

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

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

### ROLL CALL

The City Council of the City of El Paso met on the above time and date. Meeting was called to order at 9:06 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Cassandra Hernandez, Joe Molinar, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga. Peter Svarzbein joined via videoconference. Late arrival: Isabel Salcido at 9:29 a.m. Alessandra Annello requested to be excused. Early Departure: Isabel Salcido at 1:53 p.m.

### INVOCATION BY EL PASO POLICE, FIRE AND MINISTRY COORDINATOR FOR THE SHERIFF'S OFFICE, CHAPLAIN SAM FARAONE

### PLEDGE OF ALLEGIANCE

### MAYOR'S PROCLAMATIONS

Bernie Sargent Recognition Day

El Paso Neighborhood USA Conference Month

Probation, Parole and Pre-Trial Services Week

The Regular City Council meeting was **RECESSED** at 9:55 a.m. in order to take photos with the groups being recognized, convene the Mass Transit Board Meeting, and reconvene the July 5, 2022 Work Session.

The Regular City Council meeting was **RECONVENED** at 1:11 p.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, Hernandez Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None  
ABSENT: Representative Annello

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**CONSENT AGENDA - APPROVAL OF MINUTES:**  
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**Goal 6: Set the Standard for Sound Governance and Fiscal Management**  
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1. \*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes of the Regular City Council Meeting of June 22, 2022, the Agenda Review of June 21, 2022, the Work Session of June 21, 2022, and the Work Session of June 8, 2020.

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

\*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Aleksandra Annello from the Regular City Council Meeting held on Wednesday, July 06, 2022.

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**CONSENT AGENDA - RESOLUTIONS:**  
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**Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development**  
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3. **\*RESOLUTION**

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

That, the City Manager is authorized to sign an amendment to an Event Support Contract between the City of El Paso ("City) and Consortium Productions ("CRIT") for the 2022 Sun City Crit re-scheduled for September 17, 2022.

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**Goal 2: Set the Standard for a Safe and Secure City**  
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4. **\*RESOLUTION**

**WHEREAS**, the City of El Paso is eligible to receive grants from the Texas Department of Motor Vehicles through the Motor Vehicle Crime Prevention Authority (MVCPA) grant program to provide financial support to the El Paso Police Department for automobile theft enforcement teams and to combat automobile burglary in El Paso, pursuant to the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57; and

**WHEREAS**, the El Paso City Council finds that the MVCPA FY2023 grant program will assist the City of El Paso to combat motor vehicle theft, burglary of motor vehicles and fraud-related motor vehicle crime; and

**WHEREAS**, the El Paso City Council agrees that in the event of loss or misuse of the MVCPA grant funds, the City of El Paso assures that the grant funds will be returned in full to MVCPA; and

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

1. That the City Manager, or designee, be authorized to submit an MVCPA FY2023 grant application in the amount of \$975,265.00 and to accept, alter, decline, modify, terminate and/or execute all necessary documents related to the grant.
2. That the City of El Paso agrees to provide a cash match in the amount of \$37 ,420.00 and in-kind match of salaries and benefits for sworn officers and civilian positions and contractual obligations.
3. That the El Paso Police Department Auto Theft Task Force Lieutenant or designee is designated as the Program Director.
4. That the City of El Paso's Chief Financial Officer, or designee, is designated as the Financial Officer for this grant.

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5.

**\*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 Contract No. 2022-0491R Stress Management for Firefighters between the City of El Paso ("City") and Integrity Employee Assistance, Inc., dba WellConnect for stress management services for the Fire Department employees and employees' dependents for a three (3) year term from the effective date and one (1) option to extend for two (2) years under the same terms to be exercised by the City Manager, for an estimated total cost of \$240,000 for the first term and an estimated total cost of \$400,000 including the option to extend; and that service provider is to be paid based on the services performed.

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

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6.

**\*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 Retail Lease by and between the CITY OF EL PASO ("Landlord") and UETA of Texas Inc. ("Tenant") for use of the property known as 780 S. Zaragoza Rd., El Paso, Texas for an initial term of ten (10) years with two (2) renewal terms of an additional terms of 10 years each.

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

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7.

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

**WHEREAS**, the City Council of the City of El Paso finds that it would be in the best interest of the public to authorize offset angle parking for approximately 145 ft along the east side of 1400 block of N Boone St from Trowbridge Dr to alley.

**WHEREAS**, the City Council of the City of El Paso further finds, in accordance with Section 12.44.050 (Angle parking-Offset parking) of the El Paso Municipal Code, that said street docs not carry more than 4,000 vehicles per average day, nor more than 500 vehicles per hour for any consecutive three hours of an average day; and that adequate provisions has been made for the free and unobstructed passage of pedestrian traffic thereof;

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

**THAT** the City Traffic Engineer is hereby authorized and directed to designate Five (5) offset angle parking spaces on the east side of N Boone St from Trowbridge Dr to the alley approximately 145 ft south of Trowbridge Dr. Said right-of-way shall be used for public parking and cannot be used to satisfy the off-street parking required by City Ordinance for the adjacent properties. Said right-of way is not designated for the exclusive use of any person, entity, or adjacent property owner. This resolution does not grant any property rights to any person, entity, or adjacent property owner to said right of way or parking spaces.

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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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8. \*Motion made, seconded, and unanimously carried to **RE-APPOINT** Phillip T. Laign to the City Accessibility Advisory Committee by Representative Claudia L. Rodriguez, District 6.  
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**CONSENT AGENDA – BOARD APPOINTMENTS:**  
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**Goal 6: Set the Standard for Sound Governance and Fiscal Management**  
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9. \*Motion made, seconded, and unanimously carried to **APPOINT** Martha E. Piekarski to the Tax Advisory Committee by Mayor Oscar Leeser.  
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**Goal 8: Set the Standard for Sound Governance and Fiscal Management**  
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10. \*Motion made, seconded, and unanimously carried to **APPOINT** Rondriques A. Jackson to the Veteran Affairs Advisory Committee by Representative Alexsandra Annello, District 2.  
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11. \*Motion made, seconded, and unanimously carried to **APPOINT** Lisa Turner to the Women’s Rights Commission by Mayor Oscar Leeser.  
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**CONSENT AGENDA – REQUEST TO ISSUE PURCHASE ORDERS:**  
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**Goal 7: Enhance and Sustain El Paso’s Infrastructure Network**  
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12. \*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing to issue a Purchase Order to Stiles General Contractors LLC referencing Contract 2021-0635 Grounds Maintenance Mowing - Parks. This will be a change order to increase the award by \$156,518.40 for a total amount not to exceed \$1,680,902.40. This change order will cover expenses for the remainder of the contract expiring on May 11, 2024.

Department:	Streets and Maintenance
Award to:	Stiles General Contractors LLC
El Paso, TX	
Total Estimated Amount:	\$156,518.40
Account No.:	532 - 2305 - 522210 - 32120 - P3215
Funding Source:	Environmental Fee Fund
District(s):	All

This is a Best Value, unit price contract

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13. \*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing to issue a Purchase Order to Gordon’s Specialties, Inc. dba G.S.I. Highway Products referencing Contract 2021-0077 Guardrails and Wooden Posts. This will be a change order to increase the award by \$178,350.00 for a total amount not to exceed \$891,750.00. This change order will cover expenses for the remainder of the contract expiring on March 15, 2024.

Department: Streets and Maintenance  
Award to: Gordon’s Specialties, Inc. dba G.S.I. Highway Products  
Hutchins, TX  
Total Estimated Amount: \$178,350.00  
Account No.: 532 - 1000 - 532030 - 32120 - P3210  
Funding Source: General Fund  
District(s): All

This is a low bid, unit price contract.

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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**

**WHEREAS**, El Paso native Ivan Melendez, known as the “Hispanic Titanic,” is an American college baseball infielder for the Texas Longhorns; and

**WHEREAS**, Ivan Melendez played as the first team All-State third baseman as a senior at Coronado High School for head coach Juan Orozco and was named the 2017 district Offensive Most Valuable Player and the 2016 Newcomer of the Year; and

**WHEREAS**, Melendez spent his first two college seasons as a third baseman at NJCAA school, Odessa College, where during his freshman season, he played third base hitting .411 with 17 homers, 70 RBI and a slugging percentage of .896 and was named third-team Division I All- American by the NJCAA. Melendez’s sophomore season was cut short due to COVID-19. However, during the shortened season, Melendez batted .354 with seven doubles, three triples and four homers; and

**WHEREAS**, in 2021, Melendez committed to UT Austin as a redshirt sophomore. During his first season as a Texas Longhorn, he hit .319 with 13 doubles, 3 triples, 13 home runs, and driving in 51 RBI’s. Melendez is known for hitting the go-ahead home run against Mississippi State in the College World Series. He also earned 2021 First-Team All-Big 12 honors and All College World Series honors; and

**WHEREAS**, after being selected in the 16th round of the 2021 Major League Baseball draft by the Miami Marlins, Melendez chose to return to Texas for his junior year; and

**WHEREAS**, in 2022, Melendez returned to the Longhorns where he hit .387 with 96 hits, 94 RBI’s, and 32 home runs. Furthermore, the 32 home runs hit by Melendez broke Kyle

Russell's school record and Kris Bryant's national home run record since the BBCOR bats were introduced in 2011. Melendez won many conference and national awards in 2022. In the Big 12 Conference, Melendez won Big 12 Player of the Year and also won first team all-Big 12.

**WHEREAS**, on June 17, 2022, Ivan Melendez was named the 35<sup>th</sup> recipient of the 2022 Dick Howser Trophy as the outstanding player in college baseball; and

**WHEREAS**, the junior from El Paso, Texas, is the fourth Longhorn to win the Dick Howser Trophy; and

**WHEREAS**, Melendez also has been named national player of the year by Collegiate Baseball newspaper and Perfect Game, and is a consensus All-American.

**WHEREAS**, on June 24, 2022, Ivan Melendez was also named the 2022 Golden Spikes Award winner, making him the first Texas Longhorn to receive the award in program history.

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

1. THAT the City of El Paso commends El Pasoan Ivan Melendez for a successful 2022 season as a Texas Longhorn;
2. Recognizes the many achievements of Ivan Melendez throughout his years as a college baseball player;
3. Recognizes Ivan Melendez's family, friends and fans for their dedication and support; and
4. Celebrates the month of July 2022 as Ivan Melendez Month in honor of El Paso Native and Texas Longhorn Ivan Melendez for being named the 35<sup>th</sup> recipient of the 2022 Dick Howser Trophy presented by The Game Headwear and the first Texas Longhorn in program history to be named the 2022 Golden Spikes Winner.

Representative Rivera commented and read the Resolution into the record.

Mayor Leeser and Representative Lizarraga commented.

Special guests, Ivan Melendez, honoree, and Ms. Melendez commented.

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

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

NAYS: None

ABSENT: Representative Annello

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**REGULAR AGENDA – OPERATIONAL FOCUS UPDATES**

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

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15. Presentation and discussion on the Capital Improvement 3rd quarter update for active, programmed, and completed capital projects.

Mr. Jerry DeMuro, Capital Improvement Assistant Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein and Hernandez commented.

**NO ACTION** was taken on this item.

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

1. Ms. Wally Cech
2. Mr. Ron Comeau
3. Mr. Benjamin Alva
4. Ms. Julia Krampe
5. Ms. Barbara Valencia
6. Ms. Katie Holt
7. Ms. Colette Bowar

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**REGULAR AGENDA – FIRST READING OF ORDINANCES:**  
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Motion made by Representative Rivera, seconded by Representative Rodriguez, 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, Hernandez, Molinar, Rodriguez, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

ABSENT: Representative Anello

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**Goal 3: Promote the Visual Image of El Paso**  
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16. An Ordinance adopting the "El Paso Complete Streets Policy - July 2022" as an addendum to the City of El Paso's Comprehensive Plan, "Plan El Paso".

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**PUBLIC HEARING WILL BE HELD ON JULY 19, 2022**  
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17. An Ordinance changing the zoning of a portion of the East 300 feet of North 150 feet of South 165 feet of Tract 9-D, First Supplemental Map of Parkland Addition, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-O (Apartment/Office) 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: North of Woodrow Bean Transmountain Drive and East of Bomarc Street  
Applicant: CEA Group, PZRZ22-00015

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**PUBLIC HEARING WILL BE HELD ON AUGUST 2, 2022**  
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**Goal 6: Set the Standard for Sound Governance and Fiscal Management**  
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18. An Ordinance authorizing the City Manager to sign an Offer to Sell, a deed, and any other documents necessary to convey approximately 1.432 acres of land to the United States of America and its assigns, Department of Homeland Security, U.S. Immigration and Customs Enforcement, legally described as portion of Sections 33 and 40, Block 80, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas.

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**PUBLIC HEARING WILL BE HELD ON JULY 19, 2022**  
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**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:**  
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**Goal 2: Set the Standard for a Safe and Secure City**  
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19. Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rodriguez, and unanimously carried to **AWARD** Change Order 7 for Solicitation 2021-0811, Fire Station 10 (FS 10) Renovation to Veliz Construction for a total estimated award of \$1,771,017.59.

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

Representative Rivera commented.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

ABSENT: Representative Annello  
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**Goal 7: Enhance and Sustain El Paso’s Instruction Network**  
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20. Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rodriguez, and unanimously carried to **AWARD** Solicitation 2022-0398 Schuster Avenue Reconstruction to Jordan Foster Construction, LLC for an estimated total amount of \$6,795,718.50. This contract will consist of full street reconstruction roadway improvements to Schuster Avenue from Prospect Street to Campbell Street excluding the intersections at Mesa Street, Oregon Street and Stanton Street.

Department: Capital Improvement  
Award to: Jordan Foster Construction, LLC  
El Paso, TX  
Item(s): Base Bid I, Base Bid II, Base Bid III and Base Bid IV  
Initial Term: 395 Consecutive Calendar Days  
Base Bid I: \$4,956,417.50  
Base Bid II: \$588,418.00  
Base Bid III: \$447,508.00  
Base Bid IV: \$803,375.00  
Total Estimated Award: \$6,795,718.50  
Funding Source: 2018 Certificates of Obligation  
Accounts: 190-4743-580270-38290- PCP18ST012  
District(s): 8



This is a Competitive Sealed Proposal, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Jordan Foster Construction, LLC the highest ranked offeror and that Spartan Construction of Texas, Inc., be deemed non-responsive for not using the required bid bond form.

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

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21. Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rodriguez, and unanimously carried to **AWARD** Solicitation 2022-0589 Doniphan Traffic Signals to ZTEX CONSTRUCTION, INC. for an estimated total amount of \$1,423,491.70. The project scope consists of installation of traffic signals to address traffic congestion control deficiencies that will result in enhancing the intersection of Doniphan and Bird and Doniphan and West Green for pedestrians and vehicular traffic.

Department:	Capital Improvement
Award to:	ZTEX CONSTRUCTION, INC. El Paso, TX
Item(s):	Base Bid I and Base Bid II
Initial Term:	120 Consecutive Calendar Days
Base Bid I:	\$612,720.80
Base Bid II:	\$810,770.90
Total Estimated Award:	\$1,423,491.70
Funding Source:	2017 Capital Plan
Accounts:	190-4721-580270-38290- PCP17ST031 190-4741-580270-38290- PCP17ST028
District(s):	8

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to ZTEX CONSTRUCTION, INC., the lowest responsive and responsible bidder.

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

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, Hernandez, Molinar, Rodriguez, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

ABSENT: Representative Annello

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22. Motion made by Representative Molinar, seconded by Representative Rodriguez, and unanimously carried to **AWARD** Solicitation No. 2022-0618 Vehicle Offsite Fueling (Re-Bid) to Alon Brands, Inc. for an initial term of three (3) years for a total estimated award of \$2,595,000.00. The award also includes a two (2) year option for an estimated amount of \$1,730,000.00. The total value of the contract is, including the initial term plus the option for a total of five (5) years, for an estimated amount of \$4,325,000.00. The award of this contract will allow for the fueling of City fleet at offsite locations.

Contract Variance:  
No contract variance

Department:	Streets and Maintenance
Vendor:	Alon Brands, Inc. Dallas, TX
Initial Term:	3 years
Option Term:	2 years
Annual Estimated Award:	\$865,000.00
Initial Term Estimated Award:	\$2,595,000.00 (3 years)
Total Estimated Award:	\$4,325,000.00 (5 years)
Account No.:	560 - 3600 - 531240 - 37020 - P3701
Funding Source:	Internal Service Fund
District(s):	All

This is a Low Bid Requirements contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Department recommends award as indicated to Alon Brands, Inc., the sole, lowest and responsible bidder. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

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

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**REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:**  
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**Goal 3: Promote the Visual Image of El Paso**  
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**23. ORDINANCE 019347**  
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The City Clerk read an Ordinance entitled: **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.**

Mr. Raul Garcia, Project Manager, read additional conditions into the record.

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

The following members of the public commented:

1. Ms. Rodolfo Rodriguez
2. Ms. Elva Villagran
3. Mr. Scott Winton, developer

**1<sup>ST</sup> MOTION**

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Hernandez, and unanimously carried to **TAKE THE ITEM** before the First Reading of Ordinances.

**2<sup>ND</sup> AND FINAL MOTION**

Motion duly made by Representative Hernandez, seconded by Representative Rivera, and carried that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

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

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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**Goal 6: Set the Standard for Sound Governance and Fiscal Management**  
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**24. ORDINANCE 019348**  
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The City Clerk read an Ordinance entitled: **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.**

Motion duly made by Representative Molinar, seconded by Representative Rodriguez, and carried that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

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

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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**REGULAR AGENDA – OTHER BUSINESS:**  
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**Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development**  
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**25. RESOLUTION**  
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**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign a Chapter 380 Economic Development Program Agreement (“Agreement”) by and between **CITY OF EL PASO** (“City”) and **PARRADAME FAMILY PARTNERSHIP, LP** (“Applicant”) in support of the rehabilitation of a 100-year-old mixed-use building located in the downtown El Paso. The Agreement requires the Applicant to make a minimum investment of \$481,000. Over the term of the Agreement the City will provide performance-based incentives in an aggregate amount not to exceed \$47,665.

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

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

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**Goal 4: Enhance and Sustain El Paso’s Quality of Life through Recreational, Cultural and Educational Environments**  
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**26. RESOLUTION**  
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**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the Mayor is authorized to sign an Interlocal Agreement by and between the City of El Paso (“City”) and the El Paso Independent School District (EPISD) to provide access to the City’s OverDrive Digital Resource Collection through EPISD’s single sign-on platform, thereby allowing EPISD students in grades K-12 to access Public Library Connect, a program that extends the City’s Public Library digital collection and helps children gain greater access to reading materials.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

ABSENT: Representative Annello

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**Goal 7: Enhance and Sustain El Paso’s Infrastructure Network**  
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**27. RESOLUTION**

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

**THAT** the City Manager, or designee, be authorized to sign an Advance Funding Agreement by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for Traffic Management Center Upgrade Phase 2 project, which has an estimated total project cost of \$9,164,503.00 of which the estimated local government participation amount is estimated at \$725,914.00. Further, that the City Manager, or designee, is authorized to sign all documents, agreement amendments, and perform all actions required to carry out the obligations of the City under this agreement.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

ABSENT: Representative Annello

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**Goal 8: Nurture and Promote a Healthy, Sustainable Community**  
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**28. \*Motion made, seconded, and unanimously carried to **POSTPONE TWO WEEKS** the 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.**

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**29. RESOLUTION**

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

That the City Manager, or designee, be authorized to sign and submit to the Department of Housing and Urban Development (HUD) the 2022-2023 Annual Action

Plan, Form SF-424 and Form SF-424 D, all certifications and assurances contained therein, and any documents necessary to comply with HUD requirements; and

That the City Manager, or designee, be authorized to sign Grant Agreements with HUD for the four entitlement grants covered by the Annual Action Plan: the Community Development Block Grant, the Emergency Solutions Grant, the HOME Investment Partnerships Program and the Housing Opportunities for Persons with AIDS Program; and

That the City Manager, or designee, be authorized to sign all Letters of Support, Certifications of Local Government Approval, Release of Liens, Assurances and Certifications of Consistency with the Consolidated Plan required by HUD or the State of Texas for grant applications or applications for Low Income Housing Tax Credits for programs covered by the Consolidated Plan or related Community Development programs; and

That the City Manager, or designee, subject to completion of environmental review, be authorized to sign all contracts and documents with the agencies, entities, persons, and/or City departments approved for funding under the programs in the 2022-2023 Annual Action Plan related to the implementation and performance of the activities contained in the 2022-2023 Annual Action Plan and corresponding programs. The City Manager, or designee, is authorized herein to sign amendments to such contracts which add to or reduce funding, including but not limited to the removal of the obligation of funds by mutual termination, and extensions to the contract period; and

That the City Manager, or designee, be authorized to sign all Environmental Assessments, Requests for Release of Funds, Certifications, and Performance Reports required by the U.S. Department of Housing and Urban Development for activities covered by the 2022-2023 Annual Action Plan and related Community Development programs; and

That the City Manager, or designee, be authorized to sign agreements to secure matching funds which add to amounts allocated under the regular CDBG budget; and to sign amendments to matching fund agreements, including extensions to the contract period.

That the City Manager, or designee, be authorized to sign all amendments, subordination agreements, loan modification agreements, release of liens, assumption agreements, and other similar documents related to transactions performed under all previous Action Plans and previous entitlement grants provided such documents are approved by the City Attorney's office as to form and comply with department policies and procedures; and

That the City Manager be authorized to execute letters of support, certifications, and other similar documents, that allow third parties to secure funding from state, federal, and local agencies which further the goals of the City's Annual Action Plan.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

ABSENT: Representative Anello

**RESOLUTION**

**WHEREAS**, in 2009, funding for the Homeless Housing and Services Program (HHSP), a program administered by the Texas Department of Housing & 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 Department of Community and Human Development (DCHD) is projecting level funding from the previous year, which would result in TDHCA appropriated General Revenue Funds in the amount of \$474,257 to award to the City of El Paso under 2022- 2023 HHSP funding to be executed under two contracts; one contract for general HHSP funds totaling \$348,133 for homelessness prevention, homeless assistance and case management activities; the other for youth set-aside funds totaling \$126,124 for transitional housing, essential services and case management activities. The period of both contracts to run through August 31<sup>st</sup>, 2023.

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

1. That the City Manager be authorized to sign all contracts, contract amendments and related documents between the City of El Paso and the State of Texas and/or TDHCA for 2022- 2023 HHSP 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 2022-2023 HHSP funds, as well as all certifications, performance reports, and related documents for TDHCA and Sub-Grantee Agencies.

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

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

**EXECUTIVE SESSION**

Motion made by Representative Rivera, seconded by Representative Rodriguez, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 2:27 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 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

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

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the Executive Session at 4:13 p.m. and **RECONVENE** the meeting of the City Council at which times motions were made.

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

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**EX1.** Sinegal, Albert vs. City of El Paso; USDC Cause No. 3:19-CV-00107-KC; Matter No. 19-1026-10374 (551.071)

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rivera, and unanimously carried that the City Attorney's Office in consultation with the City Manager be **AUTHORIZED** certain authority to negotiate a settlement of Sinegal v. City of El Paso, et al., Cause# 3: I 9-cv-00107-KC in its entirety.

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

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**EX2.** Application for Approval of Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fees, Public Utility Commission of Texas Docket No. 52040. Matter No. 21-1008-168 (551.071)

**NO ACTION** was taken on this item.

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**EX3.** Petition for El Paso Electric Company for Authority to Revise its Fixed Fuel Factor, Public Utility Commission of Texas Docket No. 53723. Matter No. 22-1008-197 (551.071)

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rivera, and unanimously carried that the City Attorney, is **AUTHORIZED** to retain outside counsel and any other necessary consultants, in consultation with the City Manager, to file an intervention in the Petition of El Paso Electric Company for Authority to Revise its Fixed Fuel Factor, filed on June 15, 2022, under the Public Utility Commission Docket No. 53723.

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

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**EX4.** Texas Gas Service Company, a Division of ONE Gas, Inc. application to increase gas utility rates. Matter No. 22-1008-198 (551.071)

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rivera and unanimously carried that the City Attorney is **AUTHORIZED** to retain Outside Counsel and any other necessary consultants, in consultation with the City Manager, to file an intervention in the Texas Gas Service Company, a Division One Gas Inc., Statement of Intent to Change Gas Utility Rates within the Incorporated Areas of the Borger Skellytown Service Area and West Texas Area submitted on June 30, 2022.

Further resolved that the City Council finds after review of the Statement of Intent to Change



Gas Utility Rates:

1. That pursuant to Texas Utilities Code §104.107, the proposed rate increase is hereby suspended for 90 days after the date the schedule would otherwise be effective;
2. That the City Attorney is authorized to file a petition to intervene in Railroad Commission of Texas Case No. 00009896 Statement of Intent of Texas Gas Service Company, a division of ONE Gas, Inc. to Change Gas Utility Rates within the unincorporated Areas of the West Texas Service Area, the North Texas Service Area, and the Borger Skellytown Service Area.

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

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**EX5.** Economic Incentives for an Infill Development located in West El Paso. Matter No. 22-1007-2920 (551.087)

**NO ACTION** was taken on this item.

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**EX6.** Economic development opportunity at the El Paso International Bridges. Matter No. 22-1010-1122 (551.087)

**NO ACTION** was taken on this item.

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**ADJOURN**

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 Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** this meeting at 4:20 p.m.

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

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 APPROVED AS TO CONTENT:

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 Laura D. Prine, City Clerk