

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

January 19, 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 9:04 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Joe Molinar, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga. Alexandra Annello and Cassandra Hernandez participated via videoconference. Isabel Salcido requested to be excused.

INVOCATION BY POLICE CHAPLAIN ROBERT HEMPHILL, JR. PH.D.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

Veterans of Foreign Wars Post 812 Auxiliary Recognition Day

Desert Lynx Women's Basketball Champions Day

NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried to **APPROVE** 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, Rodriguez, Rivera, and Lizarraga

NAYS: None

ABSENT: Representative Salcido

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 December 14, 2021 and the Regular City Council Meeting of January 4, 2022.

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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 Isabel Salcido from the Regular City Council Meeting of January 19, 2022.

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

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

That the City Manager, or designee, is authorized to sign a First Amendment to Restated Butterfield Trail Industrial Park Lease and Lessor's Approval of Assignment by and between the City of El Paso, Stewart EFI Finishing Realty, and Hold'em Real Estate, LLC for the following described property:

A portion of Lot 1 and a portion of Lot 4, Block 10, Butterfield Trail Industrial Park Unit Two, an addition to the City of El Paso, El Paso County, Texas, commonly known as 44 Butterfield Circle, El Paso, Texas.

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4. ***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 Lease Agreement between the City of El Paso and American Airlines, Inc., a Texas corporation, for use of space located at 6413 Convair Road, Air Cargo Building #2, El Paso, Texas 79925.

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Goal 2: Set the Standard for a Safe and Secure City
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5. **RESOLUTION AMENDING SCHEDULE C FOR THE CITY OF EL PASO FY2022 FEE SCHEDULE**

WHEREAS, the City Council adopted the Budget Resolution for FY 2022 on August 24, 2021; and

WHEREAS, paragraph 50 of the Budget Resolution provides that any revisions or additions to the fees listed in Schedule C, or the process or formula used for setting fees, shall be approved by simple resolution of the City Council; and

WHEREAS, the City Council desires that the City of El Paso charge an administrative registration fee as allowed under City Code Section 5.18.030(b); and

WHEREAS, this Amendment to Schedule Censures cost recovery and sound fiscal management.

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

That Schedule C, attached to the FY 2022 Budget Resolution and effective August 24, 2021, shall be amended as set forth in Attachment A, to establish the administrative registration fee for convenience stores as allowed by City Code Section 5.18.030(b) effective June 7, 2022.

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

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 Surroundings Studio, a New Mexico professional limited liability company, for a project known as "Downtown Tree Plan and Design Standards" for an amount not to exceed \$64,750.00.

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 the Agreement for Professional Services. In addition, the City Manager, or designee, is authorized to increase the contract amount up to \$50,000.00 and sign any amendments to the agreement.

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Goal 7: Enhance and Sustain El Paso's Infrastructure Network
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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, is authorized to sign a Memorandum of Understanding with the El Paso Water Utilities – Public Service Board (the "memorandum") to provide for the construction of right of way and stormwater improvements at the intersection of Delta Drive and Manny Martinez Drive; and that the City Manager, or designee, is authorized to exercise all rights under the memorandum, perform all obligations under the memorandum, and sign any amendments to the memorandum.

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

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

That the Mayor be authorized to sign a Third Amendment to the Interlocal Agreement for Shared Laboratory Services by and between the City of El Paso ("City"), a

home rule municipal corporation, and El Paso County Hospital District d/b/a University Medical Center of El Paso ("UMC"), to add a provision to the Interlocal whereby UMC shall provide chest x-ray services to patients referred by the City.

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CONSENT AGENDA – BOARD RE-APPOINTMENTS:
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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9. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Leticia Arreola to the Civil Service Commission by Representative Cassandra Hernandez, District 3.

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CONSENT AGENDA – BOARD APPOINTMENTS:
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Goal 3: Promote the Visual Image of El Paso
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10. *Motion made, seconded, and unanimously carried to **APPOINT** Adrian Morales as an Alternate Member to the Zoning Board of Adjustment by Representative Alexsandra Annelo, District 2.
11. *Motion made, seconded, and unanimously carried to **APPOINT** Dion Castro to the City Plan Commission by Representative Isabel Salcido, District 5.

