

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

AGENDA FOR THE REGULAR COUNCIL MEETING

August 31, 2021

9:00 AM

Teleconference phone number: 1-915-213-4096

Toll free number: 1-833-664-9267

Conference ID: 598-882-144#

AND

AGENDA REVIEW MEETING

August 30, 2021

9:00 AM

Teleconference phone number: 1-915-213-4096

Toll free number: 1-833-664-9267

Conference ID: 175-167-200#

TEMPORARY SUSPENSION OF OPEN MEETINGS LAWS DUE TO EMERGENCY

The Texas Governor temporarily suspended specified provisions of the Texas Open Meetings Act to allow telephonic or videoconference meetings and to avoid congregate settings in physical locations.

Notice is hereby given that an Agenda Review Meeting will be conducted on August 30, 2021 at 9:00 A.M. and a Regular Meeting of the City Council of the City of El Paso will be conducted on August 31, 2021 at 9:00 A.M. Members of the public may view the meeting via the following means:

Via the City's website. <http://www.elpasotexas.gov/videos>

Via television on City15,

YouTube: <https://www.youtube.com/user/cityofelpasotx/videos>

In compliance with the requirement that the City provide two-way communication for members of the public, members of the public may communicate with Council during public comment, and regarding agenda items by calling the following number:

1-915-213-4096 or Toll free number: 1-833-664-9267

At the prompt please enter the corresponding Conference ID:

**Agenda Review, August 30, 2021 Conference ID: 175-167-200#
Regular Council Meeting, August 31, 2021 Conference ID: 598-882-144#**

The public is strongly encouraged to sign up to speak on items on this agenda before the start of this meeting on the following links:

**<https://www.elpasotexas.gov/city-clerk/meetings/city-council-meetings>
and
http://legacy.elpasotexas.gov/muni_clerk/Sign-Up-Form-Call-To-The-Public.php**

The following members of City Council will be present via video conference:

Mayor Oscar Leeser and Representatives Peter Svarzbein, Aleksandra Anello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga

A quorum of City Council must participate in the meeting.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

J. M. Whitaker Elementary School

**Jorge Chávez
Isabela Maestas
Abby Ramírez
Yaretzi Robles
Andrea Vásquez**

Teacher: Hugo Hernandez

MAYOR'S PROCLAMATIONS

Hunger Action Month

Israel Rodríguez Bertorelli and Julia Chávez Recognition Day

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate

discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA - APPROVAL OF MINUTES:

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

1. Approval of Minutes of the Regular City Council Meeting of August 17, 2021. [21-1024](#)

All Districts

City Clerk's Office, Laura D. Prine, (915) 212-0049

CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

2. **CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

CONSENT AGENDA - RESOLUTIONS:

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

3. That the City Manager be authorized to sign an Independent Contractor Agreement between the City of El Paso, Texas and Dr. Russell Baker, for the latter to provide Medical Director services to the emergency medical staff of the City of El Paso, for the monthly amount of \$6,000.00 from September 1, 2021 through August 31, 2023, for a total amount of \$144,000, with the City Manager being authorized to administratively extend the Agreement for an additional twelve-month period. [21-988](#)

All Districts

Fire, Mario M. D'Agostino, (915) 212-5605

Goal 3: Promote the Visual Image of El Paso

4. Resolution authorizing the City Manager, or designee, to sign a Parking License Agreement between the City of El Paso and the El Paso Chamber of Commerce for the use of 25 parking spaces at Civic Center Parking Garage. [21-982](#)

District 8

Capital Improvement Department, Sam Rodriguez, (915) 212-0065

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

5. That the closure of rights-of-way within the City of El Paso for the Sun City [21-995](#)

CRIT El Paso from 5:00 a.m. Saturday, September 11, 2021, to 5:00 a.m. on Sunday, September 12, 2021, serves a public purpose of providing cultural and recreational activities for the residents and visitors of the City of El Paso, and in accordance with 43 TAC, Section 22.12, the City Manager be authorized to sign an Agreement For The Temporary Closure of State Right Of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the temporary closure and use of State owned and operated street (s) in excess of four hours for portions of Mesa St. (SH 20) between Franklin Ave. and Overland Ave. and Texas Ave. (SH20) between Kansas St. and Oregon St. upon the issuance of required permits from the City of El Paso and substantial conformity to the finalized TEA30 agreement between the City of El Paso and State of Texas Department of Transportation. (CSEV21-00031)

District 8

Planning and Inspections, Philip F. Etiwe, (915) 212-1553
Planning and Inspections, Klarissa Mijares, (915) 212-1544

- 6. Approve a Resolution accepting the recommendation from the Parks and Recreation Advisory Board and hereby approves the renaming of the gymnasium at the Sylvia A. Carreon Community Center, located at 715 Lomita, within the City of El Paso, El Paso County, Texas, as David Ransom Gymnasium. [21-999](#)

District 7

Parks and Recreation, Ben Fyffe, (915) 212-1766

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

- 7. Approve a Resolution to update the City of El Paso Investment Policy for fiscal year 2022. [21-979](#)

All Districts

Office of the Comptroller, Margarita Munoz, (915) 212-1174

- 8. A Resolution amending Exhibit “B” of the Rules of Order for the El Paso City Council revised, as effective August 31, 2021. [21-1021](#)

All Districts

City Clerk's Office, Laura D. Prine, (915) 212-0049

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

- 9. The linkage to the Strategic Plan is subsection 7.4 Continue the strategic investment in City facilities and technology [21-1000](#)

Request that the Purchasing Director is authorized to notify Francisco Corral dba Eagle Janitorial Service that the City is terminating Contract No. 2019-281 Janitorial Services - Police Department Facilities for convenience, pursuant to the provisions and requirements of Part 4, Section 8, Paragraph A of the Contract Clauses, and that the termination shall be effective as of September 12, 2021. The termination for convenience is required to move forward with

awarding a replacement contract with staffing fulfillment plans and requirements.

All Districts

Streets and Maintenance, Richard J. Bristol, (915) 212-7001
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

Goal 8: Nurture and Promote a Healthy, Sustainable Community

10. A Resolution for the City of El Paso to recognize and support Military and Veteran caregivers and, in support of this goal, desires to join the network of "Hidden Heroes Cities", a program established by the Elizabeth Dole Foundation to encourage cities to increase resources for military and veteran caregivers. [21-978](#)

All Districts

Airport, Sam Rodriguez, (915) 212-7301

CONSENT AGENDA - BOARD APPOINTMENTS:

Goal 8: Nurture and Promote a Healthy, Sustainable Community

11. Omar Garcia-Bracho to the Regional Renewable Energy Advisory Council (RREAC), as a non-voting member, by Nicole Ferrini, Chief Resilience Officer. [21-1023](#)
Community and Human Development, Nicole Ferrini, (915) 212-1659

CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:

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

12. That the tax refunds listed on the attachment posted with this agenda be approved. 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. (See Attachment A) [21-990](#)

All Districts

Tax Office, Maria O. Pasillas, (915) 212-1737

13. That the tax refunds listed on the attachment posted with this agenda be approved. This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments exceeding the three (3) year limit. (See Attachment B) [21-996](#)

All Districts

Tax Office, Maria O. Pasillas, (915) 212-1737

CONSENT AGENDA - REQUESTS TO ISSUE PURCHASE ORDERS:

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

14. The linkage to the Strategic Plan is subsection 7.2 - Improve competitiveness through infrastructure improvements impacting the quality of life.

[21-1010](#)

Award summary:

That the City Council approves a change order for increased materials cost valued at \$229,943.34 to MIRADOR ENTERPRISES, INC. for construction of the Airport RTS, Contract No. 2021-0509. The change order will mitigate risk associated with re-bidding and receiving higher prices, Federal Transit Administration (FTA) is requesting that the City moves forward based on the minimal increase of this change order to complete the station on time for the Montana RTS. There shall be no additional time added to the contract as a result of this change order.

This is a Competitive Sealed Proposal, lump sum contract.

All Districts

Capital Improvement Department, Sam Rodriguez, (915) 212-0065
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

CONSENT AGENDA - BEST VALUE PROCUREMENTS:

Goal 8: Nurture and Promote a Healthy, Sustainable Community

15. The linkage to the Strategic Plan is subsection 8.6 - Provide long-term, cost effective, sustainable regional solid waste solution.

[21-991](#)

Award Summary:

The award of Solicitation 2021-1165 Janitorial Services - ESD Various Facilities to Ace Government Services, LLC for an initial term of three (3) years for an estimated amount of \$81,745.20. The award also includes two (2) year option for an estimated amount of \$54,496.80. The total value of the contract including the initial term plus option is five (5) years for an estimated amount of \$136,242.00. The award of this contract will provide janitorial services for the Environmental Service facilities.

Contract Variance:

The difference in cost, based on the comparison from previous contract, is as follows: a decrease of \$71,892.00 for the initial term, which represents a 63.76% decrease from the previous contract. The decrease is due to a reduction in the required cleaning hours.

Department: Environmental Services
Award to: Ace Government Services, LLC
El Paso, TX

Items: ALL
 Initial Term: 3 years
 Option to Extend: 2 years
 Annual Estimated Award: \$27,248.40
 Initial Term Estimated Award: \$81,745.20 (3 years)
 Total Estimated Award: \$136,242.00 (5 years)
 Account No.: 334-34100-3100-P3410-522060
 334-34130-3100-P3470-522060
 Funding Source: General Funds
 Districts: All

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing and Environmental Services Departments recommend award as indicated to Ace Government Services, LLC the bidder offering the best value bid.

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

All Districts

Environmental Services, Ellen Smyth, (915) 212-6060
 Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

CONSENT AGENDA - REQUEST FOR PROPOSAL:

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

- 16. The linkage to the Strategic Plan is subsection 7.4 Continue the strategic investment in City facilities and technology.

[21-1004](#)

Award Summary:

That the Purchasing and Strategic Sourcing Director be authorized to issue Purchase Order(s) for 2021-1454 Emergency Janitorial Services for Police Department Facilities to ACE Government Services LLC for six (6) months estimated amount of \$332,292.15. This contract will provide janitorial services for Police Department Facilities on a daily basis.

Contract Variance:

The difference in price, based on comparison to the previous contract is as follows: An increase of \$4.39 per hour, which represents a 41.89% increase.

Department: Streets and Maintenance
 Vendor: ACE Government Services LLC
 El Paso, TX
 Item(s): All
 Initial Term: 6 months
 Option to Extend: N/A
 Total Estimated Award: \$332,292.15 (6 months)

Account No.: 532-1000-31040-522060-P3120
Funding Source: General Fund
District(s): All

This is a non-competitive service requirement contract pursuant Exemption 252.022 (a) (2) a procurement necessary to preserve or protect the public health or safety of the municipality's residents of the Texas Local Government Code.

All Districts

Streets and Maintenance, Richard Bristol, (915) 212-7000
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

CONSENT AGENDA - BIDS:

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

- 17. The linkage to the Strategic Plan is subsection 7.2 - Improve competitiveness through infrastructure improvements impacting the quality of life.

[21-985](#)

Award Summary:

The award of Solicitation 2021-0760 Tree and Stump Removal to EGL Construction Inc. for a three (3) year initial term estimated amount of \$279,600.00. The award also includes a two (2) year option for an estimated amount of \$186,400.00. The total value of the contract is, including the initial term plus the option for a total of five (5) years, for an estimated amount of \$466,000.00. This contract will allow for the removing of trees and stumps near private property and utility lines.

Contract Variance:

The difference in price, based on comparison to the previous contract is as follows: An increase of \$195,000.00 for the initial term, which represents a 230.5% increase due to price increases and the additional services.

Department: Streets and Maintenance
Vendor: EGL Construction Inc.
El Paso, TX
Items: All
Initial Term: 3 years
Option to Extend: 2 years
Annual Estimated Award: \$93,200.00
Initial Term Estimated Award: \$279,600.00 (3 years)
Total Estimated Award: \$466,000.00 (5 years)
Account No.: 451-1000-51295-531130-P5120
Funding Source: General Fund
Districts: All

This is a Low Bid, unit price contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance

Departments recommend award as indicated to EGL Construction Inc., the sole lowest responsive, responsible bidder.

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

All Districts

Streets and Maintenance, Richard Bristol, (915) 212-7000
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

REGULAR AGENDA - MEMBERS OF THE CITY COUNCIL

18. Discussion and action to override the Mayor’s Veto of the Resolution adopting the FY 2021 - 2022 Budget and/or the property tax rate ordinance. [21-1025](#)

All Districts

Members of the City Council, Representative Cassandra Hernandez, (915) 212-0003

19. Discussion and action to override the Mayor’s Veto of the Ordinance authorizing the issuance of City of El Paso, Texas Combination Tax and Revenue Certificates of Obligation, Series 2021C; levying a continuing direct annual ad valorem tax for the payment of such certificates; and resolving other matters which are necessary to effectuate such issuance, including the delegation of matters relating to the sale and issuance of such certificates to an authorized City official within certain specified parameters. [21-1026](#)

All Districts

Members of the City Council, Representative Cassandra Hernandez, (915) 212-0003

REGULAR AGENDA - OPERATIONAL FOCUS UPDATES

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

20. Update on the status of the Lost Dog & Knapp Land Conservation Easement. [21-984](#)

District 1

Capital Improvement Department, Sam Rodriguez (915) 212-0065

CALL TO THE PUBLIC – PUBLIC COMMENT:

Call to the Public will begin at 12:00 p.m. Requests to speak must be received by 9:00 a.m. on the date of the meeting. Sixty minutes in total will be devoted for Call to the Public. This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

Members of the public may communicate with Council during public comment, and regarding agenda items by calling 1-915-213-4096 or toll free number 1-833-664-9267 at the prompt please enter the following Conference ID: 598-882-144#

A sign-up form is available on line for those who wish to sign up in advance of the meeting at: http://legacy.elpasotexas.gov/muni_clerk/signup_form.asp

REGULAR AGENDA - FIRST READING OF ORDINANCES:

INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

Public comment typically is not taken during the first reading of ordinances. Public comments are invited at the date of the scheduled public hearing.

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 300 N. Campbell, Monday through Friday, 8:00 a.m. to 5:00 p.m.

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

21. An Ordinance authorizing the City Manager to sign a Purchase and Sale Agreement, Special Warranty Deed and any other documents necessary to convey to VJ Capital Properties, Ltd., approximately 3.15 acres of land being described as a portion of Tracts 23-G-1 and 23-G-2, Block 54, Ysleta Grant, El Paso County, Texas.

[21-1017](#)

District 7

El Paso Water, Alex Vidales, (915) 594-5636

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 14, 2021

Goal 3: Promote the Visual Image of El Paso

22. An Ordinance amending Title 19 (Subdivision and Development Plats) Sections: 19.01.010 (Authority, Purpose and Applicability), 19.01.020 (Types of plats required), 19.01.030 (Exemptions), 19.01.050 (Application and Procedures), 19.02.020 (Application and Procedures), 19.03.020 (Application and Procedures), 19.04.020 (Application and Procedures), 19.04.070 (Plat Recordation), 19.05.020 (Application and Procedures), 19.06.020 (Application and Procedures), 19.07.040 (Amending Plats), 19.10.020 (In General), 19.31.030 (City Development Director), 19.37.060 (Application Contents), and 19.37.070 (Application Fees) of the El Paso City Code to update references in the Title, correct typographical errors, provide for the submittal of electronic applications, clarify presentation of final plats to City Plan Commission, provide for signature of Planning and Inspections Director on final plats, update figures, and remove reduction of certain fees for properties located within the boundaries of Tax Increment Zones or Empowerment Zones. The penalty is as provided under Title 19, Chapter 19.42 of the El Paso City Code. (Citywide)

[21-1002](#)

All Districts

Planning and Inspections, Philip F. Etiwe, (915) 212-1553
Planning and Inspections, Raul Garcia, (915) 212-1643

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 28, 2021

- 23. An Ordinance Amending various sections of Title 20 (Zoning), Chapters 20.04 (Administrative Provisions), 20.08 (Permissible Uses), and 20.10 (Supplemental Use Regulations) to update Code reference language, delete language regarding fee reductions for detailed site development plans pertaining to properties located within the boundaries of the Tax Increment Financing Zone No. 5 and any neighborhood empowerment zone, delete mixed use development plan requirement, delete language regarding fee reductions for special permits pertaining to properties located within the boundaries of the Tax Increment Financing Zone No. 5 and any neighborhood empowerment zone, and delete language regarding fee reductions for rezoning applications pertaining to properties located within the boundaries of the Tax Increment Financing Zone No. 5 and any neighborhood empowerment zone. The penalty being as provided in Section 20.24 of the El Paso City Code. [21-986](#)

The proposed amendments meet the intent of and are in accordance with *Plan El Paso*, the City’s Comprehensive Plan.

All Districts

Planning and Inspections, Philip Etiwe, (915) 212-1553
Planning and Inspections, Anne Guayante, (915) 212-1814

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 28, 2021

- 24. An Ordinance amending Title 21 (SmartCode), Chapter 20.50 (Building Scale Plans), Section 20.50.060 (Building Disposition), to calibrate the SmartCode to the local character of the place and local conditions. The penalty being as provided in Section 21.60 of the El Paso City Code. [721-980](#)

All Districts

Planning and Inspections, Philip F. Etiwe, (915) 212-1553
Planning and Inspections, Karina Brasgalla, (915) 212-1604

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 28, 2021

- 25. An Ordinance annexing the following real property described as a Portion of Berryville Street and Triumph Street, Horizon City Estates Unit 54, El Paso County, Texas. [21-983](#)

Subject Property: Berryville Street South of Montwood Dr.
Applicant: El Paso County SUAX20-00002

District 5

Planning and Inspections, Philip F. Etiwe, (915) 212-1553
Planning and Inspections, Karina Brasgalla, (915) 212-1604

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 14, 2021

- 26. An Ordinance changing the zoning of a portion of Lots 1 and 2, Block 113, Vista [21-992](#)

Del Sol Unit Sixteen Replat "S", 11101 Armour Street, City of El Paso, El Paso County, Texas from P-I (Planned Industrial) to C-4 (Commercial). 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: 11101 Armour Dr.
Applicant: Mast Partners LP, PZRZ21-00011

District 7

Planning and Inspections, Phillip F. Etiwe, (915) 212-1553
Planning and Inspections, David Samaniego, (915) 212-1608

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 28, 2021

27. An Ordinance changing the zoning for the property described as a Portion of Tract 4D, of First Supplemental Map of Parkland Addition, City of El Paso, El Paso County, Texas R-4 (Residential) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

[21-993](#)

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: 10032 Cross St.
Applicant: Premium Intercapital Group, Inc., PZRZ21-00013

District 4

Planning and Inspections, Philip F. Etiwe, (915) 212-1553
Planning and Inspections, David Samaniego, (915) 212-1608

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 28, 2021

28. An Ordinance vacating the 20-foot alley within Block 144, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas.

[21-1001](#)

Subject Property: West of St. Vrain St. and North of Paisano Dr.
Applicant: Sisu Environ Development, LLC (SURW20-00005)

District 8

Planning and Inspections, Phillip F. Etiwe, (915) 212-1553
Planning and Inspections, Raul Garcia, (915) 212-1643

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 14, 2021

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

29. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at all times on certain streets) of the City Code, to add portions of South El Paso Street; the penalty being provided in Chapter 12.84 of the El Paso City Code.

[21-973](#)

District 8

Streets and Maintenance, Richard Bristol, (915) 212-0118

Streets and Maintenance, Hannah Adele Allen, (915) 212-7003

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 14, 2021

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

- 30. The linkage to the Strategic Plan is subsection 4.1 - Deliver bond projects impacting quality of life across the city in a timely, efficient manner.

[21-987](#)

Award Summary:

Discussion and action on the award of Solicitation 2021-1233 Pavo Real Recreation Center Improvements to Gracen Engineering & Construction, Inc. for an estimated award of \$1,209,000.00. The project consists of reroofing, mechanical and electrical improvements, replacement of flooring materials, and new casework to an existing public recreation facility.

| | |
|------------------------|--|
| Department: | Capital Improvement |
| Award to: | Gracen Engineering & Construction, Inc El Paso, TX |
| Items: | Base Bid I, Base Bid II, Additive Alternate I and Additive Alternate II |
| Initial Term: | 180 Consecutive Calendar Days |
| Base Bid I: | \$1,160,000.00 |
| Base Bid II: | \$24,000.00 |
| Additive Alternate I: | \$18,000.00 |
| Additive Alternate II: | \$7,000.00 |
| Total Estimated Award: | \$1,209,000.00 |
| Funding Source: | 2012 Quality of Life Bond |
| Account: | 190-4800-29010- 580270-PCP13PRKD08 |
| District: | 6 |

This is a Low Bid procurement, lump sum contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Gracen Engineering & Construction, Inc., 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.

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.

District 6

Capital Improvement Department, Sam Rodriguez, (915) 212-0065
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

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

31. The linkage to the Strategic Plan is subsection: 6.7 Deliver effective and efficient processes to maximize value in obtaining goods and services.

[21-1009](#)

Award Summary:

Discussion and action on the request that the Director of the Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order to Texas- New Mexico Newspaper LLC dba El Paso Times the sole source provider for the newspaper legal notices, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Contract Variance:

The difference in price, based on comparison to the previous contract is as follows: increase average from \$2.62 to \$4.85 per line, which represents an 85.11% increase for the same services.

| | |
|--------------------------|---|
| Department: | Purchasing & Strategic Sourcing |
| Award to: | Texas- New Mexico Newspaper LLC dba El Paso Times Dallas, TX |
| Initial Term: | 3 years |
| Annual Estimated Amount: | \$600,000.00 |
| Total Estimated Award: | \$1,800,000.00 (3 years) |
| Account No.: | Various Accounts |
| Funding Source: | Various Sources |
| Districts(s): | All |
| Sole Source No.: | 2021-1480 |

This is a Sole source, service contract.

All Districts

Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

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

32. The linkage to the strategic plan is subsection 7.2 Improve competitiveness through infrastructure improvements impacting the quality of life.

[21-989](#)

Award Summary:

Discussion and action on the award of Solicitation 2021-1263 2021

Thermoplastic Striping to Pavement Marking, LLC dba PMI Pavement Marking LLC for seven hundred fifty (750) consecutive calendar days as initial term for an estimated award of \$332,000.00. The award also includes a seven hundred fifty (750) consecutive calendar day's option in the amount of \$332,000.00. The total value of the contract is, including the initial term plus the option for a total of one thousand five hundred (1,500) consecutive calendar days, for an estimated total award of \$664,000.00. This contract will consist of on demand application of thermoplastic striping and markings on City owned right-of-way, in accordance with TXDoT Manual of Uniform Traffic Control Devices, as needed or required for special projects and/or maintenance activities.

| | |
|-------------------------------|---|
| Department: | Capital Improvement |
| Award to: | Pavement Marking, LLC dba PMI Pavement Marking LLC Tempe, AZ |
| Item: | Base Bid I |
| Initial Term: | 750 Consecutive Calendar Days |
| Option to Extend | 750 Consecutive Calendar Days |
| Base Bid I: | \$332,000.00 |
| Initial Term Estimated Award: | \$332,000.00 (750 Consecutive Calendar Days) |
| Option Estimated Award: | \$332,000.00 (750 Consecutive Calendar Days) |
| Total Estimated Award: | \$664,000.00 (1,500 Consecutive Calendar Days) |
| Funding Source: | General Fund |
| Account: | 532-1000-32020-522270-P3254 |
| Districts: | All |

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Pavement Marking, LLC dba PMI Pavement Marking LLC the sole responsive and responsible bidder. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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.

All Districts

Capital Improvement Department, Sam Rodriguez, (915) 212-0065
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

Goal 8: Nurture and Promote a Healthy, Sustainable Community

33. The linkage to the Strategic Plan is subsection 8.6 - Provide long-term, cost effective, sustainable regional solid waste solution.

[21-994](#)

Award Summary:

Discussion and action on the award of Solicitation 2021-1231 Household Hazardous Waste Disposal to Green Planet, Inc. for an initial term of three (3) years for an estimated amount of \$345,561.50. The award also includes one, two-year option for an estimated amount of \$230,374.34. The total value of the contract including the initial term plus option is five (5) years for an estimated amount of \$575,935.84. The award of this contract will provide Household Hazardous Waste Disposal for the Environmental Services Department.

Contract Variance:

The difference in cost, based on the comparison from previous contract, is as follows: an increase of \$5,151.50 for the initial term, which represents a 1.5% increase from the previous contract.

| | |
|-------------------------------|--------------------------------------|
| Department: | Environmental Services |
| Award to: | Green Planet, Inc. Royse City, TX |
| Items: | ALL |
| Initial Term: | 3 years |
| Option to Extend: | 2 years |
| Annual Estimated Award: | \$115,187.17 |
| Initial Term Estimated Award: | \$345,561.50 (3 years) |
| Total Estimated Award: | \$575,935.84 (5 years) |
| Account No.: | 334-34100-3100-P3410-522040 |
| Funding Source: | General Funds |
| Districts: | All |

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing and Environmental Services Departments recommend award as indicated to Green Planet, Inc. the bidder offering the best value bid.

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

All Districts

Environmental Services, Ellen Smyth, (915) 212-6060
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

REGULAR AGENDA – OTHER BUSINESS:

34. Presentation and discussion by the City Attorney's Office providing information on the Firearm Carry Act of 2021 - House Bill No. 1927. [21-1027](#)

All Districts

City Attorney's Office, Karla M. Nieman, (915) 212-0033

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:

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

35. An Ordinance Amending Title 10.12.020 - Firearms - Carrying Prohibited. [21-946](#)

Texas House Bill 1927 authorizes most Texans over the age of 21 to carry a firearm in a concealed manner or openly in a holster and also modifies the ability of municipalities to restrict firearms in certain areas. City Council wishes to modify Chapter 10.12 Offenses against Public Peace, Section 10.12.020 - Firearms-Carrying prohibited to align with Texas House Bill 1927.

All Districts

Police, Assistance Chief Zina Silva, (915) 212-4306

36. An Ordinance Amending Title 13 (Streets, Sidewalks & Public Places), Chapter 13.24 (City Parks and Recreation Areas), 13.24.070 (Dangerous Amusements), to allow a person to carry a handgun who is not otherwise prohibited by law from carrying a handgun. [21-920](#)

All Districts

Parks and Recreation, Ben Fyffe, (915) 212-1766

Goal 3: Promote the Visual Image of El Paso

37. An Ordinance granting Special Permit NO. PZST21-00008, to allow for a 55' Ground-Mounted Personal Wireless Service Facility on the property described as a portion of Tracts 9B, 9C, and 10A, Block 48, Ysleta Grant, 9100 Alameda Avenue, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.455 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. **THIS IS AN APPEAL.** [21-631](#)

The proposed special permit meets the intent of the Future Land Use designation for the property and is in accordance with *Plan El Paso*, the City's Comprehensive Plan.

Subject Property: 9100 Alameda Avenue Applicant: Verizon c/o Les Gutierrez, PZST21-00008

[POSTPONED FROM 07-07-2021 AND 08-03-2021]

District 6

Planning and Inspections, Philip F. Etiwe, (915) 212-1553
Planning and Inspections, Andrew Salloum, (915) 212-1603

38. An Ordinance changing the zoning of a 0.376-acre portion of Tract 1B, Nellie D. Mundy Survey 242 and Tract 2E4, Nellie D. Mundy Survey 243, City of El Paso, El Paso County, Texas from C-4/c (Commercial/conditions) to R-3A/c (Residential/conditions). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

[21-823](#)

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: East of Resler Dr. and South of Woodrow Bean Transmountain Rd.

Applicant: CSA Design Group, Inc. c/o Adrian Holguin-Ontiveros, PZRZ21-00015

District 1

Planning and Inspections, Philip F. Etiwe, (915) 212-1553

Planning and Inspections, Luis Zamora, (915) 212-1552

REGULAR AGENDA - OTHER BUSINESS:

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

39. Discussion and action that the City Manager be authorized to sign a Chapter 380 Economic Development Program Agreement ("Agreement") by and between CITY OF EL PASO ("City") ROCCO Developers LLC ("Applicant") in support of an infill development project located at 9740 Galilee Drive, El Paso, Texas, 79927. The project includes the construction of a 170,000 sq. ft. residential development on what is currently, vacant land located at 9740 Galilee Drive, El Paso, TX 79927. The Agreement requires the Applicant to make a minimum investment of \$15,285,000.00. Over the term of the Agreement, the City shall provide economic incentives not to exceed \$416,110.00 in the form of a Property Tax Rebate; a Development Fee Rebate; and a Construction Materials Sales Tax Rebate.

[21-997](#)

District 6

Economic and International Development, Jessica Herrera, (915) 212-1624

40. Discussion and action on a Resolution approving a list of projects totaling approximately \$4,496,619, updating the document known as the "Five Year Capital Maintenance Improvement Plan for the Ballpark" for FY2021 through FY2025 and approving the use of ballpark Capital Repairs Reserve Fund and Surplus Ballpark Revenues as funding sources for the Plan and authorizing the City Manager to make all necessary transfers.

[21-1003](#)

All Districts

Capital Improvement Department, Sam Rodriguez, (915) 212-0065

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

41. Discussion and action to approve the Resolution that the appropriation for personnel and essential operating supplies made during the 2020 - 2021 fiscal year shall be extended until the FY 2021-2022 Budget is adopted and expenditures may be made only in accordance with that appropriation.

21-1005

All Districts

City Manager's Office, K. Nicole Cote, (915) 212-1092

EXECUTIVE SESSION

TEMPORARY SUSPENSION OF OPEN MEETINGS LAWS DUE TO EMERGENCY

The Texas Governor temporarily suspended specified provisions of the Texas Open Meetings Act to allow telephonic or videoconference meetings and to avoid congregate settings in physical locations.

The following members of City Council will be present via video conference:

Mayor Oscar Leeser and Representatives Peter Svarzbein, Aleksandra Annelo, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga

The City Council of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
- Section 551.074 PERSONNEL MATTERS
- Section 551.076 DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS
- Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS
- Section 551.089 DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS; CLOSED MEETING

ADJOURN

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for regular City Council meetings. If you need Spanish Translation Services, you must email CityClerk@elpasotexas.gov at least 48 hours in advance of the meeting.

ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET ON THURSDAY PRIOR TO THE MEETING AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov/>