svarzbein at 9:52 a.m. The invocation was given followed by El Paso Police Chaplain Rabbi Levi Greenberg followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY EL PASO POLICE CHAPLAIN, RABBI LEVI GREENBERG

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

Pearl Harbor Day

Charles Q. and Jean Murphree Day

Leading the Way – Workplace Well-being Week

Motion made by Representative Rivera, seconded by Representative Rodriguez, and unanimously carried to **APPOINT** Representative Hernandez as Alternate Mayor Pro Tempore for this meeting.

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

NAYS: None

ABSENT: Representative Lizarraga

The Regular City Council meeting was **RECESSED** at 9:26 a.m. in order to take photos with the honorees.

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

NOTICE TO THE PUBLIC

Motion made by Alternate Mayor Pro Tempore Hernandez, 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, Annelo, 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 November 22, 2022, the Agenda Review of November 21, 2022, the Work Session of November 21, 2022, and the Work Session of January 31, 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 6, 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 a Contract Amendment to Industrial Site Lease Agreement by and between the City of El Paso ("City") and Raiz Federal Credit Union, f/k/a El Paso Area Teachers Federal Credit Union ("Concessionaire") regarding the credit union name change, accordingly, for the property municipally known and numbered as 6610 Continental Drive, El Paso, Texas.

4. ***RESOLUTION**

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

That the City Manager is authorized to sign a Second Amendment to the Air Cargo Center Agreement by and between the City of El Paso ("Lessor") and Mesa Airlines, Inc. ("Lessee") regarding Lessee's use of that certain office, warehouse, aircraft parking apron and ground service equipment parking apron, and vehicle parking area located at 301 George Perry Blvd., Suite B, El Paso, Texas to extend the current term, add an additional extension option, and to allow for a rental adjustment.

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Goal 2: Set the Standard for a Safe and Secure City
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5.

***RESOLUTION**

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

That the City Manager be authorized to sign an Agreement between the CITY OF EL PASO and Center Against Sexual and Family Violence (CASFV), a non-profit corporation, to provide outreach emergency counseling and follow-up public health services for the reported victims of sexual assault, a public health and safety function, for an annual amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00). The term of this Agreement shall start February 1, 2023 with two automatic annual renewals. The total amount of the three year period shall not exceed One Hundred and Fifty Thousand and No/100 Dollars (\$150,000).

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

***RESOLUTION**

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR A PORTION OF LOT 18, BLOCK 13, THREE HILLS ADDITION, 7768 TOLTEC DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, CANDELARIA PROPERTIES LP, (the "Owner") has applied for approval of a detailed site development plan which requires City Plan Commission and City Council approval as per section 20.04.150. The detailed site development plan is subject to the development standards in the A-O/SC (APARTMENT/OFFICE/SPECIAL CONTRACT) District regulations and subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and is incorporated herein by reference for all purposes; and,

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

WHEREAS, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code:

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

1. Pursuant to requirements, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit a business office as required under the AO/ sc (Apartment/Office/special contract) District as per Section 20.04.150, on the following described property, and as more particularly described by metes and bounds on the attached Exhibit "A"**, incorporated by reference, which is located in an A-O/sc (Apartment/Office/special contract) District:

A portion of Lot 18, Block 13, Three Hills Addition, 7768 Toltec Drive, City of El Paso, El Paso County, Texas.

2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference.
3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the AO/ SC (APARTMENT/OFFICE/SPECIAL CONTRACT) District regulations.
4. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the A-O/SC (APARTMENT/OFFICE/SPECIAL CONTRACT) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.
5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

**Exhibits are available at the City Clerk's Office.

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

7. *Motion made, seconded, and unanimously carried to **POSTPONE ONE WEEK** a resolution that the "Mary Francis Keisling Park Master Plan Report" be adopted as the masterplan document for the future improvements and development, to be addressed in phasing, as funding becomes available.

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 8. ***RESOLUTION**

WHEREAS, Ordinance No. 18059, approved by the City Council of the City of El Paso on August 6, 2013, authorizes City Council to declare limited periods of "amnesty" to allow borrowers of items from the El Paso Public Library to return overdue items or, without payment of the applicable overdue fines: and

WHEREAS, the Library has participated in the annual MLK Canned Food Drive since 2001 and has helped collect more than 300 tons of food to help feed the hungry in El Paso; and

WHEREAS, the Library desires to encourage donations of canned and non-perishable food donations to the MLK Canned Food Drive, an initiative of the City of El Paso.

WHEREAS, the Library plans on partnering with Animal Services to help collect food for pets to help feed hungry animals and encourage the donation of food for pets to Animal Services.

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

That the period of January 3, 2023 through January 20, 2023 be declared Library Amnesty period for the El Paso Public Library ("the Library") to waive \$1.00 worth of fines for every canned or non-perishable food donation, \$1.00 worth of fines for every can of pet food, and \$2.00 worth of fines for every pound of dry pet food made to the MLK Canned Food Drive and Animal Services at Library locations.