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CONSENT AGENDA – APPLICATION FOR TAX REFUNDS:
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12. *Motion made, seconded, and unanimously carried, to **APPROVE** the following tax refunds.
1. Car-Paso Partners LP, in the amount of \$6,820.21 made an overpayment on December 14, 2021 of 2021 taxes. (Geo. # T212-999-0020-0100)
 2. 4Mat Family LP, in the amount of \$7,655.24 made an overpayment on December 1, 2021 of 2021 taxes. (Geo. # B202-999-0790-2600)
 3. Stryker Orthopaedics, in the amount of \$4,219.59 made an overpayment on January 31, 2020 of 2019 taxes. (Geo. # 2001-999-4092-0034)
 4. Amanda Kovach Poulin, in the amount of \$4,756.98 made an overpayment on November 22, 2021 of 2021 taxes. (Geo. # G195-000-019F-1500)

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CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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13. *Motion made, seconded, and unanimously carried to **ACCEPT** the notation of receipt of campaign contribution by Representative Cassandra Hernandez of \$1,000 from Eduardo and Margarita Escudero.

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REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL
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Goal 3: Promote the Visual Image of El Paso
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14. **ITEMS 14 AND 15 WERE TAKEN TOGETHER**

RESOLUTION

WHEREAS, during the Korean War over 50,000 American soldiers lost their lives and double that amount were wounded. Despite this grueling conflict, the Korean War has been referred to as the "Forgotten War";

WHEREAS, efforts to honor the veterans who fought and gave the ultimate sacrifice in the Korean War have been under taken by the Korean War Veterans Association in El Paso, the City of El Paso and the State of Texas;

WHEREAS, during the 87 Texas Legislative Session, SB 1704 was authored by State Senator Cesar Blanco to amend the Transportation Code to designate a portion of U.S. Highway 54 in El Paso County as the Korean War Veterans Memorial Highway;

WHEREAS, on April 13, 2021 City Council approved an item to support SB 1704 by adding the item to the City's State 87th Legislative Session Agenda as a support item and that a letter of support for SB 1704 be provided to the Senator and any committees that will be considering the bill;

WHEREAS, on June, 18, 2021 Governor Greg Abbot signed SB 1704 into law designating a portion of U.S. Highway 54 in El Paso County as the Korean War Veterans Memorial Highway;

WHEREAS, SB 1704 requires the Texas Department of Transportation (TxDOT) to design, construct, and erect highway markers naming a specific portion or segment of the state highway;

WHEREAS, SB 1704 did not appropriate funds and according to the Texas Transportation Code, Section 225.021(c), the Texas Department of Transportation (TxDOT) may not design, construct, or erect a marker under this subchapter unless a grant or donation of funds is made to TxDOT to cover the cost;

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

Approve a resolution authorizing the expenditure of District 3 discretionary funds in an amount of \$500, the expenditure of District 2 discretionary funds in the amount of \$500, and the expenditure of District 4 discretionary funds in the amount of \$500 to go towards the efforts to fund the design, construct, and installation highway markers naming a specific portion or segment the Korean War Veterans Memorial Highway and declaring that such expenditure meets a municipal purpose to promote the visual image of El Paso by improving the visual impression of the community gateways.

Further, the City Council authorizes the expenditure of the funds as described above and, 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.

1ST MOTION

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **MOVE ITEM THE ITEM** to the forefront of the agenda.

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

NAYS: None

ABSENT: Representative Salcido

2ND AND FINAL MOTION

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

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

NAYS: None

ABSENT: Representative Salcido

15.

RESOLUTION

WHEREAS, the Korean War was one of the first conflicts of the Cold War, beginning when North Korean forces crossed the 38th parallel into South Korea on June 25, 1950; stiff resistance from United Nations troops led to the intervention of the People's Republic of China in November of 1950; and

WHEREAS, often called the Forgotten War, the Korean War continued for three years and cost the lives of more than 54,000 American servicemembers, with more than 103,000 wounded; the courage and sacrifice of these brave men and women prevented a communist takeover of South Korea, which has since become a prosperous, thriving United States ally; and

WHEREAS, during the Korean War, approximately 1,789,000 members of the United States Armed Forces served in theater of operations along with the forces of the Republic of Korea and 20 other members of the United Nations to defend freedom and democracy; and

WHEREAS, casualties of the United States during the Korean War included 54,246 dead (of whom 33,739 were battle deaths), more than 103,284 wounded, and approximately 8,055 listed as missing in action or prisoners of war; and

WHEREAS, the Korean War Veterans Recognition Act (Public Law 111-41) was enacted on July 27, 2009, so that the honorable service and noble sacrifice by members of the United States Armed Forces in the Korean War will never be forgotten; and

WHEREAS, in the 72 years since the outbreak of the Korean War, the Republic of Korea has emerged from a war-torn economy into one of the major economies in the world and one of the largest trading partners of the United States; and

WHEREAS, since the end of the Korean War era, more than 28,500 members of the United States Armed Forces have served annually in the United States Forces Korea to defend the Republic of Korea against external aggression, and to promote regional peace; and

WHEREAS, from the ashes of war and sharing of spilled blood on the battlefield, the United States and the Republic of Korea have continuously stood should-to-shoulder to

promote and defend international peace and security, economic prosperity, human rights, and the rule of law both on the Korean Peninsula and beyond: and

WHEREAS, we will forever honor the legacy of Korean War Veterans who uphold the ideals they secured through this hard-won victory, and we pay tribute to the American Patriots who fought for freedom and democracy throughout the Korean War; and

WHEREAS, it is truly fitting that the Korean War and its veterans receive recognition for their bravery and their devotion to duty; and

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

1. honors the noble service and sacrifice of the United States Armed Forces and the armed forces of allied countries that served in Korea since 1950 to the present; and
2. recognizes the commitment of the United States to its alliance with the Republic of Korea for the betterment of peace and prosperity on the Korean Peninsula; and
3. honors and recognizes those souls who gave the ultimate sacrifice during this war; and
4. recognizes the Korean War Veteran Association (KWVA), Col. Joseph C. Rodriguez, Medal of Honor, Chapter 249 for their efforts with Texas State Senator Cesar Blanco, through the passage of SB 1704, to erect state highway signage honoring Korean War Memorial Veterans; and
5. supports the highway signage project designating a segment of Patriot Freeway (U.S. 54) as the "Korean War Veterans Memorial Highway".

Representative Hernandez read the Resolution into the record.

Mayor Leeser and Representative Annello commented.

Texas Senator Cesar Blanco commented.

Mr. Pete G. Flores, President of the Korean War Veterans Association Chapter 249, commented.

1ST MOTION

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **MOVE THE ITEM** to the forefront of the agenda.

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

NAYS: None

ABSENT: Representative Salcido

2ND MOTION

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

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

3RD MOTION

Motion made by Representative Hernandez, seconded by Representative Svarzbein, and unanimously carried to **RECONSIDER** the item.

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

4TH MOTION

Motion made by Representative Hernandez, seconded by Representative Molinar, and unanimously carried **TO AMEND THE RESOLUTION** by adding the word “Veterans” to “Korean War Memorial Highway” on Page 2 number 5 to read “Korean War Veterans Memorial Highway”.

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

5TH AND FINAL MOTION

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

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

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Goal 5: Promote Transparent and Consistent Communication Amongst All Members of the Community
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- 16. ITEM:** Discussion and action to authorize District 3 City Representative Cassandra Hernandez to attend Council meetings by video conference more than one regular meeting week in a row, on the meeting weeks of January 31, 2022, February 14, 2022 and of February 28, 2022.

Motion made by Representative Rivera, seconded by Representative Rodriguez, to **APPROVE** the item.

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

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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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17. **ITEM:** Discussion and action on a Resolution to appoint a member to the El Paso Water Utilities Public Service Board of Trustees in the area of expertise of Consumer or Citizen Advocacy as recommended by the El Paso Water Utilities Public Service Board Selection Committee:

- Ranked 1st Marybeth Stevens
- Ranked 2nd Luis Rosas
- Ranked 3rd Stefani Block Uribarri

Mayor Leeser and Representatives Svarzbein and Molinar commented.

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello, and carried to **POSTPONE THE ITEM FOR FOUR WEEKS.**

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

NAYS: Representative Molinar

ABSENT: Representative Salcido

REGULAR AGENDA – OPERATIONAL FOCUS UPDATES:

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

18. Council briefing on the status of the Public Safety Bond Capital Program.

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

The following City staff members commented:

- Mr. Tommy Gonzalez, City Manager
- Mr. Sam Rodriguez, City Engineer
- Ms. Laura Cruz- Acosta, Strategic Communications Director

Representatives Svarzbein, Hernandez, and Molinar commented.

NO ACTION was taken on this item.

19. Public Safety (Police and Fire) Staffing and Recruitment Update.

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

- Ms. Dionne Mack, Deputy City Manager
- Fire Chief Mario D’Agostino
- Police Assistant Chief Peter Pacillas

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

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

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Goal 5: Promote Transparent and Consistent Communication Amongst All Members of the Community
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20. Strategic Communications Update and City TV.

Ms. Laura Cruz-Acosta, Strategic Communications Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein, Rodriguez, and Lizarraga commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

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The Regular City Council meeting was **RECESSED** at 12:29 a.m.

The Regular City Council meeting was **RECONVENED** at 1:05 p.m.

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

1. Wally Cech
2. Miguel Rico
3. Jason Jones
4. Krys Sakwanomtewa
5. James Cima
6. Mr. Michael Castro

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REGULAR AGENDA – FIRST READING OF ORDINANCES:
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Motion made by Representative Rivera, seconded by Representative Rodriguez, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing.

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

NAYS: None

ABSENT: Representative Salcido
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Goal 3: Promote the Visual Image of El Paso
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21. An Ordinance granting a renewal of non-exclusive franchise to A-1 Disposal, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code.

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22. An Ordinance granting a renewal of non-exclusive franchise to Alareal Corporation, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code

- 23. An Ordinance granting a renewal of non-exclusive franchise to Anvaco Corporation, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code.
- 24. An Ordinance granting a renewal of non-exclusive franchise to Demcon Disposal Management, LLC, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code.
- 25. An Ordinance granting a renewal of non-exclusive franchise to El Paso Disposal, LP, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code.
- 26. An Ordinance granting a renewal of non-exclusive franchise to El Paso Sanitation Systems, Inc, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code.
- 27. An Ordinance granting a renewal of non-exclusive franchise to GCC of America, Inc., to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code.
- 28. An Ordinance granting a renewal of non-exclusive franchise to Heist Disposal, Inc., to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code.
- 29. An Ordinance granting a renewal of non-exclusive franchise to JRG Disposal Service, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code.
- 30. An Ordinance granting a renewal of non-exclusive franchise to Loretto Investment Corporation, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code.
- 31. An Ordinance granting a renewal of non-exclusive franchise to Moore Service, Inc., to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code.
- 32. An Ordinance granting a renewal of non-exclusive franchise to Sandoval Capital Inc. DBA Bronco Disposal, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code.

33. An Ordinance granting a renewal of non-exclusive franchise to Southwest Disposal Inc, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in Section 9.04.630 of the El Paso City Code.

PUBLIC HEARING FOR ITEMS 21 THROUGH 33 WILL BE HELD ON FEBRUARY 1, 2022

34. An Ordinance amending Title 20 (Zoning) Section 20.18.140 (Prohibited Signs) and adding Section 20.18.320 (Mobile Billboards) to allow Mobile Billboards. The penalty being as provided in Section 20.24 of the El Paso City Code.

35. An Ordinance amending Title 15, (Public Services), Chapter 15.08 (Street Rentals), establishing Section 15.08.160 (Mobile Billboards) of the El Paso City Code to add regulations for Mobile Billboards. The penalty is as provided for in Section 15.08.160 of the El Paso City Code.

PUBLIC HEARING FOR ITEMS 34 AND 35 WILL BE HELD ON FEBRUARY 15, 2022

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

36. Motion made by Representative Molinar, seconded by Representative Rodriguez, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing Department to issue a Purchase Order to Datamark, Inc., referencing Contract 2015-687R Customer Service Call Center - Staffing & Management Service Operations. This will be a change order to increase the contract by \$525,000.00 for a total amount not to exceed \$9,524,999.94. The change order will cover expenses for the remainder of the contract for Customer Service Call Center - Staffing & Management Service Operations for the 311-communication center.

Contract Variance:

There is not contract variance for the same services.

Department:	Fire
Award to:	Datamark, Inc. El Paso, TX
Total Estimated Amount:	\$525,000.00
Account No.:	322 - 520010 - 1000 - 22080 - P2218
Funding Source:	General Funds
District(s):	All

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

NAYS: None

ABSENT: Representative Salcido

37. Motion made by Representative Molinar, seconded by Representative Rodriguez, and unanimously carried to **AUTHORIZE** the Director of the Purchasing & Strategic Sourcing Department to issue a Purchase Order to Datamark, Inc., for the 2022-0393 Customer

Service Call Center - Staffing & Management Service Operations for the Fire Department. This contract will allow services essential to the public safety of our community through support of our 911 Communications Center. The purchase order is for an amount not to exceed \$1,899,874.40 for a one (1) year term.

Contract Variance:

The difference in cost, based on the comparison from previous contract is as follows: An annual increase of \$399,874.41, which represents a 26.66% increase due the changes in cost of living and wages increasing.

Department: Fire
Award to: Datamark, Inc.
El Paso, TX
Term: One (1) Year
Total Estimated Amount: \$1,899,874.40
Account No.: 322 - 520010 - 1000 - 22080 - P2218
Funding Source: General Funds
District(s): All

This is a purchase pursuant to the Public Health and Safety Exemption, 252.022 (a) (2) of the Texas Local Government Code, services contract. Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

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

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

38. Motion made by Representative Molinar, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation 2021-1471 Animal Services HVAC Improvements (Re-Bid) to AAA General Contractors, LLC for a total estimated award of \$1,971,179.79. This project consists of replacing the existing HVAC system at the Animal Services and Dog Kennels Buildings located at 5001 Fred Wilson Avenue.

Department: Capital Improvement
Award to: AAA General Contractors, LLC
El Paso, TX
Item(s): Base Bid I
Initial Term: 210 Consecutive Calendar Days
Base Bid I: \$1,971,179.79
Total Estimated Award: \$1,971,179.79
Funding Source: 2020 Capital Fund
Account: 190-4746-38290-580220- PCP20ANMLSHELTE
Account: 190-4746-38290-580220- PCP20ANMLHOUSIN
District(s): 2

This is a Low Bid procurement, lump sum contract. The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to AAA General

Contractors, LLC, the lowest responsive and responsible bidder and that Desert Contracting, LLC and PERIKIN Enterprises, LLC be deemed non-responsive due to submitting their bids on the incorrect solicitation documents.

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, Annello, Hernandez, Molinar, Rodriguez, Rivera, and Lizarraga

NAYS: None

ABSENT: Representative Salcido

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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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39. ORDINANCE 019281

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES), CHAPTER 15.08 (STREET RENTALS), SECTION 15.08.150 (SHARED MOBILITY DEVICES), TO UPDATE PERMIT TERM AND RENEWAL REQUIREMENTS.**

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

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

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

NAYS: None

ABSENT: Representative Salcido

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

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Goal 8: Nurture and Promote a Healthy, Sustainable Community
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40. ORDINANCE 019282

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 7 (ANIMALS), CHAPTER 7.04 (DEFINITIONS AND ADMINISTRATION), SECTION 7.04.010 (DEFINITIONS) TO ADD INCLEMENT WEATHER TO THE DEFINITIONS; CHAPTER 7.08 (ANIMALS GENERALLY), SECTION 7.08.050 (STANDARDS FOR**

ANIMAL CARE) TO ADD INCLEMENT WEATHER CONDITIONS TO UNLAWFUL RESTRAINT OF A DOG; CHAPTER 7.12 (DOGS AND CATS), SECTION 7.12.020 (REGISTRATION, VACCINATION, AND MICROCHIPS REQUIRED) TO ALLOW VETERINARIANS TO EXCHANGE OR RETURN UP TO 100, UNUSED, EXPIRED FROM THE PREVIOUS YEAR TAGS FOR CURRENT YEAR TAGS; CHAPTER 7.15 (GROOMING SERVICES), SECTION 7.15.030 (GROOMER LICENSE APPLICATION) TO CLARIFY THE CONTENTS OF THE GROOMER'S APPLICATION; CHAPTER 7.15, SECTION 7.15.070 (DENIAL) TO AMEND CONVICTION TIMEFRAME INELIGIBILITY; CHAPTER 7.15 (GROOMING SERVICES), SECTION 7.15.080 (GROOMER LICENSE SUSPENSION OR REVOCATION) TO CLARIFY THE TYPE OF INVESTIGATION AND CORRECTIVE ACTION TIMEFRAME; CHAPTER 7.15, SECTION 7.15.090 (SHOP REGISTRATION REQUIRED) TO CLARIFY THE TYPE OF BACKGROUND CHECK REQUIRED AND ALLOWING DOCUMENTS RELEVANT TO APPLICATION, BACKGROUND CHECK, AND SUPPORTING DOCUMENTS BE AVAILABLE FOR INSPECTION; CHAPTER 7.15 (GROOMING SERVICES), SECTION 7.15.100 (SHOP REGISTRATION APPLICATION) TO CLARIFY THE ISSUANCE OF SHOP REGISTRATION REQUIREMENTS; CHAPTER 7.15, SECTION 7.15.140 (DENIAL) TO CLARIFY DENIAL REASONS FOR PERMIT APPLICATION; CHAPTER 7.28 (ANIMAL SHELTER ADVISORY COMMITTEE), SECTION 7.28.050 (QUORUM AND PROCEDURES) TO AMEND DEPARTMENT; THE PENALTY AS PROVIDED IN SECTION 7.04.080 OF THE EL PASO CITY CODE.

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

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

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

NAYS: None

ABSENT: Representative Salcido

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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Motion made by Representative Hernandez, seconded by Representative Molinar, and unanimously carried to **ADJOURN** this meeting at 1:50 p.m.

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

NAYS: None

ABSENT: Representative Salcido

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk