

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

August 03, 2021
9:30 AM

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

ROLL CALL

The City Council of the City Council met on the above time and date. Meeting was called to order at 9:30 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Anello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera and Cissy Lizarraga.

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

PLEDGE OF ALLEGIANCE

Haley Ocheltree

MAYOR'S PROCLAMATIONS

El Paso Strong Day

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, Anello, 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 July 20, 2021, the Agenda Review Meeting of July 19, 2021, the Work Session of July 19, 2021, Minutes of the Special Meeting of July 8, 2019, Special Meeting of July 10, 2019 and the Special Joint Meeting of November 13, 2019.

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 is authorized to sign a Southern Industrial Site Lease by and between the City of El Paso ("Lessor") and Franklin Motors, Inc., ("Lessee") regarding the following described property:

All of Lot 5 and a portion of Lots 1, 2, 3 and 4, Block 11, El Paso International Airport Tracts, City of El Paso, El Paso County, Texas, containing approximately 172,665 square feet, municipally known and numbered as 8601 Lockheed, El Paso, Texas.

4. *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 Lessor's Approval of Assignment by and between the City of El Paso, Computer Labs, Inc., and Salvation 47, LLC for the following described property:

A portion of Lot 4 and a portion of Lot 5, Block 6, Butterfield Trail Industrial Park Unit One, Replat "A", El Paso International Airport City of El Paso, El Paso County, Texas, and commonly known as 3 Butterfield Trail, El Paso, Texas.

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

5. *RESOLUTION

WHEREAS, on August 20, 2019, the City of El Paso ("City") awarded Contract No. 2019-1319 FirstWatch Annual Support & Maintenance ("Contract") to the following ("Vendor"):

1. FirstWatch Solutions, Inc. dba FirstWatch

WHEREAS, pursuant to the provisions and requirements of the Purchase Order Terms and Conditions (Termination for Convenience) the City is authorized to terminate the Contract for convenience; and

WHEREAS, the City desires to terminate the Contract for convenience.

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

That the Purchasing & Strategic Sourcing Director is authorized to notify Vendor that the City is terminating Contract 2019-1319 FirstWatch Annual Support & Maintenance for convenience, pursuant to the provisions and requirements of the Purchase Order Terms and Conditions, and that the termination shall be effective as of August 3, 2021.

Goal 3: Promote the Visual Image of El Paso

6.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, GUZMAN, JORGE & TERESA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

136 Whitney Way, more particularly described as Lot 4, PULLIAM Subdivision, City of El Paso, El Paso County, Texas, PID #P947-999-0010-3100

to be \$333.50, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 12th day of May, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED THIRTY-THREE AND 50/100 DOLLARS (\$333.50) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, ASCENCIO, YESIKA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

3209 Hickman St., more particularly described as Lots 10 & N 8.63 FT OF 9 (8571.15 SQ FT), Block 114, PEBBLE HILLS #14 Subdivision, City of El Paso, El Paso County, Texas, PID #P654-999-1140-1900

to be \$339.78, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 13th day of May, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED THIRTY-NINE AND 78/100 DOLLARS (\$339.78) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, CONTRERAS, MANUEL, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

152 Whitney Way, more particularly described as Lot 7 (EXC SE PT)(14390.46 SQ FT), PULLIAM Subdivision, City of El Paso, El Paso County, Texas, PID #P947-999-0010-6100

to be \$344.65, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 13th day of May, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FORTY-FOUR AND 65/100 DOLLARS (\$344.65) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, AMEER, JEANETTE W, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary

matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

10536 Goodman St., more particularly described as Lot 10 (6300 SQ FT), Block 10, TEMPLE HILLS Subdivision, City of El Paso, El Paso County, Texas, PID #T116-999-0100-1900

to be \$424.21, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 14th day of May, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED TWENTY-FOUR AND 21/100 DOLLARS (\$424.21) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, ZUNIGA, PEDRO R., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

130 Radford St, more particularly described as N 62.50 FT OF 10 TO 13 (6250 SQ FT), Block 6, CHULA VISTA Subdivision, City of El Paso, El Paso County, Texas, PID #C489-999-0060-3000

to be \$369.01, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 17th day of June, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED SIXTY-NINE AND 01/100 DOLLARS (\$369.01) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, RAMIREZ, BALTAZAR G & MENA GIOVANNA L G, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

112 Ceres Pl, more particularly described as Lot 53(21050 SQ FT), NORTH VALUMBROSA Subdivision, City of El Paso, El Paso County, Texas, PID #N515-999-0010-5900

to be \$471.84, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 30th day of June, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED SEVENTY ONE AND 84/100 DOLLARS (\$471.84) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, MANRIQUEZ, ELIZABETH, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

187 Rio Rd., more particularly described as Lot 26 (4558 sq ft), Block 1, SALAS Subdivision, City of El Paso, El Paso County, Texas, PID #S048-999-0010-6700

to be \$343.03, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 11th day of June, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FORTY-THREE AND 03/100 DOLLARS

(\$343.03) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, MARIN, MARIA E., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

4114 La Luz Ave, more particularly described as Lots 24 & 25 (7000 SQ FT), Block 47, GOVERNMENT HILL Subdivision, City of El Paso, El Paso County, Texas, PID #G569-999-0470-6400

to be \$679.68, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 18th day of June, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount SIX HUNDRED SEVENTY NINE AND 68/100 DOLLARS (\$679.68) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, LOPEZ, JOVITA M, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

8304 Mount Everest Dr, more particularly described as Lot 20, Block 12, Mountain View Subdivision, City of El Paso, El Paso County, Texas, PID #M851-999-0120-7700

to be \$346.27, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 29th day of June, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FORTY SIX AND 27/100 DOLLARS (\$346.27) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, TRIEN, JOHN, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services

Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

10910 Duke Snider Cir, more particularly described as Lot 6 (5005.55 SQ FT), Block 12, COOPERSTOWN Subdivision, City of El Paso, El Paso County, Texas, PID #C762-999-0120-0600

to be \$346.27, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 24th day of June, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FORTY-SIX AND 27/100 DOLLARS (\$346.27) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, JACKSON, BRITANI M., referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

8303 Solar Pl., more particularly described as Lot 235 (9825 SQ FT), Block 14, PARK FOOTHILLS Subdivision, City of El Paso, El Paso County, Texas, PID #P324-999-0140-6100

to be \$496.20, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 6th day of July, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED NINETY-SIX AND 20/100 DOLLARS (\$496.20) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

7.

***RESOLUTION**

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, HANDLIN IRVING (LE) & 1, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [PLANNING & INSPECTIONS DEPARTMENT], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building secure until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

4640 LA LUZ more particularly described as, 5 HILLSIDE 21 & E 12 FT OF 22 (6760 SQ FT), City of El Paso, El Paso County, Texas, PID # H58999900503600

to be \$3,802.41, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 6th day of NOVEMBER, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount THREE THOUSAND EIGHT HUNDRED TWO AND 41/100 DOLLARS (\$3,802.41) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, ESTATE OF ROBERT W VETTER C/O ROBERT VETTER, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [PLANNING & INSPECTIONS DEPARTMENT], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building secure until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

10716 JADESTONE ST., EL PASO, TX 79924, more particularly described as 6 SHEARMAN #2 Lot 19, City of El Paso, El Paso County, Texas, PID# S36399900603700

to be \$4,895.00, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 12th day of DECEMBER, 2019, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FOUR THOUSAND EIGHT HUNDRED NINETY-FIVE AND 00/100 DOLLARS (\$4,895.00) to be a lien on the above described property, said

amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, KRIEGER CHARLES R., in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [PLANNING & INSPECTIONS DEPARTMENT], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building secure until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

330 BELVA WAY more particularly described as, 3 LA SIERRA VISTA 1 & W 1/2 OF 2 (25726 SQ FT), City of El Paso, El Paso County, Texas, PID # L07199900300100

to be \$4,210.00, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 25th day of JANUARY, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FOUR THOUSAND TWO HUNDRED TEN AND 00/100 DOLLARS (\$4,210.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, ROJAS JOSE A. & CLEOTILDE H. ROJAS, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [PLANNING & INSPECTIONS DEPARTMENT], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building secure until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

607 S FLORENCE ST more particularly described as, 106 CAMPBELL E 65 FT OF N 6.50 FT OF 6 & S 22.50 FT OF 7 (1885.00 SQ FT), City of El Paso, El Paso County, Texas, PID # C05099910602500

to be \$2,436.00, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 29th day of JANUARY, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount TWO THOUSAND FOUR HUNDRED THIRTY SIX AND 00/100 DOLLARS (\$2,436.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, WTLD'S INVESTMENTS LLC, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants

on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [PLANNING & INSPECTIONS DEPARTMENT], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building secure until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

812 MAGOFFIN more particularly described as, 212 CAMPBELL 14 & 15 (6240 SQ FT), City of El Paso, El Paso County, Texas, PID # C05099921206100

to be \$2,347.03, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 05 day of FEBRUARY, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount TWO THOUSAND THREE HUNDRED FORTY SEVEN AND 03/100 DOLLARS (\$2,347.03) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

8.

RESOLUTION

WHEREAS, Socorro Independent School District (hereinafter referred to as "Property Owner"), wishes to annex 59.892 acres of real property described in the Annexation Agreement and incorporated for all purposes; and,

WHEREAS, the Property is not within the corporate limits of any municipality but is contiguous to the corporate limits of the City; and

WHEREAS, Property Owner desires that the Property be annexed to the City in order to provide adequate and efficient improvements and facilities; and

WHEREAS, Property Owner has agreed to be responsible for all costs relating to annexation and right-of-way improvements as described herein; and

WHEREAS, Property Owner, after full consideration, accepts the terms and conditions cited in this Agreement due to the advantages and benefits resulting from the annexation and development of the Property; and,

WHEREAS, the City, after due and careful consideration, has concluded that should the City decide to annex the Property the annexation should be under the terms and conditions hereinafter set forth and that such terms and conditions are in the best interest of the City to protect and provide for the public health, safety, morals and general welfare.

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

The City Manager or his Designee is authorized to sign an Annexation Agreement between the City and Socorro Independent School District, for 59.892 acres of real property located East of Joe Battle Blvd. and South of Bob Hope Dr., which will specify the terms and conditions in which the property will be annexed should the City annex the property as well as the services and schedule of service that the City will provide following annexation. Furthermore, that the City Manager or his Designee is authorized to provide any and all notices required under law in order to annex this property.

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9. *Motion made, seconded, and unanimously carried to **DELETE** a Resolution authorizing the City Manager, or designee, to sign a Parking License Agreement between the City of El Paso and the El Paso Chamber of Commerce for the use of 25 parking spaces at Civic Center Parking Garage.

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

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

WHEREAS, on April 3, 2018, the City of El Paso ("City") awarded Contract No. 2018-1095 Barricade Rental Services to the following vendor:

1. Contractor's Barricade Service. Inc. dba Apache Barricade & Sign

WHEREAS, pursuant to Part 4, Section 8, Paragraph A of the contract (Termination for Convenience) the City is authorized to terminate the Contract for convenience; and

WHEREAS, the City desires to terminate the Contract for Convenience.

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

That the Purchasing Director is authorized to notify Contractor's Barricade Service. Inc. dba Apache Barricade & Sign that the City is terminating Contract No. 2018-1095 Barricade Rental Service for convenience, pursuant to the provisions and requirements of Part 4, Section 8, Paragraph A of the Contract Clauses, and that the termination shall be effective as of August 11, 2021.

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Goal 8: Nurture and Promote a Healthy, Sustainable Community

***RESOLUTION**

WHEREAS, the El Paso Housing Finance Corporation (the “Issuer”) was duly created and organized pursuant to and in accordance with the provisions of the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code, as amended, for the purpose of providing a means of financing the costs of residential ownership and development that will provide decent, safe, and sanitary housing for persons of low and moderate income at prices they can afford;

WHEREAS, the Issuer has determined to issue its Multifamily Housing Revenue Bonds (Mortgage-Backed Securities Program), Series 2021(the “Bonds”) for the purpose of providing additional funding to allow the Housing Authority of the City of El Paso (“HACEP”) to utilize the United States Department of Housing and Urban development Rental Assistance Demonstration program to convert the Machuca Apartments Project from HACEP’s public housing stock to Section 8 multifamily housing within the City of El Paso;

WHEREAS, the Issuer has conducted and held a public hearing regarding issuance of the Bonds on May 19, 2021, at 2:00 P.M. pursuant to the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended;

WHEREAS, the City of El Paso approves and encourages the Issuer in its efforts to accomplish the issuance of the Bonds and, as part of such transaction, is willing to provide its General Certificate, and for the Mayor of the City to provide his Certificate concerning the conduct of the Public Hearing on May 19, 2021, copies of which are both attached hereto as Exhibits to this Resolution and made a part hereof for all purposes; and

WHEREAS, the City Council of the City of El Paso hereby authorizes the Mayor to execute both the said General Certificate of the City of El Paso and the Mayor’s Certificate, and deliver same to the Issuer.

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

1. THAT the Preambles to this Resolution set forth above are incorporated herein and made part of this Resolution.
2. THAT the Mayor of the City of El Paso is hereby authorized to execute a General Certificate of the City of El Paso and the Mayor’s Certificate in the form attached as Exhibits to this Resolution** and deliver same to the Issuer to be used in connection with the issuance of its Bonds.

**Exhibits available for review at the City Clerk’s Office.

CONSENT AGENDA – BOARD APPOINTMENTS:

Goal 3: Promote the Visual Image of El Paso

12. *Motion made, seconded, and unanimously carried to **APPOINT** Daniel Anchondo to the Districting Commission by Representative Henry Rivera, District 7.

13. *Motion made, seconded, and unanimously carried to **APPOINT** Cynthia T. Renteria to the Districting Commission by Representative Cissy Lizarraga, District 8.

Goal 8: Nurture and Promote a Healthy, Sustainable Community

14. *Motion made, seconded, and unanimously carried to **APPOINT** Aleksandra Annello to the Animal Shelter Advisory Committee by Mayor Oscar Leeser.

15. *Motion made, seconded, and unanimously carried to **APPOINT** Loretta Hyde to the Animal Shelter Advisory Committee by Mayor Oscar Leeser.

16. *Motion made, seconded, and unanimously carried to **APPOINT** Melissa Harcrow to the Veterans Affairs Advisory Committee by Representative Cissy Lizarraga, District 8.

CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS:

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

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

1. TexTape, Inc., in the amount of \$4,086.38, made an overpayment on January 4, 2021 of 2020 taxes.
(Geo. #R700-999-0010-0100)
2. Circle K Stores, Inc., in the amount of \$5,330.15, made an overpayment on January 30, 2021 of 2020 taxes.
(Geo. #0824-999-0908-0034)
3. The Hillman Group, in the amount of \$3,900.94, made an overpayment on November 20, 2020 of 2020 taxes.
(Geo. #08SS-999-1088-2134)

18. ***RESOLUTION**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Yolanda Martinez ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on March 08, 2017 in the amount of \$16.61 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2016 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Yolanda Martinez showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2016 taxes and the tax refund in the amount of \$16.61 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Lilia J. Hidalgo-Almonte through Lilia J. Hidalgo ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on January 31, 2018 in the amount of \$25.00 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Lilia J. Hidalgo showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2017 taxes and the tax refund in the amount of \$25.00 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Reymundo Gallardo and Irma Y. Pineda ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on April 30, 2018 in the amount of \$75.69 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Reymundo Gallardo and Irma Y. Pineda showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2017 taxes and the tax refund in the amount of \$75.69 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Luis C. Saenz ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on January 19, 2017 in the amount of \$19.81 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2016 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Luis C. Saenz showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2016 taxes and the tax refund in the amount of \$19.81 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Younis Revocable Trust ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on November 20, 2017 in the amount of \$20.00 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Younis Revocable Trust showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2017 taxes and the tax refund in the amount of \$20.00 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, taxpayer, Leon Insurance ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on March 7, 2017 in the amount of \$22.29 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2016 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Leon Insurance showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2016 taxes and the tax refund in the amount of \$22.29 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Leon Insurance ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on February 28, 2018 in the amount of \$29.18 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Leon Insurance showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2016 taxes and the tax refund in the amount of \$29.18 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Sergio Pedraza through Sergio's Auto Center C/O Sergio L. Pedraza ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on January 30, 2018 in the amount of \$58.01 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Sergio's Auto Center C/O Sergio L. Pedraza showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2017 taxes and the tax refund in the amount of \$58.01 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Chaf's Auto Sales Inc. ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on January 23, 2017 in the amount of \$97.87 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2016 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Chafs Auto Sales Inc. showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2016 taxes and the tax refund in the amount of \$97.87 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Royal Cup Inc. ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on April 16, 2018 in the amount of \$9.27 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City City finds that Royal Cup Inc. showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2017 taxes and the tax refund in the amount of \$9.27 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Lone Star Title Company ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on July 31, 2017 in the amount of \$23.32 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2016 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Lone Star Title Company showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2016 taxes and the tax refund in the amount of \$23.32 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Lone Star Title Company through Lone Star Title Company of El Paso ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on July 31, 2017 in the amount of \$93.00 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2016 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Lone Star Title Company of El Paso showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2016 taxes and the tax refund in the amount of \$93.00 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, PTS Texas Title ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on December 13, 2016 in the amount of \$100.00 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2016 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that PTS Texas Title showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2016 taxes and the tax refund in the amount of \$100.00 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Lone Star Title through Lone Star Title Company of El Paso Inc. ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on May 01, 2017 in the amount of \$193.09 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2016 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Lone Star Title Company of El Paso Inc. showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2016 taxes and the tax refund in the amount of \$193.09 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Lone Star Title through Lone Star Title Co. ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on November 13, 2017 in the amount of \$93.88 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Lone Star Title Co. showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2017 taxes and the tax refund in the amount of \$93.88 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Lone Star Title through Lone Star Title Co. ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on February 28, 2018 in the amount of \$98.09 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Lone Star Title Co. showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2017 taxes and the tax refund in the amount of \$98.09 is approved.

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CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS:
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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19. *Motion made, seconded, and unanimously carried to **ACCEPT** the notation pursuant to Section 2.92.110 of the City Code, receipt of campaign contributions by Representative Isabel Salcido in the amount of \$1,000.00 from Joseph Moody Campaign.

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CONSENT AGENDA – REQUESTS TO ISSUE PURCHASE ORDERS:
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Goal 8: Nurture and Promote a Healthy, Sustainable Community
.....

20. *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of the Purchasing & Strategic Sourcing Department to issue a Purchase Order to Advanced Business Software, LLC for the Health Information Management Software for Health Department. This software captures and maintains patient information and treatment for programs such as prevention, intervention, and mobilization services. The purchase order is for an amount not to exceed \$60,000.00.

Contract Variance: There is no variance.

Department: Public Health
Award to: Advanced Business Software, LLC
Lakeside, CA
Total Estimated Amount: \$60,000.00
Account No.: 522020-341-1000-41170
Funding Source: General Funds
District(s): All
Reference No.: 2021-1443

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.

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CONSENT AGENDA – BIDS:
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Goal 4: Enhance El Paso's Quality of Life through recreational, Cultural and Educational Environments
.....

21. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2021-1261 Pueblo Viejo Park Improvements to MARTINEZ BROS. CONTRACTORS, LLC for an estimated award of \$395,296.00. This project consists of various park improvements such as playgrounds, play courts, landscaping, shaded canopies, gathering areas, and walking trails are provided throughout the linear park. Additionally, the City will improve the access into the playground by complying with the Texas Department of Licensing and Regulation (TDLR) requirements.

Department: Capital Improvement
Award to: MARTINEZ BROS. CONTRACTORS, LLC El Paso, TX
Item(s): Base Bid I & Additive Alternate I
Initial Term: 180 Consecutive Calendar Days

Base Bid I: \$374,970.50
Additive Alternate I: \$ 20,325.50
Total Estimated Award: \$395,296.00
Funding Source: Community Development Block Grant
Account: 471-2400-71240-580270-G7146CD63
District(s): 6

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to MARTINEZ BROS. CONTRACTORS, LLC, the lowest responsive and responsible bidder.

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

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

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

-
22. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2021-1262 Chuck Heinrich & Mary Frances Keisling Trailhead Improvements to TAO INDUSTRIES INC., dba HAWK Construction for an estimated award of \$306,397.69. The proposed project supports citizens' quality of life with amenities for outdoor recreation. The trailhead improvements at Chuck Heinrich & Mary Frances Keisling trailheads will consist of additional parking spaces, picnic table, information kiosk, drinking fountain, pet waste station, bike repair station, trees and irrigation.

Department: Capital Improvement
Award to: TAO INDUSTRIES INC., dba HAWK Construction
El Paso, TX
Items: Base Bid I, Base Bid II and Additive Alternate I
Initial Term: 135 Consecutive Calendar Days
Base Bid I: \$131,137.05
Base Bid II: \$153,732.59
Additive Alternate I: \$ 21,528.05
Total Estimated Award: \$306,397.69
Funding Source: 2012 Quality of Life Bond
Account: 190-4800-29010-580270-PCP13PRKE02
Districts: 1 and 4

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to TAO INDUSTRIES INC., dba HAWK Construction the lowest responsive and responsible bidder.

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

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

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

-
23. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2021-1247 Animal Food Produce to Olus Distributing for an initial term of three (3) years for an estimated amount of \$251,365.50. The award includes a two (2) year option for an estimated amount of \$167,577.00. The total value of the contract is, including the initial term plus the option for a total of five (5) years, an estimated award amount of \$418,942.50. This contract will provide food produce, needed for the zoo's animals.

Contract Variance:

The difference in price, based on comparison to the previous contract is as follows: An increase of \$5,131.25 for the initial term, which represents a 6.52% increase due to prices increasing.

Department:	Zoo
Award to:	Olus Distributing El Paso, TX
Items:	All
Initial Term:	3 Years
Option to Extend:	2 Years
Annual Estimated Award:	\$ 83,788.50
Initial Term Estimated Award:	\$251,365.50 (3 Years)
Total Estimated Award:	\$418,942.50 (5 Years)
Account No.:	452 - 3400- 52140 - 531100 - P5241
Funding Source:	Zoo Operations Fund
Districts:	All

This is a Low bid, unit price contract.

The Purchasing & Strategic Sourcing and Zoo Departments recommend award as indicated to Olus Distributing the lowest, responsive and responsible bidder. In

accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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

24.

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

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

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

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

WHEREAS, the member for Position 1 has resigned, and

WHEREAS, on June 29, 2021, the Mayor notified City Council in writing of the intent to appoint a Board member to fill in the vacancy for Position 1 and also provided an opportunity for Council members to provide recommendations for nominations by July 13, 2021;

WHEREAS, recommendations were received from Council;

WHEREAS, the Mayor now nominates a candidate for appointment for CRRMA Board Position 1 in accordance with the appointment process outlined herein and presents the nominations at a City Council meeting on August 3, 2021; and

WHEREAS, the City now desires to make an appointment for CRRMA Board Position 1 in accordance with the appointment process outlined herein.

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

That the City of El Paso hereby appoints to the Camino Real Regional Mobility Authority Joe Wardy for Position 1 which shall take effect August 3, 2021 and expire on February 1, 2022.

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

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

NAYS: None

25.

RESOLUTION

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

WHEREAS, in the immortal words of the late Congressman John Lewis, there are times when we must get in good trouble, necessary trouble, and help redeem the soul of America; and

WHEREAS, we stand today on the shoulders of giants who have fought in hallowed halls of legislative chambers across our nation for free and fair access to the ballot box; for a voice in the electoral process we call our American democracy; and

WHEREAS, continuing the work of these civil rights heroes is not about left or right, but about what is right and wrong; and

WHEREAS, the foundational importance of the right to vote in free and fair elections justifies and requires vigilant protection and active encouragement at every level of government, necessitating the implementation of new action to eliminate barriers that intentionally abridge the franchise; and

WHEREAS, El Paso voters again find themselves on the brink of further disenfranchisement as Texas House Bill 3 and Texas Senate Bill 1 have been introduced during the first 2021 Special Legislative Session; and

WHEREAS, these bills would make it harder for El Paso communities – and especially communities of color – to vote through:

- Banning 24-hour voting;
- Banning drive-through voting;
- Prohibiting state election officials from proactively disseminating absentee ballots;
- Adding new identification requirements for voting-by-mail;
- Limiting third-party ballot collection;
- Expanding the authority and autonomy of partisan poll watchers; and
- Requiring monthly reviews of the state’s voter rolls to identify noncitizens; and

WHEREAS, if passed, House Bill 3 and Senate Bill 1 would exacerbate already low voter turnout rates in Texas which is ranked 50th in the nation by the Election Law Journal for ease of voting; and

WHEREAS, citizens of El Paso support measures to address this undemocratic reality, as evidenced by approved revisions to the City Charter in 2013 to hold municipal elections in November rather than in May; in subsequent elections, voter turnout in El Paso municipal elections increased by as much as 600 percent; and

WHEREAS, this resolution furthers the goals set out in the City of El Paso Strategic Plan as the successful completion of municipal elections is a key accomplishment and metric for Strategic Goal 6 “Set the Standard for Sound Governance and Fiscal Management;” and

WHEREAS, the legislation currently being considered by the Texas legislature – introduced under the guise of election integrity – would be a solution in search of a problem, as evidenced by the Texas Secretary of State office’s assertion that the 2020 election was “smooth and secure,” and the consistent lack of widespread voter fraud throughout Texas; and

WHEREAS, conversely, House Bill 3 and Senate Bill 1 are responses to historic voter participation in Texas during the 2020 election resulting from jurisdictions increasing access to the ballot box through ensuring voters felt safe (i.e., creating mobile or temporary voting locations, expanding provisions that allow curbside voting, and extending early voting); and

WHEREAS, proponents of this legislation seek to build on recent Supreme Court precedent eviscerating voting protections once provided by the Voting Rights Act of 1965 and on anti-voter Texas laws which have been ruled unconstitutional by lower courts and placed within the context of the state’s long history of voter suppression that has disproportionately disenfranchised Texans of color; and

WHEREAS, on July 12, 2021, members of the Texas House of Representatives broke quorum for the second time in as many months, preventing further consideration of House Bill 3 and adoption of Senate Bill 1; and

WHEREAS, the City of El Paso committed to support state legislation that improves the quality of life for its residents and provide enhanced customer service to residents; and

WHEREAS, House Bill 3 and Senate Bill 1 would silence many in El Paso, thus disallowing community input needed to equitably address today’s challenges; and

WHEREAS, these anti-democratic bills are antithetical to the values that define the City of El Paso; and

WHEREAS, Congressman Lewis once proclaimed, “When you see something that is not right, not fair, not just, you have to speak up. You have to say something; you have to do something;”

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

That the City of El Paso recognizes that our communities thrive when all voices are heard in our democratic processes and reaffirms support for state and federal legislation that promotes and protects voting rights and access to voting, as well as greater inclusion and civic empowerment; and

That the City of El Paso urges members of the Texas Legislature to withdraw House Bill 3 and Senate Bill 1 and instead take proactive measures to protect voting rights and promote access to voting; and

That the City Clerk’s office will make this resolution available to the Governor, Lt. Governor, Speaker of the House, the El Paso state and federal delegations, sister City Councils, and to the President of the United States, and that the Mayor’s office will email or

mail a copy of such resolution to the official email address/ mailing address of these individuals.

Representatives Annelo, Salcido, Rodriguez, and Rivera commented.

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

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

NAYS: Representatives Molinar and Rodriguez

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- 26. Discussion and action to direct the City Manager and City Attorney to initiate the process to amend Title 10, Chapter 10.12.050 - *Alcohol prohibited in public places* to expand the area specified to include the present boundaries of the Val Verde Neighborhood Association and the Washington-Delta Neighborhood Association; and to prepare an action item for the consideration of the City Council to effectuate the amendment of 10.12.050, to be introduced on or before the Regular City Council meeting on August 31, 2021.

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annelo, and carried to **DIRECT** City staff to return to City Council with policy recommendations to include the introduction of new ordinances or ordinance revisions relating towards alcohol consumption, alcohol permits, and alcohol usage within the City limits of El Paso, Texas.

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

The following City Staff commented:

- 1. Ms. Karla Nieman, City Attorney
- 2. Ms. Dionne Mack, Deputy City Manager
- 3. Mr. Tommy Gonzalez, City Manager
- 4. Police Assistant Chief Victor Zarur

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

NAYS: Representatives Molinar and Rodriguez

The City Council Meeting was **RECESSED** at 10:44 a.m. in order to convene the Mass Transit Board Meeting.

The City Council Meeting was **RECONVENED** at 10:57 a.m.

REGULAR AGENDA – OPERATIONAL FOCUS UPDATE

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

-
- 27. Comprehensive update of the Public Safety Bond Program.

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

Representatives Svarzbein, Hernandez, Molinar, Salcido and Rodriguez commented.

The following City Staff commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Sam Rodriguez, Chief Operations and Transportation Officer

NO ACTION was taken on this item

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

1. Ms. Barbara Valencia
2. Mr. Ron Comeau
3. Mr. Luiz Ruiz
4. 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 Lizarraga, and unanimously carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

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

NAYS: None

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Goal 3: Promote the Visual Image of El Paso
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28. An Ordinance changing the zoning of a 0.376-acre portion of Tract 1B, Nellie D. Mundy Survey 242 and Tract 2E4, Nellie D. Mundy Survey 243, City of El Paso, El Paso County, Texas from C-4/c (Commercial/conditions) to R-3A/c (Residential/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: East of Resler Dr. and South of Woodrow Bean Transmountain Rd.
Applicant: CSA Design Group, Inc. c/o Adrian Holguin-Ontiveros, PZRZ21-00015

.....
PUBLIC HEARING FOR THIS ITEM WILL BE HELD ON AUGUST 31, 2021
.....

REGULAR AGENDA –OTHER BIDS, CONTRACTS, PROCUREMENTS:
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Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
.....

29. Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Salcido, and unanimously carried to **AUTHORIZE** the City Manager to sign Agreement between the City of El Paso and The Revenue Markets, Inc dba TRMI Systems Integration,

the sole source provider for the Toll System maintenance and replacement parts, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Contract Variance:

The difference in price, based on comparison to the previous contract is as follows: An increase of \$39,784.59 for the initial term, which represents a 12.17% increase due to additional services provided and price increases.

Department: International Bridges
Award to: The Revenue Markets, Inc. dba TRMI Systems Integration
Accord, NY
Item(s): All
Initial Term: 3 Years
Annual Estimated Award: \$122,193.20
Total Estimated Award: \$366,579.63 (3 years)
Funding Source: Operational Fund
Account No.: 522290 - 564 - 3300 - 64830
District(s): 6 and 8
Reference No.: 2021-1114

This is a Sole Source, maintenance and service contract.

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

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

30. Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **AUTHORIZE** the City Manager to sign Agreement between the City of El Paso and Teleflex, LLC the sole source provider for the Arrow EZ-IO System, with the stipulation that the vendor provides an updated sole source letter and affidavit each year. The system will provide intraosseous access system components (Arrow EZ-IO), including drivers, needles, cases and any related accessories.

Contract Variance:

There is no contract variance.

Department: Fire Department
Award to: Teleflex, LLC
Wayne, PA
Item(s): All
Term: 3 Years
Annual Estimated Award: \$ 60,000.00
Total Estimated Amount \$180,000.00 (3 years)
Account No.: 322 - 22090 - 1000 - 531120 - P2217
Funding Source: General Fund
District(s): All

Reference No.: 2021-1189

This is a Sole Source, service and maintenance contract.

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

NAYS: None

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31. Motion made Representative Rivera, seconded by Representative Molinar, and unanimously carried to **AUTHORIZE** the Director of the Purchasing & Strategic Sourcing Department to issue a purchase order to Crime Gun Intelligence Technologies, LLC, the sole source for FireFLY-LE2 Sensors, for a one-time purchase totaling \$62,999.98. The award of the contract for the gunshot detection system is an asset to the El Paso Police Department as it provides real time information, which will assist the department in better addressing crime.

Contract Variance:

No contract variance.

Department: Police Department
Award to: Crime Gun Intelligence Technologies, LLC
Tupelo, MS
Total Estimated Award: \$ 62,999.98
Account No.: 321-2680-21210-580070-P2104-GT2121SNP321-1000-21110-522150
Funding Source: Safe Neighborhoods Program General Funds
Districts: All
Reference No.: 2021-1284

This is a sole source, one-time purchase contract.

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

NAYS: None

-
32. Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **AUTHORIZE** the City Manager to sign Service Agreements between the City of El Paso and Vigilant Solutions, LLC. the sole source provider of License Plate Recognition (LPR) data totaling an estimated amount of \$169,545.00 with the stipulation that the vendor provides an updated sole source letter and affidavit each year. The award of this contract will allow the Police Department to continue to have access to license plates data.

Contract Variance:

N/A

Department: Police
Award to: Vigilant Solutions, LLC

Initial Term: 3 years
 Total Estimated Award: \$169,545.00 (3 years)
 Account No.: 321-21190-522150-1000-321-21230-522250-2710-P2104-GT2120FUS
 Funding Source: FUSION 321-21210-522150-2680-P2104-GS2121MVC MVCPA
 Districts(s): General Funds, Fusion Fund and Auto theft Grant
 Sole Source No.: All
 2021-0918

This is a sole source, service contract.

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

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

33. Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Salcido, and unanimously carried to **AWARD** of Solicitation 2021-1202 Animal Holding Facility II to PRIDE GENERAL CONTRACTORS, LLC for an estimated award of \$1,113,617.89. The proposed project supports a new animal holding facility at the El Paso Zoo. Scope of work to include select site demolition, earthwork, Underground utilities, structural concrete, CMU walls, chain-link enclosures, mechanical/electrical/plumbing work, landscaping, and roofing system.

Department: Capital Improvement
 Award to: PRIDE GENERAL CONTRACTORS, LLC
 El Paso, TX
 Item: Base Bid I
 Initial Term: 210 Consecutive Calendar Days
 Base Bid I: \$1,113,617.89
 Total Estimated Award: \$1,113,617.89
 Funding Source: 2012 Quality of Life Bond
 Account: 190-4800-29020-580270-PCP13ZOOD06
 District: 8

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to PRIDE GENERAL CONTRACTORS, LLC the lowest responsive and responsible bidder and that Roman Construction Associated, LLC be deemed non-responsible due to being indebted to the City of El Paso.

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

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

- 34.** Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **AWARD** Solicitation 2021-1232 Playa Drain Trail Phase II - Segment 2 to TAO INDUSTRIES INC., dba HAWK Construction for an estimated award of \$617,710.01. The project consists of the construction of new asphalt trail along Playa Drain Trail from Knights Drive to Yarbrough Drive.

Department: Capital Improvement
Award to: TAO INDUSTRIES INC., dba HAWK Construction
El Paso, TX
Item: Base Bid
Initial Term: 270 Consecutive Calendar Days
Base Bid I: \$617,710.01
Total Estimated Award: \$617,710.01
Funding Source: Community Development Block Grant
Account: 580220-471-71240-2400-G7146CD66
District: 7

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to TAO INDUSTRIES INC., dba HAWK Construction., the lowest responsive and responsible bidder.

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

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

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

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

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- 35.** Motion made by Representative Salcido, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation 2021-1127 Barricade Rental Services to Leedsman Construction DBA Traffic Control Specialists Sales & Rentals for a three (3) year initial term estimated amount of \$997,180.50. The award also includes a two (2) year option for an estimated amount of \$664,787.00. The total value of the contract is, including the initial term plus the option for a total of five (5) years, for an estimated amount of \$1,661,967.50. This contract will allow for the appropriate traffic control during streets maintenance to guarantee employee and public safety.

Contract Variance:

The difference in price, based on comparison to the previous contract is as follows: A decrease of \$167,174.40 for the initial term, which represents a 40% decrease due to price decreases.

Department:	Streets and Maintenance
Vendor:	Leedsman Construction DBA Traffic Control Specialists Sales & Rentals El Paso, TX
Items:	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$332,393.50
Initial Term Estimated Award:	\$997,180.50 (3 years)
Total Estimated Award:	\$1,661,967.50 (5 years)
Account No.:	532-1000-524110-3210-P3210
Funding Source:	General Fund
Districts:	All

This is a Low Bid, Unit Price contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to Leedsman Construction DBA Traffic Control Specialists Sales & Rentals, the lowest responsive, responsible bidder.

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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

NAYS: None

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36. Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation 2021-1156 Grounds Maintenance City Turf Medians and Mowing to MG Evergreen LLC for a three (3) year initial term estimated amount of \$1,280,040.00. The award also includes a two (2) year option for an estimated amount of \$853,360.00. The total value of the contract is, including the initial term plus the option for a total of five (5) years, for an estimated amount of \$2,133,400.00. This contract will provide mowing for all city turf medians and park sites.

Contract Variance:

The contract variance for this item is combining two contracts: 2016-597 Ground Maintenance - City Medians and 2017-1203 - Grounds Maintenance for El Paso City Parks - Mowing (Re-Bid).

The difference in price for Turf Median and Tree Bush Pruning/Removal, based on comparison to the previous contract, 2016-597, is as follows: An increase of \$289,620.00 for the initial term, which represents a 152.62% increase due to price increases and quantity increases on Tree Bush Pruning/Removal.

The difference in price for Park Site Mowing, based on comparison to the previous contract, 2017-1203, is as follows: A decrease of \$70,336.00 for the initial term, which represents a 21.80% decrease due to price decreases.

Department:	Streets and Maintenance
Vendor:	MG Evergreen LLC El Paso, TX
Items:	Groups 1 - 4
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$426,680.00
Initial Term Estimated Award:	\$1,280,040.00 (3 years)
Total Estimated Award:	\$2,133,400.00 (5 years)
Account No.:	451-2305-522210-51295-P5120
Funding Source:	Environmental Fee Fund
Districts:	All

This is a Best Value contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to MG Evergreen LLC, the bidder offering the best value bid.

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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

NAYS: None

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REGULAR AGENDA – FIRST READING AND SECOND READING OF ORDINANCES:
.....

Goal 3: Set the Standard for Sound Governance and Fiscal Management
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37. ORDINANCE 019210

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF EL PASO, TEXAS, WATER AND SEWER COMMERCIAL PAPER NOTES, SERIES A; APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN EXISTING CREDIT AGREEMENT AND OTHER RELATED AGREEMENTS WITH RESPECT TO SUCH NOTES; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.**

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

NAYS: None

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

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

Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
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38. ORDINANCE 019211

The City Clerk read an Ordinance entitled: **AN ORDINANCE APPROVING AMENDMENT NUMBER TWENTY TO THE PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR TAX INCREMENT REINVESTMENT ZONE (TIRZ) NUMBER FIVE, CITY OF EL PASO, TEXAS, TO ALLOCATE UP TO ONE HUNDRED THOUSAND DOLLARS OF THE TAX INCREMENT REINVESTMENT ZONE ANNUAL REVENUE TO THE DOWNTOWN MANAGEMENT DISTRICT COMMERCIAL FAÇADE IMPROVEMENT PROGRAM; ADOPTING SAID AMENDMENTS AS REQUIRED BY SECTION 311.011(E) TEXAS TAX CODE.**

Ms. Mirella Craigo, Economic and International Development Special District Program Manager, and Mr. Joe Gudenrath, Downtown Development Corporation Executive Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Salcido and Lizarraga commented.

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the item to the forefront of the regular agenda.

2ND MOTION

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

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

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

NAYS: None

3RD MOTION

Motion made by Representative Salcido, seconded by Representative Rodriguez, and carried to **RECONSIDER** the item.

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

NAYS: Representative Molinar

4TH AND FINAL MOTION

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

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

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

NAYS: None

ABSTAIN: 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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39.

ORDINANCE 019212

The City Clerk read an Ordinance entitled: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, DESIGNATING A NONCONTIGUOUS GEOGRAPHIC AREA WITHIN THE CITY AS A REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF EL PASO; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE**

OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Kelly Kotlik, Economic Development Program Administrator, and Ms. Natalie Moore, David Pettit Economic Development Project Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Motion duly made by Representative Hernandez, 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, Annello, Hernandez, Salcido, Rivera, and Lizarraga

NAYS: Representatives Molinar 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**.

Goal 3: Promote the Visual Image of El Paso

40.

ORDINANCE 019213

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE PROPERTY DESCRIBED AS A PORTION OF TRACT 10-2, A.F. MILLER SURVEY NO. 211, 125 BELVIDERE STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) AND A-O (APARTMENT/OFFICE) 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 FRONT AND REAR 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. SUBJECT PROPERTY: 125 BELVIDERE STREET APPLICANT: CITY OF EL PASO PZRZ21-00008**

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

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

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

NAYS: None

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

41.

ORDINANCE 019214

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 1, BLOCK 35, COLONIA VERDE #6, 10005 DYER STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-2/C/SC (COMMERCIAL/CONDITION/SPECIAL CONTRACT) TO C-1/C/SC (COMMERCIAL/CONDITION/SPECIAL CONTRACT). 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: 10005 DYER STREET APPLICANT: BECKROSS PROPERTIES, LLC PZRZ20-00027**

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

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

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

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

42.

The City Clerk read an Ordinance entitled: **AN ORDINANCE RENEWING A SPECIAL PRIVILEGE LICENSE TO THE EL PASO ELECTRIC COMPANY, OWNER, AND EL PASO PARKING INC., LESSEE, TO PERMIT OFF-STREET PARKING WITHIN A PORTION OF RIM ROAD RIGHT-OF-WAY, BY EXTENDING THE TERM FOR ANOTHER FIVE YEARS. SUBJECT PROPERTY: SOUTH OF RIM RD. AND WEST OF EL PASO ST. APPLICANT: EL PASO PARKING INC. NESV2020-00005**

1ST MOTION

Motion duly made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rodriguez, 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 Rodriguez and Lizarraga
NAYS: Representatives Svarzbein, Annelo, Hernandez, Molinar, and Rivera
NOT PRESENT FOR THE VOTE: Representative Salcido
THE MOTION FAILED

Whereupon the Mayor ordered that, the vote having been cast against the Ordinance, the same be and the same is hereby **NOT ADOPTED**.

2ND MOTION

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Hernandez, to **RECONSIDER** the item.

AYES: Representatives Hernandez, Salcido, Rodriguez, and Lizarraga

NAYS: Representatives Svarzbein, Annelo, Molinar, and Rivera

Mayor Leeser broke the tie by voting "**NAY**".

THE MOTION FAILED.

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43. *Motion, seconded, and unanimously carried to **POSTPONE FOR FOUR WEEKS** the Ordinance granting Special Permit NO. PZST21-00008, to allow for a 55' Ground-Mounted Personal Wireless Service Facility on the property described as a portion of Tracts 9B, 9C, and 10A, Block 48, Ysleta Grant, 9100 Alameda Avenue, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.455 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. THIS IS AN APPEAL.

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: 9100 Alameda Avenue Applicant: Verizon c/o Les Gutierrez, PZST21-00008

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44. *Motion, seconded, and unanimously carried to **POSTPONE FOR TWO WEEKS** the Ordinance changing the zoning of Tract of land situated in the Ysleta Town Tract Survey, Abstract No. 214, City of El Paso, El Paso, County, Texas; said Tract being part of Lots 1 & 2, Block 2, A & M Addition, an addition to the City of El Paso according to the plat recorded in Volume 45, Page 10 of the Official Public Records of El Paso County, Texas; said Tract being part of that Tract of land described in Assumption Special Warranty Deed to Ben L. Ivey, LTD. recorded in Instrument No. 20020012761 of said Official Public Records; said Tract also being all of that Tract of land described in Assumption Special Warranty Deed to Ben L. Ivey, LTD. recorded in Instrument No. 20020012760 of said Official Public Records; said Tract also being part of Parcel 1 and all of Parcel 2 described in Deed of Trust recorded in Instrument No. 20190062708 of said Official Public Records, City of El Paso, El Paso County, Texas from A-2/sc (Apartment/special contract) to C-4/sc (Commercial/special contract) 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: 9641 North Loop Drive and 215 Sofia Place Applicant: Kimely-Horn and Associates, Inc. PZRZ21-00005

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45. *Motion, seconded, and unanimously carried to **POSTPONE FOR TWO WEEKS** the Ordinance changing the zoning of Tract 19B, Block 2, Ysleta Grant El Paso, City of El Paso, El Paso County, Texas (Ysleta Grant Map, Block 2, December 1929) from R-F (Ranch-Farm) to C-4/c (Commercial/condition) 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: 551 Inglewood Drive Applicant: Inglewood Properties, LLC PZRZ21-00006

46. *Motion, seconded, and unanimously carried to **POSTPONE FOR TWO WEEKS** the Ordinance amending the Future Land Use Map (FLUM) contained in “Plan El Paso” for a Tract of land situated in the Ysleta Town Tract Survey, Abstract No. 214, City of El Paso, El Paso, County, Texas; said Tract being part of Lots 1 & 2, Block 2, A & M Addition, an addition to the City of El Paso according to the plat recorded in Volume 45, Page 10 of the Official Public Records of El Paso County, Texas; said Tract being part of that Tract of land described in Assumption Special Warranty Deed to Ben L. Ivey, LTD. recorded in Instrument No. 20020012761 of said Official Public Records; said Tract also being all of that Tract of land described in Assumption Special Warranty Deed to Ben L. Ivey, LTD. recorded in Instrument No. 20020012760 of said Official Public Records; said Tract also being part of Parcel 1 and all of Parcel 2 described in Deed Of Trust recorded in Instrument No. 20190062708 of said Official Public Records, City of El Paso, El Paso County, Texas, from O-3, Agriculture to G-7, Industrial. Subject Property: 9641 North Loop Dr. and 215 Sofia Pl. Applicant: Kimley-Horn and Associates, Inc. PLCP21-00001

47. *Motion, seconded, and unanimously carried to **POSTPONE FOR TWO WEEKS** an Ordinance amending the Future Land Use Map (FLUM) contained in “Plan El Paso” for the properties legally described as all of Tract 19B, Block 2, Ysleta Grant, City of El Paso, El Paso County, Texas, from O-3, Agriculture to G-7, Industrial.

Subject Property: 551 Inglewood Dr.
Applicant: Inglewood Properties, LLC PLCP21-00002.

REGULAR AGENDA – OTHER BUSINESS:

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

48. RESOLUTION

WHEREAS, by way of a Resolution on April 12, 2005, City Council adopted the 2014-2024 Public Art Master Plan dated October 28, 2014, as the primary guideline in determining and appropriating expenditures from the public art fund; and

WHEREAS, under the provisions of the City Code Chapter 2.40 (Department of Museums and Cultural Affairs) Section 2.40.70 (Art in Municipal Places) and Section 2.40.80 (Administration of the Public Art Program and Establishment of the Public Art Committee) the City of El Paso provided for art in municipal places, established a means of funding acquisition or commissioning of art for municipal places and established that the Public Art committee and the Museums and Cultural Affairs Advisory Board shall submit an annual Public Art Plan to the City Council; and

WHEREAS, the Museums and Cultural Affairs Department would like to Amend the 2021 Public Art Plan (“Amended Plan”) attached hereto as Exhibit “A” to update the artist selections, add a mural project to the El Paso Airport, and to increase the budget for projects due to increase in price of stainless-steel material; and

WHEREAS, the 2021 Public Art Plan was approved by Council on January 19, 2021 and the Public Art Committee (“PAC”) and the Museums and Cultural Affairs Advisory Board (“MCAAB”); and

WHEREAS, the City Council may accept or reject any portion of this Plan; and

WHEREAS, the City Council, having taken into consideration the recommendation of the PAC and MCAAB, determines that the Plan is reasonable and appropriately adopted and that said Plan serves the public purpose of enhancing the quality of life of the citizens of El Paso through the development of fine arts and cultural properties and by encouraging the integration of art in the architecture of municipal structures

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

1. That the Amended 2021 Public Art Plan, attached hereto, be and is hereby officially adopted.
2. That Amendment to the 2021 Plan includes current art projects in progress initiated in 2021 and new projects to be initiated in Fiscal Year 2022 and on, and describes the planned location, proposed budget, timetable, and artist selection process for each project, and contains updates on public art projects in progress.
3. That adoption of the Plan is fully funded through 2010, 2011, 2012, 2013, 2017, 2018, and 2019 Certificates of Obligation; the 2012 Infrastructure and Quality of Life Bonds; and the 2019 Public Safety Bonds.
4. That the City Manager or a designee is authorized to enter into contracts and amendments to contracts to carry out the Amended Plan as described in Exhibit “A”. If an artist identified in the Plan is unable or unwilling to finalize a contract with the City, then the City Manager is authorized to execute a contract and contract amendments with a new artist as selected by the Museum and Cultural Affairs Department approved by the Public Art Committee.

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

Representatives Svarzbein, Annello and Molinar commented.

Mr. Tommy Gonzalez, City Manager, commented.

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

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

NAYS: None

ADJOURN

Motion made by Representative Anello, seconded by Representative Svarzbein, and unanimously carried to **ADJOURN** this meeting at 12:52 p.m.

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

NAYS: None

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk