

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

September 14, 2021
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY
9:00 AM

ROLL CALL

The City Council of the City Council met on the above date and time. Meeting was called to order at 9:04 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexandra Annello, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera and Cissy Lizarraga. Late arrival: Cassandra Hernandez at 9:05 a.m.

INVOCATION BY POLICE CHAPLAIN JOSEPH MARATTA

PLEDGE OF ALLEGIANCE

Glen Cove Elementary

Leia Romero
Atianna Guzman
Amaris Fernandez
Harmony Garcia
Natalia Rodriguez
Ella Mendoza
Danna Flores
Jarek Shaw
Layla Ortega
Dante Arreola
Madelyn Fonte
Melina Cervantes
Nicholas Sagaribay
Elina Beaty
Andrea Vazquez
Emily Bradley

MAYOR'S PROCLAMATIONS

Gold Out Childhood Cancer Awareness Month

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NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Svarzbein, 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, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera and Lizarraga

NAYS: None

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CONSENT AGENDA - APPROVAL OF MINUTES:

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

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1. *Motion made, seconded, and unanimously carried to **APPROVE** Approval of minutes of the Regular Meeting of August 24, 2021 and the Agenda Review Meeting of August 30, 2021.

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CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

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2. **REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

NO ACTION was taken on this item

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CONSENT AGENDA - RESOLUTIONS:

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Goal 3: Promote the Visual Image of El Paso

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3. ***RESOLUTION**

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

That the City Manager be authorized to sign certain Waste Exchange Agreement by and between the City of El Paso and El Paso Disposal, LP and Camino Real Environmental Center, Inc. joined for approval purposes by its parent company Waste Connections, Inc., to allow, on a quarterly basis and at no tipping fee except in certain circumstances, for the City to deposit up to 25,000 tons of acceptable waste in the Camino Real Landfill and to allow for El Paso Disposal, LP to deposit up to 25,000 tons of acceptable waste in the Greater El Paso Landfill.

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

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4. ***RESOLUTION**

WHEREAS, during the week of December 8, 2020, GarCom, Inc. performed and completed emergency fiber-repair work for the City after the City’s fiber was allegedly damaged by Ronan Boring, LLC, a subcontractor of GW Communication Solutions.

WHEREAS, GarCom, Inc. sought compensation for its emergency fiber-repair services from GW Communication Solutions.

WHEREAS, GW Communication Solutions, via its insurance carrier, Nationwide, wishes to pay GarCom, Inc. Eighty-Three Thousand Three Hundred Eighty-Four and 98/100 dollars (\$83,384.98) for the repair services it rendered.

WHEREAS, Nationwide is requiring that in consideration of the above payment to GarCom, Inc. the City sign a release discharging Ronan Boring, LLC and GW Communication Solutions from any property damage claim resulting from the fiber damage the City sustained on December 6, 2020.

WHEREAS, the City has inspected the repair work and is satisfied that the repairs were fully completed, it agrees to allow the payment to GarCom, Inc. to go forward.

WHEREAS, the City desires that GarCom, Inc. be awarded the proposed payment as compensation for the emergency repair services it provided to the City.

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

That the City Manager is authorized to sign the “Release of All Property Damage Claims” that stipulates that GarCom, Inc., will be paid the sum of Eighty-Three Thousand Three Hundred Eighty-Four and 98/100 dollars (\$83,384.98) for performing the emergency fiber-repair work.

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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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5. *R E S O L U T I O N

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

That the Mayor be authorized to sign a contract by and between the City of El Paso (City) and the City of El Paso Municipal Management District No.1 to join various other entities for whom the City acts as property tax assessor/collector.

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Goal 7: Enhance and Sustain El Paso’s Infrastructure Network
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The Regular City Council meeting was **RECESSED** at 9:43 a.m. to address technical issues.

The Regular City Council meeting was **RECONVENED** at 9:56 a.m.

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

WHEREAS, the City awarded Solicitation 2021-0509 Airport Rapid Transit Systems (RTS) to MIRADOR ENTERPRISES, INC. of El Paso, Texas, on July 20, 2021; and

WHEREAS, the parties were unable to come to an agreement on the finalization of the Contract for this solicitation; and

WHEREAS, pursuant to Section 6.9.1 of the General Conditions of Contract (Right of Owner to Terminate Contract) as set forth in the Solicitation, the City is authorized to terminate the Contract; and

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

That the Purchasing Director is authorized to notify MIRADOR ENTERPRISES, INC of El Paso, Texas, that the City is terminating Solicitation 2021-0509 pursuant to the provisions of Section 6.9. of the General Conditions, due to the parties not being able to agree on contract provisions in order to finalize the Contract for this Solicitation, and that the termination shall be effective as of September 14, 2021.

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

The following City staff members commented:

1. Mr. Sam Rodriguez, City Engineer
2. Mr. Bruce Collins, Purchasing and Strategic Sourcing Director
3. Mr. Tommy Gonzalez, City Manager
4. Ms. Karla Nieman, City Attorney

Mr. Ray Mancera, Representative for Mirador Enterprises, Inc., commented.

1ST MOTION

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

2ND MOTION

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

AYES: Representatives Svarzbein, Molinar, Salcido, and Rivera

NAYS: Representatives Annelo, Hernandez, Rodriguez, and Lizarraga

MAYOR LEESER BROKE THE TIE BY VOTING "NAY". THE MOTION FAILED.

3RD AND FINAL MOTION

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

AYES: Representatives Svarzbein, Annelo, Hernandez, Rodriguez, and Lizarraga

NAYS: Representatives Molinar, Salcido, and Rivera

7.

***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 Council approves a change order in the amount of One Hundred Forty Six Thousand and Eight Hundred Fourteen and 02/100 Dollars (\$146,814.02) to Allied Paving Company of El Paso, Inc. for the additional installation of median improvements on Airway Blvd under Contract No. 2018-656 Street Median and Parkway Landscape Improvements. This notice provides for the additional scope of work, which allows for additional capacity to the awarded contract. Forty (40) working days will be allowed for the completion of the work. The new contract sum, including this change order notice is Six Million Forty Four Thousand, Nine Hundred Ninety Eight and 00/100 Dollars (\$6,044,998.00).

8.

***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, or designee, be authorized to sign an Underground Electrical Easement, granting an easement to the El Paso Electric Company on the property located near the intersection of Alameda Avenue and Presa Place legally described as a portion of Tract 4-A, Block 47, Ysleta Grant, an addition to the City of El Paso, El Paso County, Texas.

Goal 8: Nurture and Promote a Healthy, Sustainable Community

9.

***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 Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and the Town of Horizon City, Texas, for the period of September 1, 2021 through August 31, 2022, for the provision of public health and environmental services by the City of El Paso to the Town of Horizon City, for which the Town of Horizon City shall pay to the City of El Paso an annual amount of ONE HUNDRED SEVENTY-FOUR THOUSAND FIVE HUNDRED FORTYTWO DOLLARS AND NO/100 (\$174,542.00).

10.

***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 Mayor be authorized to sign an Interlocal Agreement between the City of El Paso ("City") and Texas Tech University Health Sciences Center at El Paso ("TTUHSC"), for the period of September 15, 2021 through September 14, 2023, under which TTUHSC will do the following for the City's Department of Public Health's clinical laboratories: (1) provide a CLIA qualified faculty member to serve as the medical director; (2) review and approve quality control procedures; (3) make final determinations concerning abnormalities in clinical laboratory procedures; and (4) make recommendations on clinical procedure

manuals; for which the City will pay TTUHSC \$1,791.00 per month, for a maximum compensation not to exceed \$42,984.00 over the two-year term.

11.

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

WHEREAS, in 2017, funding for the Ending Homelessness Fund (EHF), a program administered by the Texas Department of Housing and Community Affairs (TDHCA), was established by the Texas State Legislature to address the needs of persons and families experiencing homelessness, or at risk of becoming homeless; and

WHEREAS, the City of El Paso's Department of Community and Human Development (DCHD) has been awarded \$51,804 of 2021-2022 EHF funds by the TDHCA to be executed under one contract for homelessness prevention, homeless assistance, and case management activities.

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

1. That the City Manager, or designee, is authorized to sign all contracts, contract amendments and related documents between the City of El Paso and the State of Texas and/or Texas Department of Housing and Community Affairs for 2021-2022 EHF funds; and
2. That the Director of DCHD be authorized to sign all contracts, amendments and related documents between the City of El Paso and agencies receiving sub-awards from the City (Sub-Grantee Agencies) for 2021-2022 EHF funds, as well as all certifications, performance reports, and related documents for TDHCA and Sub-Grantee Agencies. Further, that the City Manager or designee, is authorized to exercise all rights under the signed agreements including termination and reallocation of funds.

CONSENT AGENDA – SPECIAL APPOINTMENTS:

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

12.

R E S O L U T I O N

WHEREAS, by resolution dated September 3, 1996, the City of El Paso approved of the creation of the El Paso Downtown Management District ("District");

WHEREAS, pursuant to Chapter 375 of the Texas Local Government Code ("Code") the District was legally created by order of the Texas Natural Resources Conservation Commission on March 10, 1997;

WHEREAS, pursuant to Section 375.064(a) of the Code, the Board of Directors of the District ("Board") convened a meeting open to the public on August 26, 2021 for the purpose of recommending a slate of persons to serve as members of the Board; and

WHEREAS, pursuant to Section 375.064(b) of the Code, the City Council is required to approve or disapprove recommendations submitted by the Board.

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

That the City Council approve the recommendation of the Board of Directors of the El Paso Downtown Management District that the following persons be named directors of the District for the terms indicated:

<u>Nominee</u>	<u>Term #</u>	<u>Expiration Date</u>
Nadia Baem	1	August 2024
Edgar Lopez	1	August 2024
Edgar Orozco	1	August 2024
Mark Osborn	1	August 2024
Steve Ortega	2	August 2024
Bill Burton	4	August 2024
Eric Pearson	4	August 2024

Representative Annello commented.

Mr. Joe Gudenrath, Downtown Management District Executive Director, commented.

1ST MOTION

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

2ND AND FINAL MOTION

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

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

NAYS: Representatives Annello and Rodriguez

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CONSENT AGENDA – BOARD RE-APPOINTMENTS:
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Goal 8: Nurture and Promote a Healthy, Sustainable Community
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13. *Motion made, seconded, and unanimously carried to **REAPPOINT** Marc A. Salazar to the City Accessibility Advisory Committee by Representative Peter Svarzbein, District 1.
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CONSENT AGENDA – BOARD APPOINTMENTS:
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Goal 3: Promote the Visual Image of El Paso
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14. *Motion made, seconded, and unanimously carried to **APPOINT** Sebastian Alcazar to the Capital Improvements Advisory Committee by Representative Isabel Salcido, District 5.

15. *Motion made, seconded, and unanimously carried to **APPOINT** Kathleen Staudt to the City Plan Commission by Mayor Oscar Leeser.
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Goal 8: Nurture and Promote a Healthy, Sustainable Community
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16. *Motion made, seconded, and unanimously carried to **APPOINT** Mayra Gabriela Rodarte to the City Accessibility Advisory Committee by Representative Alexsandra Annello, District 2.

REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL

17. **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 Council declares that the expenditure of District 7 discretionary funds in an amount not to exceed \$1000 be donated to Books are Gems to pay towards the purchase of books and serves a municipal purpose of providing educational and cultural activities to the residents of the City of El Paso, which benefits the community and instills community pride.

That the City Manager be authorized to effectuate any budget transfer necessary to ensure that the funds are properly expended for such purpose and to execute any related agreements and amendments to such agreements.

Representative Rivera commented.

Ms. Emma Acosta, citizen, commented.

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

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

NAYS: None

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18. *Motion made, seconded, and unanimously carried to **POSTPONE TWO WEEKS** the discussion and action on the Renewable Generation Study completed by the El Paso Electric Company as required by Ordinance No. 019022, and a review of its mandated deliverables, including but not limited to: 1) the possible costs related to the integration of utility-scale renewable generation in the utility company's Texas service territory; 2) the legislative or regulatory changes that may be necessary to increase utility-scale renewable generation integration in the company's Texas service territory and the necessary legislative strategy to implement such changes; 3) the identification of grant opportunities for the company, the City, or both to increase the integration of renewable generation into the company's Texas generation portfolio; and 4) the identification of potential renewable generation programs to support low-income customers, such as incentives for distributed generation.

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

WHEREAS, Dorothy Ann Willis Richards passed away 15 years ago, after a fight with esophageal cancer; and

WHEREAS, Ann Richards served the state of Texas by teaching Texas schoolchildren, serving as County Commissioner in Travis County, serving as Texas State Treasurer, and finally serving as the Governor of Texas; and

WHEREAS, Ann Richards became the second female governor of Texas and remains the last woman to hold the position; and

WHEREAS, Ann Richards' lasting legacy includes her 1988 Democratic National Convention keynote address, the Ann Richards School for Young Women Leaders, as well as numerous awards and honors; and

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

That the City of El Paso recognizes Ann Richards' contributions and legacy throughout the remainder of the year by authorizing the placement of informational banners downtown.

That commemorating Governor Ann Richards' legacy serves the public purpose of inspiring new leaders.

Further, the City Manager is authorized to execute any related agreements, amendments to such agreements, and documents necessary to carry out the purpose of this Resolution.

Mayor Leeser and Representative Anello commented.

Ms. Margaret Justus, citizen, commented.

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

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

NAYS: None

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REGULAR AGENDA – OPERATIONAL FOCUS UPDATES
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Goal 2: Set the Standard for a Safe and Secure City
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20. Police Department Update – Ordinances.
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Assistant Police Chiefs Victor Zarur and Peter Pacillas presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein, Anello, Hernandez, Molinar and Rodriguez commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager

2. Ms. Karla Nieman, City Attorney
3. Mr. Eric Gutierrez, Assistant City Attorney

NO ACTION was taken on this item.

CALL TO THE PUBLIC – PUBLIC COMMENT

The following members of the public commented:

1. Mr. Arnulfo Hernandez
2. Mr. Jose M. Hernandez III
3. Mr. Jud Burgess
4. Ms. Wally Cech
5. Ms. Carol Henry Bohle

REGULAR AGENDA - FIRST READING OF ORDINANCES

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

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

NAYS: None

Goal 3: Promote the Visual Image of El Paso

21. An Ordinance changing the zoning of Lot 21, Block 2, 5984 Sixta Drive, Harvest Moons Farms, City of El Paso, El Paso County, Texas from RMH (Residential Mobile Home) to R-3 (Residential). 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: 5984 Sixta Drive

Applicant: Vista del Sol Architectural Design, PZRZ21-00010

PUBLIC HEARING WILL BE HELD ON OCTOBER 12, 2021

22. An Ordinance annexing the following real property described as a Portion of Section 17, Block 79, Township 3, Texas And Pacific Railway Company Survey, El Paso County, Texas.

Subject Property: East of Joe Battle Blvd. and South of Bob Hope Dr.

Applicant: Socorro Independent School District SUAX20-00001

23. An Ordinance renewing and extending the Special Privilege License granted to the United States of America, acting by and through the Department of the Navy, Naval Facilities Engineering Command Southeast, as owner of the Naval Operations Support Center (NOSC) El Paso, to permit the continued use, maintenance and repair of a surface encroachment of curbing, guttering and security fence over a portion of city right-of-way

along Truman Avenue and adjacent to the NOSC El Paso located at 4810 Pollard Street, El Paso, Texas; setting the license term for a term of one (1) year with seven (7) additional one (1) year renewal options.

Subject Property: 4810 Pollard
Applicant: United States of America, Department of the Navy,
NESV2021-00004

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PUBLIC HEARING WILL BE HELD ON SEPTEMBER 28, 2021 FOR ITEMS 22 AND 23
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24. An Ordinance changing the zoning of the following real property known as:

Parcel 1: A 770. 7639 acre parcel known as, All of S. J. Larkin Survey No. 267, a portion of Nellie D. Mundy Survey No. 246, a portion of Tract 1, S. J. Larkin Survey No. 268 and a portion of Tract 1A, S. J. Larkin Survey No. 269 located within the corporate limits of the City of El Paso, El Paso County, Texas from SCZ (Smart Code) to NOS (Natural Open Space); and,

Parcel 2: A 230.9228 acre parcel known as, A portion of Tract 1, Nellie D. Mundy Survey No. 246, a portion of Section 9, Block 82, Township 1, Texas and Pacific Railway Company Surveys and a portion of Tract 1, S. J. Larkin Survey No. 269, located within the corporate limits of the City of El Paso, El Paso County, Texas, from SCZ (Smart Code) to NOS (Natural Open Space). 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: Northwest El Paso, abutting the Franklin Mountain State Park
Applicant: City of El Paso - Capital Improvement Department c/o Santiago
Vallejo-Gutierrez; PZRZ21-00021

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PUBLIC HEARING WILL BE HELD ON OCTOBER 12, 2021
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REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:
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Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
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25. *Motion made, seconded, and unanimously carried to **POSTPONE FOUR WEEKS** 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.

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Goal 3: Promote the Visual Image of El Paso
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26. **ORDINANCE 019230**
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The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING FOR THE PROPERTY DESCRIBED AS TRACT 6A AND TRACT 6E, BLOCK 16,**
REGULAR CITY COUNCIL MEETING MINUTES SEPTEMBER 14, 2021 11

YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH-FARM) TO R-3 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

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

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

NAYS: None

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

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27.

ORDINANCE 019231

The City Clerk read an Ordinance entitled: **AN ORDINANCE APPROVING A SPECIAL PERMIT FOR A 29% PARKING REDUCTION FOR THE PROPERTY DESCRIBED AS PARCEL 1: LOT 1, BLOCK 1, J.C. MACHUCA ADDITION, PARCEL 2: ALL OF TRACT 1, A PORTION OF TRACT 2, AND A PORTION OF AN ABANDONED EL PASO NATURAL GAS CO. RIGHT-OF-WAY, SUNLAND COMMERCIAL DISTRICT, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Motion duly made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Salcido, and carried that the Ordinance be **ADOPTED**.

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

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

NAYS: None

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

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28.

ORDINANCE 019232

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST21-00005 TO ALLOW FOR A PROFESSIONAL OFFICE ON THE PROPERTY DESCRIBED AS LOT 7, BLOCK 111C, VISTA DEL SOL UNIT 20 REPLAT "B", CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 OF THE EL PASO CITY CODE. THE PENALTY AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

NAYS: None

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

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29. *Motion made, seconded, and unanimously carried to **POSTPONE TWO WEEKS** an Ordinance changing the zoning of a portion of F. Neve Survey No. 8, 4625 Delta Drive, City of El Paso, El Paso County, Texas, from R-5/SP (Residential/Special Permit) to C-2/SP/C (Commercial/Special Permit/Conditions) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **THIS IS A 211 CASE.**

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: 4625 Delta Drive
Applicants: The Upright Group LLC PZRZ20-00013

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30. *Motion made, seconded, and unanimously carried to **POSTPONE TWO WEEKS** an Ordinance granting Special Permit No. PZST21-00011, to allow for a small contractor's yard on the property described as a portion of F. Neve Survey No. 8, 4625 Delta 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: 4625 Delta Drive
Applicant: Erik Tijerina PZST21-00011

31. **ORDINANCE 019233**

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

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

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

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

NAYS: Representative Anello

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

32.

ORDINANCE 019234

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING THE 20-FOOT ALLEY WITHIN BLOCK 144, CAMPBELL ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

Motion duly made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rodriguez, and carried that the Ordinance be **ADOPTED**.

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

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

NAYS: None

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 7: Enhance and Sustain El Paso’s Infrastructure Network

33. *Motion made, seconded, and unanimously carried to **POSTPONE TWO WEEKS** an Ordinance amending Title (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.

REGULAR AGENDA – OTHER BUSINESS:

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

34.

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 an Agreement for Professional Services by and between the CITY OF EL PASO and **BRW ARCHITECTS, INC., a Texas corporation**, for a project known as “**FIRE STATION 38**” for an amount not to exceed \$553,787.00; that the City Engineer is authorized to approve and sign contract amendments for additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and to approve and sign contract amendments for Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if such services are necessary for the proper execution of the project and that

the increased amounts are within the appropriate budgets of the project for a total amount of \$653,787.00; and 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 the execution of the Agreement.

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

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

NAYS: None

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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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35.

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. Seven ("M.U.D. No. 7") requested review and approval of the issuance of the Unlimited Tax Bonds, Series 2021 Bonds Utility by M.U.D. No. 7 (the "Series 2021 Bonds"); and

WHEREAS, the City reviewed the proposed issuance of Series 2021 Bonds by M.U.D. No. 7 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 2021 Bonds in the estimated amount of \$3,660,000, by Paseo Del Este Municipal Utility District No. 7, with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried to **APPROVE** the Resolution.

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

NAYS: None

ADJOURN

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Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Anello, and unanimously carried to **ADJOURN** this meeting at 12:35 p.m.

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

NAYS: None

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk