

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

March 16, 2021  
3:30 PM

Due to the temporary suspension of Open Meetings laws due to the COVID-19 emergency this meeting was conducted via telephonic and videoconference platforms.

### ROLL CALL

The City Council of the City Council met on the above time and date. Meeting was called to order at 3:54 p.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Annello, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga. Cassandra Hernandez requested to be excused. Early departure: Alexsandra Annello at 5:38 p.m.

### 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, 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 March 2, 2021, the Agenda Review Meeting of March 1, 2021, the Special Meeting of August 5, 2019, the Work Session of October 28, 2019, the Work Session of December 16, 2019, the Work Session of March 1, 2021, and the Corrected Minutes of the Regular City Council Meeting of December 17, 2019.

**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 held on Tuesday, March 16, 2021.

**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 is authorized to sign a First Amendment to General Aviation Commercial Ground Lease – El Paso International Airport and Lessor’s Approval of Assignment by and between the City of El Paso (“Lessor”), TJW Aviation, LLC (“Assignor”), and Elite Medical Air Transport, LLC (“Assignee”) for the following described property:

Lots 14 and 15, Block 4, El Paso International Airport Tracts,  
El Paso County, Texas, municipally known and numbered as  
7201 Boeing Drive, El Paso, Texas.

4. **\*RESOLUTION**

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

That the City Manager is authorized to sign a First Amendment to General Aviation Commercial Ground Lease – El Paso International Airport, and Lessor’s Approval of Assignment by and between the City of El Paso (“Lessor”), TJW Aviation, LLC (“Assignor”), and Elite Medical Air Transport, LLC (“Assignee”) for the following described property:

Parcel 2D being a portion of Lot 2, Block 4, El Paso International  
Airport Tract Unit 10, consisting of approximately 50,608 square  
feet of land, El Paso, El Paso County, Texas, municipally known  
and numbered as 1740 American Drive, El Paso, Texas

5. **\*RESOLUTION**

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

That the City Manager be authorized to sign a Butterfield Trail Industrial Park Lease by and between the City of El Paso (“Lessor”) and CLK New-Star RE, LP (“Lessee”) regarding the following described property:

A portion of Lot 1, Block 3, Butterfield Trail Industrial Park,  
Unit One, Replat C City of El Paso, El Paso County, Texas,  
municipally known and numbered as 7120 Airport Road, El Paso.

6. \*Motion made, seconded, and unanimously carried to **DELETE** a Resolution to delegate authority to the Director of Aviation or designee to perform certain duties on behalf of the City of El Paso, after the City Attorney has reviewed and approved each, in accordance with the guidelines established herein, unless City Council approval is required by other law, obligation or policy. This delegation of authority to the Director of Aviation or designee will be effective as of March 16, 2021.

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

7. **RESOLUTION**

**WHEREAS**, the El Paso City Council find it is in the best interest of the Citizens of El Paso Texas that the joint project with other regional law enforcement agencies under the Operation Stonegarden grant continue to be operated for the 2020-2021 year;

**WHEREAS**, the El Paso City Council find that coordination with the other regional law enforcement agencies through an interlocal agreement as authorized by the Texas Government Code 791 is the most effective way to carry out the program;

**WHEREAS**, the City of El Paso (the “City”) is eligible to apply for grants through the Homeland Security Grant Division of the Office of the Governor of the State of Texas (“HSGD”);

**WHEREAS**, the City of El Paso be authorized to sign the Interlocal Agreement between: the City of El Paso, Texas; County of El Paso, Texas; the City of Anthony, Texas ; Town of Horizon City, Texas; the City of Socorro Texas; Constable Precinct 6, San Elizario Marshal Department, Clint Police Department and the Texas Department of Public Safety- Aviation Team; for the submittal of the Stonegarden joint grant application to the Office of the Governor; and

**WHEREAS**, the El Paso City Council designates the City Manager or his designee as the City's authorized official.

**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 sign the Interlocal Agreement between: The City of El Paso, Texas; County of El Paso, Texas; the City of Anthony, Texas; Town of Horizon City, Texas; the City of Socorro, Texas; Constable Precinct 6, San Elizario Marshal Department, Clint Police Department and the Texas Department of Public Safety; for the submittal of the Stonegarden joint grant application to the Office of the Governor, Homeland Security Division.

The amount of \$1,370,000.00 will fund overtime wages for law enforcement operations and salary cost for grant administration.

2. **THAT**, the El Paso City Council authorizes the submission of the Office of the Governor of the State of Texas, Homeland Security Grant Division, grant application number 3007106, for the City of El Paso Police Department project identified as "Homeland Security Program FY 2020 Stonegarden" to provide financial assistance to the City of El Paso.
3. **THAT**, the City of El Paso shall provide matching funds for said grant if applicable.
4. **THAT**, the City Manager or designee is authorized to apply for, accept, reject, alter and/or terminate said grant.
5. **THAT**, the City Council agrees that in the event of loss or misuse of said grant funds, the City of El Paso will return all funds for said grant to the State of Texas Office of the Governor, Homeland Security Division.
6. **BE IT FURTHER RESOLVED THAT**, the City Manager or designee is authorized to sign any related paperwork, including but not limited to, the actual grant contract, the authorization of budget transfers, and/or revisions to the operation plan, as well as any grant amendments, corrections or extensions of the grant agreement which increase, decrease or de-obligate program funds, provided that no additional City funds are required.

Representative Annelo commented.

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

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

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

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

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

NAYS: Representatives Svarzbein and Annelo

ABSENT: Representative Hernandez

8.

**\*RESOLUTION**

**WHEREAS**, the City of El Paso (the "City") is eligible to apply for grants through the Homeland Security Grant Division of the Office of the Governor of the State of Texas ("HSGD"); and

**WHEREAS**, the El Paso City Council seeks to receive grant funding through the HSGD grant/application number 4319701 for the El Paso Police Department project identified as "State Homeland Security Program, FY 2021 Emergency Operation Enhancement" and

**WHEREAS**, the El Paso City Council previously accepted a version of the HSGD grant # 3967902 on February 2, 2021, which encompassed a larger amount of deliverables and the granting entity has since changed course and reduced the deliverable requiring separate Council consideration resulting in this Resolution and a companion resolution; and

**WHEREAS**, the grant requires no matching funds by the City; and

**WHEREAS**, the El Paso City Council designates the City Manager or his designee as the City's authorized official.

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

1. That, the El Paso City Council authorizes the submission to the Office of the Governor of the State of Texas, Homeland Security Grant Division, grant application number 4319701, for the City of El Paso Police Department project identified as "Homeland Security Program FY 2021 – Emergency Operations Enhancement" to provide financial assistance to the City of El Paso.
2. That the City of El Paso shall provide all applicable matching funds for said grant if applicable;
3. That the City Manager or designee is authorized to apply for, accept, reject, alter and/or terminate said grant; and
4. That the City Council agrees that in the event of loss or misuse of said grant funds, the City of El Paso will return all funds for said grant to the State of Texas Office of the Governor, Homeland Security Grant Division.
5. **BE IT FURTHER RESOLVED THAT**, the City Manager or designee is authorized to sign any related paperwork, including but not limited to, the actual grant contract, the authorization of budget transfers, and/or revisions to the operation plan, as well as any grant amendments, corrections or extensions of the grant agreement which increase, decrease or de-obligate program funds, provided that no additional City funds are required.

9.

**\*RESOLUTION**

**WHEREAS**, the City of El Paso (the "City") is eligible to apply for grants through the Homeland Security Grant Division of the Office of the Governor of the State of Texas ("HSGD")'

**WHEREAS**, the El Paso City Council seeks to receive grant funding through the HSGD grant/application number 4320101 for the El Paso Police Department project identified as "State Homeland Security Program, FY 2021 - Security Enhancement Project";

**WHEREAS**, the El Paso City Council previously accepted a version of the HSGD grant # 3967902 on February 2, 2021, which encompassed a larger amount of deliverables, and the granting entity has since changed course and reduced the deliverables requiring separate Council consideration resulting in this Resolution and a companion resolution; and

**WHEREAS**, the El Paso City Council designates the City Manager or his designee as the City's authorized official.

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

1. **THAT** the El Paso City Council authorizes the submission to the Office of the Governor of the State of Texas, Homeland Security Grant Division, grant application number 4320101 for the City of El Paso Police Department project identified a "Homeland Security Program FY 202 I- Security Enhancement Project" to provide financial assistance to the City of El Paso.
2. **THAT** the City of El Paso shall provide all applicable matching funds for said grant if applicable;
3. **THAT**, the City Manager or designee is authorized to apply for, accept reject, alter and/or terminate said grant; and
4. **THAT**, the City Council agrees that in the extent of loss or misuse of said grant funds, the City of El Paso will return all funds for said grant to the State of Texas Office of the Governor, Homeland Security Grant Division.
5. **BE IT FURTHER RESOLVED THAT**, the City Manager or designee is authorized to sign any related paperwork, including but not limited to, the actual grant contract, the authorization of budget transfers and/or revisions to the operation plan, as well as any grant amendment, corrections or extensions of the grant agreement which increase, decrease or de-obligate program funds, provided that no additional City funds are required.

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**Goal 3: Promote the Visual Image of El Paso**  
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10.

**\*RESOLUTION**

**A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR LOT 46, BLOCK S, WEST DESERT MARKETPLACE AMENDING, 6121 SOUTH DESERT BOULEVARD, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENAL TY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, PRIME DESERT PROPERTIES, LLC, (the "Owner") has applied for approval of a detailed site development plan which requires City Plan Commission and City Council approval. The detailed site development plan is subject to the development standards in the C-3/C (COMMERCIAUCONDITIONS) District regulations and subject to the approved Detailed Site Development Plan signed by the Applicant, the City

Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and is incorporated herein by reference for all purposes; and,

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

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

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

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

1. Pursuant to requirements, the City Council hereby approves the detailed site development plan submitted by the Applicant, on the following described property which is located in a C-3/c (Commercial/conditions) District:  
  
LOT 46, BLOCK 5, WEST DESERT MARKETPLACE AMENDING, 6121 SOUTH DESERT BOULEVARD, CITY OF EL PASO, EL PASO COUNTY, TEXAS.
2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.
3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C- 3/C (COMMERCIAUCONDITIONS) District regulations.
4. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-3/C (COMMERCIAUCONDITIONS) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.
5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

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**Goal 6: Set the Standard for Sound Governance and Fiscal Management**  
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**11. ITEMS 11 AND 35 WERE TAKEN TOGETHER**

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

**WHEREAS**, the City of El Paso (the “City”) created a 401(a) Plan in 2005 for the purpose of recruiting of qualified individuals, of remaining a competitive employer in the marketplace, and of providing a retirement vehicle for eligible employees; and

**WHEREAS**, in 2011, the City amended and restated the City of El Paso Profit Sharing Plan, effective January 1, 2011; and

**WHEREAS**, since then, the Heroes Earnings Assistance and Relief Tax Act of 2008 (“HEART Act”) and the Worker, Retiree and Employer Recovery Act of 2008 (“WRERA”) has changed a number of retirement plan qualification requirements; and

**WHEREAS**, the City desires to retroactively adopt the aforementioned amendments; and

**WHEREAS**, the City desires to approve the 2021 amendment and restatement of the City of El Paso Profit Sharing Plan.

**NOW, THEREFORE, BE IT RESOLVED:**

1. **THAT** the City hereby adopts the Section 21.13(a) of the 2021 restatement of the City of El Paso Profit Sharing Plan effective as of January 1, 2007; and
2. **THAT** the City hereby represents that the 2011 restatement of the City of El Paso Profit Sharing Plan was operated in accordance with the requirements of Internal Revenue Code Section 401(a)(9) as amended by WRERA in 2009; and
3. **THAT** the City hereby adopts the 2021 amendment and restatement of the City of El Paso Profit Sharing Plan; and
4. **THAT** the City Manager be authorized to sign the Plan Documents and any other documents necessary to effectuate this approval.

Representative Rivera commented.

Mr. Robert Cortinas, Chief Financial Officer, commented.

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

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

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

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

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

NAYS: None

ABSENT: Representative Hernandez

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

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12.

**\*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 the Loop 375 Wrong Way Driver Technologies project, for the design and construction of improvements along Loop 375 in El Paso’s downtown area from San Marcial Street to Santa Fe Street to include installation of wrong way detection systems, reconfiguration of exit ramps for Oregon Street and Campbell Street, as well as raised medians and striping on Oregon Street, which has an estimated total project cost of \$695,793.00 of which the estimated local government participation amount is \$0.00.

13.

**\*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 the Campbell Street at Union Pacific RR off-state system federal-aid Highway Bridge Replacement and Rehabilitation project, which has an estimated total project cost of \$4,168,837 of which the estimated local government participation amount is estimated at \$154,246.97. Further, that the City Manager, or designee, is authorized to sign all documents and perform all actions required to carry out the obligations of the City under this agreement.

**CONSENT AGENDA - BOARD RE-APPOINTMENTS:**

**Goal 8: Nurture and Promote a Healthy, Sustainable Community**

14. \*Motion made, seconded, and unanimously carried to **RE-APPOINT** Alejandra Chavira to the Regional Renewable Energy Advisory Council (RREAC), as a non-voting member, by Nicole Ferrini, Chief Resilience Officer.

15. \*Motion made, seconded, and unanimously carried to **RE-APPOINT** Miguel Fraga to the Regional Renewable Energy Advisory Council by Representative Cissy Lizarraga, District 8.

**CONSENT AGENDA - BOARD APPOINTMENTS:**

**Goal 3: Promote the Visual Image of El Paso**

16. \*Motion made, seconded, and unanimously carried to **APPOINT** Robert G. Geyer to the Open Space Advisory Board by Mayor Oscar Leeser.

17. \*Motion made, seconded, and unanimously carried to **APPOINT** Carlos Gallinar to the City Plan Commission by Representative Cassandra Hernandez, District 3.

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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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18. \*Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds listed below and posted on the attachment with this agenda:

1. 3M Company, in the amount of \$5,186.91, made an overpayment on January 27, 2021 of 2020 taxes. (Geo. # 0864-000-1077-3559)
2. Entrust Capital Funding, in the amount of \$7,025.07, made an overpayment on February 1, 2021 of 2020 taxes. (Geo. # C340-999-0980-7700)
3. Escrow Inc., in the amount of \$2,651.44, made an overpayment on January 22, 2021 of 2020 taxes. (Geo. # C741-999-0070-2000)
4. Entrust Capital Funding, in the amount of \$6,208.73, made an overpayment on February 1, 2021 of 2020 taxes. (Geo. # C881-999-0010-1500)
5. Bemity Global LLC, in the amount of \$3,068.04, made an overpayment on February 1, 2021 of 2020 taxes. (Geo. #F367-999-0010-0100)
6. Entrust Capital Funding, in the amount of \$2,599.87, made an overpayment on February 1, 2021 of 2020 taxes. (T109-999-0200-2900)
7. Entrust Capital Funding, in the amount of \$3,269.65, made an overpayment on February 1, 2021 of 2020 taxes. (V342-999-0010-2800)
8. Silent Trails, LLC, in the amount of \$3,383.46, made an overpayment on November 23, 2020 of 2020 taxes. (V893-999-2380-2200)
9. TexStar Escrow, in the amount of \$3,531.79, made an overpayment on February 1, 2021 of 2020 taxes. (V893-999-2530-5700)

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**CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS:**  
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**Goal 6: Set the Standard for Sound Governance and Fiscal Management**  
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19. \*Motion made, seconded, and unanimously carried to **ACCEPT** the notation pursuant to Section 2.92.110 of the City Code, receipt of campaign contributions by Representative Aleksandra Anello: \$1,000 from El Paso Municipal Officers Association PAC Fund.

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**CONSENT AGENDA – BIDS:**  
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**Goal 6: Set the Standard for Sound Governance and Fiscal Management**

- 20. \*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of Purchasing and Strategic Sourcing to issue a Purchase Order to CAS - Claims Administrative Services, Inc., referencing Contract 2013-272R Workers' Compensation - 3rd Party Administrator. This will be a change order to increase the contract by \$450,000.00 for a total amount not to exceed \$4,240,482.50.

Contract Variance: The cost for this change order is the same as in the original contract. There is no variance.

Department:	Human Resources
Award to:	CAS - Claims Administrative Services, Inc. Tyler, TX
Total Estimated Amount:	\$450,000.00
Account No.:	522000-209-3500-14070-P1417
Funding Source:	Workers' Compensation Services
District(s):	All

This is a Request for Proposal, requirements contract.

**REGULAR AGENDA – OPERATIONAL FOCUS UPDATES:**

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

- 21. Budget Update.

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

Representative Svarzbein commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Laura Cruz-Acosta, Strategic Communications Director

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

**CALL TO THE PUBLIC – PUBLIC COMMENT**

The following members of the public commented:

1. Ms. Lisa Turner
2. Ms. Avemaria Smart

**REGULAR AGENDA - FIRST READING OF ORDINANCES**

Motion made by Representative Rivera, seconded by Representative Salcido, 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, Molinar, Salcido, Rivera and Lizarraga  
NAYS: None  
NOT PRESENT FOR THE VOTE: Representative Annelo and Rodriguez  
ABSENT: Representative Hernandez

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

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- 22. An Ordinance authorizing the City Manager to sign a Contract of Sale, Special Warranty Deed and any other documents necessary to Convey 0.2796 acres of land more or less, being described as a Portion of Tract 1-B-3-A-2, and Tract 1-U-1, BLOCK 5, Ascarate Grant, El Paso County, Texas, to Snap Partners, L.P.

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  - 23. An Ordinance authorizing the City Manager to sign a Contract of Sale, Special Warranty Deed and any other documents necessary to convey 1.1921 acres of land more or less, being described as a Portion of Tract 13, O.A. Danielson Survey No. 310, City of El Paso, El Paso County, Texas to Jorge Sanchez at a value of \$155,784.00.

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  - 24. An Ordinance authorizing the conveyance of real property owned by the City of El Paso to the State of Texas, acting by and through the Texas Transportation Commission, for the purchase price of \$4,544.00. Such real property legally described as a 284 square feet parcel of land located in the Texas and Pacific Railway Company surveys, City of El Paso, El Paso County, Texas, being out of Tract 1a, Section 29, Abstract No. 2166, Block 81, Township 1, Texas and Pacific Railway Company surveys, such property located at the intersection of Dyer St. and State Loop 375.
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**PUBLIC HEARING WILL BE HELD ON MARCH 30, 2021 FOR ITEMS 22 THROUGH 24**

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### **REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS**

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

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- 25. \*Motion made, seconded, and unanimously carried to **DELETE** the award of Solicitation No. 2020-768R Workers’ Compensation - 3rd Party Administrator to CAS - Claims Administrative Services, Inc., for an initial term of five (5) years for an estimated award of \$4,985,705.00. The award is to include a two (2), one (1) year optional terms for a total estimated award of \$7,054,242.00 for a total of seven (7) years.

Contract Variance:

The difference in cost, based on the comparison to the previous contract, is as follows:  
An annual increase of \$455,643.50, which represents a 45.69% increase.

Department:	Human Resources
Award to:	CAS - Claims Administrative Services Inc. Tyler, TX
Item(s):	ALL
Initial Term:	5 years
Option to Extend:	Two (2), one (1) year options
Annual Estimated Award:	\$997,141.00

Initial Term Estimated Award: \$4,985,705.00 (5 Years)  
Option 1: \$1,023,346.00 (Year 6)  
Option 2: \$1,045,191.00 (Year 7)  
Total Estimated Award: \$7,054,242.00 (7 Years)  
Account No.: 522000-209-3500-14070-P1417  
Funding Source: Self Insurance  
District(s): All

This is a Request for Proposal, service contract.

The Purchasing & Strategic Sourcing and Human Resources Departments recommend award as indicated to CAS - Claims Administrative 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.

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

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**26.** Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **AWARD** Solicitation No. 2021-0635 Grounds Maintenance Parks - Mowing (Re-Bid) to Stiles General Contractors LLC. for an initial term of three (3) years for an estimated award of \$1,524,384.00. The award also includes a two (2) year option for an estimated amount of \$ 1,016,256. The total value of the contract including the initial term plus the option is five (5) years for an estimated award of \$ 2,540,640.00. The award of this contract will allow for the continual maintenance of City Parks.

Contract Variance:

The difference in cost, based on comparison from previous contract is as follows: An increase of \$86,780.16 over the initial term, which represents a 6% increase.

Department: Streets and Maintenance  
Award to: Stiles General Contractors LLC El Paso, TX  
Item(s): Group 1, Group 2, Group 3, Group 4 and Group 5  
Initial Term: 3 years  
Option to Extend: 2 years  
Annual Estimated Award: \$ 508,128.00  
Initial Term Estimated Award: \$1,524,384.00 (3 years)  
Total Estimated Award: \$ 2,540,640.00 (5 years)  
Account No.: 532-32120-522210-2305-P3215  
Funding Source: Environmental Fee Fund - Grounds keeping Contracts  
District(s): All

This is a Best Value, unit price contract.

The Purchasing & Strategic Sourcing and Streets and maintenance Departments recommend award as indicated to Stiles General Contractors, LLC the bidder offering the best value bid. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

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

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**Goal 8: Nurture and Promote a Healthy, Sustainable Community**

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27. Motion made by Representative Rivera, seconded by Representative Lizarraga, and unanimously carried to **AUTHORIZE** the Director of the Purchasing and Strategic Sourcing Department be authorized to issue a Purchase Order(s) to LSC Environmental Products, LLC for the purchase of a Posi Shell Sprayer for an estimated amount of \$118,145.00. Posi Shell is the Alternative Daily Cover approved by TCEQ for the City's landfill.

Contract Variance:  
None

Department:	Environmental Services
Award to:	LSC Environmental Products, LLC Apalachin, NY
Initial Term	1 year
Total Estimated Amount:	\$118,145.00 (One time purchase)
Account No.:	334-34130-3150-P3470-580290-PESD00210
Funding Source:	ESD Capital
District(s):	All

Non-Competitive Component 2021-0506

This is a non-competitive component equipment purchase.

The Purchasing and Strategic Sourcing and Environmental Services Departments recommend award as indicated to LSC Environmental Products, LLC, the bidder exclusively providing posi-shell sprayer. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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

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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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28. **ORDINANCE 019152**

The City Clerk read an Ordinance entitled: **AN ORDINANCE APPROVING AMENDMENT NUMBER NINETEEN TO THE PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR TAX INCREMENT REINVESTMENT ZONE NUMBER FIVE, CITY OF EL PASO, TEXAS, TO ALLOCATE UP TO ONE HUNDRED FIFTY**

**THOUSAND (\$150,000.00) OF THE TAX INCREMENT REINVESTMENT ZONE ANNUAL REVENUE TO THE DOWNTOWN PLAN EFFORT TO SUPPORT THE DEVELOPMENT OF A CAPITAL NEEDS ASSESSMENT; ADOPTING SAID AMENDMENTS AS REQUIRED BY SECTION 311.011(E) TEXAS TAX CODE; AND PROVIDING A SEVERABILITY CLAUSE.**

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, 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**.

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

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**29. ORDINANCE 019153**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY OWNED BY THE CITY OF EL PASO TO THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS TRANSPORTATION COMMISSION, FOR THE PURCHASE PRICE OF \$23,320.00. SUCH REAL PROPERTY LEGALLY DESCRIBED AS A 301 SQUARE FEET PARCEL(S) OF LAND LOCATED IN THE YSLETA TOWN TRACT SURVEY, ABSTRACT NO. 214, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BEING OUT OF TRACT 5C1 AND TRACT 5A, BLOCK 55, OF THE YSLETA GRANT, BEING OUT OF LAND CONVEYED FROM EL PASO COUNTY TO EL PASO COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, BY COMMISSIONER'S COURT DEED, DATED FEBRUARY 28, 1947, VOLUME 859, PAGE 320, DEED RECORDS OF EL PASO COUNTY, TEXAS.**

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

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

AYES: Representatives 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**.

**ITEMS 30 AND 31 WERE TAKEN TOGETHER**

**30.**

**ORDINANCE 019154**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 (STOPPING, STANDING AND PARKING GENERALLY), SECTION 12.44.280 (RESTRICTIONS ON PARKING IN RESIDENTIAL PARKING DISTRICTS) TO ADD A NEW SUBSECTION D TO ALLOW FOR THE AMENDMENT OF RESIDENTIAL PARKING DISTRICT RESTRICTIONS AND BOUNDARIES, REPLACE THE WORD TRAFFIC ENGINEER WITH CITY TRAFFIC ENGINEER; ADD “THEY” REFERENCES TO THE CITY TRAFFIC ENGINEER, APPLICANTS, AND PROPERTY OWNERS THROUGHOUT THE SECTION; AND CORRECT THE NUMBERING OF THE SECTION. PENALTY IS AS DESCRIBED IN SECTION 12.44.280, SUBSECTION S.**

Ms. Hannah Williams, Traffic Engineer Associate, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Representatives Molinar and Lizarraga commented.

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

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Salcido, and unanimously carried to amend the ordinance by replacing “He/She” references with “They”.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Annello and Rodriguez

ABSENT: Representative Hernandez

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

Motion duly made by Representative Molinar, seconded by Representative Svarzbein, 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, Molinar, Salcido, Rivera and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Annello and Rodriguez

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**.

.....  
**REGULAR AGENDA – OTHER BUSINESS**  
.....

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

**31. RESOLUTION AMENDING SCHEDULE C OF THE CITY OF EL PASO FISCAL**



**YEAR 2021 BUDGET RESOLUTION**

**WHEREAS**, on August 18, 2020 the El Paso City Council adopted. a Budget Resolution for Fiscal Year 2021 (the "Budget Resolution") and;

**WHEREAS**, the Budget Resolution contains an attachment titled "Schedule C" which contains the departmental fee list which includes fees charged for building permits and inspection fees; and,

**WHEREAS**, the El Paso City Code was amended to allow new applications to amend restrictions Or boundaries of residential parking districts established under the El Paso City Code Section 12.44.280,

**WHEREAS**, the City wishes to amend the Budget Resolution to establish the fee for applications to modify the boundaries or restrictions of existing residential parking districts.

**NOW THEREFORE, BE IT RESOLVED BY THE CITYCOUNCIL FOR THE CITY OF EL PASO**

**SECTION 1.** That Line 282 in Schedule C of the Budget Resolution be amended to read as follows:

282	Streets and Maintenance	Residential Parking	Application to modify parking restriction/boundary or to dissolve parking restrictions or district	Restriction/Boundary modification \$30.00 Plus applicable Tech fee.  Dissolution of restriction or district \$25.00 Plus applicable Tech fee.
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**SECTION 2.** Except as herein modified, the Budget Resolution and Schedule C of the Budget Resolution and all Budget Resolution Schedules remain in full force and effect.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Annello and Rodriguez

ABSENT: Representative Hernandez

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

**32.** \*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks an item that the City Manager is hereby authorized to sign, on behalf of the City of El Paso a First Amendment to a Chapter 380 Economic Development Program Agreement between the City of El Paso and FullBeauty Brands, LLC, a Texas limited liability company, providing FullBeauty the flexibility to maintain the optimal number of full-time employees, further serving to promote local economic development and job retention within the City of El Paso.

.....  
**33. RESOLUTION**

**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 **RS&H, INC.**, a Florida Corporation, for a project known as “**EL PASO INTERNATIONAL AIRPORT RUNWAY 8R-26L REHABILITATION**”, for an amount not to exceed Six Hundred Seventy Thousand Fifteen and 21/100 Dollars (\$670,015.21); and

That the City Manager or Designee be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed Seven Hundred Twenty Thousand Fifteen and 21/00 Dollars (\$720,015.21); 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 execution of the Agreement

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Annello and Rodriguez

ABSENT: Representative Hernandez

.....  
**Goal 6: Set the Standard for Sound Governance and Fiscal Management:**  
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**34.**

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

**WHEREAS**, on April 27, 2020 the City Council approved a resolution to establish and effectuate a furlough system to assist in addressing Civil Service staff reductions associated with the on-going COVID-19 pandemic; and

**WHEREAS**, on August 18, 2020 pursuant to Section 7.3 of the City of El Paso municipal code, the City Council approved the FY2021 City budget by resolution (“Budget Resolution”); and

**WHEREAS**, on September 1, 2020 the City Council approved a first amendment to paragraph 21 of the FY2021 Budget Resolution to clarify and revise the job positions and amounts of one-time payment to non-uniformed employees; and

**WHEREAS**, on September 1, 2020 the City Council approved the addition of paragraph 73 to the FY2021 Budget Resolution to authorize the City Manager to approve a one-time percentage adjustment payment based on the annualized salaries of the full-time and part-time appointed positions and job pay grades as defined in Ordinance 8064 and associated job specifications; and

**WHEREAS**, furloughed employees did not receive the one-time payment that was approved in the September 1, 2020 amendment to the Budget Resolution.

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

1. That paragraph 74 is added to the FY2021 Budget Resolution to read as follows:

74. That the City Manager is authorized to approve a one-time lump sum payment to non-uniformed employees who were furloughed and have been reinstated or placed in a position within the City's two major service classifications as follows:

(A) Pay Grades GS

- Full Time: \$600, if City employee for a period of at least one year as of May 5, 2020.
- Full Time: \$300, if City employee for less than one year as of May 5, 2020.
- Part-Time \$300, if City employee for a period of at least one year as of May 5, 2020.
- Part-Time: \$150, if City employee for less than one year as of May 5, 2020.

(B) Pay Grade PM

- Full Time: \$400, if City employee for a period of at least one year as of May 5, 2020.
- Full Time: \$200, if City employee for less than one year as of May 5, 2020.
- Part-Time: \$200, if City employee for a period of at least one year as of May 5, 2020.
- Part-Time: \$100, if City employee for less than one year as of May 5, 2020.

Employees that were furloughed in accordance with the April 27, 2020 resolution and have been reinstated or placed will receive the increase no later than May 5, 2021.

Mr. Robert Cortinas, Chief Financial Officer, commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Annello and Rodriguez

ABSENT: Representative Hernandez

35.

TAKEN WITH ITEM 11

## RESOLUTION

**WHEREAS**, pursuant to Section 457(b) of the Internal Revenue Code, as amended, employers may create a tax deferred compensation plan whereby the employer may make tax deferred contributions to the deferred compensation plan for the benefit of its employees (a "457(b) Plan");

**WHEREAS**, the City desires to amend and restate the City's 457(b) Plan in order to comply with current federal law.

**NOW, THEREFORE, BE IT RESOLVED:**

1. **THAT** the City hereby adopts and approves the Prudential Retirement Specimen Governmental 457(b) Plan Adoption Agreement effective February 1, 2021, with the automatic enrollment provisions contained therein being retroactively effective as of September 1, 2015, the date that the City instituted that program; and
2. **THAT** the City Manager be authorized to sign the Plan Documents and any other documents necessary to effectuate this approval.

Representative Rivera commented.

Mr. Robert Cortinas, Chief Financial Officer, commented.

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

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

NAYS: None

ABSENT: Representative Hernandez

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**MEMBERS OF THE CITY COUNCIL**

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- 36.** Presentation and discussion by Earthworks on environmental impacts of certain projects in the El Paso area.

\*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT** of the Regular agenda.

The following members of Earthworks, Chaparral Parents in Action, Vote Solar, Earthjustice, and Sunrise El Paso presented a PowerPoint presentation (copy on file in the City Clerk's Office):

1. Mr. Miguel Escoto, Earthworks West Texas Field Associate
2. Dr. David Garcia, Chaparral Parents in Action
3. Ms. Angel Ulloa, Sunrise El Paso Organizer
4. Mr. Rick Gilliam, Vote Solar Initiative
5. Ms. Sara Gersen, Earthjustice
6. Mr. Michael Goggin
7. Mr. Ryan Brown
8. Mr. Jack McDonald, Earthworks Texas Field Analyst
9. Mr. Aaron Mintzes, Earthworks Senior Policy Counsel

Mayor Leeser and Representatives Svarzbein, Annello, Rodriguez, and Lizarraga commented.

The following City staff members commented:

1. Ms. Karla Nieman, City Attorney
2. Ms. Elizabeth Triggs, Strategic Partnerships Officer

The following members of the public commented:

1. Mr. Xavier Miranda
2. Mr. Aby Perea
3. Mr. Kenneth Bell
4. Ms. Alyssa Garza
5. Ms. Lisa Turner
6. Mr. Christian Marquardt
7. Ms. Samantha Cooney
8. Mr. Josh Simmons
9. Ms. Ana Fuentes

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

37.

**RESOLUTION**

**WHEREAS**, in accordance with Section 370.251 of the Texas Transportation Code and the City of El Paso's Petition and Request for Authorization to Form the Camino Real Regional Mobility Authority, as approved by the Texas Transportation Commission, the terms for three (3) Camino Real Regional Mobility Authority (CRRMA) Board positions expire on February 1st of each year;

**WHEREAS**, in the event of a vacancy, reappointment, or replacement, Board member nominations shall be solicited by the Mayor from City Council by written notice for a period of not less than two (2) weeks, and upon completion of this two week period, the Mayor shall review all received recommendations and those identified by the Mayor as well;

**WHEREAS**, the Mayor shall then make one (1) nomination for each position via presentation to the City Council at a City Council meeting and Council shall appoint a member for each open position by majority vote evidenced by City Council Resolution; and

**WHEREAS**, on January 29, 2021, the Mayor notified City Council in writing of the intent to appoint Board members and also provided an opportunity for Council members to provide recommendations for nominations by February 12, 2021;

**WHEREAS**, recommendations were received from Council;

**WHEREAS**, the Mayor now nominates a candidate for appointment for CRRMA Board Position 2 in accordance with the appointment process outlined herein and presents the nomination at a City Council meeting on March 16, 2021; and

**WHEREAS**, the City now desires to make an appointment for CRRMA Board Position 2 in accordance with the appointment process outlined herein.

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

That the City of El Paso hereby appoints to the Camino Real Regional Mobility Authority Silvestre Reyes for Position 2, which shall both take effect March 16, 2021 and expire on February 1, 2023.

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

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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**ADJOURN**  
.....

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried to **ADJOURN** this meeting at 6:46 p.m.

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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APPROVED AS TO CONTENT:  
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Laura D. Prine, City Clerk