

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 9, 2021  
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 9:03 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Henry Rivera, and Cissy Lizarraga. Late arrival: Claudia Rodriguez at 9:06 a.m. Alessandra Annello participated via videoconference. Early Departure: Alessandra Annello at 5:28 p.m.

---

### **INVOCATION BY EL PASO POLICE CHAPLAIN ROBERT HEMPHILL, JR., PhD**

---

### **PLEDGE OF ALLEGIANCE**

---

### **MAYOR'S PROCLAMATIONS**

Veterans Day

Hal Marcus Gallery Day

---

The Regular City Council meeting was **RECESSED** at 9:15 a.m. in order to reconvene the Work Session for November 8, 2021.

The Regular City Council meeting was **RECONVENED** at 1:59 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, Hernandez, Molinar, Salcido, Rodriguez, Rivera and Lizarraga

**NAYS:** None

.....  
**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 October 26, 2021, the Agenda Review of October 25, 2021, the Work Session of October 25, 2021, the Special Meeting of July 27, 2020, and the Work Session of September 28, 2020.

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

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

**NO ACTION** was taken on this item

.....  
**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 be authorized to sign an Air Cargo Building Lease Agreement between the City of El Paso ("Lessor") and Swissport SAUSA, LLC, a Delaware limited liability company ("Lessee"), for office and warehouse space, loading dock, round service equipment parking apron and vehicle parking area, at 6415 Convair Road, El Paso, Texas, in Air Cargo Center Building #2.

4. **\*RESOLUTION**

**WHEREAS**, the City of El Paso ("Lessor") and DHL Express (USA), Inc. ("Lessee") entered into an Air Cargo Center Agreement with an effective date of February 6, 2018, to lease office, warehouse, loading dock, and ground service equipment parking space located at Suite G of the Air Cargo Center, 301 George Perry, Blvd., El Paso, El Paso County, Texas; and

**WHEREAS**, the Tenant desires to lease additional warehouse and ground service equipment parking space, and other space located at Suite H of the Air Cargo Center;

**WHEREAS**, the City is willing to lease the referenced space to Lessee, and to offer Landlord's Additional Improvements to Suite H.

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

1. That the City Manager be authorized to sign a First Amendment to Air Cargo Center Agreement ("First Amendment") with an effective date of November 9,

2021, by and between the City of El Paso (“Lessor”) and DHL Express (USA), Inc. (“Lessee”) to add the following described property:

That certain office and warehouse space containing approximately 12,325 square feet, more or less, in total as shown on Exhibit “C” to said First Amendment, known as the Air Cargo Center, 301 George Perry Blvd., Suite H, El Paso, El Paso County, Texas, together with portions of the loading dock and vehicle parking space, ground service equipment parking and the non-exclusive use of the roadway in front of the Air Cargo Center, all as set forth therein.

2. That the First Amendment shall identify Lessor Additional Improvements and the rental rates for Suite H.

---

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

---

5.

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

**WHEREAS**, the City of El Paso (the “City”) is eligible to apply for grants through the Criminal Justice Division of the Office of the Governor of the State of Texas (“CJD”);

**WHEREAS**, the El Paso City Council seeks to receive grant funding through the CJD grant/application number 4365501 for the El Paso Police Department project identified as “Body Worn Camera Grant Program FY2022”; and

**WHEREAS**, the El Paso City Council designated 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, Criminal Justice Division, grant application number 4365501, for the City of El Paso Police Department project identified as “Body Worn Camera Grant Program FY2022” to provide financial assistance to the City of El Paso.
2. **THAT**, the City of El Paso shall provide all 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.
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, Criminal Justice 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.

---

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

---

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

**WHEREAS, The Sun Bowl Association** (hereinafter referred to as “Grantee”) has submitted an application for a Special Event Permit as per Chapter 13.38 (Special Events) of the El Paso City Code, for the use and closure of rights-of-way within the City of El Paso’s (hereinafter referred to as “the City”) for the **Sun Bowl Thanksgiving Parade & Turkey Trot from 3:00 a.m. to 2:00 p.m. on Thursday, November 25, 2021** (hereinafter referred to as the “Event”); and

**WHEREAS,** The Event will utilize both City and State rights-of-way: and

**WHEREAS,** The City of El Paso (hereinafter referred to as the “City”) has found the Event serves a public purpose; and

**WHEREAS,** The State of Texas (hereinafter referred to as the “State”) owns and operates a system of highways for public use and benefit, including **Copia St. between La Luz Ave. and Tularosa Ave.** within El Paso, Texas; and

**WHEREAS,** 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of portions of the State Highway System for periods of time exceeding four hours; and

**WHEREAS,** the State in recognition of the public purpose for the Event, provides a means of cooperating with the City for the temporary closure of State right-of-way, provided the closure is in accordance with the requirements of 43 TAC, Section 22.12 and the City enters into an Agreement for the Temporary Closure of State Right-of-Way for the Event (Form TEA 30A).

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

That the closure of rights-of-way within the City of El Paso for the **Sun Bowl Thanksgiving Parade & Turkey Trot from 3:00 a.m. to 2:00 p.m. on Thursday, November 25, 2021**, serves a public purpose of providing cultural and recreational activities for the residents and visitors of the City of El Paso, and in accordance with 43 TAC, Section 22.12, the City Manager be authorized to sign an Agreement For The Temporary Closure of State Right Of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the temporary closure and use of State owned and operated street (s) in excess of four hours for portions of **Copia St. between La Luz Ave. and Tularosa Ave.** upon the issuance of required

permits from the City of El Paso and substantial conformity to the finalized TEA30 agreement between the City of El Paso and State of Texas Department of Transportation.

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

**7. \*RESOLUTION**

**WHEREAS**, pursuant to the City's 2021 calendar year City Council regular meeting schedule, City Council is scheduled to meet on Tuesday, December 21, 2021; and

**WHEREAS**, the City Council desires to reschedule the December 21, 2021 meeting to Tuesday, December 14, 2021; and

**WHEREAS**, the City will resume its regular meetings of the City Council for the 2022 calendar year on Tuesday, January 4, 2022.

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

That in conformity with Section 3.5 of the City Charter, the regular City Council meeting scheduled on December 21, 2021 is hereby rescheduled for Tuesday, December 14, 2021, and the related Agenda Review and Work Session will be held on Monday, December 13, 2021. The regular meeting of the City Council for the 2022 calendar year will resume on January 4, 2022.

Representative Rodriguez commented.

Ms. Laura D. Prine, City Clerk, commented.

.....  
**8. \*RESOLUTION**

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

That the City Manager, or designee, is authorized to exercise the first renewal option under a Lease Agreement entered on November 29, 2011 between the City of El Paso, Texas and Madison River Investments, LLC for the lease of the property commonly known as Suite 300 of the Wells Fargo Building located at 221 N. Kansas Street. Further, that the City Manager, or designee, is authorized to accept the Landlord's determination of the Market Base Rental Rate as provided in the lease. Further, that the City Manager, or designee, is authorized to exercise all rights and perform all obligations under the lease agreement. Further, that the City Manager, or designee, is authorized to execute any amendments to the lease without further City Council approval. Further, that the City Manager, or designee, is authorized to exercise the second renewal option and accept future Landlord determinations of Market Base Rental Rate if the City Manager determines that the renewal of the lease is required for operation purposes.

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

9.

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

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

That the City Manager, or designee, be authorized to sign a First Amendment to Agreement for Professional Services by and between the CITY OF EL PASO and GRV Integrated Engineering Solutions, LLC. , an Texas Limited Liability Corporation, for a project known as “**YARBROUGH, GEORGE DIETER AND LEE TREVINO ARTERIAL LIGHTING AND LANSCAPE IMPROVEMENTS**” to allow for additional basic services for construction administration increasing the contract amount by \$63,405 extending the contract amount from \$503,956.76 to \$567,361.76. Further, that the City Engineer is authorized to approve Additional Services for an amount not to exceed \$36,595 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 \$603,956.76; and that the City Manager is 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.

.....  
**Goal 8: Nurture and Promote a Healthy, sustainable Community**  
.....

**10. ITEMS 10 AND 11 WERE TAKEN TOGETHER**

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

**WHEREAS, EP Salazar II, LP** has proposed a development for affordable rental housing of **approximately 302** units that will be located at **311 S. Eucalyptus Street** in the **City of El Paso**; and

**WHEREAS, EP Salazar II, LP** has submitted an application to the Texas Department of Housing and Community Affairs for **2021** Housing Tax Credits for **Salazar Apartments**;

It is hereby

**RESOLVED**, that in accordance with the requirements of Tex. Gov’t Code §2306.67071 and 10 TAC §11.204(4), it is hereby found that:

1. Notice has been provided to the Governing Body in accordance with Tex. Gov’t Code, §2306.67071(a); and
2. The Governing Body has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and
3. The Governing Body has held a hearing at which public comment may be made on the proposed Development in accordance with Tex. Gov’t Code, §2306.67071(b); and
4. After due consideration of the information provided by the Applicant and public comment, the Governing Body does not object to the proposed Application; and

**FURTHER RESOLVED** that for and on behalf of the Governing Body, Laura Prine, City Clerk is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

11.

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

**WHEREAS, EP Salazar II, LP** has proposed a development for affordable rental housing at **311 S. Eucalyptus Street** named **Salazar Apartments** in the **City of El Paso**; and

**WHEREAS, EP Salazar, LP** has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2021 **Housing Tax Credits** funds for **Salazar Apartments**; and

It is hereby

**RESOLVED**, that as provided for in 10 TAC §11.101(a)(3) of the Qualified Allocation Plan, it is hereby acknowledged that the proposed Development is located in a census tract that has a poverty rate above **55% for Developments in regions 13** for individuals; and

**FURTHER RESOLVED**, that the **City of El Paso** hereby confirms that its Governing Body has voted specifically to authorize the Development to move forward; and

**FURTHER RESOLVED** that for and on behalf of the Governing Body, Laura Prine, City Clerk is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

Representative Anello commented.

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

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

\*Motion made, seconded, and unanimously carried to **MOVE THE ITEMS** to the Forefront of the Regular Agenda.

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

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

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

NAYS: None

12.

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

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso, Texas and the City of Anthony, Texas, for the period of September 1, 2021 through August 31, 2022, for the provision of public health and environmental services by

the City of El Paso to the City of Anthony, for which the City of Anthony shall pay to the City of El Paso an annual amount of FIFTY-ONE THOUSAND THREE HUNDRED FOUR DOLLARS AND NO/100 (\$51,304.00).

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

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

13. \*Motion made, seconded, and unanimously carried to **RE-APPOINT** Edmund Castle to the Historic Landmark Commission by Representative Joe Molinar, District 4.  
.....

**CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS:**  
.....

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

14. \*Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds listed below and posted on the attachment with this agenda:
1. Corelogic Tax Services, in the amount of \$3,419.49 made an overpayment on December 15, 2020 of 2020 taxes. (Geo. # V893-999-4540-2200)
- .....

**CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS:**  
.....

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

15. \*Motion made, seconded, and unanimously carried **ACCEPT** the notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Representative Peter Svarzbein in the amount of \$1,500.00 by El Paso Association of Fire Fighters Local 51.  
.....

**REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL**  
.....

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

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

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

That the City Council declares that the expenditure of District 2 discretionary funds in an amount not to exceed \$4,446.42 to the Downtown Management District for costs related to the placement of informational banners in the City’s downtown area for the Ann Richards Legacy Project; serves the public purpose of inspiring new leaders.

That the City Manager is authorized to effectuate any budget transfers necessary to ensure that the funds are properly expended for such purpose and is authorized to execute any related agreements, amendments to such agreements, and documents necessary to carry out the purpose of this Resolution.



Representative Annello commented.

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

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

---

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

---

17. Discussion and action to direct the City Manager and staff to provide an answer on or before the February 1, 2022 City Council meeting with a cost estimate of how much the Multipurpose Performing Arts and Entertainment Center (MPC) project would cost if it were executed today.

Representative Molinar commented.

Motion made by Representative Molinar, seconded by Representative Svarzbein, and unanimously carried to **POSTPONE** the item **INDEFINETELY**.

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

---

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

---

18. Discussion and action to suspend November Sun Metro route closures to the 2nd quarter of 2022 to fully ascertain return of ridership and to create a timeline for reinstatement of route closures during the pandemic from March 2020 to present.

Ms. Ellen Smyth, Managing Director for Environmental Services and Mass Transit, briefed Council members on the planned route changes.

Representatives Svarzbein, Annello, and Hernandez commented.

Mr. Cary Westin, Senior Deputy City Manager, commented.

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

---

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

---

19. **RESOLUTION**

**WHEREAS**, The Borderland Rainbow Center in El Paso, Texas recognizes the violence and challenges faced by the transgender community in the nation every day, particularly transgender women of color; and

**WHEREAS**, there is a long history of violence targeting the transgender community and women of color, much of which goes unreported or inaccurately reported; and

**WHEREAS**, transgender women of color are more likely to experience violence, including in prisons and immigration detention facilities; and

**WHEREAS**, this year there were at least 34 known transgender people killed in the United States, 28 of whom were people of color; and

**WHEREAS**, discriminatory attitudes toward the transgender community and women of color foster high rates of violence, homelessness, and economic instability; and

**WHEREAS**, the members of the transgender community and women of color who do not have access to safe education, employment, and housing due to lack of availability, targeted support programs, or training are forced into situations that put them in vulnerable positions; and

**WHEREAS**, our County must ensure anti-discriminatory employment practices and promote policies for accepting inclusive environments; and

**WHEREAS**, it is essential to develop policies that support the transgender community, develop public education to dispel myths, and to humanize transgender people.

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

November 20th shall be known as: "NATIONAL TRANSGENDER DAY OF REMEMBRANCE".

Representatives Annelo and Hernandez commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

---

**REGULAR AGENDA – OPERATIONAL FOCUS UPDATES**

---

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

---

**20.** Management Update: Eco-Tourism Update.

Mr. Ben Fyffe, Managing Director of Cultural Affairs and Recreation, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein and Hernandez commented.

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

---

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

---

21. Presentation, discussion and action on the upcoming Strategic Planning Session to be held on December 1-2, 2021 at the El Paso Museum of Art.

Ms. Julie Baldwin, Learning and Innovation Director, and Ms. Nicole Cote, Office of Management and Budget Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein, Hernandez, and Molinar Commented.

Mr. Tommy Gonzalez, City Manager, commented.

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rodriguez, and unanimously carried to **CALL FOR THE SPECIAL MEETINGS** for the Strategic Planning Session to be held on December 1-2, 2021 at the El Paso Museum of Art at 9:00 A.M.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Anello

---

**CALL TO THE PUBLIC – PUBLIC COMMENT:**

---

The following members of the public commented:

1. Mr. Rick Bonart
2. Ms. Wally Cech

---

The Regular City Council meeting was **RECESSED** at 2:06 p.m. in order to convene the Mass Transit Department Board Meeting.

The Regular City Council meeting was **RECONVENED** at 3:16 p.m.

---

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

---

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

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

NAYS: None  
NOT PRESENT FOR THE VOTE: Representative Annello

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

22. An Ordinance amending Title 12 (Vehicles and traffic), Chapter 12.08 (Administration and Enforcement), Section 12.08.220 (Impounding Vehicles) of the City Code, in its entirety, to allow an employee designated by the City to request the removal and storage of illegally parked and abandoned vehicles.

.....  
**PUBLIC HEARING WILL BE HELD ON NOVEMBER 23, 2021**  
.....

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

23. An Ordinance granting Special Permit No. PZST21-00012, to allow for a television and radio broadcasting antennae on the property described as a portion of Lot 1, Block 2, Pellicano Commercial Unit Three, 12285 Pellicano Drive, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.700 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.

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

Subject Property: 12285 Pellicano Drive  
Applicant: Montoya Oak Business Park, LP  
PZST21-00012

24. An Ordinance changing the zoning of Tract 8C, Section 29, Block 80, TSP 1, Texas And Pacific RR Company Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: Generally located East of Dyer Street and North of Sean Haggerty Drive/Angora Loop Avenue  
Applicant: Sitework Engineering c/o Jorge Garcia, PZRZ21-00022

.....  
**PUBLIC HEARING WILL BE HELD ON DECEMBER 7, 2021 FOR ITEMS 23 AND 24**  
.....

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

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

25. Motion made by Representative Salcido, seconded by Representative Svarzbein, and unanimously carried to **AWARD** Solicitation 2022-0052 Airport RTS to MIRADOR ENTERPRISES, INC. for an estimated award of \$1,474,731.79. The purpose of the project is to improve the existing local bus service in El Paso along the Montana Street corridor by

adding a new bus rapid transit service route, as well as providing a pickup location for rideshare users. A new enclosed station at the El Paso International Airport will be constructed that will follow the development of the Montana Rapid Transit System (RTS), that will also provide a pickup location for rideshare users. The station will consist of a climate-controlled building, pedestrian lighting, new Sidewalks, landscaping, bicycle racks and artwork.

Department:	Capital Improvement
Award to:	MIRADOR ENTERPRISES, INC. El Paso, TX
Item(s):	Base Bid I, Base Bid II, Base Bid III and Base Bid IV
Initial Term:	182 Consecutive Calendar Days
Base Bid I:	\$1,224,669.94
Base Bid II:	\$ 26,055.72
Base Bid III:	\$ 77,566.32
Base Bid IV:	\$ 134,730.00
Additive Alternate I:	\$ 11,709.81
Total Estimated Award:	\$1,474,731.79
Funding Source:	2021 Certificate of Obligation/Federal Transit Administration
Account:	190-4746-38290-580270-PCP11MT050B 560-3210-38290-580270-PCP11MT050B
District(s):	2 & 3

This is a Low Bid procurement, lump sum contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to MIRADOR ENTERPRISES, INC., the lowest responsive and responsible bidder and that Arrow Building Corp. be deemed non-responsible due to not providing proper documentation that demonstrates a satisfactory performance record and that PERIKIN Enterprises, LLC be deemed non-responsible due to not meeting the minimum experience requirement that demonstrates a satisfactory performance record.

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.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Anello

---

**REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:**

---

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

---

26.

**ORDINANCE 019256**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 10 (PUBLIC PEACE, MORALS AND WELFARE), CHAPTER 10.12 (OFFENSES AGAINST PUBLIC PEACE), SECTION 10.12.050 (ALCOHOL PROHIBITED IN PUBLIC PLACES), SUBSECTION A TO DEFINE "HOMELESS SHELTER," "POSSESSES," AND "POSSESSION," AND SUBSECTION B TO ADD HOMELESS SHELTER TO THE AREA WHERE OFFENSE CAN OCCUR; THE PENALTY BEING PROVIDED IN SUBSECTION 10.12.050 E OF THE EL PASO CITY CODE.**

The following City staff members presented a PowerPoint presentation (copy on file in the City Clerk's Office):

- Assistant Police Chief Victor Zarur
- Police Lieutenant Michael Gaither
- Mr. Carlos Armendariz, Assistant City Attorney

Representatives Svarzbein and Lizarraga commented.

The following members of the public commented:

1. Mr. Ricardo Flores
2. Ms. Dora Villanueva
3. Ms. Maria Tonche
4. Letter from Ms. Cynthia Renteria was read into the record by Ms. Laura Prine, City Clerk

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

\*Motion made, seconded, and unanimously carried to **MOVE THE ITEM** to the Forefront of the Regular Agenda ahead of Items 10 and 11.

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

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

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

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

NAYS: Representative Annello

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

---

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

---

27.

**ORDINANCE 019257**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING FOR A PORTION OF TRACT 6, FRUITVALE ADDITION, 8458 ROSEWAY DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO R-4 RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

**SUBJECT PROPERTY: 8458 ROSEWAY DRIVE  
APPLICANT: ELDER RAMIREZ, PZRZ21-00023**

Mr. Raul Garcia, Project Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representatives Molinar and Rodriguez commented.

The following members of the public commented:

1. Mr. Eduardo Talamantes
2. Mr. Elder Ramirez

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Anello

.....  
28.

**ORDINANCE 019258**

The City Clerk read an Ordinance entitled: **AN ORDINANCE APPROVING A SPECIAL PERMIT FOR A PARKING LOT FOR THE PROPERTY DESCRIBED AS LOT 7 AND 8 AND SOUTH 2 FEET OF LOT 9, BLOCK 82, CAMPBELL ADDITION, 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 SPECIAL PERMIT MEETS THE INTENT OF THE FUTURE LAND USE DESIGNATION FOR THE PROPERTY AND IS IN ACCORDANCE WITH *PLAN EL PASO*, THE CITY'S COMPREHENSIVE PLAN.**

**SUBJECT PROPERTY: 707 S. OCHOA ST.  
APPLICANT: JAIME MONTOYA, PZST21-00010**

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Annello and Rodriguez

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

.....  
**29.**

**ORDINANCE 019259**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING FOR THE PROPERTY DESCRIBED AS BEING A PORTION OF TRACTS 3 AND 3A, SECTION 15, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH-FARM) TO R-5 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

**SUBJECT PROPERTY: DYER STREET AND O'CONNOR DRIVE  
APPLICANT: SALVARE NE EL PASO, LLC, PZRZ21-00019**

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annello

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

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

.....  
**30.**

**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 is authorized to sign the Guaranteed Maximum Price Amendment to the Standard Form of Agreement by and between the City of El Paso and Jordan Foster Construction, LLC (“Design-Builder”) for the project known as “Eastside Sports Complex Phase II 2018-1186R”, to accept and incorporate the Design-Builder’s Guaranteed Maximum Price Proposal and establishing the Guaranteed Maximum Price (“GMP”) for the project in the amount of \$12,105,896.36; and

That the City Manager or designee be authorized to approve contract changes, and sign contract amendments, which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law and do not make changes to the prices and are within the appropriate budget; 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 this agreement.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Anello

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

31.

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

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

That the City Manager, or designee, be authorized to sign a two year On-Call Agreement for Professional Services to perform appraisal services on a task order basis between the by City of El Paso and each of the following five consultants:

1. CBRE, Inc.
2. Gayle-Reid Appraisal Services, Inc.
3. Lowery Property Advisors, LLC.
4. Ralph Sellers & Associates
5. Wilkinson, Pendergras & Associates LP.

Each On-Call Agreement will be for an amount not to exceed \$100,000. 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. Further, that the City Manager, or designee, is authorized to execute any amendments to the agreements provided such amendments do not increase the contract amounts. Further, that the City Manager, or designee, is authorized to exercise up to three options to extend the contracts for one year each option, each option increasing the contract amount by an additional \$50,000 for a total contract amount, including options, not to exceed \$250,000.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annello

32.

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

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

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

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

**WHEREAS**, Paseo Del Este Municipal District No. One ("M.U.D. No. 1") requested review and approval of the issuance of the Unlimited Tax Bonds, Series 2021 Bonds Utility by M.U.D. No. 1 (the "Series 2021 Bonds"); and

**WHEREAS**, the City reviewed the proposed issuance of Series 2021 Bonds by M.U.D. No. 1 and desires to approve the issuance of the bonds.

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

That the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2021 Bonds in the estimated amount of \$7,945,000, by Paseo Del Este Municipal Utility District No. 1, with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annello

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

33.

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

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

That the City Manager, or designee, be authorized to sign an Agreement for Professional Services by and between the CITY OF EL PASO and TRANSMAP CORPORATION, an Ohio professional Limited Liability Company, for a project known as “**PAVEMENT CONDITIONS INDEX ASSESSMENT**” for an amount not to exceed **\$652,895.93** and that the City Manager, or designee, be authorized to establish the funding sources, make any necessary budget transfers, execute any and all documents necessary for the execution of the Agreement, and to execute any contract amendments that do not impact the funding amount.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Anello

.....  
**34.**

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

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

That the City Manager, or designee, be authorized to sign a two year On-Call Agreement for Professional Services to perform urban planning services on a task order basis by and between the by City of El Paso and each of the following seven (7) consultants:

1. AECOM Technical Services, Inc. (Information Analysis)
2. Lake Flato Architects, Inc. (Strategic Planning & Visioning)
3. MYCOTOO Inc. (Strategic Planning & Visioning)
4. AECOM Technical Services, Inc. (Sustainability & Resiliency)
5. Quantum Engineering Consultants, Inc. (Sustainability & Resiliency)
6. Asakura Robinson Company, LLC. (Urban Design)
7. Lake Flato Architects, Inc. (Urban Design)

Each On-Call Agreement will be for an amount not to exceed TWO-HUNDRED THOUSAND and No/00 Dollars (\$200,000.00), and each agreement will include authorization for the City Engineer to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and authorization for the City Engineer to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$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 for a project. 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. Further, that the City Manager or designee, is authorized to sign any contract amendments that do not affect the contract amounts.

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

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

.....  
**Goal 8: Nurture and Promote a Healthy, sustainable Community**  
.....

35.

**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 two year On-Call Agreement for Professional Services to perform energy management services on a task order basis by and between the City of El Paso and each of the following two (2) consultants:

1. Texas Energy Engineering Services, Inc.
2. Yearout Energy Services Company, LLC

Each On-Call Agreement will be for an amount not to exceed Three Hundred Thousand and No/00 Dollars (\$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 Fifty Thousand and No/100 Dollars (\$50,000.00) and authorization for the City Engineer to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$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 for a project. In addition, the City Manager, or designee, 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 Svarzbein commented.

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

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

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

.....  
**ADJOURN**  
.....

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Salcido, and unanimously carried to **ADJOURN** this meeting at 5:51 p.m.

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

NOT PRESENT FOR THE VOTE: Representative Annello

.....  
APPROVED AS TO CONTENT:

\_\_\_\_\_  
Laura D. Prine, City Clerk