

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

June 22, 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 9:00 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Alexandra Annello, Joe Molinar, Isabel Salcido, and Cissy Lizarraga. Peter Svarzbein joined via videoconference and Cassandra Hernandez requested to be excused. Late arrivals: Henry Rivera at 9:01 a.m. and Claudia Rodriguez at 9:17 a.m.

INVOCATION BY EL PASO POLICE CHAPLAIN ROBERT HEMPHILL, JR. PH.D.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

El Paso Athletic Hall of Fame and El Paso Sports Commission Week

National Cancer Survivor Month

Karla Yvette Sierra Day

RECOGNITIONS BY MAYOR

Star on the Mountain Award – Sergeants Major Academy's 50th Anniversary

The Regular City Council meeting was **RECESSED** at 9:45 a.m. in order to take photos with the groups being recognized

The Regular City Council meeting was **RECONVENED** at 10:06 a.m.

NOTICE TO THE PUBLIC

Motion made by Alternate Mayor Pro Tempore Lizarraga, 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, Anello, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

ABSENT: Representative Hernandez

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 June 7, 2022, the Agenda Review Meeting of June 6, 2022, the Work Session of June 6, 2022, the Special Meeting of June 6, 2022, the Work Session of May 23, 2022, the Work Session of June 6, 2020, and the March 30, 2020 Corrected Minutes.

CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Cassandra Hernandez from the Regular City Council Meeting of June 22, 2022.

CONSENT AGENDA - RESOLUTIONS:

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

3. *RESOLUTION

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

That the City Manager, or designee, be authorized to sign an Underground Electrical and Transformer Pad Easement, granting an easement to the El Paso Electric Company to provide electrical power to property located at the intersection of Hawkins Boulevard and Shuttle Columbia Drive, legally described as a 0.0357-acre Portion of Lot 2, Block 21, El Paso International Airport Tracts Unit 11, City of El Paso, El Paso County, Texas a subdivision recorded in Volume 71, Page 29, File No. 96028634 of the plat records of El Paso County, Texas.

4. *RESOLUTION

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

That the City Manager be authorized to sign a Consent to Assignment from MARTIN BUILDING, LLC, to 204 MILLS PARTNERS, LLC, with respect to the City of El Paso’s Chapter 380 Agreement for the renovation, restoration and rehabilitation of a commercial property located at 204 E. Mills, El Paso, Texas.

5. RESOLUTION

WHEREAS, Texas House Bill No. 4730, 86th Session of the Texas Legislature, Regular Session, created the City of El Paso Municipal Management District No. 1 (“MMD1”) effective January 1, 2020; and

WHEREAS, during the March 17th, 2020 regular council meeting, the City Council of the City of El Paso consented to the creation of the MMD1 located within the boundaries of the City of El Paso, Texas.; and

WHEREAS, the City Council of the City of El Paso, Texas appointed five persons to serve as initial directors for MMD1; and

WHEREAS, Section 375.064 of the Texas Local Government Code and Section 3972.0203 of Texas Special District Local Laws Code provide that each succeeding Board of Directors of the MMD1 (“Board”) shall recommend, to the City Council of the City of El Paso, persons to serve on the Board; and

WHEREAS, during the January 11th, 2022 meeting the Board approved recommending James Feagin, Brent D. Harris, and Scott Weaver be reappointed to the Board.

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

That the City Council of the City of El Paso hereby appoints the following persons to serve as Directors on the Board for the City of El Paso Municipal Management District No. 1, for four-year terms expiring in June 2026:

1. James Feagin
2. Brent D. Harris
3. Scott Weaver

Ms. Elizabeth Triggs, Economic and International Development Director, presented a PowerPoint presentation (copy on file in the City Clerk’s Office)

Representatives Annelo and Molinar commented.

1ST MOTION:

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

2ND AND FINAL MOTION:

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

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

NAYS: None

ABSENT: Representative Hernandez

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Goal 2: Set the Standard for a Safe and Secure City
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6.

***RESOLUTION**

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

That the City Manager be authorized to sign Addendum No. 1 to Collective Bargaining Agreement between the City of El Paso and El Paso Municipal Police Officers' Association relating to the implementation of the Lateral Police Officer Program.

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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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7.

***RESOLUTION**

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

THAT the City Manager be authorized to sign a First Amendment to the On-Call Agreement for Professional Services (Appraisal Services) between the City of El Paso and CBRE, Inc., (the "Agreement") amending the term of the Agreement from two years to three years; increasing the maximum contract amount for the term from \$100,000.00 to \$300,000.00; and providing for two one-year options to extend the Agreement with each option increasing the contract amount by an additional \$100,000.00, for a total contract amount, including options, not to exceed \$500,000.00.

8.

***RESOLUTION**

WHEREAS, Ordinance 16090 grants the El Paso Electric Company ("**El Paso Electric**") a franchise to construct, reconstruct, repair, maintain, use and operate in, over, or under the present and future streets, alleys, public ways parks, and public places of the City of El Paso, facilities for the transmission and distribution of electrical energy and broadband over power line communications; and

WHEREAS, Ordinance 16090 also provides that the City shall have the power at any time to require El Paso Electric to change the route or position of its poles, lines, conduits, or other construction at El Paso Electric's expense when the El Paso City Council shall find, by resolution, that such change is necessary in the closing, opening or relocation of streets or alleys, or water or sewer lines, the changing of grade of streets or alleys, the construction and maintenance of parks and public improvements, the construction of private buildings, the construction or use of driveways, and under other conditions which the City Council shall find necessary under the lawful exercise of its police power; and

WHEREAS, El Paso Electric currently has infrastructure and facilities located on various property, public spaces, and rights of way belonging to the City of El Paso; and

WHEREAS, the City Council, in Ordinance 16015, delegated the City Manager and/or his designees the authority to sign any documents and plans relating to City contracts or projects that need an official City Approval or authorization.

WHEREAS, the City Council, in Ordinance 16015, delegated the City Manager and/or his designees the authority to perform certain tasks or handle other items of an administrative nature that previously had come before the Council.

WHEREAS, the El Paso Electric shall be required to change the route or position or other construction at El Paso Electric's expense of its infrastructure that is necessary for the construction and maintenance of city public improvements.

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

1. That the City Council finds that the relocation of El Paso Electric poles, lines, conduits, other construction, or improvements is necessary when associated with various City of El Paso projects including but not limited to the closing, opening or relocation of streets or alleys, or water or sewer lines, the changing of grade of streets or alleys, the construction and maintenance of parks and public improvements, the construction of private buildings, the construction or use of driveways, and under other conditions.
2. That in accordance to Ordinance 16090, the City of El Paso requires the El Paso Electric Company to change the route or position of its poles, lines, conduits, or other construction at the El Paso Electric Company's expense.
3. That the City Manager or his/her designee is authorized to sign a Letter of Resolution, in a substantially similar format as shown in Exhibit A, directing El Paso Electric to change the route or position of its infrastructure in order to facilitate the construction and work associated with City construction projects.
4. That the City Engineer or his/her designee is authorized, and directed, to coordinate with El Paso Electric to identify the specific El Paso Electric infrastructure that will need to be relocated to accommodate the construction of the city improvements, any adjacent property, public areas, and rights of way.

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CONSENT AGENDA – BOARD APPOINTMENTS:
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Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
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9. *Motion made, seconded, and unanimously carried to **APPOINT** Holt Grambling to the Tax Increment Reinvestment Zone Number Five by Mayor Oscar Leeser.

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Goal 8: Nurture and Promote a Healthy, Sustainable Community
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10. *Motion made, seconded, and unanimously carried to **APPOINT** Alfredo Borrego to the Community Development Steering Committee by Representative Alexsandra Annello, District 2.

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CONSENT AGENDA – APPLICATION FOR TAX REFUNDS:
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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11. *Motion made, seconded, and carried to **APPROVE** the tax refunds listed on the attachment posted with this agenda be approved.
 1. Maria de Jesus Garcia, in the amount of \$2,500.00 made an overpayment on May 16, 2022 of 2021 taxes. (Geo. # M946-999-0130-1600)
 2. Texas Title, in the amount of \$2,505.94 made an overpayment on March 13, 2020 of 2019 taxes. (Geo. # T281-999-0050-1800)

3. Alcantar Enterprises, LLC, in the amount of \$5,991.97 made an overpayment on March 24, 2022 of 2021 taxes. (Geo. # V893-999-1130-4200)

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CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS:
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Goal 5: Promote Transparent and Consistent Communication Amongst All Members of the Community
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12. *Motion made, seconded, and unanimously carried to **NOTE** the receipt of campaign contribution of five hundred dollars or greater by Representative Claudia L. Rodriguez in the amount of \$2,500.00 from JP Bryan.

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CONSENT AGENDA – REQUEST TO ISSUE PURCHASE ORDERS:
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Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development:
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13. ***RESOLUTION**
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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager, or designee, is authorized to sign a Letter Agreement by and between the City of El Paso ("Sponsor") and EL PASO STADIUM OPERATIONS COMPANY, a series of MountainStar Baseball, LLC, a Texas series limited liability company (the "Club"), for the purpose of advertisement and promotion of The City of El Paso's International Airport until September 30, 2024.

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REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL
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Goal 3: Promote the Visual Image of El Paso
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14. **RESOLUTION**
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WHEREAS, El Paso is home to thousands of LGBTQIA+ people; and

WHEREAS, on June 9, 2020, the City Council of the City of El Paso accepted the donation of a Pride flag from EP Sun City Pride and has since then, displayed the Pride flag at City Hall in support of El Paso's LGBTQIA+ community; and

WHEREAS, the rainbow flag is widely recognized as a symbol of pride, inclusion, and support for social movements that advocate for LGBTQIA+ people in society; and

WHEREAS, all human beings are born free and equal in dignity and rights. LGBTQIA+ individuals have had immeasurable impact to the cultural, civic and economic successes of our country; and

WHEREAS, the City of El Paso is committed to supporting visibility, dignity and equality for LGBTQIA+ people in our diverse community; and

WHEREAS, while society at large increasingly supports LGBTQIA+ equality, it is essential to acknowledge that the need for education and awareness remains vital to end discrimination and prejudice; and

WHEREAS, this nation was founded on the principle that every individual has infinite dignity and worth, and the City of El Paso calls upon the people of this municipality to embrace this principle and work to eliminate prejudice everywhere it exists; and

WHEREAS, celebrating Pride Month influences awareness and provides support and advocacy for El Paso's LGBTQIA+ community, and is an opportunity to act and engage in dialogue to strengthen alliances, build acceptance and advance equal rights.

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

That the month of June 2022 shall be recognized as Pride Month in support of the LGBTQIA+ community.

That the City of El Paso recognizes all LGBTQIA+ residents whose influential and lasting contributions to our neighborhoods make the City of El Paso a vibrant community in which to live, work and visit.

That the City Council accepts the donation of a Progress Pride Flag from EP Sun City Pride; and

That on June 22, 2022, the City of El Paso will fly the Progress Pride Flag at City Hall in recognition of EP Sun City Pride; and

That every year, for the month of June, the City will fly the Progress Pride Flag at City Hall in support of El Paso's LGBTQIA+ community.

Representatives Annelo and Rivera commented.

The following members of the public commented:

1. Regina Mendoza, Sun City Pride Community Outreach Director
2. Leroy Edgar Herrera

1ST MOTION:

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

2ND AND FINAL MOTION:

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

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

NAYS: None

ABSENT: Representative Hernandez

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Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments
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15.

RESOLUTION

WHEREAS, in 1863, President Abraham Lincoln issued the Emancipation Proclamation declaring all slaves free; however, this freedom was not made known to many enslaved Black Americans until two years after its passage; and

WHEREAS, Juneteenth recognizes that on June 19, 1865, the last enslaved people in Galveston, Texas were informed that slavery had been abolished, and Black Americans who had been slaves in the Southwest celebrated June 19, commonly known as “Juneteenth Independence Day”, as inspiration and encouragement for future generations; and

WHEREAS, Juneteenth provides an opportunity for the City to celebrate Black American heritage and honor the lives, sacrifices, and contributions that are woven into the American fabric; and

WHEREAS, Juneteenth also acknowledges America’s commitment to liberty and equality in accordance with the Constitution of the United States, along with the Emancipation Proclamation, and the 13th Amendment to the Constitution which abolished slavery, ratified by Congress on December 6, 1865; and

WHEREAS, the candid acknowledgement of this history is necessary if we, as a nation, state, or city, are successful in our effort to build a truly equitable community that exemplifies and promotes the fundamental American values of freedom, diversity, equality, liberty, and justice; and

WHEREAS, there are many individuals and organizations around the City of El Paso, such as Black El Paso Voice and the Inter Club Council of El Paso, who focus their efforts to promote Black American voices and culture as well as to preserve Black American history and struggles;

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

THAT the City of El Paso recognizes June 19, 2022, as Juneteenth Independence Day in celebration of the culturally important role of emancipation and the work towards that liberation in our past, present and future; and recognizes and commends the efforts of organizations like Black El Paso Voice and the Inter Club Council of El Paso for promoting and preserving Black American culture in the City of El Paso.

Mayor Leeser and Representative Annello commented.

The following members of the public commented:

1. Ms. Monica Tucker, Black El Paso Voice Co-Funder

1ST MOTION:

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

2ND AND FINAL MOTION:

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

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

NAYS: None

ABSENT: Representative Hernandez

16.

RESOLUTION

WHEREAS all eight districts of the City of El Paso received a budget of \$375,000 to utilize on Neighborhood Improvement Projects as part of the fifth round of the 2012 Quality of Life Bonds Neighborhood Improvement Project funding; and

WHEREAS District 1 received funds in the total amount of \$459,415, which includes a rollover amount of \$84,415; and

WHEREAS the Borderland Neighborhood Association project requested \$64,350 to improve Borderland Park by purchasing and installing a security camera system; and

WHEREAS Borderland Park will receive partial funding in the amount of \$58,091; and

WHEREAS the City Council Representative for District 1 recommends the allocation of \$6,259.00 from District 1's discretionary funds to fully fund the Borderland Neighborhood Association's project; and

WHEREAS the City Council finds that the expenditure of District 1 discretionary funds serves a municipal purpose of setting the standard for a safe and secure city while enhancing El Paso's quality of life.

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

THAT, the City Council declares that the expenditure of the discretionary funds from City Council District 1 in the amount not to exceed \$6,259.00, to fund the Borderland Neighborhood Association's Project of purchasing and installing a security camera system for Borderland Park, serves a municipal purpose of setting the standard for a safe and secure city while enhancing El Paso's quality of life.

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.

1ST MOTION

*Motion made, seconded, and unanimously carried to **TAKE** the item with item #43.

2ND AND FINAL MOTION:

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

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

NAYS: None

ABSENT: Representative Hernandez

17. **ITEM:** Discussion and action to direct the City Manager to designate March 31st of each year as an official City of El Paso holiday as part of continued efforts to address systemic barriers to racism and better include, celebrate, and uplift communities of color in honor of Cesar Chavez Day.

Mayor Leeser and Representative Rivera commented.

The following members of the public commented:

1. Ms. Isela Castanon Williams
2. Ms. Dora Oaxaca
3. Mr. Jaime Abeytia
4. Ms. Sylvia Acosta

Letters of support from Congresswoman Veronica Escobar and State Senator Cesar Blanco were read into the record by Ms. Laura D. Prine, City Clerk.

1ST MOTION:

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

2ND AND FINAL MOTION:

Motion made by Representative Rivera, seconded by Representative Anello, and unanimously carried to **DIRECT** the City Manager to designate March 31st of each year as an official City of El Paso holiday as part of continued efforts to address systemic barriers to racism and better include, celebrate, and uplift communities of color in honor of Cesar Chavez Day.

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

NAYS: None

ABSENT: Representative Hernandez

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REGULAR AGENDA – OPERATIONAL FOCUS UPDATES
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Goal 7: Enhance and Sustain El Paso’s Infrastructure Network
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18. Texas Department of Transportation (TxDOT) operational update on projects currently in design and estimated completion dates for construction projects to include reporting on aesthetic/landscaping elements.

Ms. Jennifer Wright, TxDOT Public Affairs Officer, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Mayor Lesser and Representatives Svarzbein, Molinar, and Salcido commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

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The Regular City Council meeting was **RECESSED** at 11:30 a.m. for a lunch break.

The Regular City Council meeting was **RECONVENED** at 12:01 p.m.

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CALL TO THE PUBLIC – PUBLIC COMMENT:
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The following members of the public commented:

1. Ms. Judy Ackerman
2. Mr. Efrain Saucedo
3. Mr. Ron Comeau
4. Ms. Loretta Hyde
5. Ms. Sharon Miles Bonart
6. Mr. Charlie Sanders
7. Ms. Sabrina Soto

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REGULAR AGENDA – FIRST READING OF ORDINANCES:
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Motion made by Representative Rivera, seconded by Representative Annello, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Hernandez

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Goal 3: Promote the Visual Image of El Paso
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- 19.** An Ordinance changing the zoning of a portion of Tract 9A1, 9B1, Laura E. Mundy Survey 238 and a portion of Nellie D. Mundy Survey No. 244, City of El Paso, El Paso County, Texas from R-5/c (Residential/conditions) to C-2/c (Commercial/conditions) and from R-5/sp (Residential/special permit) to C-2 (Commercial) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: Generally North of Transmountain Road and East of Interstate 10

Applicant: EP Transmountain Residential, LLC. PZRZ22-00009

- 20.** An Ordinance granting Special Permit No. PZST22-00004, to allow for a governmental use, building (Environmental Service Department – Citizen Collection Station) on the property described as Lot 3, Block 1, Castner Range Subdivision #1, 9135 Stahala Drive, City of El Paso, El Paso County, Texas, Pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.

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

Subject Property: 9135 Stahala Drive

Applicant: City of El Paso, PZST22-00004

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21. An Ordinance changing the zoning of Tract 4-A-1, Tract 4-A-2, Tract 4-B, Tract 4-C, Tract 4-D, Block 14, Ysleta Grant, 8100 North Loop Drive, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-2 (Commercial), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: 8100 North Loop Drive
Applicant: Ray Mancera, PZRZ22-00001

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PUBLIC HEARING WILL BE HELD ON JULY 19, 2022 FOR ITEMS 19 THROUGH 21

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

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22. An Ordinance authorizing the City Manager to sign a Purchase and Sale Agreement, Special Warranty Deed and any other documents necessary to convey to Franklin Mountain Communities, LLC, approximately 1.73 acres of land being described as a portion of Section 20, Block 81, Township 1 and portion of Section 19, Block 80, Township 1, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas.

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PUBLIC HEARING WILL BE HELD ON JULY 6, 2022

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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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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 by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rivera, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing to issue a purchase order to Sirsi Corporation dba SirsiDynix referencing Contract 2019-814 Integrated Library Services System Software. This change order is to increase the contract by \$92,018.10 for a total amount not to exceed \$998,628.23. The change order is to add the maintenance of the SirsiDynix mobile app and inclusion of eResource Central gateway services and connectors for the remainder of the contract.

Contract Variance:
No contract variance

Department: Library
Award to: Sirsi Corporation dba SirsiDynix
Lehi, UT
Total Estimated Amount: \$92,018.10
Account No.: 239-522290-1000-15240-P1506
Funding Source: General Funds
District(s): All

This is a Sole Source, service contract

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

NAYS: None

ABSENT: Representative Hernandez

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

24. Motion made by Representative Rivera, seconded by Representative Lizarraga, and unanimously carried to **AWARD** Solicitation No. 2022-0194R Benefit Consulting Services to Gallagher Benefits Services, Inc., for an initial term of five (5) years for an estimated amount of \$738,750.00. The award also includes a three (3) year option for an estimated amount of \$443,250.00. The total contract value is, including the initial term plus options is eight (8) years, for an estimated amount of \$1,182,000.00.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$204,150.00 for the initial term, which represents a 38.19% increase due to higher hourly rates and new services added to this contract.

Department:	Human Resources
Award to:	Gallagher Benefits Services, Inc. Rolling Meadows, IL
Item(s):	All
Initial Term:	5 years
Option to Extend:	3 years
Annual Estimated Award:	\$ 147,750.00
Initial Term Estimated Award:	\$ 738,750.00 (5 years)
Option Term Estimated Award:	\$ 443,250.00 (3 years)
Total Estimated Award:	\$1,182,000.00 (8 years)
Account No.:	209-3500-14045-521160-P1414
Funding Source:	Self Insurance Fund
District(s):	All

This is a Request for Proposal, requirements contract.

The Purchasing & Strategic Sourcing and the Human Resources Departments recommend award as indicated to Gallagher Benefits Services, Inc., the highest ranked proposer based on evaluation factors established for this procurement. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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

NAYS: None

ABSENT: Representative Hernandez

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

25. Motion made by Representative Annelo, seconded by Representative Molinar, and unanimously carried to **AWARD** Solicitation 2022-0508 Pebble Hills Blvd, Airport Rd, Vista del Sol Dr, Arterial Lighting and Landscape Improvements to MARTINEZ BROS.

CONTRACTORS, LLC for Base Bid I: \$437,229.91, Base Bid II: \$1,182,994.67, Base Bid III: \$3,513,400.73 and Additive Alternate I: \$358,576.05 for a total estimated award of \$5,492,201.36. This project consists of arterial lighting and landscape improvements along Pebble Hills, Airport Rd. and Vista del Sol.

Department: Capital Improvement
Award to: MARTINEZ BROS. CONTRACTORS, LLC
El Paso, TX
Item(s): Base Bid I, II, III & Additive Alternate I
Initial Term: 570 Consecutive Calendar Days
Base Bid I: \$437,229.91
Base Bid II: \$1,182,994.67
Base Bid III: \$3,513,400.73
Additive Alternate I: \$358,576.05
Total Estimated Award: \$5,492,201.36
Account No.: 190 - 4745 - 28900 - 580220 - PCP20ST013
Funding Source: 2019 Capital Plan
District(s): 3,6,7

This is a Competitive Sealed Proposal, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to MARTINEZ BROS. CONTRACTORS, LLC the highest ranked offeror.

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.

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

NAYS: None

ABSENT: Representative Hernandez

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REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:
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Goal 2: Set the Standard for a Safe and Secure City

26. ITEMS 26 AND 27 WERE TAKEN TOGETHER

The City Clerk read an Ordinance entitled: **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.

27. The City Clerk read an Ordinance entitled: **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.**

The following City staff members presented a PowerPoint presentation (copy on file in the City Clerk's Office), and answered questions posed by Council members.

1. Ms. Dionne Mack, Deputy City Manager
2. Mr. Russel Abeln, Assistant City Attorney
3. Police Commander Steve Lopez
4. Assistant Police Chief Peter Pacillas
5. Mr. Tony De La Cruz, Building Permits and Inspections Assistant Director
6. Mr. Eric Gutierrez, Assistant City Attorney
7. Mr. Steve Alvarado, Code Enforcement Director

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

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Karla Nieman, City Attorney
3. Ms. Kristen Hamilton, Senior Assistant City Attorney

The following members of the public commented:

1. Mr. Keith Pannell
2. Mr. Ernesto Garcia
3. Mr. Joe Gudenrath
4. Ms. Dawn Ann Larios
5. Ms. Vanessa Duran
6. Mr. Anthony Duncan
7. Ms. Madison Poe
8. Ms. Stephanie Nebhan
9. Mr. Joe Nebhan
10. Mr. Michael Bray

- 11. Mr. Evan Tremper
- 12. Mr. Ian Voglewede
- 13. Mr. Frank Castro
- 14. Mr. Brandon Shannon
- 15. Mr. Cristo Garcia
- 16. Ms. Marcelli Del Valle
- 17. Ms. Edith Prado

Motion made by Representative Svarzbein, seconded by Representative Rivera and carried to direct staff to continue to conduct outreach with the community, businesses and the restaurant association, and others to create a better-balanced noise ordinance as well as a pathway for creating city approved entertainment districts and to return to council no earlier than 2023.

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

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Goal 3: Promote the Visual Image of El Paso

28. ITEMS 28 AND 29 WERE TAKEN TOGETHER

ORDINANCE 019340

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE FUTURE LAND USE MAP (FLUM) CONTAINED IN “PLAN EL PASO” FOR THE PROPERTIES LEGALLY DESCRIBED AS TRACT 1C, BLOCK 1 AND TRACT 1A, BLOCK 2, YSLETA GRANT, 9879 NORTH LOOP DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM O-3, AGRICULTURE TO G-7, INDUSTRIAL AND/OR RAILYARDS.**

29. ORDINANCE 019341

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 1C, BLOCK 1 AND TRACT 1A, BLOCK 2, YSLETA GRANT, 9879 NORTH LOOP DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-4/C (COMMERCIAL/CONDITION) AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

Representative Rivera commented.

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

AYES: Representatives Svarzbein, Molinar, Salcido, Rodriguez, and Rivera
 NAYS: Representative Annelo
 ABSENT: Representative Hernandez
 NOT PRESENT FOR THE VOTE: Representative Lizarraga

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

30. **ITEMS 30 AND 31 WERE TAKEN TOGETHER**

ORDINANCE 019342

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE FUTURE LAND USE MAP (FLUM) CONTAINED IN “PLAN EL PASO” FOR THE PROPERTIES LEGALLY DESCRIBED AS TRACT 2, 2B, AND 3D, BLOCK 2, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM O-3, AGRICULTURE TO G-4, SUBURBAN (WALKABLE).**

31. **ORDINANCE 019343**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACTS 2, 2B, AND 3D, BLOCK 2, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO A-O/C (APARTMENT/OFFICE/CONDITION), AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

NAYS: None

ABSENT: Representative Hernandez

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

32. **ORDINANCE 019344**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, BLOCK 4, RIVERSIDE INTERNATIONAL INDUSTRIAL CENTER, 9751 PAN AMERICAN DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO M-1 (LIGHT MANUFACTURING). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

NAYS: Representative Rodriguez
NOT PRESENT FOR THE VOTE: Representative Annello
ABSENT: Representative Hernandez

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

-
33. Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **POSTPONE TWO WEEKS** an Ordinance changing the zoning of Lot 27, Block 6, Stiles Gardens, 7249 Dale Road, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-1 (Commercial), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: 7249 Dale Road
Applicant: Scott Winton, PZRZ21-00031

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

Mr. Raul Garcia, Planning and Inspections Project Manager, commented.

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34. **ORDINANCE 019345**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 3A, NELLIE D. MUNDY SURVEY NO. 240, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO A-4 (APARTMENT), AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

Motion duly made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and carried that the Ordinance be **ADOPTED**.

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

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 6: Set the Standard for Sound Governance and Fiscal Management

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The City Clerk read an Ordinance entitled: **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.**

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

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

NAYS: None

ABSENT: Representative Hernandez

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

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REGULAR AGENDA – OTHER BUSINESS:
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Goal 3: Promote the Visual Image of El Paso
.....

36. ITEM: Discussion and action on the proposed programs and projects for inclusion as part of the Community Progress Bond.

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

Mr. Alex Hoffman, Capital Improvement Assistant Director, presented a PowerPoint presentation, (copy on file in the City Clerk’s Office).

The following City staff members commented:

1. Mr. Sam Rodriguez, Chief Operations and Transportation Officer
2. Mr. Robert Cortinas, Chief Financial Officer
3. Ms. Karla Nieman, City Attorney
4. Mr. Tommy Gonzalez, City Manager

Mr. Rick Bonart, citizen, commented.

1ST MOTION

Motion made by Representative Salcido, seconded by Representative Svarzbein, and carried to **FOCUS** on Streets and Infrastructure projects that include the Reconstruction, Resurfacing and Lighting (Top 50) and residential streets based on the PCI study, Connectivity, and Intersection Safety – Traffic Signals.

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

NAYS: Representative Molinar

ABSENT: Representative Hernandez

2ND MOTION

Motion made by Representative Annello, seconded by Representative Lizarraga, and carried to **DIRECT** staff to **RETURN IN TWO WEEKS** with a revised plan for Parks and Open Space projects that include all abilities playgrounds, shade structures, and NIP.

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

NAYS: Representative Rodriguez

ABSENT: Representative Hernandez

3RD AND FINAL MOTION

Motion made by Representative Svarzbein, seconded by Representative Annello, and carried to **DIRECT** staff to **RETURN IN TWO WEEKS** with a refined proposition that addresses a Climate Action and Urban Energy Plan and Implementation.

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

NAYS: Representative Molinar

ABSENT: Representative Hernandez

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37.

RESOLUTION

WHEREAS, Goal 1.1 of the Strategic Plan for the City of El Paso (“City”) is to stabilize and expand the City’s tax base through development and redevelopment of targeted corridors; and

WHEREAS, Alameda Avenue has been identified as a targeted City corridor based on criteria related to environmental justice, health and safety, mobility and transportation, and economic opportunity; and

WHEREAS, historically, Alameda Avenue has served as a major thoroughfare for the City and is part of the “Broadway of America,” a nearly 3,000-mile route connecting the east coast and the west coast of the United States; and

WHEREAS, the City conducted a public outreach and engagement campaign consisting of both in-person and virtual activities along the Alameda Avenue corridor, including a virtual public orientation, a virtual and in-person weeklong charrette, an online interactive public comment mapping tool, a project website and a story map; and

WHEREAS, at a work session meeting on March 28, 2022, the El Paso City Council reviewed the “Onward Alameda Plan” and provided input into its final draft; and

WHEREAS, the El Paso City Plan Commission, at its regular public meeting on May 5, 2022, unanimously recommended the adoption of the “Onward Alameda Plan”.

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

1. That the “Onward Alameda Plan” as attached hereto be adopted as the corridor masterplan for the Alameda Avenue corridor;
2. That the City Manager, or his designee, be authorized to begin implementation of the “Onward Alameda Plan” in a manner generally consistent with the recommended strategies and policies contained within the Plan and generally consistent with the recommended implementation matrix;
3. That the adoption of the “Onward Alameda Plan” shall not commit the City of El Paso to specific funding levels or implementation strategies, but shall provide guidance for the City’s vision for the future growth of the Alameda Avenue corridor.

Representative Svarzbein commented.

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

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

NAYS: None

ABSENT: Representative Hernandez

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

38.

RESOLUTION

WHEREAS, the City of El Paso seeks to improve the quality of life and protect the rights of women in El Paso; and

WHEREAS, advancing gender equity and justice, increasing access to education and health, and supporting women’s full participation in government are key factors in reducing poverty, increasing the well-being of women and creating fair, safe and secure communities; and

WHEREAS, the City of El Paso desires to identify and address inequities that women face; and

WHEREAS, the City of El Paso, in order to better recognize the rights and meet the needs of women, desires to provide greater cooperation, communication, and coordination of functions and services on a citywide basis.

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

That the Women's Rights Commission is hereby established to serve as an advisory body to the City Council concerning the needs and issues of women in the El Paso Region and shall recommend legislative initiatives, policies, programs, studies and projects designed to alleviate inequities that may confront women in social, health, education, economic, vocational pursuits and to help eliminate discrimination on the basis of sex in all phases of American society that are within the purview of City Council.

1. Membership

- a. The Women's Rights Commission shall consist of nine members, one appointed by each member of City Council.
- b. Each member of the Commission must be:
 - i. Eighteen years or older and reside in the City of El Paso;
 - ii. Must reside in the district for which the member has been nominated;
 - iii. Appointed based on their interest and experience in issues affecting women in the non-profit sector, business, socio-economic, education, childcare, legal rights, healthcare, housing, domestic and sexual violence and pay equity; and
 - iv. Not be involved in litigation against the City of El Paso.
- c. For the purposes of this Commission, a member is required to fulfill the requirements of board membership as prescribed by the City charter:
 - i. The member must have been a resident of the City of El Paso at least six months prior to their appointment; and
 - ii. Not be in any financial obligation to the City of El Paso.
- d. A random number draw will determine the roles of Board Chair and Vice-Chair.
 - i. An individual may serve no more than one two-year term in the role of Board Chair or Vice-Chair.

2. Terms

- a. Every member shall serve a two (2) year term that will begin in September and continue into August for two calendar years. An individual may serve no more than two (2) two-year terms on the Commission.
- b. Vacancies that occur due to reasons other than an expiration of a term are allowed to be filled by the appointing Member of City Council for the remainder of the unexpired term, as it applies to their own appointment slot. If appointed to fulfill an unexpired term, an individual may also serve two full two-year terms on the Commission.
- c. Each member will be eligible to serve no more than two (2) terms.

- d. The first terms of the Women's Rights Commission are to begin in September 2022 and will be filled every two years thereafter as prescribed by section 2(a) of this resolution.
- e. At the time the term of office of any member expires, the member shall continue to serve until his successor is appointed and qualified, or until thirty (30) days have passed following the expiration of the term, whichever event occurs first. Any holding over past the thirty (30) day period is prohibited, and after that time a vacancy shall exist.

3. Quorum

- a. Quorum will be achieved when a majority of all members appointed at a given time are present; provided that number is not less than three.

4. Duties

- a. The Women's Rights Commission shall act as an advisory body to the City Council, and shall;
 - i. Advise the City Council on issues impacting the Women of the City, which are within the purview of the El Paso City Council;
 - ii. Advise the City Council on practices that ensure equality in City programs, services, policies and practices for all persons; and
 - iii. Perform other duties as assigned by City Council.
- b.
 - i. The City Manager will designate a City department to provide administrative and technical support and to serve as the recording secretary to the Board.
- c. The first order of business for the newly created Women's Rights Commission is to vote on the acceptance of an annual Women's Rights Commission Strategic Document provided by the City of El Paso to be used as a guide for the operations of that year's Board.
 - i. The Women's Rights Commission Strategic Document will also provide the rules and regulations that will govern the Board.
 - ii. The rules and regulations from the Strategic Document will be consistent with the Charter of the City of El Paso, its ordinances, or the overall missions of the Women's Rights Commission to improve the quality of life and protect the rights of women in El Paso and being a resource to the City Council and City Manager.
- d. At the end of each Board term, or at least annually, the Women's Rights Commission shall submit an annual report on their activities for the year and present this report at a regular City Council meeting.

5. Effective Date. This resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of El Paso.

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

The following City staff members commented:

1. Ms. Tracey Jerome, Senior Deputy City Manager
2. Ms. Karla Nieman, City Attorney
3. Mr. Tommy Gonzalez, City Manager

The following members of the public commented:

1. Ms. Sylvia Acosta
2. Ms. Isela Castanon Williams
3. Ms. Dora Oaxaca

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 Rivera, seconded by Representative Salcido, and carried to **AMEND** the Commission name to insert the word "Rights" after the word "Women's" to read "City of El Paso Women's Rights Commission".

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

NAYS: Representative Molinar

ABSENT: Representative Hernandez

3RD MOTION:

Motion made by Representative Molinar, seconded by Representative Annelo, and carried to **AMEND** the Resolution by striking out the words "in depth knowledge" on page 1 under 1. Membership b.iii.

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

NAYS: None

ABSENT: Representative Hernandez

4TH AND FINAL MOTION:

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

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

NAYS: None

ABSENT: Representative Hernandez

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

39.

R E S O L U T I O N

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

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

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

WHEREAS, Paseo Del Este Municipal Utility District No. Six ("M.U.D. No. 6") requested review and approval of the issuance of the Unlimited Tax Bonds, Series 2022 Bonds Utility by M.U.D. No. 6 (the "Series 2022 Bonds"); and

WHEREAS, the City reviewed the proposed issuance of Series 2022 Bonds by M.U.D. No. 6 and desires to approve the issuance of the bonds.

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

That the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2022, in the estimated amount of \$5,380,000, by Paseo Del Este Municipal Utility District No. 6, with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

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

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

NAYS: None

ABSENT: Representative Hernandez

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40. *Motion made, seconded, and unanimously carried to **DELETE** the presentation of, and discussion and action on, the recommendations of the Ad Hoc Charter Advisory Committee.
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41. **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 City Manager be authorized to sign a Landscape Maintenance Agreement between the City of El Paso ("City") and the State of Texas, acting by and through the Texas Department of Transportation, whereby the City agrees to maintain certain landscape improvements on the Lockheed Drive/Sunglow Way Median Improvement project, located on US 62/180 (Montana Avenue).

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

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

NAYS: None

ABSENT: Representative Hernandez

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- 42.** Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **APPROVE** a deductive change order in the amount of \$273,689.01 to Jordan Foster Construction, LLC for the 2018-1613R Hawkins Boulevard Reconstruction Contract. The City Manager, or designee, is authorized to execute any documents and contract amendments needed to carry out this action.

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

NAYS: None

ABSENT: Representative Hernandez

Goal 8: Nurture and Promote a Healthy, Sustainable Community

- 43. ITEM:** Discussion and action on a Resolution approving recommendations, as set forth in Exhibit A and Exhibit B, for the Neighborhood Improvement Program (NIP) Round 5 projects funded under the 2012 Quality of Life (QOL) bond, and Round 4 Project Adjustment/Reallocations.

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

Representatives Svarzbein, Annelo, Molinar, Rivera, and Lizarraga commented.

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

The following members of the public commented:

1. Ms. Sylvia Carreon
2. Mr. Abraham Monteros

1ST MOTION

*Motion made, seconded, and unanimously carried to **TAKE** the item with item #16.

2ND AND FINAL MOTION:

Motion made by Representative Rivera, seconded by Representative Annelo, and carried to **POSTPONE** the item for **TWO WEEKS**.

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

NAYS: Representative Lizarraga

ABSENT: Representative Hernandez

EXECUTIVE SESSION

Motion made by Representative Annelo, seconded by Representative Rivera, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 5:14 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss the executive session items:

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.074 PERSONNEL MATTERS
- Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

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

Motion made by Representative Rivera, seconded by Representative Lizarraga, and unanimously carried to **ADJOURN** the Executive Session at 6:30 p.m. and **RECONVENE** the meeting of the City Council at which times motions were made.

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

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EX1. Purchase, sale, exchange or value of real property located in Northeast El Paso, Texas. Matter No. 21-1004-1393 (551.072)

Representatives Svarzbein and Rodriguez commented.

Ms. Karla Nieman, City Attorney, commented.

The following members of the public commented:

- 1. Mr. Rick Bonart
- 2. Ms. Sharon Bonart
- 3. Mr. Joe Garibay

NO ACTION was taken on this item.

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EX2. Max Grossman Lawsuit v. City of El Paso; Texas Supreme Court, Case No. 21-1105. Matter No. 17-1001-171.001 (551.071)

NO ACTION was taken on this item.

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EX3. Daniel Tovar v. City of El Paso Cause No.:2019DCV1249. Matter No. 19-1005-1751 (551.071)

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rivera, and unanimously carried that the City Attorney be **AUTHORIZED** to attend mediation and negotiate a settlement agreement for the case entitled Tovar, Daniel v. The City of El Paso; Cause No. 2019DCV1249. In addition, the City Attorney is authorized to sign all necessary documents to effectuate any such settlement under Matter No. 19-1005-1751.

AYES: Representatives Svarzbein, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga
NAYS: None
NOTE PRESENT FOR THE VOTE: Representative Annello
ABSENT: Representative Hernandez

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EX4. TGS Annual Gas Reliability Infrastructure Program ("GRIP") Application for Annual Interim Rate Adjustment - RRC #00008972. Matter No. 22-1008-189 (551.071)

Representative Svarzbein commented.

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rivera, and carried that the **CITY OF EL PASO**, after review of the Interim Rate Adjustment filed by Texas Gas Service Company, a division of ONE Gas, Inc., on March 10, 2022, **FINDS:**

1. That the Interim Rate Adjustment Request filed by Texas Gas Service Company, a division of ONE Gas, Inc., for the Incorporated Areas of the West Texas Service Area, including the City of El Paso, on March 10, 2022 is hereby **DENIED**.
2. That Texas Gas Service Company, a division of ONE Gas, Inc., is **ORDERED** to reimburse the City's expenses in reviewing this request within 30 days after it is invoiced.
3. That the City Attorney's Office, in consultation with the City Manager, is authorized to file an intervention in any Appeal filed by Texas Gas Service Company from the Action of the City Council of the City of El Paso. This Motion is intended to grant broad authority to the City Attorney's Office to take all action necessary to address these matters, including but not limited to, the initiation and response to any, litigation, complaints, appeals, administrative or judicial proceedings or process regarding this matter.

AYES: Representatives Svarzbein, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga
NAYS: None
NOTE PRESENT FOR THE VOTE: Representative Annello
ABSENT: Representative Hernandez

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EX5. Discussion regarding the value and purchase/sale of real property managed by the El Paso Water Utilities located in Central/East El Paso, Texas. Matter No. 21-1009-1122 (551.072)

NO ACTION was taken on this item.

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EX6. Purchase, sale or value of real property located in West El Paso. Matter No. 20-1004-1140 (551.072)

NO ACTION was taken on this item.

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EX7. Purchase, lease, exchange of real property located near East El Paso, Texas. Matter No. 22-1004-1384 (551.072)

NO ACTION was taken on this item.
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EX8. Purchase, lease, exchange of real property located in East El Paso, Texas. Matter No. 22-1004-1370 (551.072)

NO ACTION was taken on this item.

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EX9. Economic Incentives for a Technology Firm to be located in the City of El Paso. Matter No. 22-1007-2887 (551.087)

Ms. Elizabeth Triggs, Economic and International Development Director, commented.

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rivera, and carried that the City Manager is **AUTHORIZED** to negotiate and execute, on behalf of the City of El Paso, economic incentives to Finhabits Inc., a New York corporation, associated with the expansion of their operations into El Paso, Texas; in accordance with the "Term Sheet for Finhabits Skills Training Grant" attached to this Motion as "Exhibit A" and in a form and substance approved by the City Attorney to accomplish the intent of this Motion.

**Exhibit available in the City Clerk's Office.

AYES: Representatives Svarzbein, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga
NAYS: None
NOTE PRESENT FOR THE VOTE: Representative Annello
ABSENT: Representative Hernandez

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ADJOURN

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Motion made by Representative Rodriguez, seconded by Representative Lizarraga, and unanimously carried to **ADJOURN** this meeting at 6:49 p.m.

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

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk