

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

November 8, 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: Peter Svarzbein, Aleksandra Annello, Cassandra Hernandez, and Cissy Lizarraga. Late arrivals: Isabel Salcido at 9:22 a.m., Claudia Rodriguez at 9:24 a.m., and Henry Rivera at 9:25 a.m. Joe Molinar requested to be excused from this meeting. The invocation was given by Police Chaplain and El Paso Police Chaplain Joe Maratta followed by the Pledge of Allegiance to the Flag of the United States of America.

### INVOCATION BY EL PASO POLICE CHAPLAIN JOE MARATTA

### PLEDGE OF ALLEGIANCE

### MAYOR'S PROCLAMATIONS

Veterans Day

Dave's A Pawn Shop Day

Border Youth Athletic Association's Academic Achievement Day

### NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello, and unanimously carried to **APPROVE, AS REVISED** all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {\*}).

AYES: Representatives Svarzbein, Annello, Hernandez, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Salcido, Rodriguez, and Rivera

ABSENT: Representative Molinar

### 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 October 25, 2022, the Agenda Review Meeting of October 24, 2022, the Work Session of October 24, 2022, and the Work Session of February 1, 2021.

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

\*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Joe Molinar from the Regular City Council Meeting of Tuesday, November 8, 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. **\*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 Temporary Land Use Lease by and between the City of El Paso ("Lessor") and ASC Technical Institute, LLC ("Lessee") regarding the following described property:

A portion of Lot 4, Block 1-C, El Paso International Airport Tracts, City of El Paso, El Paso County, Texas consisting of 53,295 square feet of land and site improvements, municipally known and numbered as 6535 De Havilland, El Paso, Texas.

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

**WHEREAS**, the City of El Paso routinely submits grant applications and similar documents in search of funding and to engage with organizations committed to supporting small business initiatives; and

**WHEREAS**, these business initiatives are intended to provide opportunities to assist recovery from financial losses and while enhancing the city's entrepreneurial and small business ecosystem; and

**WHEREAS**, the City Council of the City of El Paso supports policies, programs, and practices that embed racial equity and aim to increase revenue and employment for Black, Indigenous, and People of Color (BIPOC); and minority and women led businesses as a means to close the wealth gap; and

**WHEREAS**, the El Paso the Metropolitan Statistical Area, as of February 22, 2021, experienced a total small business revenue decrease by 24% compared to January 2020 and 83% of El Paso businesses have fewer than 20 employees; and

**WHEREAS**, the City Council of the City of El Paso is committed to implementing equitable policies, programs, and practices to support entrepreneurship-led economic growth in our community;

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

**THAT**, in order to facilitate the timely and efficient submission of letters of support and other documents and/or efforts; the Economic and International Development Department of the City of El Paso will notify and coordinate with the Mayor and City Manager upon requesting Letters of Support from the City Council of the City of El Paso for small business initiatives and projects which conform with the intent of this Resolution; and

**THAT**, the Mayor of the City of El Paso is authorized to sign a Letter of Support on behalf of the City Council to engage with organizations committed to the support of small business and in conformity with this Resolution, provided the initiative or project does not conflict with City programmatic priorities; to include but not be limited to the entities listed below:

- International Economic Development Council (IEDC)
- National League of Cities (NLC)
- The Aspen Institute Latinos & Society

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**Goal 3: Promote the Visual Image of El Paso**  
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5.

**\*RESOLUTION**

**A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR ALL OF LOTS 9 THROUGH 16, BLOCK 47, AND A PORTION OF SAN JOSE STREET, THIRD AMENDED MAP OF HIGHLAND PARK ADDITION, 1360 N. COTTON STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, SCENIC VIEW TOWNHOMES LLC, (the "Owner") has applied for approval of a detailed site development plan which requires City Plan Commission and City Council approval as per section 20.04.150. The detailed site development plan is subject to the development standards in the A-2/SC (APARTMENT/SPECIAL CONTRACT) **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 "B"** 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, to **permit an apartment** as required under the **A-2/sc (Apartment/special contract)** District as per Section **20.04.150**, on the following described

property which is located in a **A-2/sc (Apartment/special contract)** District: **All of Lots 9 through 16, Block 47, and a portion of San Jose Street, Third Amended Map of Highland Park Addition, 1360 N. Cotton Street**, City of El Paso, El Paso County, Texas, and more particularly described in the attached metes and bounds as **Exhibit "A"**\*\*.

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 "B"**\*\* 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 A-2/SC (APARTMENT/SPECIAL CONTRACT) 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 A-2/SC (APARTMENT/SPECIAL CONTRACT) 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.

\*\*Exhibits available at the City Clerk's Office.

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

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

That the Guidelines for the City Employees Charitable Campaign be adopted, designating the United Way of El Paso County as the Local Campaign Manager, and designating the City's Human Resources Director or designee to act as the liaison to work with the Local Campaign Manager in the administration of the campaign.

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**Goal 8: Nurture and Promote a Healthy, Sustainable Community**  
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**7. \*RESOLUTION**

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

**THAT** the City Manager or designee be authorized to sign a Professional Services Agreement between Best Friends Animal Society ("Best Friends"), a Utah nonprofit corporation and the City of El Paso to support the City of El Paso Animal Shelter in achieving a minimum of ninety percent (90%) live release rate, for a total of \$63,000 payable to Best Friends to be divided equally into twelve equal monthly payments by the City of El Paso, for a term of twelve (12) months with monthly options to extend by mutual written agreement of the Parties.

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**8. \*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 Carl Daniel Architects, Inc., a Texas corporation,

for a Project known as “**EL PASO HEALTH DEPARTMENT MCA CLINIC**” for an amount not to exceed **\$384,530.00**; that the City Engineer is authorized to approve additional Basic Services and Reimbursables for an amount not to exceed \$50,000.00 and to approve Additional Services for an amount not to exceed \$50,000.00 if such services are necessary for the proper execution of the Project and that the increased amounts are within the appropriate budgets of the Project for a total amount of \$484,530.00; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for the execution of the Agreement.

9.

**\*RESOLUTION**

**WHEREAS**, on December 15, 2020 the City of El Paso ("City") awarded Contract No. 2021-0046 Veterinary Medical Supplies to the following Vendors ("Vendors"):

1. Loren Hodges & Sons Inc. dba Longhorn Distribution
2. Lambert Vet Supply
3. Midwest Veterinary Supply, Inc.
4. Manuel Talamantes III dba El Paso Veterinary Supply
5. Butler Animal Health Holding Company, LLC dba Covetrus North America

**WHEREAS**, the listed Vendors desire to terminate the Contract without cause and for convenience, pursuant to the provisions and requirements of section 4.1 subsection 8 of the Contract.

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

That the Purchasing & Strategic Sourcing Director is authorized to notify Vendors listed that the City is rescinding awarded Contract No. 2021-0046 Veterinary Medical Supplies, pursuant to the provisions and requirements of the Contract, and that the rescinding shall be effective as of the date this Resolution is approved.

**CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS**

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

10. \*Motion made, seconded, and unanimously carried to **APPROVE** a Tax Refund to El Paso Five Star Homes, Inc. dba Flair Homes Texas, in the amount of \$5,557.05 for an overpayment made on January 30, 2022 of 2021 taxes. (Geo. # C539-999-0100-5900).

**CONSENT AGENDA – NOTICE FOR NOTATION**

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

11. \*Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$ 5,000 from Sierra Machinery to go towards holiday events and initiatives in District 3, to include turkeys for families in need during Thanksgiving and Christmas gifts and grocery gift cards for less-fortunate neighborhoods in the district.

12. \*Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$1,000 from ZTEX Construction to District 2 for a Halloween event with the Seville Recreation Center.

**CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS**

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

- 13. \*Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code, receipt of the following campaign contributions by City Representative Claudia L. Rodriguez, District 6: \$250.00 from Rebecca and David Contreras; \$5000.00 from Woody Hunt; \$1000.00 from Lorna Escobar; \$1000.00 from Ben Ivey.
- 14. \*Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions of five hundred dollars or greater by Representative Isabel Salcido in the amounts of \$2,500.00 by Richard Aguilar and \$2,000.00 by TREPAC/Texas Association of Realtors Political Action Committee.

**CONSENT AGENDA – REQUESTS TO ISSUE PURCHASE ORDERS:**

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

- 15. \*Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2023-0209 On Call Median Maintenance to Border TM Industries, Inc. dba Xceed Resources for 2023-0209 On Call Median Maintenance, for a term of one (1) year for an estimated amount of \$300,000.00. This contract will allow the on-call maintenance of City medians.

Contract Variance:  
N/A

Department: Environmental Services  
Award to: Border TM Industries, Inc. dba Xceed Resources  
El Paso, TX  
Initial Term: 1 year  
Annual Estimated Amount: \$300,000.00  
Total Estimated Award: \$300,000.00 (1 year)  
Account No.: 532 - 2305 - 522210 - 32120 - P3215  
Funding Source: Environmental Fee Fund  
District(s): All

This is a Non-Competitive, service contract.

The Purchasing & Strategic Sourcing and Environmental Services Departments recommend award as indicated to Border TM Industries, Inc. dba Xceed Resources.

**CONSENT AGENDA – BEST VALUE PROCUREMENTS:**

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

- 16. \*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing Department to issue a Purchase Order to Ace Government Services referencing Contract 2017-1079 Janitorial Services - International Bridges. This will be a change order to increase the contract by \$62,848.00 for a total amount not to exceed \$691,336.00, The change order will cover expenses for the remainder of the contract term, February 28, 2023.

Contract Variance:  
No contract variance

Department: International Bridges  
Award to: Ace Government Services, LLC  
El Paso, TX  
Total Estimated Amount: \$62,848.00  
Account No.: 522060-564-3300-64830  
Funding Source: Maintenance Service Contract - Janitorial  
District(s): All

This is a Best Value, services contract.

<b>REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL:</b>
<b>Goal 4: Enhance El Paso’s Quality of Life through Recreational, Cultural and Educational Environments</b>

17.

**RESOLUTION**

Marathon Petroleum Company: Refinery Veterans Network Day

**WHEREAS**, a group of passionate employees at Marathon Petroleum Company (MPC), El Paso refinery, formally started a network chapter in support of the company’s veteran employees. Open to all employees regardless of their veteran status, the chapter provides a forum for members to discuss their experiences, perspectives, and the challenges that veterans and their families face; and

**WHEREAS**, Marathon Petroleum Company, El Paso refinery is excited to start a veteran employee network chapter. Our veterans have made infinite sacrifices for our country, and it’s a privilege for us to be able to support them in this capacity; and

**WHEREAS**, the employee network allows the company to continue to build strong relationships in the community. Marathon Petroleum Company, El Paso refinery looks forward to serving the El Paso community through volunteerism and partnering with local organizations that support veteran causes; and

**WHEREAS**, in 2019 Marathon Petroleum Company formally launched the Veteran’s Network along with five other employee network chapters across the company, which includes Asian, African American, Hispanic, LGBTQ+, and Women Network; and

**WHEREAS**, diversity and inclusion are important to the refinery, and they strive to promote a workplace that champions inclusive behaviors across our entire business and the community as a whole;

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

That the City of El Paso proudly honors and recognizes this November 11th as Marathon Petroleum Company and the creation of Refinery Veterans Network Day.

Representative Hernandez read the resolution into the record.

Mr. Kirk Smith, citizen, commented.

Mayor Leeser and Representative Hernandez commented.

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

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

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

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

AYES: Representatives Svarzbein, Annello, Hernandez, Salcido, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Rodriguez and Rivera

ABSENT: Representative Molinar

18.

**RESOLUTION**

**WHEREAS**, we are here today to recognize and honor La Parada, the founders, and all of the community members that have contributed to more than twelve years of bringing people together to celebrate our local arts and culture; and

**WHEREAS**, La Parada was founded in 2010 with the inspiration to create a space for El Paso to showcase the talent our bi-national community has to share and welcome artists and fans from throughout the country; and

**WHEREAS**, La Parada has since organized over 100 shows featuring more than 400 artists and musicians from El Paso and beyond our borders and shared memories with tens of thousands of local fans; and

**WHEREAS**, La Parada has showcased not only the talent our city has cultivated but shined light on our great city and the people who make El Paso such a special place to guests who have traveled to be with us; and

**WHEREAS**, it serves a municipal purpose to recognize the contribution to the community, providing art and cultural opportunities to the residents and visitors to the City.

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

That November 8, 2022 shall be known as, "La Parada Day."

Representative Svarzbein read the resolution into the record.

Mr. Anthony Flores, organizer for La Parada, commented.

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

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

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

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



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

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**Goal 7: Enhance and Sustain El Paso's Infrastructure Network**  
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**19. ITEM:** Discussion and action to direct staff to return with strategies for implementation of Sustainable Development Goals (SDG) within performing and resilience framework.

Representatives Svarzbein and Annelo commented.

The following City staff members commented:

1. Ms. Nicole Ferrini, Community and Human Development Director
2. Mr. Abraham Gutierrez, Community and Human Development Assistant Director

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annelo, and unanimously carried to **DIRECT** staff to return with strategies for implementation of Sustainable Development Goals (SDG) within performing and resilience framework no later than the work session of December 12, 2022.

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

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

**WHEREAS**, Cheer Force Athletics, LLC. (**CFA**), a local cheerleading team was established in October of 2018, by a local mom, Esther Melendez a born and raised Latina in the City of El Paso wanting to give back to the young kids within her community; and

**WHEREAS**, the City of El Paso Parks and Recreation Department first recognized the natural leadership skills in coach Esther and asked her to volunteer her time to develop a cheerleading city team at Marty Robbin's Recreation Center; and

**WHEREAS**, at the time of its establishment Cheer Force was a team of one class with 12 young athletes with the passion to cheer, and quickly grew to six classes with over 100 athletes, outgrowing the space available at the city recreation center, and

**WHEREAS**, Cheer Force quickly grew to a high caliber, competitive degree, where parents of team athletes, soon began to invest in the team's performance level, by accommodating team members with uniforms, and competition fees, placing the team in a position to compete with local and regional teams with the same exceptional reputation of performance; and

**WHEREAS**, in February 2022, Cheer Force's Team Fierce composed of 12 11-18 year old's, competed at the UTEP Cheer Championship against 42 other teams from El Paso Texas, Las Cruces New Mexico, and Albuquerque New Mexico.; and

**WHEREAS**, Team Fierce which includes team members, Cassandra Melendez, Alexis

Angeles, Alan Gonzalez, Ashley Payan, Alexa Candelaria, Cherlyn Hernandez, Lluvia Marin, Kiley Zapata, Ebony Ibarra, Amaris Valdez, Olivia Sanchez, and Emeliy Smolick, won Grand Champions and were invited to represent the City of El Paso in this year's Macy's Thanksgiving Day Parade in New York City!

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

1. Recognizes the talents of these young athletes in the City of El Paso; and
2. Thanks community leaders like Esther Melendez for investing her time in giving back to our community by coaching and motivating the future leaders of El Paso; and
3. Congratulates Team Fierce from CFA in proudly representing the City of El Paso at this year's annual Macy's Thanksgiving Day Parade in New York City. You all have made your city proud!

Representative Rodriguez read the resolution into the record.

Mayor Leeser commented.

Ms. Esther Melendez, owner and founder of Cheer Force Athletics, commented.

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

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

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

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

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

NAYS: None

ABSENT: Representative Molinar

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The Regular City Council meeting was **RECESSED** at 9:35 a.m. in order to take photos with the honorees.

The Regular City Council meeting was **RECONVENED** at 9:52 a.m.

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- 21. ITEM:** Discussion and action to establish a landbank strategy and infill incentive program for affordable housing.

Representative Svarzbein commented.

Ms. Nicole Ferrini, Community and Human Development Director, commented.

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Lizarraga, and unanimously carried to **DIRECT** City of El Paso staff to establish a landbank strategy and infill incentive program for affordable housing and to reach out to private and public sectors and stakeholders.

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

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The Regular City Council Meeting was **RECESSED** at 10:27 a.m. in order to convene the Mass Transit Board Meeting.

The Regular City Council Meeting was **RECONVENED** at 10:35 a.m.

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**REGULAR AGENDA – OPERATIONAL FOCUS UPDATES**  
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**Goal 3: Promote the Visual Image of El Paso**  
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**22.** Update on Median Maintenance.

Mr. Nicholas Ybarra, Environmental Services Department Assistant Director, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Mayor Leeser and Representative Hernandez commented.

Mr. Tommy Gonzalez, City Manager, commented.

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

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**Goal 8: Nurture and Promote a Healthy, Sustainable Community**  
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**23.** Presentation and discussion on El Paso Animal Services Medical Operations.

Chief Terry Kebschull, Animal Services Director, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Mayor Leeser and Representative Hernandez commented.

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

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**Goal 7: Enhance and Sustain El Paso’s infrastructure Network**  
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**24.** Presentation and discussion on Pavement Condition Index (PCI) results.

\*Motion made, seconded, and unanimously carried to **DELETE** the item.

**25.** Presentation and discussion on the Neighborhood Traffic Management Program (NTMP).

\*Motion made, seconded, and unanimously carried to **POSTPONE** the presentation for **TWO WEEKS**.

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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. Ms. Regena Miller – statement read into the record by the City Clerk

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**REGULAR AGENDA – FIRST READING OF ORDINANCES:**

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

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

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

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**26.** An Ordinance changing the zoning of Lots 25 through 32, Block 15, Highland Park Subdivision, City of El Paso, El Paso County, Texas from R-5 (Residential) to A-O (Apartment/Office). 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: South of Detroit Avenue and East of Murchison Drive  
Applicant: T.J. Karam, PZRZ22-00028

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**27.** An Ordinance changing the zoning of the South 27 feet of Lots 30, 31, and 32, in Block 100, East El Paso, 1112 N. San Marcial Street, City of El Paso, El Paso County, Texas from R-5 (Residential) to G-MU (General Mixed Use), and approving a master zoning plan. 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: 1112 N. San Marcial Street  
Applicant: Buck Money Johnston and Brian Campbell Bosworth, PZRZ22-00022

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**PUBLIC HEARING WILL BE HELD ON DECEMBER 6, 2022 FOR ITEMS 26 AND 27**

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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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**28.** Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **AUTHORIZE** the Director of the Purchasing and Strategic Sourcing Department to issue a Purchase Order(s) to Texas Commission on Fire Protection (TCFP). Texas Commission on Fire Protection is a State Agency and the sole source for the TCFP certification in order to comply with the requirements under the Texas Administrative Code Title 37; Part 13; Chapter 421; Rule 421.17.

Contract Variance:

The difference in price, based on comparison to the previous contract is as follows: An increase of \$5,550.00 for the annual estimated amount, which represents an 8.45% increase due to the number of uniformed employees increased.

Department: Fire  
Award to: Texas Commission on Fire Protection  
Austin, TX  
Annual Estimated Amount: \$71,250.00  
Funding Source: Professional Licenses and Memberships  
Account No.: 322-1000-22020-544140-P2221  
Districts(s): All  
Reference No.: 2023-0118

This is a Sole Source, requirements contract.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Molinar

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

**WHEREAS**, the City seeks to promote healthy outdoor recreational activity to the citizens and visitors of El Paso through the use of its City parks; and

**WHEREAS**, Western Refining Company, LLC (Western) wishes to donate, construct and install park amenities and landscaping features, at Western's sole cost, in accordance with the City's design specifications to be used at the Marina Rios Park; and

**WHEREAS**, the City and Western are mutually desirous of entering into the Use, Construction, and Donation Agreement for the benefit of the public;

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

That the City Manager, or designee be authorized to sign a Use, Construction, and Donation Agreement for improvements at Marina Rios Park by and between the City of El Paso, Texas and Western Refining Company LLC.

Mayor Leeser and Representatives Svarzbein and Hernandez commented.

Mr. Fred Borrego, citizen, commented.

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

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

NAYS: None

ABSENT: Representative Molinar

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**Goal 7: Enhance and Sustain El Paso's Infrastructure Network**  
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**30.** Motion made by Representative Rivera, seconded by Representative Rodriguez, and unanimously carried to **AWARD** Solicitation 2022-0403 Padilla Street Reconstruction to ZTEX CONSTRUCTION, INC. for an estimated total amount of \$3,007,588.00. The project scope

consists of reconstructing Padilla Dr. from Playa Drain to Zaragoza Rd. Construction improvements include the demolition of concrete, asphaltic pavement, curb, hardscape, landscaping, sanitary sewer improvements, adjustment to existing vehicular gates, and upgrade of existing street signage.

Department:	Capital Improvement
Award to:	ZTEX CONSTRUCTION, INC. El Paso, TX
Item(s):	Base Bid I and Deductive Alternate 1, Base Bid II, and Base Bid III
Initial Term:	300 Consecutive Calendar Days
Base Bid I and Deductive Alternate 1:	\$2,069,321.40
Base Bid II:	\$466,619.60
Base Bid III:	\$471,647.00
Total Estimated Award:	\$3,007,588.00
Funding Source:	2013 Street Infrastructure and El Paso Water Utilities Funding
Accounts:	190-4740-580270-28900-PCP20ST006 190-4970-580270-38230-PCP20ST006
District(s):	7

This is a Competitive Sealed Proposal, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to ZTEX CONSTRUCTION, INC. the highest ranked offeror.

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

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

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

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

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31.

**RESOLUTION**

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

That the City Manager be authorized to sign a two-year On-Call Agreement for Professional Services to perform environmental services on a task by task basis by and between the by City of El Paso and each of the following three (3) consultants:

1. Arcadis US Inc.
2. Souder Miller & Associates, Inc.
3. WSP USA Environment & Infrastructure, Inc.

Each On-Call Agreement will be for an amount not to exceed \$300,000.00, and each agreement will include authorization for the City Engineer to approve additional Basic Services and Reimbursables for an amount not to exceed \$50,000.00 and authorization for the City Engineer to approve Additional Services for an amount not to exceed \$50,000.00 if the identified services are necessary for proper execution of identified project and if the increased amounts are within the appropriate budget identified of the project for a total amount of \$400,000.00. In addition, the City Manager is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of each On-Call Agreement.

Representative Annelo commented.

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Molinar

- 32.** Motion made by Representative Rivera, seconded by Representative Lizarraga, and unanimously carried to **AWARD** Solicitation No. 2022-0850 Veterinary Medical Supplies (Re-Bid III) to Manuel Talamantes, III dba El Paso Veterinary Supply and Steris Corporation dba Hu-Friedy Mfg. Co. LLC, for an initial term of three (3) years for an estimated amount of \$1,153,238.58. This contract will allow Animal Services to procure surgical, medications, antibiotics, test kits and other medical supplies needed for animals in their care.

Contract Variance:

The difference in price based on comparison to the previous contract is as follows: An increase of \$379,571.61 for the initial term, which represents a 49.06% increase due to quantity and price increases.

Department:	Animal Services
Vendor # 1:	Manuel Talamantes, III dba El Paso Veterinary Supply El Paso, TX
Item(s):	Group I (Items 1-4, 7, 9-58, 61-81 and 83) Group II (Items 1-9, 12-31, 34-62, 64-73 and 75-96)
Initial Term:	3 years
Annual Estimated Award:	\$383,086.18
Total Estimated Award:	\$1,149,258.54 (3 years)
Vendor # 2:	Steris Corporation dba Hu-Friedy Mfg. Co. LLC Chicago, IL
Item(s):	Group II (Items 10, 11 and 32)
Initial Term:	3 years
Annual Estimated Award:	\$1,326.68
Total Estimated Award:	\$3,980.04 (3 years)

Total Annual Amount: \$384,412.86 (2 Vendors)  
Total Estimated Award: \$1,153,238.58 (3 years) (2 Vendors)  
Account No.: Non-Federal Funds  
Funding Source: 225-2580-25120-531120  
District(s): All

This is a low bid, unit price contract.

The Purchasing & Strategic Sourcing and Animal Services Departments recommend award as indicated to Manuel Talamantes, III dba El Paso Veterinary Supply and Steris Corporation dba Hu-Friedy Mfg. Co. LLC, the lowest, responsive and responsible bidders.

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

NAYS: None

ABSENT: Representative Molinar

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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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**33. ORDINANCE 019399**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE PROPERTY DESCRIBED AS LOT 3, BLOCK 42, MAGOFFIN ADDITION, 815 TAYS STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-3 (APARTMENT) AND C-1 (COMMERCIAL) TO S-D (SPECIAL DEVELOPMENT), PURSUANT TO SECTION 20.04.360, AND APPROVING A DETAILED SITE DEVELOPMENT PLAN PURSUANT TO SECTION 20.04.150 AND 20.10.360 OF THE EL PASO CITY CODE TO ALLOW FOR AN OFFICE AND DISTRICT AREA, FRONT YARD SETBACK AND SIDE YARD SETBACK REDUCTIONS AS PERMITTED IN THE S-D (SPECIAL DEVELOPMENT) ZONE DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

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

NAYS: None

ABSENT: Representative Molinar

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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**34. ORDINANCE 019400**



The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST22-00008, TO ALLOW FOR PARKING SPACES (SERVING ANOTHER PROPERTY) ON THE PROPERTY DESCRIBED AS TRACT 6-B AND 18-B, BLOCK 4, UPPER VALLEY SURVEYS, 5020 COUNTRY CLUB PLACE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.260 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

NAYS: None

ABSENT: Representative Molinar

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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**ITEMS 35 AND 36 WERE TAKEN TOGETHER**

**35. ORDINANCE 019401**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 1 AND 2, BLOCK 6, HIGHLAND PARK, 1837 GRANDVIEW AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO A-O (APARTMENT/OFFICE), AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

**36. ORDINANCE 019402**

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING CONDITIONS NO. 2 AND NO. 3 PLACED ON PROPERTY BY ORDINANCE NO. 5193 WHICH CHANGED THE ZONING OF PORTION OF H. F. FISHER SURVEY NO. 293, CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

Motion duly made by Alternate Mayor Pro Lizarraga, seconded by Representative Rivera, and carried that the Ordinances be **ADOPTED**.

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

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

NAYS: None

ABSENT: Representative Molinar

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

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37. \*Motion made, seconded, and unanimously carried to **POSTPONE FOURTEEN WEEKS** the public hearing of an Ordinance changing the zoning of a portion of Lots 14 through 26, Block 4, Hughes Subdivision of Block 2, Alameda Acres, 5713 Welch Avenue, City of El Paso, El Paso County, Texas from S-D/sp (Special Development/special permit) to M-1 (Light Manufacturing), 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: 5713 Welch Ave.

Applicant: Jose Manuel Valenzuela and Maria Del Sol Covarrubias, PZRZ22-00016.

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38. **ORDINANCE 019403**

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A 3.81 ACRE PORTION OF THREADGILL AVENUE, RANCHITO AVENUE, ROANOKE AVENUE, RUTLEDGE PLACE, AND ALBANY DRIVE, LOCATED WITHIN LOS RANCHITOS SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

**APPLICANT: EL PASO WATER UTILITIES - PUBLIC SERVICE BOARD, SURW22-00007**

Motion duly made by Representative Rodriguez, 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 Annelo, Hernandez, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: Representative Svarzbein

ABSENT: Representative Molinar

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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39. **RESOLUTION**

**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 **LEGATE CO TEXAS, LLC** (“Applicant”) in support of the renovation of a mixed-use building located in the downtown El Paso. The Agreement requires the Applicant to make a minimum investment of \$421,046.

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

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

NAYS: None

ABSENT: Representative Molinar

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

- .....  
**40.** Presentation, discussion and action on the FY 2021-2022 4th Quarter Financial Report and to authorize the City Manager or his designee to allocate year-end surplus to the Operating and Debt Stabilization Fund.

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

Representatives Svarzbein, Annelo, Hernandez, and Rivera commented.

Mr. Tommy Gonzalez, City Manager, commented.

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried to allocate the FY 2022 General Fund Surplus of \$10,198,677 as follows:

- \$2,549,669, or 25% of surplus, to Operating & Debt Stabilization Fund
- \$7,649,008, or 75% of surplus, to Unassigned reserves

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

NAYS: None

ABSENT: Representative Molinar

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

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**41.** Presentation and discussion and action on coordination regarding Frontera Road congestion.

Mayor Leeser and Representatives Svarzbein and Lizarraga commented.

The following City staff members commented:

- Mr. Russell Abeln, Assistant City Attorney
- Ms. Karla Nieman, City Attorney
- Mr. Tommy Gonzalez, City Manager

The following members of the public commented:

1. Ms. Barbara Duchouquette
2. Mr. Fernando Gomez
3. Ms. Susan Martinez

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

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

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

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Lizarraga, and unanimously carried to **DIRECT** City staff to return back in two weeks with identifying the cost and process for closure of Frontera Rd. and other roads identified to restrict access from Sunland Park, NM to El Paso, TX along Frontera and collective streets.

To identify costs for a second option relating to right in and right out at the Texas/New Mexico border at La Adelita and Frontera.

Send a notarized letter to the developer, City Manager and Mayor and individuals of City Council members of the City of Sunland Park and other relevant Sunland Park departments notifying them that the City of El Paso is moving forward in the process of identifying cost related to closure of Frontera and surrounding streets and encouraging them to come to conversation with the City of El Paso letting to the public safety, health and welfare of our communities.

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

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**ADJOURN**  
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Motion made by Representative Annello, seconded by Representative Salcido, and unanimously carried to **ADJOURN** this meeting at 12:35 p.m.

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

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