9.

***RESOLUTION**

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

THAT the City Manager be authorized to sign the Second Amendment to the License Agreement, by and between the City of El Paso, a municipal corporation (the "City") and the El Paso Zoological Society, a Texas non-profit corporation (the "Society"), which was originally entered on December 18, 2012 to extend the term of the agreement by 3 months, ending on March 18, 2023.

CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS:

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

- 10. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Representative Joe Molinar in the amount of \$2,500.00 from Richard V. Teschner.

CONSENT AGENDA – BEST VALUE PROCUREMENTS:

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

- 11. *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing to issue a purchase order to Oklahoma Investigative Group, Inc. dba Tricorps Security referencing Contract 2019-1056 Security for Municipal Court Guards Services. This change order is to increase the contract by \$140,000.00 for a total amount not to exceed \$1,294,645.20. The change order will cover additional expenses for Security Guard Services for the duration of the contract term, February 5, 2023.

Contract Variance:
No Contract Variance

Department:	Municipal Court
Award to:	Oklahoma Investigative Group, Inc. dba Tricorps Security Oklahoma City, OK
Total Estimated Amount:	\$140,000.00
Account No.:	522120-111-11030-2532-P1137
Funding Source:	Restrictive fund for Court Security
District(s):	All

This is a Best Value, service contract

CONSENT AGENDA – BIDS:

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

- 12. *Motion made, seconded and unanimously carried to **POSTPONE ONE WEEK** the award of 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.

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The Regular City Council Meeting was **RECESSED** at 10:11 a.m. in order to convene the Mass Transit Board Meeting.
The Regular City Council Meeting was **RECONVENED** at 10:31 p.m.

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REGULAR AGENDA – OPERATIONAL FOCUS UPDATES:
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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13. Management update on the City’s financial health.

Mr. Robert Cortinas, Chief Financial Officer, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Mayor Leeser and Representatives Hernandez and Molinar commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

Goal 8: Nurture and Promote a Healthy, Sustainable Community

14. Presentation and discussion on El Paso Animal Services Volunteer Program.

Ms. Michelle Anderson, Animal Services Public Affairs Coordinator, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

The following members of the public commented:

- 1. Mr. Ron Comeau
- 2. Mr. Spencer Linville

NO ACTION was taken on this item.

The Regular City Council Meeting was **RECESSED** at 10:42 a.m.

The Regular City Council Meeting was **RECONVENED** at 12:00 p.m.

CALL TO THE PUBLIC – PUBLIC COMMENT:

The following members of the public commented:

- 1. Ms. Wally Cech
- 2. Mr. Albert Rivera

REGULAR AGENDA – FIRST READING OF ORDINANCES:

Goal 3: Promote the Visual Image of El Paso

- 15. *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.
- 16. *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.

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

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

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

17. 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.

PUBLIC HEARING WILL BE HELD ON DECEMBER 13, 2022

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

18. Motion made by Representative Annello, seconded by Representative Rivera, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing Department to issue Purchase Order(s) to TE of El Paso, LLC, the sole and authorized distributor for the 2023-0168 Autocar Proprietary Parts and Service, for a term of three (3) years for an estimated amount of \$675,000.00, with a stipulation that TE of El Paso, LLC provides an updated sole source letter and affidavit each year. This contract will allow the purchase of Autocar Proprietary Parts and Service for the Fleet Division.

Contract Variance:
N/A

Department: Streets and Maintenance
Vendor: TE of El Paso, LLC El Paso, TX
Initial Term: 3 Years
Annual Estimated Award: \$225,000.00
Total Estimated Award: \$675,000.00 (3 Years)
Account No.: 532 - 3600 - 531210 - 37020 - P3701 (Parts)
532 - 3600 - 531250 - 37020 - P3701 (Service)
Funding Source: Internal Service Fund
District(s): All

This is a Sole Source contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to TE of El Paso, LLC, the sole and authorized distributor.

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

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:

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

19.

ORDINANCE 019409

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 13 STREETS, SIDEWALKS AND PUBLIC PLACES), CHAPTER 13.34 (PICKETING), SECTION 13.34.020 (NOTICE OF INTENT TO PICKET) TO ADD EXCEPTIONS AND SPONTANEOUS EVENTS; CHAPTER 13.34 (PICKETING), SECTION 13.34.030 (RECEIPT OF NOTIFICATION) TO DELETE AND RESERVE; CHAPTER 13.34 (PICKETING), SECTION 13.34.050 (VIOLATION) TO DELETE AND RESERVE; CHAPTER 13.36 (PARADES AND PUBLIC ASSEMBLIES) TO AMEND CHAPTER TITLE TO 'PARADES;' CHAPTER 13.36 (PARADES AND PUBLIC ASSEMBLIES), SECTION 13.36.010 (DEFINITIONS) TO DELETE 'DEMONSTRATION' AND 'PUBLIC ASSEMBLY' FROM DEFINITIONS; CHAPTER 13.36 (PARADES AND PUBLIC ASSEMBLIES), SECTION 13.36.020 (PERMIT REQUIRED) TO ADD SPONTANEOUS EVENT EXCEPTION; CHAPTER 13.36 (PARADES AND PUBLIC ASSEMBLIES), SECTION 13.36.100 (VIOLATION - PENALTY) TO REMOVE THE TERM 'PUBLIC ASSEMBLY FROM VIOLATIONS; CHAPTER 13.38 (SPECIAL EVENTS), SECTION 13.38.020 (DEFINITIONS) TO REMOVE PICKETING, DEMONSTRATING, PARADES, AND PUBLIC ASSEMBLY FROM THE DEFINITION OF 'SPECIAL EVENTS;' THE PENALTY AS PROVIDED IN SECTION 13.36.100 AND 13.38.110 OF THE CITY CODE.**

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**.

Goal 3: Promote the Visual Image of El Paso

20.

ORDINANCE 019410

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 25 THROUGH 32, BLOCK 15, HIGHLAND PARK SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO A-O (APARTMENT/OFFICE). 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 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 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**.

21. **ORDINANCE 019411**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE SOUTH 27 FEET OF LOTS 30, 31, AND 32, IN BLOCK 100, EAST EL PASO, 1112 N. SAN MARCIAL STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO G-MU (GENERAL MIXED USE), AND APPROVING A MASTER ZONING PLAN. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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 Hernandez, Molinar, Salcido, Rodriguez, and Rivera
NAYS: None
ABSTAIN: Representative Annelo
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**.

22. **ORDINANCE 019412**

The City Clerk read an Ordinance entitled: **AN ORDINANCE TERMINATING THE SIGN DESIGN NON-EXCLUSIVE FRANCHISE FOR WASTE CONTAINERS ON SIDEWALKS AND OTHER CITY PROPERTY.**

Mayor Leeser and Representative Rodriguez commented.

Motion duly made by Representative Molinar, seconded by Representative Rodriguez, 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**.

23.

ORDINANCE 019413

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING TO TYLER LYON EL PASO STREET ADS, LLC A NON-EXCLUSIVE FRANCHISE FOR WASTE CONTAINERS ON SIDEWALKS AND OTHER CITY PROPERTY.**

Mayor Leeser and Representative Rivera commented.

Ms. Ellen Smyth, Chief Transit and Field Operations Officer, commented.

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein and Anello

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**.

24.

ORDINANCE 019414

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING TO RUBEN TORRES D/B/A ELITE ADVERTISING A NON-EXCLUSIVE FRANCHISE FOR WASTE CONTAINERS ON SIDEWALKS AND OTHER CITY PROPERTY.**

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 Hernandez, Molinar, Salcido, Rodriguez, and Rivera

NAYS: Representative Anello

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**.

REGULAR AGENDA – OTHER BUSINESS:

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

25.

RESOLUTION

WHEREAS, on November 10, 2010, the State of Texas, through the Texas Department of Transportation (“TxDOT”) and the City of El Paso (“City”) entered into a Multiple Use Agreement(“MUA”); and

WHEREAS, through the MUA, the City was permitted to construct, maintain, and operate a public parking lot on the right of way on Spur 601 for use by the City and public at the City Animal Shelter; and

WHEREAS, the City desires to construct additional parking that is not authorized under the Multiple Use Agreement; and

WHEREAS, TxDOT agrees to permit the City to construct, operate, and maintain additional parking space on the Spur 601 right of way.

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

THAT the City Manager is authorized to sign an Amendment to the Multiple Use Agreement between the City of El Paso and the State of Texas, on behalf of the Texas Department of Transportation, to permit the City of El Paso to design, construct, operate and maintain additional public parking on the Spur 601 right of way.

Representative Annello commented.

Mr. Jerry DeMuro, Capital Improvement Assistant Director, commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

ABSENT: Representative Lizarraga

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Goal 8: Nurture and Promote a Healthy, Sustainable Community
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26.

R E S O L U T I O N

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

That the Policies & Procedures for implementing the Community Development Block Grant (CDBG) Program, Emergency Solutions Grant (ESG) Program, Housing Opportunities for Persons with AIDS (HOPWA) Program, and HOME Investment Partnerships Program (HOME) are approved and adopted, and that the Director of Community and Human Development be authorized to make amendments to the policies and grant exceptions to the policies and procedures provided such exceptions do not violate any federal regulations.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein
ABSENT: Representative Lizarraga

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ADJOURN
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Motion made by Representative Molinar, seconded by Representative Rodriguez and unanimously carried to **ADJOURN** this meeting at 12:09 p.m.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

ABSENT: Representative Lizarraga

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk