

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

October 12, 2021
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY
9:00 AM

ROLL CALL

The City Council of the City of El Paso met on the above time and date. Meeting was called to order at 9:07 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexandra Annello, Joe Molinar, Isabel Salcido, and Cissy Lizarraga. Cassandra Hernandez participated via videoconference. Representatives Claudia Rodriguez and Henry Rivera requested to be excused.

INVOCATION BY POLICE CHAPLAIN DAVID MAYFIELD

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

Archtober Month

Paint the Town Red Week

NOTICE TO THE PUBLIC

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

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

NAYS: None

ABSENT: Representatives Rodriguez and Rivera

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 September 28, 2021, the Agenda Review Meeting of September 27, 2021, The Work Session of September 27, 2021, the Special Meeting of May 27, 2020, and the Work Session of May 11, 2020.

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

*Motion made, seconded, and unanimously carried to **EXCUSE** Representatives Claudia Rodriguez and Henry Rivera from the meeting of October 12, 2021.

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

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

That the City Manager be authorized to sign an Air Cargo Building Lease Agreement between the City of El Paso ("Lessor") and ASC Technical Institute, LLC, a Texas limited liability company, ("Lessee") for office and warehouse space, and vehicle parking space, at 6401 Convair Road, El Paso, Texas, in Air Cargo Center Building #2.

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4. *RESOLUTION

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

That the City Manager, or designee, is authorized to sign a First Amendment to Agreement for Professional Services between the City of El Paso and Garver LLC for the project known as "El Paso International Airport Taxiway K, K1, K2, and J Reconfiguration" to add additional services and increase the contract amount from an amount not to exceed \$786,583.50 to an amount not to exceed \$919,249.83. Further, that the City Engineer is authorized to approve additional basic services in an amount not to exceed an additional \$50,000. Further, that the City Engineer is authorized to approve additional services in an amount not to exceed an additional \$50,000. The City Engineer is authorized to execute any contract amendments to increase the contract amount as provided above. Further, that the City Manager, or designee, is authorized to exercise all rights and obligations under the agreement and to execute all documents necessary to effectuate the intent of this resolution.

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

WHEREAS, the Rio Grande Council of Governments (RGCOG) is directed by the Texas Commission on Environmental Quality to administer solid waste grant funds for implementation of the RGCOG adopted regional solid waste management plan; and

WHEREAS, City of El Paso in the State of Texas is qualified to apply for grant funds under the RGCOG Request for Applications; and

WHEREAS, the Regional Solid Waste Grant is administered by the Rio Grande Council of Governments, is divided between six Texas counties and is used to pay for the disposal of materials from illegal dumping sites;

WHEREAS, The City of El Paso finds it in the best interest of the citizens of El Paso, Texas that the Scrap Tire Disposal Reimbursement (Name of Project) be operated for the 2022; and

WHEREAS, The City of El Paso designates the Comptroller or Grants Administrator as the project's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the project on behalf of the applicant.

NOW THEREFORE, BE IT RESOLVED that The City of El Paso approve submission of the application for the Scrap Tire Disposal Reimbursement to the Rio Grande Council of Governments.

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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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6. *R E S O L U T I O N

WHEREAS, the Consolidated Tax Assessor/Collector of the City of El Paso (the "City") has entered the amount of tax as provided by Section 26.09(e) of the Texas Tax Code in the appraisal roll, creating a tax roll for entities, for which the Consolidated Tax Assessor/Collector collects taxes, a summary of which is attached hereto and incorporated herein by reference;

WHEREAS, the tax roll for the remaining entities is on file and available for inspection in the City Tax Office; and

WHEREAS, the Consolidated Tax Assessor/Collector now submits the tax roll to the City Council for approval as the 2021 tax roll.

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

THAT the tax roll attached hereto is hereby approved and constitutes the 2021 tax roll for all entities for which the Consolidated Tax Assessor/Collector collects taxes.

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Goal 7: Enhance and Sustain El Paso's Infrastructure Network
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7. *R E S O L U T I O N

WHEREAS, on February 16, 2021, the City of El Paso ("City") awarded Contract No. 2021-0179 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids to the following vendor:

1. M.J. Mader Enterprises, Inc. dba Bio Dyne Chemical Co.

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 CITY COUNCIL OF THE CITY OF EL PASO:

That the Purchasing Director is authorized to notify M.J. Mader Enterprises, Inc. dba Bio Dyne Chemical Co. that the City is terminating Contract No. 2021-0179 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids 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 October 12, 2021.

8.

***RESOLUTION**

WHEREAS, Ordinance 16090 grants the El Paso Electric Company (“El Paso Electric”) a franchise to construct, reconstruct, repair, maintain, use and operate in, over, or under the present and future streets, alleys, public ways parks, and public places of the City of El Paso, facilities for the transmission and distribution of electrical energy and broadband over power line communications; and

WHEREAS, Ordinance 16090 also provides that the City shall have the power at any time to require El Paso Electric to change the route or position of its poles, lines, conduits, or other construction at El Paso Electric’s expense when the El Paso City Council shall find, by resolution, that such change is necessary in the closing, opening or relocation of streets or alleys, or water or sewer lines, the changing of grade of streets or alleys, the construction and maintenance of parks and public improvements, the construction of private buildings, the construction or use of driveways, and under other conditions which the City Council shall find necessary under the lawful exercise of its police power; and

WHEREAS, the City of El Paso is currently making improvements on various sites near downtown El Paso such improvements known as the Central Business District Phase IV Project (the “Project”); and

WHEREAS, El Paso Electric currently has infrastructure and facilities on the Project sites; and

WHEREAS, the City requires the relocation of El Paso Electric infrastructure.

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

1. That the City Council finds that the relocation of El Paso Electric improvements located on the Project sites, and adjacent public areas and rights of way, is necessary for the construction and maintenance of city public improvements.
2. That in accordance to Ordinance 16090, the City of El Paso requires the El Paso Electric Company to change the route or position of its poles, lines, conduits, or

other construction at, and adjacent to, the Project sites at the El Paso Electric Company's expense.

3. That the City Engineer is authorized, and directed, to coordinate with El Paso Electric to identify the specific El Paso Electric improvements that need to be relocated to accommodate the construction of the city improvements to, and adjacent to, the Project.

9.

***RESOLUTION**

WHEREAS, Ordinance 16090 grants the El Paso Electric Company ("El Paso Electric") a franchise to construct, reconstruct, repair, maintain, use and operate in, over, or under the present and future streets, alleys, public ways parks, and public places of the City of El Paso, facilities for the transmission and distribution of electrical energy and broadband over power line communications; and

WHEREAS, Ordinance 16090 also provides that the City shall have the power at any time to require El Paso Electric to change the route or position of its poles, lines, conduits, or other construction at El Paso Electric's expense when the El Paso City Council shall find, by resolution, that such change is necessary in the closing, opening or relocation of streets or alleys, or water or sewer lines, the changing of grade of streets or alleys, the construction and maintenance of parks and public improvements, the construction of private buildings, the construction or use of driveways, and under other conditions which the City Council shall find necessary under the lawful exercise of its police power; and

WHEREAS, the City of El Paso is currently making improvements related to the Rojas Drive Widening Project the ("Project") which consists of a full street reconstruction and widening on Rojas Dr. from Loop 375 to Bill Burnett Dr; and

WHEREAS, El Paso Electric currently has infrastructure and facilities on the Project sites; and

WHEREAS, the City requires the relocation of El Paso Electric infrastructure.

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

1. That the City Council finds that the relocation of El Paso Electric improvements located on the Project sites, and adjacent public areas and rights of way, is necessary for the construction and maintenance of city public improvements.
2. That in accordance to Ordinance 16090, the City of El Paso requires the El Paso Electric Company to change the route or position of its poles, lines, conduits, or other construction at, and adjacent to, the Project sites at the El Paso Electric Company's expense.
3. That the City Engineer is authorized, and directed, to coordinate with El Paso Electric to identify the specific El Paso Electric improvements that need to be relocated to accommodate the construction of the city improvements to, and adjacent to, the Project.

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10. **ITEM:** That the City Council approves a change order in the amount of \$264,139.21 to J.A.R. Concrete Inc. for the increase in landscaping, irrigation, and other elements to the project under Contract No. 2019-452 Paso Del Norte (PDN) Port of Entry (POE) Roundabout Improvements. This notice provides for the additional scope of work, which allows for additional capacity to the awarded contract. The new contract sum, including this change order notice and previous change order notices is \$2,662,492.51. The City Manager, or designee, is authorized to execute any documents and contract amendments needed to carry out the intent of this resolution.

Ms. Margaret Schroeder, Engineering Division Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein, Annelo, and Hernandez commented.

The following City staff members commented:

Mr. Sam Rodriguez, City Engineer
Mr. Cary Westin, Senior Deputy City Manager, commented
Ms. Tracey Jerome, Deputy City Manager, commented

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE THE ITEM** to the Regular Agenda.

2ND AND FINAL MOTION

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

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

NAYS: None

ABSENT: Representatives Rodriguez and Rivera

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CONSENT AGENDA – BOARD RE-APPOINTMENTS:

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Goal 3: Promote the Visual Image of El Paso

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11. *Motion made, seconded, and unanimously carried to **REAPPOINT** Renee Jimenez to the Building and Standards Commission by Representative Joe Molinar, District 4.

12. *Motion made, seconded, and unanimously carried to **REAPPOINT** Ray Aduato as a Regular Member to the Zoning Board of Adjustment by Mayor Oscar Leeser.

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Goal 8: Nurture and Promote a Healthy, Sustainable Community

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13. *Motion made, seconded, and unanimously carried to **REAPPOINT** Josue Rodriguez to the City Accessibility Advisory Committee by Representative Henry Rivera, District 7.
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CONSENT AGENDA – BOARD APPOINTMENTS:

Goal 3: Promote the Visual Image of El Paso

- 14. *Motion made, seconded, and unanimously carried to **APPOINT** Jacob Barde as an Alternate Member to the Zoning Board of Adjustment by Mayor Oscar Leeser.
- 15. *Motion made, seconded, and unanimously carried to **APPOINT** Marcia Heller as an Alternate Member to the Zoning Board of Adjustment by Representative Joe Molinar, District 4.
- 16. *Motion made, seconded, and unanimously carried to **APPOINT** Rodney Jackson as a Regular Member to the Zoning Board of Adjustment by Representative Joe Molinar, District 4.

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

- 17. *Motion made, seconded, and unanimously carried to **APPOINT** Marcella Carrillo to the Parks and Recreation Advisory Board by Representative Henry Rivera, District 7.
- 18. *Motion made, seconded, and unanimously carried to **APPOINT** Deborah A. Zuloaga to the Parks and Recreation Advisory Board by Mayor Oscar Leeser.

CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS:

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

- 19. *Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds listed below and posted on the attachment with this agenda:
 - 1. Stewart Title Company, in the amount of \$4,165.96 made an overpayment on April 27, 2021 of 2020 taxes. (Geo. #S237-999-0400-2500)

20. *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, Pedro and Maria Olivas ("Taxpayer") have applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on February 27, 2017 in the amount of \$50.00 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 Pedro and Maria Olivas 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 \$50.00 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, Chad McHalfey through Brew Sports Pub C/O McBin LLC. ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on February 28, 2017 in the amount of \$82.85 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 Chad McHalfey through Brew Sports Pub C/O McBin LLC. 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 \$82.85 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, Corelogic Tax Services LLC through CMS ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on May 31, 2017 in the amount of \$22.49 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 Corelogic Tax Services LLC 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 \$22.49 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 A. Serrano ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on April 10, 2017 in the amount of \$69.92 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 A. Serrano 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 \$69.92 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, Fermin and Esperanza D. Espinoza ("Taxpayer") have applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on February 22, 2017 in the amount of \$49.76 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 Fermin and Esperanza D. Espinoza 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 \$49.76 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, Andres Ibarra through Select Portfolio Servicing Inc. ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on March 31, 2017 in the amount of \$45.10 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 Andres Ibarra 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 \$45.10 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, Esther E. Kim ("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 \$21.00 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 Esther E. Kim 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 \$21.00 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, Sierra Title Company Inc. ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on August 21, 2017 in the amount of \$26.00 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 that Sierra Title Company 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 \$26.00 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, East Smart Choice LLC, ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on January 18, 2017 in the amount of \$469.58 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 East Smart Choice LLC, 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 \$469.58 is approved.

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

***Agenda Attachment listed the incorrect amount. This request for refund will be resubmitted for approval on a future agenda.**

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, Sierra Title Company ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on February 07, 2017 in the amount of \$13.58 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 Sierra 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 \$13.58 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, Jose Estrada through Jose and Angelica Estrada ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on January 31, 2017 in the amount of \$80.00 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 Jose and Angelica Estrada 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 \$80.00 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, JNC Development, INC. ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on January 24, 2017 in the amount of \$687.30 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 JNC Development, 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 \$687.30 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, Gardea Auto Group Corp. CIO Margarita P. Gardea ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on March 20, 2017 in the amount of \$13 .62 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 Gardea Auto Group Corp. C/O Margarita P. Gardea 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 \$13.62 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, Margarita Velasquez ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on March 31, 2017 in the amount of \$27.54 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 Margarita Velasquez 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 \$27.54 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, Lillian P. Woods through Lillian P. (TR) and Andrea Woods ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on November 09, 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 Lillian P. (TR) and Andrea Woods 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, Texas Title Company ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on January 09, 2017 in the amount of \$93.78 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 Texas 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 \$93.78 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, Servicelink ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on October 26, 2017 in the amount of \$716.81 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 Servicelink 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 \$716.81 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, Clint Development CO. ("Taxpayer") has applied for a refund with the tax. assessor for their 2016 property taxes that were overpaid on January 03, 2017 in the amount of \$187.39 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 Clint Development CO. 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 \$187.39 is approved.

***Agenda Attachment includes refund for Jorge Valenzuela, not included in the backup. This request for refund will be resubmitted for approval on a future agenda.**

***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, Ranchos Real IV LTD ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on January 31, 2017 in the amount of \$1,287.00 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 Ranchos Real IV LTD 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 \$1,287.00 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, La Pasadita C/O Rosa Rueda ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on March 07, 2018 in the amount of \$73.74 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 La Pasadita C/O Rosa Rueda 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 \$73.74 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, Lynnette Lomarquez through Pulso Home Health C/O Pulso Home Health LLC ("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 \$60.93 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 Pulso Home Health CIO Pulso Home Health LLC, 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 \$60.93 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, Chronos Title Solutions LLC ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on March 30, 2017 in the amount of \$78.06 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 Chronos Title Solutions LLC 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 \$78.06 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, Dorado Finance LTD ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on February 08, 2018 in the amount of \$1,123.72 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 Dorado Finance LTD 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 \$1,123.72 is approved.

REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL

Goal 8: Nurture and Promote a Healthy, Sustainable Community

- 21. ITEM:** Discussion and action on the Renewable Generation Study completed by the El Paso Electric Company as required by Ordinance No. 019022, and a review of its mandated deliverables, including but not limited to: 1) the possible costs related to the integration of utility-scale renewable generation in the utility company's Texas service territory; 2) the legislative or regulatory changes that may be necessary to increase utility-scale renewable generation integration in the company's Texas service territory and the necessary legislative strategy to implement such changes; 3) the identification of grant opportunities for the company, the City, or both to increase the integration of renewable generation into the company's Texas generation portfolio; and 4) the identification of potential renewable generation programs to support low-income customers, such as incentives for distributed generation.

Motion made by Representative Annelo, seconded by Representative Svarzbein, and unanimously carried to **DIRECT** the City Manager and City Attorney to work with El Paso Electric to fully address the seven deliverables required of the Renewable Generation Study, as identified by the Franchise Agreement between the City and the utility, including but not limited to: 1) the possible costs related to the integration of utility-scale renewable generation in the utility company's Texas service territory; 2) the legislative or regulatory changes that may be necessary to increase utility-scale renewable generation integration in the company's Texas service territory and the necessary legislative strategy to implement such changes; 3) the identification of grant opportunities for the company, the City, or both

to increase the integration of renewable generation into the company's Texas generation portfolio; and 4) the identification of potential renewable generation programs to support low-income customers, such as incentives for distributed generation; and to direct the City Manager to identify a reasonable date by which an update will be provided the El Paso Electric Company to the City Council to ensure the utility company remains in compliance with the terms of the Franchise Agreement.

Mayor Leeser and Representatives Svarzbein, Annelo and Hernandez commented.

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

NAYS: None

ABSENT: Representatives Rodriguez and Rivera

CALL TO THE PUBLIC – PUBLIC COMMENT

The following members of the public commented:

1. Mr. Jose Gaston Barriga
2. Ms. Wally Czech
3. Ms. Valerie Hubbard
4. Ms. Sabrina Soto
5. Mr. Michael Castro
6. Mr. Colt DeMorris
7. Ms. Lisa Turner
8. Ms. Elvira Ortega

REGULAR AGENDA – FIRST READING OF ORDINANCES:

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

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

NAYS: None

ABSENT: Representatives Rodriguez and Rivera

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

22. An Ordinance approving a project and financing plan for Tax Increment Reinvestment Zone Number Fourteen, City of El Paso, Texas; making various findings related to such plan; providing for severability; and providing an effective date.

PUBLIC HEARING WILL BE HELD ON OCTOBER 26, 2021

Goal 3: Promote the Visual Image of El Paso

23. An Ordinance changing the zoning for a portion of Tract 6, Fruitvale Addition, 8458 Roseway Drive, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-4 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: 8458 Roseway Drive Applicant: Elder Ramirez, PZRZ21-00023

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PUBLIC HEARING WILL BE HELD ON NOVEMBER 9, 2021
.....

24. An Ordinance granting a non-exclusive franchise to AMX Construction & Waste, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the franchise terms and conditions; the penalty as provided in section 9.04.630 of the El Paso city code. Manufacturing), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

.....
PUBLIC HEARING WILL BE HELD ON OCTOBER 26, 2021
.....

25. An Ordinance approving a special permit for a parking lot for the property described as Lot 7 and 8 and South 2 Feet of Lot 9, Block 82, Campbell Addition, City of El Paso, El Paso County, Texas, The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: 707 S. Ochoa St.
Applicant: Jaime Montoya, PZST21-00010

26. An Ordinance changing the zoning for the property described as being a portion of Tracts 3 and 3A, Section 15, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch-Farm) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: Dyer Street and O'Connor Drive
Applicant: Salvare NE El Paso, LLC, PZRZ21-00019

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PUBLIC HEARING WILL BE HELD ON NOVEMBER 9, 2021 FOR ITEMS 25 AND 26
.....

27. 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

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PUBLIC HEARING WILL BE HELD ON OCTOBER 26, 2021
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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS
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Goal 4: Enhance El Paso’s Quality of life through Recreational, Cultural and Educational Environments
.....

28. Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Salcido, and unanimously carried to **AWARD** Solicitation No. 2021-1347 Animal Food Pellets, Grains, etc. (Re-Bid) to Lab Animal Supplies, Inc. dba Lab Supply for an initial term of three (3) years estimated amount of \$368,923.77. The award includes a two (2) year option for an estimated amount of \$245,949.18. The total value of the contract is, including the initial term plus the option for a total of five (5) years, for an estimated award of \$614,872.95. This contract will allow the Zoo Department to provide a well-balanced diet for the animals within the Zoo collection.

Contract Variance:

The difference in price, based on comparison to previous contract is as follows: An increase of 35.65% for seventy-seven (77) items being provided. Nine (9) items had a total cumulative decrease of 28.40% and sixty-eight (68) items with an increase of 44.11%, which represents a cumulative decrease of 15.71% between the two contracts. The increase is due to new items included in this contract.

Department:	Zoo
Award to:	Lab Animal Supplies, Inc. dba Lab Supply
Vendor Location	Highland Village, TX
Item(s):	All
Initial Term:	3 Years
Option to Extend:	2 Years
Annual Estimated Award:	\$ 122,974.59
Initial Term Estimated Award:	\$ 368,923.77 (3 Years)
Total Estimated Award:	\$ 614,872.95 (5 Years)
Account No.:	452 - 3400 - 52140 - 531100 - P5241
Funding Source:	Zoo Operations Fun
District(s):	All

This is a Low bid, unit price contract.

The Purchasing & Strategic Sourcing and Zoo Department recommend award as indicated to Lab Animal Supplies, Inc. dba Lab Supply the lowest, responsive and 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, and Lizarraga

NAYS: None

ABSENT: Representatives Rodriguez and Rivera

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

29. Motion made by Representative Salcido, seconded by Representative Molinar, and unanimously carried to **AWARD** Solicitation 2021-1258 Animal Food to Legend + White

Animal Health Corp. for an initial term of three (3) years estimated amount of \$935,218.80. The award includes a two (2) year option for an estimated amount of \$623,479.20. The total value of the contract is, including the initial term plus the option for a total of five (5) years, for an estimated award of \$1,558,698.00. The contract is for food for the animals at the Animal Services shelter and for those animals within all of the Animal Services programs.

Contract Variance:

The difference in price, based on comparison to previous contract is as follows:

An increase of .73% for 15 items being provided. Items 1, 3-5 and 8 had an increase in quantities for a cumulative total of 156.578%, items 14-15 had a decrease in quantities for a cumulative total of 149.05%, while items 2, 7-8 and 9-13 had no changes in quantities. This represents a cumulative increase of 75.07% between the two contracts. The increase is due to additional quantities required for various items.

Department:	Animal Services
Award to:	Legend + White Animal Health Corp.
Vendor Location	Lincolnshire, IL
Item(s):	All
Initial Term:	3 Years
Option to Extend:	2 Years
Annual Estimated Award:	\$ 311,739.60
Initial Term Estimated Award:	\$ 935,218.80 (3 Years)
Total Estimated Award:	\$1,558,698.00 (5 Years)
Account No.:	225 - 2580- 25110 - 531100
Funding Source:	General Fund
District(s):	All

This is a Low bid, unit price contract.

The Purchasing & Strategic Sourcing and Animal Services Departments recommend award as indicated to Legend + White Animal Health Corp., the lowest, responsive and 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, and Lizarraga
NAYS: None
ABSENT: Representatives Rodriguez and Rivera

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

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

- 30. Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello, and unanimously carried to **POSTPONE FOR TWO WEEKS** an Ordinance authorizing the City Manager to sign a Purchase and Sale Agreement, Special Warranty Deed and any other documents necessary to convey to VJ Capital Properties, Ltd., approximately 3.15 acres of land being described as a portion of Tracts 23-G-1 and 23-G-2, Block 54, Ysleta Grant, El Paso County, Texas.

Representative Svarzbein commented.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representatives Rodriguez and Rivera

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

31. Motion made by Representative Molinar, seconded by Representative Svarzbein, and unanimously carried to **POSTPONE FOR TWO WEEKS** an Ordinance amending Title 10 (Public Peace, Morals and Welfare), Chapter 10.12 (Offenses against Public Peace), Section 10.12.050 (Alcohol Prohibited in Public Places), Subsection A to define "Homeless Shelter," "Possesses," and "Possession," and Subsection B to add Homeless Shelter to the area where offense can occur; the penalty being provided in Subsection 10.12.050 E of the El Paso City Code.

Assistant Police Chief Victor Zarur, Mr. Carlos Armendariz, Assistant City Attorney, and Police Lieutenant Michael Gaither presented a PowerPoint presentation. (copy on file at the City Clerk's office).

Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido and Lizarraga commented.

The following City staff commented:

1. Mr. Cary Westin, Deputy City Manager
2. Ms. Nicole Ferrini, Community and Human Development Director

The following members of the public commented:

1. Mr. John Martin
2. Mr. Jose Barriga
3. Ms. Lisa Turner

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

NAYS: None

ABSENT: Representatives Rodriguez and Rivera

The Regular City Council meeting was **RECESSED** at 10:50 a.m

The Regular City Council meeting was **RECONVENED** at 11:09 a.m. following the Mass Transit Department Board Meeting.

Goal 3: Promote the Visual Image of El Paso

32. *Motion made, seconded, and unanimously carried to **DELETE** an Ordinance changing the zoning of a portion of F. Neve Survey No. 8, 4625 Delta Drive, City of El Paso, El Paso County, Texas, from R-5/sp (Residential/special permit) to C-2/sp/c (Commercial/special

permit/conditions) and imposing conditions. The Penalty is as provided for in Chapter 20.24 of the El Paso City Code. THIS IS A 211 CASE.

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: 4625 Delta Drive
Applicants: The Upright Group LLC
PZRZ20-00013

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- 33.** *Motion made, seconded, and unanimously carried to **DELETE** an Ordinance granting Special Permit No. PZST21-00011, to allow for a small contractor's yard on the property described as a portion of F. Neve Survey No. 8, 4625 Delta Drive, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.

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

Subject Property: 4625 Delta Drive
Applicant: Erik Tijerina
PZST21-00011

34. ORDINANCE 019242

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO AMEND TITLE 5 (BUSINESS LICENSE AND PERMIT REGULATIONS) CHAPTER 5.09 (SEXUALLY ORIENTED BUSINESSES) SECTIONS 5.09.020 (DEFINITIONS), 5.09.050 (A)(1) (ISSUANCE OF A LICENSE), 5.09.050 (B) (1) (EMPLOYEE LICENSE), AND 5.09.170 (D) (PROHIBITED CONDUCT); THE PENALTY BEING AS PROVIDED IN SECTION 5.09.150 (PENALTIES AND ENFORCEMENT) OF THE EL PASO CITY CODE.**

The following City staff members commented:

1. Mr. Tony De La Cruz, Assistant Director, Building Permits and Inspections
2. Mr. Cary Westin, Deputy City Manager

Ms. Lisa Turner, citizen, commented.

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

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

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

NAYS: None

ABSENT: Representatives Rodriguez and Rivera

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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35. ITEMS 35 THROUGH 37 WERE TAKEN TOGETHER

ORDINANCE 019243

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 19 (SUBDIVISION AND DEVELOPMENT PLATS) SECTIONS: 19.01.010 (AUTHORITY, PURPOSE AND APPLICABILITY), 19.01.020 (TYPES OF PLATS REQUIRED), 19.01.030 (EXEMPTIONS), 19.01.050 (APPLICATION AND PROCEDURES), 19.02.020 (APPLICATION AND PROCEDURES), 19.03.020 (APPLICATION AND PROCEDURES), 19.04.020 (APPLICATION AND PROCEDURES), 19.04.070 (PLAT RECORDATION), 19.05.020 (APPLICATION AND PROCEDURES), 19.06.020 (APPLICATION AND PROCEDURES), 19.07.040 (AMENDING PLATS), 19.10.020 (IN GENERAL), 19.31.030 (CITY DEVELOPMENT DIRECTOR), 19.37.060 (APPLICATION CONTENTS), AND 19.37.070 (APPLICATION FEES) OF THE EL PASO CITY CODE TO UPDATE REFERENCES IN THE TITLE, CORRECT TYPOGRAPHICAL ERRORS, PROVIDE FOR THE SUBMITTAL OF ELECTRONIC APPLICATIONS, CLARIFY PRESENTATION OF FINAL PLATS TO CITY PLAN COMMISSION, PROVIDE FOR SIGNATURE OF PLANNING AND INSPECTIONS DIRECTOR ON FINAL PLATS, UPDATE FIGURES, AND REMOVE REDUCTION OF CERTAIN FEES FOR PROPERTIES LOCATED WITHIN THE BOUNDARIES OF TAX INCREMENT ZONES OR EMPOWERMENT ZONES. THE PENALTY IS AS PROVIDED UNDER TITLE 19, CHAPTER 19.42 OF THE EL PASO CITY CODE. (CITYWIDE)**

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

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

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

NAYS: None

ABSENT: Representatives Rodriguez and Rivera

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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36. ORDINANCE 019244

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 20 (ZONING), CHAPTERS 20.04 (ADMINISTRATIVE PROVISIONS), 20.08 (PERMISSIBLE USES), AND 20.10 (SUPPLEMENTAL USE REGULATIONS) TO UPDATE CODE REFERENCE LANGUAGE, DELETE LANGUAGE REGARDING FEE REDUCTIONS FOR DETAILED SITE DEVELOPMENT PLANS PERTAINING TO PROPERTIES LOCATED WITHIN THE BOUNDARIES OF THE TAX INCREMENT FINANCING ZONE NO. 5 AND ANY NEIGHBORHOOD EMPOWERMENT ZONE, DELETE MIXED USE DEVELOPMENT PLAN REQUIREMENT, DELETE LANGUAGE REGARDING FEE REDUCTIONS FOR SPECIAL PERMITS PERTAINING**

TO PROPERTIES LOCATED WITHIN THE BOUNDARIES OF THE TAX INCREMENT FINANCING ZONE NO. 5 AND ANY NEIGHBORHOOD EMPOWERMENT ZONE, AND DELETE LANGUAGE REGARDING FEE REDUCTIONS FOR REZONING APPLICATIONS PERTAINING TO PROPERTIES LOCATED WITHIN THE BOUNDARIES OF THE TAX INCREMENT FINANCING ZONE NO. 5 AND ANY NEIGHBORHOOD EMPOWERMENT ZONE. THE PENALTY BEING AS PROVIDED IN SECTION 20.24 OF THE EL PASO CITY CODE.

Ms. Karina Brasgalla, Lead Planner, commented.

Ms. Lisa Turner, citizen, commented.

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

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

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

NAYS: None

ABSENT: Representatives Rodriguez and Rivera

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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37.

ORDINANCE 019245

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 21 (SMARTCODE), CHAPTER 21.50 (BUILDING SCALE PLANS), SECTION 21.50.060 (BUILDING DISPOSITION), TO CALIBRATE THE SMARTCODE TO THE LOCAL CHARACTER OF THE PLACE AND LOCAL CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 21.60 OF THE EL PASO CITY CODE.**

1ST MOTION

*Motion made, seconded, and unanimously carried to **REVISE** the item to correct the Chapter and Section of the Code from 20.50 to 21.50.

2ND AND FINAL MOTION

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

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

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

NAYS: None

ABSENT: Representatives Rodriguez and Rivera

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

38.

ORDINANCE 019246

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 21, BLOCK 2, 5984 SIXTA DRIVE, HARVESTMOONS FARMS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM RMH (RESIDENTIAL MOBILE HOME) TO R-3 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

NAYS: None

ABSENT: Representatives Rodriguez and Rivera

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

39.

ORDINANCE 019247

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY KNOWN AS:**

PARCEL 1: A 770. 7639 ACRE PARCEL KNOWN AS, ALL OF S. J. LARKIN SURVEY NO. 267, A PORTION OF NELLIE D. MUNDY SURVEY NO. 246, A PORTION OF TRACT 1, S. J. LARKIN SURVEY NO. 268 AND A PORTION OF TRACT 1A, S. J. LARKIN SURVEY NO. 269 LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM SCZ (SMART CODE) TO NOS (NATURAL OPEN SPACE); AND,

PARCEL 2: A 230.9228 ACRE PARCEL KNOWN AS, A PORTION OF TRACT 1, NELLIE D. MUNDY SURVEY NO. 246, A PORTION OF SECTION 9, BLOCK 82, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS AND A PORTION OF TRACT 1, S. J. LARKIN SURVEY NO. 269, LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM SCZ (SMART CODE) TO NOS (NATURAL OPEN SPACE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

Representative Svarzbein commented.

Motion duly made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello, 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, and Lizarraga
NAYS: None
ABSENT: Representatives Rodriguez and Rivera

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

40. *Motion made, seconded, and unanimously carried to **POSTPONE FOR TWO WEEKS** an Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at all times on certain streets) of the City Code, to add portions of South El Paso Street; the penalty being provided in Chapter 12.84 of the El Paso City Code.

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

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

41. **ITEMS 41 AND 42 WERE TAKEN TOGETHER**

R E S O L U T I O N

WHEREAS, on March 11, 2021, President Joseph R. Biden signed the American Rescue Plan Act into law to enable all Americans to respond to and recover from the impacts of COVID-19; and

WHEREAS, under the American Rescue Plan, the U.S. Economic Development Administration (the “EDA”) was allocated \$3 billion in supplemental funding to assist communities nationwide in their efforts to build back better by accelerating the economic recovery from the coronavirus pandemic and building local economies that will be resilient to future economic shocks; and

WHEREAS, the American Rescue Plan funding enables the EDA to provide larger, more transformational investments across the nation while utilizing its greatest strengths, including flexible funding to support community-led economic development; and

WHEREAS, with an emphasis on equity, EDA investments made under the American Rescue Plan will directly benefit previously underserved communities impacted by COVID-19; and

WHEREAS, the EDA has made this funding available through a series of six innovative challenges; and

WHEREAS, one of this six challenges includes the Build Back Better Regional Challenge, designed to assist communities nationwide in their efforts to build back better by accelerating the economic recovery from the coronavirus pandemic and building local economies that will be resilient to future economic shocks; and

WHEREAS, the \$1 billion Build Back Better Regional Challenge will provide a transformational investment to 20 to 30 regions across the country that want to revitalize their economies by growing new regional industry clusters or scaling existing ones through planning, infrastructure, innovation and entrepreneurship, workforce development, access to capital, and more; and

WHEREAS, the EDA invites eligible applicants to form regional coalitions to apply for funding to implement a collection of three to eight distinct but related projects in their region, in coordination with industry and community partners, and aligned around a holistic vision to build and scale a strategic industry cluster; and

WHEREAS, the Build Back Better Challenge is a phased challenge wherein, through Phase I, the EDA anticipates awarding 50 to 60 regional coalitions of partnering entities approximately \$500,000 in technical assistance funds to develop and support three to eight projects to grow a regional growth cluster; and through Phase 2, the EDA will award 20 to 30 of these selected regional coalitions \$25 million to \$75 million, and up to \$100 million to implement those projects; and

WHEREAS, no matching funds are required for successful Phase I applicants, while successful Phase 2 applicants will require a 20 percent local match which may include cash and in-kind contributions to the project; and

WHEREAS, the greater El Paso region is uniquely positioned to address America's gap in aerospace and defense manufacturing capabilities with over 2 million acres of contiguous military space, the largest U.S. contiguous airspace, three U.S. military installations, two spaceports, three research universities, and significant military development, testing and evaluation capacity; and

WHEREAS, the City of El Paso (the "City") has identified the Aerospace and Defense Manufacturing industry cluster as a key industry cluster to revitalize and strengthen the region's economic resilience by reinventing West Texas' historical roots in manufacturing; and

WHEREAS, the City desires to grow its Aerospace and Defense Manufacturing industry cluster in partnership with the West Texas Aerospace and Defense Manufacturing Coalition led by the University of Texas at El Paso's Aerospace Center; and

WHEREAS, as part of the City's commitment to the success of this effort, the City will take the lead on master planning and developing an advanced manufacturing district, the "El Paso Makes Advanced Manufacturing District," specifically designed to support regional aerospace and defense manufacturing activities; and

WHEREAS, the El Paso Makes Advanced Manufacturing District will be located on 250 acres of land at the El Paso International Airport, including 50,000 square feet of an existing cargo facility;

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

That the City of El Paso is authorized to participate as a member of the West Texas Aerospace and Defense Manufacturing Coalition, led by the University of Texas at El Paso's Aerospace Center (the "UTEP Aerospace Center") and including El Paso Makes, a partnership among UTEP's Aerospace Center and W.M. Keck Center for 3D Innovation and the El Paso Chamber, and the Rio Grande Council of Governments, other local governments, community non-profits, other institutions of higher education, national aerospace and defense prime contractors and local small and medium-sized manufacturers; and that the Mayor be authorized to sign a letter of support for the coalition's submission of its application, "Reclaiming Aerospace and Defense Manufacturing Dominance through Frontier Technologies," to Phase I of the U.S. Economic Development Administration's Build Back Better Regional Challenge which identifies the City's lead role in master planning and designing the "El Paso Makes Advanced Manufacturing District" to be located at the El Paso International Airport in collaboration with El Paso Makes.

42.

RESOLUTION

WHEREAS, on March 11, 2021, President Joseph R. Biden signed the American Rescue Plan Act into law to enable all Americans to respond to and recover from the impacts of COVID-19; and

WHEREAS, under the American Rescue Plan, the U.S. Economic Development Administration (the "EDA") was allocated \$3 billion in supplemental funding to assist communities nationwide in their efforts to build back better by accelerating the economic recovery from the coronavirus pandemic and building local economies that will be resilient to future economic shocks; and

WHEREAS, the American Rescue Plan funding enables the EDA to provide larger, more transformational investments across the nation while utilizing its greatest strengths, including flexible funding to support community-led economic development; and

WHEREAS, with an emphasis on equity, EDA investments made under the American Rescue Plan will directly benefit previously underserved communities impacted by COVID-19; and

WHEREAS, the EDA has made this funding available through a series of six innovative challenges; and

WHEREAS, one of this six challenges includes the Build Back Better Regional Challenge, designed to assist communities nationwide in their efforts to build back better by accelerating the economic recovery from the coronavirus pandemic and building local economies that will be resilient to future economic shocks; and

WHEREAS, the \$1 billion Build Back Better Regional Challenge will provide a transformational investment to 20 to 30 regions across the country that want to revitalize their economies by growing new regional industry clusters or scaling existing ones through planning, infrastructure, innovation and entrepreneurship, workforce development, access to capital, and more; and

WHEREAS, the EDA invites eligible applicants to form regional coalitions to apply for funding to implement a collection of three to eight distinct but related projects in their

region, in coordination with industry and community partners, and aligned around a holistic vision to build and scale a strategic industry cluster; and

WHEREAS, the Build Back Better Challenge is a phased challenge wherein, through Phase I, the EDA anticipates awarding 50 to 60 regional coalitions of partnering entities approximately \$500,000 in technical assistance funds to develop and support three to eight projects to grow a regional growth cluster; and through Phase 2, the EDA will award 20 to 30 of these selected regional coalitions \$25 million to \$75 million, and up to \$100 million to implement those projects; and

WHEREAS, no matching funds are required for successful Phase I applicants, while successful Phase 2 applicants will require a 20 percent local match which may include cash and in-kind contributions to the project; and

WHEREAS, the City of El Paso (the “City”) has identified the MedTech sector as a key industry sector whose growth will revitalize and strengthen the region’s economy by leveraging the its current assets to build economic diversity and resiliency, thereby mitigating the impacts of future economic disasters, such as COVID, while at the same time benefitting regional workforces and residents through creation of tech-based startups, high-quality jobs, increased wages, and revitalized communities; and

WHEREAS, the City desires to grow the MedTech sector as a Coalition Member with the Medical Center of the America Foundation (the “MCA”); and

WHEREAS, as part of the City’s commitment to the success of this effort, the City will work to build regional manufacturing capacity and supportive economic development efforts by providing data and connections for industry partners and other Coalition members;

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

That the City of El Paso is authorized to participate as a Coalition Member with the Medical Center of the Americas Foundation (the “MCA”), and other coalition members as identified in the coalition’s application for the U.S. Department of Commerce’s Economic Development Administration’s 2021 American Rescue Plan Act Build Back Better Regional Challenge (the “Challenge”) led by the MCA; and that the Mayor be authorized to sign a letter of support for the Coalition’s submission of its application, “MedTech Cluster – Developing a Productive EcoSystem,” to Phase I of the Challenge which identifies the City’s role in providing support to build regional manufacturing capacity and other supportive economic development efforts by providing data and connections for industry partners and other Coalition members.

Ms. Elizabeth Triggs, Strategic Partnerships Officer, presented a PowerPoint presentation (copy on file at the City Clerk’s office).

Mayor Leeser and Representatives Svarzbein and Salcido commented.

Mr. Cary Westin, Deputy City Manager, commented.

The following members of the public commented:

- 1. Ms. Susannah Byrd
- 2. Mr. Beto Pallares
- 3. Ms. Emma Schwartz

Motion made by Representative Annelo, seconded by Representative Salcido, and unanimously carried to **APPROVE** the Resolutions.

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

NAYS: None

ABSENT: Representatives Rodriguez and Rivera

.....
The Regular City Council meeting was **RECESSED** at 12:01 p.m. for Call to the Public

The Regular City Council meeting was **RECONVENED** at 12:22 p.m.

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

43.

R E S O L U T I O N

WHEREAS, the City entered into several On-Call Agreements for Professional Services for planning, public engagement, and urban design projects with various consultants; and

WHEREAS, the Consultants are currently engaged in ongoing planning projects under the agreements; and

WHEREAS, the City needs the Consultants' planning services to guide governmental policy to ensure the orderly and coordinated development of the municipality;

WHEREAS, the City needs to increase the capacity of the contracts to allow the Consultants to finish the projects that were started under the agreements; and

WHEREAS, the Consultants were selected on the basis of qualifications;

WHEREAS, the City determines that the Consultants are the most qualified to finish the ongoing planning services projects that each consultant respectively started under the agreements.

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

That the City Manager, or designee, be authorized to sign a First Amendment to On-Call Agreement for Professional Services with the following consultants:

- 1. Clarion Associates, Inc. to increase contract maximum amount to an amount not to exceed \$350,000.

2. The Image Network, Inc. of Delaware d/b/a Dover, Kohl & Partners to increase contract maximum amount to an amount not to exceed \$300,000.
3. Stantec Consulting Services, Inc. to increase contract maximum amount to an amount not to exceed \$500,000.

In addition, the City Manager, or designee, is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of each On-Call Agreement amendment.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annelo

ABSENT: Representatives Rodriguez and Rivera

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

44.

R E S O L U T I O N

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

That the City Manager, or designee, is authorized to effectuate the purchase and closing of the property commonly known as 501 Mills Avenue, El Paso, Texas more particularly described as Lot 1, Block 1, El Paso Times Subdivision, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 63, Page 34, Plat Records, El Paso County, Texas, SAVE AND EXCEPT that portion conveyed to the City of El Paso by Warranty Deed recorded under Clerk's File No. 20120092286, Real Property Records, El Paso County, Texas for the appraised value of \$3,600,000. Further, the City Manager or designee is authorized to: (1) execute a Contract of Sale with Texas – New Mexico Newspapers, LLC, for the purchase of the property, (2) sign any and all documents related and/or necessary to effectuate the purchase and closing of the property, (3) exercise all rights and obligations as provided in the Contract of Sale, (4) sign any documents necessary to effectuate any rights or obligations in relation to the purchase and closing of the property and (5) sign any contract amendments provided that such amendments do not increase the purchase price.

Mr. Sam Rodriguez, Chief Operations and Transportation Officer, presented a PowerPoint presentation (copy on file at the City Clerk's office).

Mayor Leeser and Representatives Svarzbein, Annelo and Molinar commented.

Mr. Cary Westin, Deputy City Manager, commented.

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

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

NAYS: None
ABSENT: Representatives Rodriguez and Rivera

45.

RESOLUTION

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso ("City") and The University of Texas at El Paso ("UTEP"), for the period beginning October 18, 2021 through March 21, 2022 ("Term"), whereby UTEP will provide traffic collision data analysis and mitigation measurements for use in the Intersection Safety Improvement Program being developed by the City's Streets and Maintenance Department; for which the City will pay UTEP\$9,540.00 for four months, for a maximum compensation not to exceed \$38,160.00 over the Term.

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

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

ADJOURN

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annelo, and unanimously carried to **ADJOURN** this meeting at 12:37 p.m.

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

APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk