

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

April 27, 2021
3:30 PM

Due to the temporary suspension of specified provisions of the 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 3:30 p.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexandra Annello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga.

MAYOR'S PROCLAMATIONS

Southwest Mill Distributors 100th Anniversary Recognition Day

Parkinson's Awareness Month

NOTICE TO THE PUBLIC

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

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

NAYS: None

CONSENT AGENDA - APPROVAL OF MINUTES:

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

1. *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes of the Regular City Council Meeting of April 13, 2021, the Agenda Review Meeting of April 12, 2021, and the Work Session of April 12, 2021.

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

NO ACTION was taken on this item.

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

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

That the City Manager be authorized to sign a Chapter 380 Agreement by and between the CITY OF EL PASO, a Texas home rule municipal corporation, and LIFTFUND, INC., in an amount not to exceed \$11,710.00 supporting of the administration of a small business relief program which will provide grants to eligible small businesses located in District 6 within the City of El Paso affected by the COVID-19 pandemic; effectuating the intent of the February 16, 2021 Resolution that authorized the expenditure of General Fund savings generated from the unfilled administrative position.

4. ***RESOLUTION**

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

That the City Manager be authorize to sign a Consulting and Planning Services Agreement between the City of El Paso and David Pettit Economic Development, LLC ("Contractor"), for Contractor to provide consulting and planning services related to Tax Increment Reinvestment Zones and Public Improvement Districts within the City of El Paso, for a term of 2 years, with the option to extend for an additional 2 years for an aggregated amount not to exceed \$355,000.00, including reimbursements for expenses not to exceed \$7,500.00.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, WHITELEY, FLORENCE H., 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:

0 Barker more particularly described as 23 YSLET A TR 3-G-2
(0.123 AC), City of El Paso, El Paso County, Texas, PIO #Y805-
999-023A-0354

to be \$851.80, 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 20th day of June, 2017, 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 EIGHT HUNDRED FIFTY ONE AND 80/100 DOLLARS (\$851.80) 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, DIAZ RENE, 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:

7224 Barker Rd, more particularly described as Lot
Tr 6-B (1.833 AC), Block 23, Ysleta Subdivision, City of
El Paso, El Paso County, Texas, PID #Y805-999-023A-0660

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 3rd day of May, 2019, 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, TROPICANA DEVELOPMENT, 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:

0 Berringer St. more particularly described as BLK 6
La Puesta Del Sol #1 Lot 8 (Private Access & Landscape
Easement), PIO #L070- 999-0060-0800

to be \$284.84, 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 8th day of December, 2016, 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 TWO HUNDRED EIGHTY FOUR AND 84/100 DOLLARS (\$284.84) 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, ESQUER PHILLIP SILVA ROBERT, 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:

8912 Ortega Ct., more particularly described
as Lot 17 (Homesite) (6000 Sq. Ft.), Phelps Subdivision,
City of El Paso, El Paso County, Texas, PID #P695-999-
0010-1600

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 5th day of December, 2019, 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.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, SEANEZ ERNEST A JR & ESTHER A (TR, 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:

4465 Eleanor Street more particularly described as,
Lot 47, Marwood Replat Subdivision, City of El Paso,
El Paso County, Texas, PID #MI41-999-0000-4700

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 15th day of November, 2019, 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.

6.

***RESOLUTION**

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, Michiko G. Teleford, 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:

Lot 17, Block 88, Sun Valley Addition, Unit Eight, an addition to the City of El Paso, El Paso County, Texas, according to the map and plat thereof on file in Volume 11, page 23, Plat Records of El Paso County, Texas; more particularly described as 4812 El Campo Drive, El Paso, Texas 79924; City of El Paso, El Paso County, Texas, PID # S81699908804900

to be \$3,294.00, 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 17th 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 TWO HUNDRED NINETY-FOUR AND 00/100 DOLLARS (\$3,294.00) 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, Ruben Varela and Consuelo Varela, 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:

Lot 19, Block 1, Monte-Cito Addition, First Supplemental Map, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 7, page 10, Real Property Records, El Paso County, Texas., more particularly described as 7841 Montecito Road, El Paso, Texas, 79915; City of El Paso, El Paso County, Texas, PIO# M65199900107300

to be \$1,875.00, 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 3rd 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 ONE-THOUSAND EIGHT HUNDRED AND SEVENTY FIVE AND 00/100 DOLLARS (\$1,875.00) 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.

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

7. **RESOLUTION ADOPTING THE
RULES OF ORDER FOR THE EL PASO CITY COUNCIL
REVISED, AS EFFECTIVE APRIL 27, 2021**

SECTION 1. PURPOSE OF RESOLUTION

This Resolution is adopted pursuant to Section 3.5.B of the Charter of the City of El Paso as a procedural guide for the benefit of the City Council and for the general information of the public. These rules shall apply to regular, special and work session meetings at which action is to be taken, but shall not apply to meetings for committees of the City Council or to informational gatherings of the Council.

SECTION 2. RULES OF ORDER

Robert's Rules of Order Revised shall govern the procedures of Council unless they are in conflict with these rules.

SECTION 3. EFFECT OF FAILURE TO FOLLOW THESE RULES

No action of the Council that is otherwise legal shall be invalidated merely by reason of the failure of the Council or City staff to follow these Rules of Order, unless the majority of the Council agrees that such action shall be invalidated.

SECTION 4. STANDING

No one other than a member of the City Council shall have standing to assert before the Council that any action taken by the Council is invalid by reason of the Council's failure to comply with these Rules of Order.

SECTION 5. SUSPENSION OF RULES

These rules may be suspended temporarily by a majority of the Council members present and voting, except as they pertain to a quorum, or to the majority required for any motion, or to other matters pre-empted by laws other than those Rules of Order.

SECTION 6. PRESIDING OFFICER

The Mayor shall preside at all meetings of the City Council, but if for any reason he is absent from the City, sick or unable to act, then the Mayor Pro Tempore shall preside at such meetings and at such times shall exercise all of the powers and discharge the duties of the Mayor, except that the Mayor Pro Tempore shall vote as a Representative. In the absence or inability of both the Mayor and the Mayor Pro Tempore, the Alternate Mayor Pro Tempore shall preside and shall vote as a Representative. Upon the arrival of the Mayor, the Mayor Pro Tempore or the Alternate Mayor Pro Tempore, the acting chairman shall immediately relinquish the chair upon the conclusion of the business immediately pending before the Council.

The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council, and shall state questions coming before the Council as necessary for clarity, and shall announce the decision of the Council on all subjects. The Presiding Officer shall disable the microphone at the podium when he determines that the speaker has violated council rules of order.

SECTION 7. QUESTIONS OF ORDER

All questions of order shall be decided by the presiding officer with the right of appeal from his or her decision to the Council that is present, the majority of whom, present and voting, may override the decision.

SECTION 8. VOTING

The electronic voting system shall be utilized for the casting of the roll call votes of the Council in Council Chambers except as otherwise provided herein. The City Clerk shall call for an electronic vote and each Representative shall, without undue delay, cast his or her

vote on the electronic voting system. When all votes have been cast, the City Clerk will review, announce and display the results of the voting, and staff will capture the display on the digital recording of the meeting or fully read the results into the record. In the event of a tie vote, the City Clerk will announce the results and call for the Mayor's vote before displaying the results. Any error in voting or any discrepancy between the display of the votes and the City Clerk's announcement of the results shall be corrected prior to the time that the Council proceeds to consider the next agenda item.

The requirements under this section for the use of the electronic voting system shall be automatically suspended under the following circumstances and for the duration as announced by the City Clerk:

- (a) upon the announcement of the City Clerk that the electronic voting system is not working properly;
- (b) for votes on procedural matters including motions to recess and to take an agenda item out of order, and votes by acclamation;
- (c) when the Council is voting on more than one agenda item simultaneously; and
- (d) when more than one vote will be taken pertaining to an agenda item and in such instance, the City Clerk shall announce which vote shall be taken by use of the electronic voting system and which vote(s) shall be taken only by voice vote.

In the event that the use of the electronic voting system is suspended or the system is otherwise not available, the City Clerk shall call the roll beginning with the Representative seated furthest to the Mayor's right and continuing in that order. Each Representative shall audibly indicate his or her vote.

Records of all roll call votes shall be incorporated in the Minutes of the meeting.

SECTION 9. RECORDED DEBATE

A Representative may request, through the presiding officer, to have an abstract of his or her statement on any subject under consideration by the Council entered in the Minutes or to attach any document referenced during a Council meeting to the Minutes. The recording secretary may be directed by the presiding officer to enter in the Minutes a synopsis of the discussion on any question coming before the Council.

SECTION 10. ORDER OF PRECEDENCE OF MOTIONS

The order of procedure of motions is set forth in Exhibit "A" attached hereto and fully incorporated by reference.

SECTION 11. MOTION TO RECONSIDER

A motion to reconsider any action taken by the Council may be made at any time prior to adjournment of the same meeting at which such action was taken.

SECTION 12. OBTAINING THE FLOOR

Every person desiring to speak shall address the presiding officer, and when recognized by the presiding officer, shall address only the item under consideration.

For Regular City Council Meetings, in the debate, each member of Council has the right to speak twice on the same item on the same day, but cannot make a second speech on the same item as long as any member who has not spoken on that question desires the floor. No one can speak longer than ten minutes at a time without permission of a majority of Council. The City Clerk will keep time and will notify the Mayor if a Representative reaches the allotted time.

During Work Sessions, Special meetings, or Agenda Review meetings, there will not be a limit to the time allowed for each Representative to have the floor, and the Presiding officer has discretion to end discussion on an item, or to give the floor to another representative.

SECTION 13. RIGHT OF CITIZENS TO BE HEARD

Public Hearings/Agenda Items:

Any member of the public shall have a reasonable opportunity to be heard at all public hearings of the City Council in regard to any and all matters to be considered at such hearings that are germane and relative to any subject matter of City affairs or business which is within the scope of the authority and legislative functions of the City Council. Provided, however, that the time allowed for each citizen's appearance before City Council will be limited to a fixed number of minutes at the discretion of the presiding officer. Members of the public will usually be granted three (3) minutes to present their position on issues. If a member of the public addresses City Council through a translator into English, he or she will be granted six (6) minutes to present. Time will be kept by the City Clerk. The presiding officer may grant a speaker additional time at his or her discretion.

Public Comment/Non Agenda Items:

A maximum of sixty (60) minutes will be allotted for a public comment portion of each regular City Council meeting. The City Council will designate time to allow members of the public to have a reasonable opportunity to provide comment on items not already posted on the agenda, except that no person shall engage in political advertising contrary to state law. Persons wishing to provide comment during the public comment portion of the City Council agenda must sign up prior to 9:00 a.m. on the day of the City Council meeting either online or by using the sign-in sheet for the public outside of Council Chambers on the day of the Council meeting up until 9:00 a.m. Any person signing up to provide comment during the public comment portion of the agenda must provide their name, address and a short description of the topic(s) of their comment. Members of the public are required to speak on the topic identified upon the sign-in sheet. If the speaker is a lobbyist, he or she must indicate that fact on the audience participation sheet and prior to commencing his/her comments in compliance with the City's Lobbying Ordinance. Members of the public may not grant their time to another nor may they purport to speak for another who is not present at the meeting. If someone would like a document or letter to become a part of the record, they may do so by providing the City Clerk with copies of the document or letter no later than 9:00 a.m. on the morning of the meeting, which will be distributed to the Council. It shall not be necessary to read the letter into the record. Interpretation services are only to be provided by the certified interpreter provided by the City.

A document camera and projection system ("Overhead Projector") is available for use for public comment on posted items and call to the public. Members of the public shall submit any document they wish to present on the Overhead Projector to the City Clerk no later than close of business on the previous City business day before the meeting date. Any

document that contains insulting, profane, threatening or abusive language, nudity, or campaign material will be rejected. City Staff will assist members of the public in using the Overhead Projector during the meeting. In order to ensure cyber security, members of the public are prohibited from sending or utilizing presentations in any electronic format, including but not limited to email, and from using a Universal Serial Bus (USB) compact disk (CD) or digital versatile disk (DVD) for public comment and call to the public. A member of the public who wishes to make an electronic presentation may bring printed documents to the City Clerk's office no later than close of business on the previous City business day before the meeting date to be scanned for presentation during the meeting.

To facilitate the receiving of comment from as many citizens as possible who are interested in bringing topics forward to the City Council for comment, a person may sign up to obtain one-time slot to speak or otherwise make a presentation on one or more specified topics during the public comment portion of a City Council meeting. This provision does not restrict any member of the public from signing up to speak on items posted on the regular agenda or to ask questions regarding items posted on the consent agenda.

The time allotted for the public comment portion of the agenda shall be uniformly divided among those who have signed up to obtain a time slot and participate and except as provided below, no speaker will have more than three (3) minutes to speak or otherwise make a presentation, regardless of the number of topics a speaker wishes to address within his or her time slot. At the beginning of the public comment portion of the agenda, the City Clerk will make one announcement as to the amount of time that each person has to provide comment. The City Clerk will call each person signed up to make comment to the podium in the order that they signed up to speak and will keep time. Each topic brought forward will be for comment from the speaker and may not be deliberated by the members of Council nor rebutted or debated by members of the public. Any member of the City Council may propose that the topic commented on be posted by staff on a future Council meeting agenda for the Council's discussion and action.

The presiding officer at his or her discretion may grant a speaker one (1) additional minute to wrap up his or her comments regardless of whether the allotted sixty (60) minutes will otherwise be taken up by the others making comment.

Members of the public wishing to ask a question regarding an item posted on the consent agenda or to speak regarding an item posted on the regular agenda must sign up prior to 9:00 a.m. on the day of the City Council meeting. The City Clerk shall make available the sign-in sheet for the public outside of Council Chambers on the day of the Council meeting up until 9:00 a.m. or online prior to 9:00 a.m. Persons may sign up to address multiple items, however this does not mean it is permissible to "mark all" or to sign up for every item "just in case" they wish to speak when the discussion on an item takes place. If a member of the public wishes to speak regarding an item, but did not sign up by 9:00 am, he or she may notify the City Clerk at any time prior to the call to vote on the item.

Members of the public who do not desire to speak but want to register support or opposition to an item on the agenda may do so by indicating their position on the audience participation form. The City Clerk will notify the Council of the number of position statements received and the tally when the agenda item is announced.

At the time that the consent agenda is taken up for consideration, the City Clerk shall advise the Mayor Pro Tempore whether persons in the audience have signed up to ask a question regarding an item posted on the consent agenda. The Mayor Pro Tempore shall have the floor and may ask the City Clerk to call those individuals up to the podium to hear their questions. At that time, the City Clerk will announce the agenda item number and call the person to the podium. The Mayor Pro Tempore may request the City Manager to respond to the questions raised by the members of the public. In his or her discretion, the Mayor Pro Tem may move the consent agenda item to the regular agenda for continued discussion and action by the City Council.

Members of Council may move to overrule the determinations by the Mayor Pro Tempore under this section by a simple majority vote of the Council members present and voting.

No person may speak a second time except by permission of the presiding officer, and further, no person shall be heard a second time until all persons desiring to speak once have been given the opportunity to do so.

Personal attacks are not permitted. Members of the public should address their questions to the Council, not to the staff. Council may in turn ask staff to provide input. Members of the public may be asked to leave or be removed from Council Chambers if it is determined that they are disruptive to the meeting. Such determination will be made by the presiding officer. Members of Council may move to overrule such determination by the presiding officer subject to a simple majority vote of Council, present and voting.

SECTION 14. CALLING AND ORDER OF AGENDA ITEMS

Executive Session will be scheduled at the end of the meeting or other such time as determined by the Council. The Invocation and Pledge of Allegiance will take place no sooner than 9:00 a.m. Thereafter, the proceedings will take place as specified on the Attached Exhibit "B".

Items accepting or acknowledging donations to the City will be taken prior to consideration of the consent agenda. Items removed from the consent agenda by the Mayor Pro Tempore or at the request of other Council members will be considered at the time when items for the related department are being considered or as otherwise requested by the Mayor Pro Tempore. The introduction of ordinances will be considered first on the regular agenda, followed by the procurement items posted on the regular agenda by the Financial Services and/or Engineering and Construction Management departments, and any reports or updates from the City's Committees, Boards and Commissions.

Notwithstanding the above provisions, the City Manager shall direct the placement of all matters relating to the City Council's adoption of the annual City budget and associated matters relating to the start of each new fiscal year and the adoption of the tax levy on one or more agendas so as to meet all required statutory and charter deadlines.

At the time that each agenda item is to be considered by the City Council, the City Clerk will announce all agenda items by number and a brief statement as to the nature of the item when appropriate. In the case of a revision, the City Clerk or staff shall read the item into the record, as appropriate.

SECTION 15. PARLIAMENTARIAN

The City Clerk and the Deputy City Clerk are confirmed to serve as Parliamentarian and Alternate Parliamentarian, respectively.

SECTION 16. USE OF ELECTRONIC DEVICES

Electronic devices within Council chambers shall be used in accordance with all established City practices and procedures and as directed by Information Technology Department staff providing support services during a meeting. City staff, other than the dignitary protection officers, and members of the public shall turn off the signals of all pagers, cellular telephones and other devices capable of making an audible signal and shall not make or take any telephone calls while in Council chambers once a Council meeting has been called to order.

Members of the City Council shall not use any electronic devices other than the desk top computers provided by the City of El Paso located at their seats during any City Council meeting or City Council work sessions. The use of communication devices of any kind, including but not limited to: hand-held portable communication devices, cellphones, computers, tablets, laptops, watches, etc. is expressly prohibited during City Council meetings and shall not be allowed in the room during closed sessions unless they are being used to aid in executive session presentations.

If the City Council member needs to take a telephone call, respond to a text message, etc. during a meeting, he or she must excuse themselves from the dais or room where the closed session is taking place to engage in that communication.

The use of the desktop computers during City Council shall be limited to voting, viewing presentations, research to aid the council member and communication via email to staff. During meetings, City Council members shall not text, tweet, blog, post on Facebook, Instagram or use any other social media platform.

SECTION 17. TIME AND LOCATION OF MEETINGS

The Mayor and Council may by action of Council approved by a majority of Council, reschedule the time and place of any City Council meeting in accordance with the requirements of the Texas Open Meetings Act.

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Goal 8: Nurture and Promote a Healthy, Sustainable Community
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8. *R E S O L U T I O N

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

That the Mayor be authorized to sign an Interlocal Agreement in a form substantially similar to the attached agreement, between the City of El Paso (the "City") and Texas A&M University ("Texas A&M"), pursuant to which Texas A&M shall develop and conduct an outreach program to provide COVID-19 prevention and vaccination information within El Paso County; and for which the City shall pay an amount not to exceed \$11,000.00.

9.

***RESOLUTION**

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso, Texas and the Town of Clint, Texas, for the period of September 1, 2020 through August 31, 2021 for the provision of public health services and air quality services by the City of El Paso to the Town of Clint, for which the Town of Clint shall pay to the City of El Paso a total amount of \$9,679.00.

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CONSENT AGENDA – BOARD RE-APPOINTMENTS:
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Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
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- 10. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Jonathan Macias to the Fair Housing Task Force by Representative Aleksandra Anello, District 2.
- 11. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Miguel Hernandez to the Fair Housing Task Force by Representative Cassandra Hernandez, District 3.

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CONSENT AGENDA - BOARD APPOINTMENTS:
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Goal 3: Promote the Visual Image of El Paso
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- 12. *Motion made, seconded, and unanimously carried to **APPOINT** Isaac Moreno to the Zoning Board of Adjustment by Representative Isabel Salcido, District 5.

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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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- 13. *Motion made, seconded, and unanimously carried to **APPOINT** Jerry Romero to the City of El Paso Employees Retirement Trust Board of trustees by Mayor Oscar Leaser.

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

- 14. *Motion made, seconded, and unanimously carried to **APPOINT** George Zavala to the City Accessibility Advisory Committee by Mayor Oscar Leaser.
- 15. *Motion made, seconded, and unanimously carried to **APPOINT** Kenneth Bell as an Alternate Member to the Fair Housing Task Force by Representative Cassandra Hernandez, District 3.
- 16. *Motion made, seconded, and unanimously carried to **APPOINT** Patricia Y. Riley to the Animal Shelter Advisory Committee by Mayor Oscar Leaser.

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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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- 17. *Motion made, seconded, and unanimously carried to **ACCEPT** the notation pursuant to Section 2.92.110 of the City Code, receipt of campaign contribution by Representative Cassandra Hernandez: \$1,000 from the El Paso Municipal Police Officers Association.

- 18. *Motion made, seconded, and unanimously carried to **ACCEPT** the notation pursuant to Section 2.92.110 of the City Code, receipt of campaign contributions of five hundred dollars or greater by Representative Cissy Lizarraga in the amounts of \$2,500 from Maria F. Teran; \$500 from Patrick W. Gorman; \$1,000 from James F. Scherr; \$2,500 from Stanley P. Jobe; \$2,500 from J. Kirk Robison; \$2,500 from Douglas A. Schwartz; \$500 from Eileen Karlsruher; \$2,500 from Richard Aguilar; \$1,000 from Thad Steele.

- 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 Peter Svarzbein in the amount of \$1,000.00 from Ted Houghton.

- 20. *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 Aleksandra Anello: Maria Teran \$1,500.

CONSENT AGENDA – BIDS:

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

- 21. *Motion made, seconded, and unanimously carried to **DELETE** the award of Solicitation 2021-0835 Rio Del Norte Improvements to TAO INDUSTRIES INC., dba HAWK Construction for an estimated award of \$127,524.76. The award of this project will support the installation of arm gates to allow access to authorized vehicles only. The project consists of installing gate foundations, installing and supplying gate power source, and modifying the road and medians to accommodate the gates.

Department:	Capital Improvement
Award to:	TAO INDUSTRIES INC., dba HAWK Construction Horizon City, TX
Item(s):	All
Initial Term:	60 Consecutive Calendar Days
Base Bid I:	\$127,524.76
Total Estimated Award:	\$127,524.76
Account No.:	580270-38290-4741-190-PCP17ST022
Funding Source:	2017 Certificates of Obligation
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 TAO INDUSTRIES INC., dba HAWK Construction, lowest responsive and responsible bidder and that Vertex Construction & Engineering, LLC be deemed non-responsive due to not providing proper documentation that demonstrates the required experience for this project.

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.

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22. *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing to issue a Purchase Order to Contractor's Barricade Service, Inc. dba Apache Barricade & Sign referencing Contract 2018-1095 Barricade Rental Service. This will be a change order to increase the award by \$326,361.88 resulting in a revised not to exceed total contract amount of \$1,631,809.38. This award will ensure the City has safe and adequate traffic control.

Department: Streets and Maintenance
Award to: Contractor's Barricade Service, Inc. dba Apache Barricade & Sign
El Paso, TX
Total Estimated Amount: \$326,361.88
Account No.: 532-532030-32120-1000-P3210
Funding Source: Public Accesses - Maintenance & Repair
Districts: All

-
23. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2021-0837 Alameda Avenue and Carolina Drive Intersection Improvements BLACK STALLION CONTRACTORS INC., for an estimated award of \$65,156.68. The purpose of the project is to provide vehicular access improvements to the business located at 7399 Alameda Avenue.

Department: Capital Improvement
Vendor: BLACK STALLION CONTRACTORS INC.
El Paso, TX
Item(s): All
Initial Term: 35 Consecutive Calendar Days
Base Bid 1: \$65,156.68
Total Estimated Award: \$65,156.68
Account No.: 190 - 4530 - 28330 - 580270 - PCP21ST001
Funding Source: Certificate of Obligation issued in 2011
District(s): 3

This is a Low Bid, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to BLACK STALLION CONTRACTORS INC., 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.

REGULAR AGENDA – OPERATIONAL FOCUS UPDATES:

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

24. Update on the Conservation Easements for Lost Dog & Knapp Land.

Mr. Sam Rodriguez, City Engineer, presented a PowerPoint presentation (copy on file in the City Clerk’s Office) and answered questions posed by members of the City Council.

Representatives Svarzbein, Molinar, and Lizarraga commented.

The following members of the public commented:

1. Mr. Rick Bonart
2. Ms. Sharon Bonart
3. Ms. Judy Ackerman
4. Ms. Marilyn Guida

NO ACTION was taken on this item.

CALL TO THE PUBLIC – PUBLIC COMMENT

The following members of the public commented:

1. Mr. Rick Bonart
2. Mr. Peter Wolf
3. Ms. Faith Wright
4. Ms. Paula Powell
5. Ms. Denisse Valenzuela
6. Mr. Michael Castro

7. Mr. Colt Demorris

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

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

NAYS: None

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Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
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25. An Ordinance authorizing the City Manager to sign a Contract of Sale and Special Warranty Deed and any other documents necessary to convey to Yermoland Enterprises, Inc., a 0.6334 acres of land in a portion of Lots 3, 4 and 5, Block 5, Kessler Industrial District # 1, City of El Paso, El Paso County, Texas.

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Goal 3: Promote the Visual Image of El Paso
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26. An Ordinance granting a non-exclusive franchise to "Elmshire, LLC" to place and maintain up to 150 waste containers on sidewalks and City property within the City of El Paso, subject to the terms and conditions described in the Ordinance.

27. An Ordinance granting a non-exclusive franchise to "A1 Outdoor Marketing" to place and maintain up to 150 waste containers on sidewalks and other City property within the City of El Paso, subject to the terms and conditions described in the Ordinance.

28. An Ordinance vacating a twenty-foot public utility easement located within a portion of Block 36, Clardy Fox Subdivision Unit Four, City of El Paso, El Paso County, Texas.

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Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments
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29. An Ordinance authorizing the City Manager to sign a conservation easement, by and between the City of El Paso, El Paso Water Utilities, and the Frontera Land Alliance, to convey a conservation easement over the open space property commonly referred to as the "Lost Dog Property".

30. An Ordinance authorizing the City Manager to sign a conservation easement, by and between the City of El Paso, El Paso Water Utilities, and the Frontera Land Alliance, to convey a conservation easement over the open space property commonly referred to as the "Knapp Property".

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Goal 7: Enhance and Sustain El Paso's Infrastructure Network
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31. An Ordinance amending Title 12, Chapter 12.88 (Schedules), Section 12.88.180 (No stopping or standing-Tow-away zone), Paragraph A, to add portions of Rio Del Norte Drive; the penalty being provided in Section 12.84 of the El Paso City Code.
32. An Ordinance amending Title 12, Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV - Speed limits), Paragraph J (fifty-five miles per hour), to establish a maximum speed limit on Stan Roberts Sr Avenue; the penalty being provided in Chapter 12.84 of the El Paso City Code.
33. An Ordinance amending Title 12, Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV - Speed limits), to amend Paragraph I (Fifty miles per hour) by deleting Subparagraph 6; to amend Paragraph H (Forty-five miles per hour) by deleting Subparagraphs 28 and 32; and to amend Paragraph H (Forty-five miles per hour) by amending Subparagraph 27, to reduce the speed limit on portions of Zaragoza Road; the penalty being provided in Chapter 12.84 of the El Paso City Code

PUBLIC HEARING WILL BE HELD ON MAY 11, 2021 FOR ITEMS 25 THROUGH 33

REGULAR AGENDA –PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:

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

34. ORDINANCE 019171

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING DOMINION AMBULANCE, LLC, A FRANCHISE EXTENSION AND AMENDING ORDINANCE NO. 018924, TO MODIFY ITS FRANCHISE RATES, TO OPERATE A NON-EMERGENCY AMBULANCE TRANSFER SERVICE.**

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

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

AYES: Representatives Svarzbein, 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.**

35. ORDINANCE 019172

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING ELITE MEDICAL TRANSPORT OF TEXAS, LLC D/B/A ELITE MEDICAL TRANSPORT, A FRANCHISE EXTENSION AND AMENDING ORDINANCE NO. 018925, TO MODIFY ITS FRANCHISE RATES, TO OPERATE A NON-EMERGENCY AMBULANCE TRANSFER SERVICE; AND REPEALING ORDINANCE NO. 019111.**

Motion duly made by Representative Rivera, 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, 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**.

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36.

ORDINANCE 019173

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING LIFE AMBULANCE, INC., A FRANCHISE EXTENSION AND AMENDING ORDINANCE NO. 018926, TO MODIFY ITS FRANCHISE RATES, TO OPERATE A NON-EMERGENCY AMBULANCE TRANSFER SERVICE.**

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

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

AYES: Representatives Svarzbein, 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**.

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Goal 3: Promote the Visual Image of El Paso

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37.

ORDINANCE 019174

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 1, BLOCK 123, PEBBLE HILLS SUBDIVISION UNIT 14, 11201 PEBBLE HILLS BOULEVARD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO R-3 (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: 11201 PEBBLE HILLS BLVD. APPLICANT: H2O TERRA C/O JOSE HERNANDEZ PZRZ20-00024**

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

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

AYES: Representatives Svarzbein, 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**.

38.

ORDINANCE 019175

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST21-00002, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY ON THE PROPERTY DESCRIBED AS LOT 2, BLOCK 1, COUNTRY CLUB PLACE SOUTH SIDE REPLAT "B", CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.470 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: 4808 VISTA DEL MONTE STREET APPLICANTS: LEE J. SHAMALEY, JR. PZST21-00002**

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, 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**.

39.

ORDINANCE 019176

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST20-00010 TO ALLOW FOR A PROFESSIONAL OFFICE ON THE PROPERTY DESCRIBED AS LOTS 29 AND 30, BLOCK 91, BASSET'S ADDITION, 2525 MONTANA AVENUE, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.260 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. THE PROPOSED SPECIAL PERMIT MEETS THE INTENT OF THE FUTURE LAND USE DESIGNATION FOR THE PROPERTY AND IS IN ACCORDANCE WITH PLAN EL PASO, THE CITY'S COMPREHENSIVE PLAN. SUBJECT PROPERTY: 2525 MONTANA AVENUE APPLICANTS: COLT GELJ PROPERTIES, LLC PZST20-00010**

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

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

AYES: Representatives Svarzbein, 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**.

40.

ORDINANCE 019177

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A 87 SQUARE-FOOT PORTION OF A 10-FOOT PUBLIC UTILITY EASEMENT LOCATED WITHIN A PORTION OF LOT 14, BLOCK 485, TIERRA DEL ESTE UNIT SEVENTY FOUR, CITY OF EL PASO, EL PASO COUNTY, TEXAS. SUBJECT PROPERTY: 2401 TIERRA MURCIA ST. APPLICANT: SANDERSON VILLAGE, LLC SUET21-00001**

Motion duly made by Representative Rivera, 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, 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**.

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

41.

ORDINANCE 019178

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE EL PASO CITY CODE, TO AMEND CHAPTER 2.94 (REGULATION OF LOBBYING ACTIVITIES) SECTION 2.94.130 (DISQUALIFICATION FROM CONTRACTING). THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 2.94.130 OF THE EL PASO CITY CODE.**

Mr. Bruce Collins, Purchasing and Strategic Sourcing Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

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

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

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, 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**.

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REGULAR AGENDA – OTHER BUSINESS:
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Goal 3: Promote the Visual Image of El Paso
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42.

R E S O L U T I O N

WHEREAS, under Public Law 94-171, after the completion of the 2020 U.S. Census, realignment of representative district boundaries of the City of El Paso is required when the difference in population between the largest and smallest district exceeds 10%; and

WHEREAS, Article II, Section 2.4(B) of the City Charter ("Charter") states that a Districting Commission (hereinafter referred to as the "Commission") shall be convened on or before September 1st, following publication of the results of each decennial census; and

WHEREAS, the Charter provides that the Commission shall consist of one qualified voter appointed by each of the City representatives from their respective Districts, and one qualified voter from the City at large appointed by the Mayor; and

WHEREAS, all changes to boundaries of the representative district must comply with the constitutional principles and laws governing voting rights of the United States and Texas.

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

1. That a Districting Commission shall be convened;
2. That the Mayor and each of the Representatives shall appoint one member to the Commission on or before September 1, 2021, as provided by the Charter;
3. That the Commission shall perform the duties identified in the Charter, shall comply with all requirements of the laws governing voting rights and redistricting criteria within the allotted time frame, shall solicit input from the general public, and shall prepare a consensus recommendation for approval by City Council; and
4. That all members appointed to the Commission shall serve, without compensation, until City Council adoption of a Redistricting Plan.

Ms. Karina Brasgalla, Lead Planner, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein, Hernandez, Rodriguez, and Rivera commented.

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

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

NAYS: None

Goal 8: Nurture and Promote a Healthy, Sustainable Community

43.

R E S O L U T I O N

WHEREAS, on July 9, 2019, the City Council for the City of El Paso adopted the Final Action Plan for 2019-2020 and on that date Authorized the City Manager to sign and submit to the United States Department of Housing and Urban Development (HUD) the 2019-2020 Annual Action Plan to include all certifications contained therein; and

WHEREAS, on March 17, 2020, the City amended the Annual Action Plan to add the Hueco Mountain Park Improvement Project ("First Amendment"); and

WHEREAS, on May 27, 2020, the City amended the Annual Action Plan to add projects under CARES Act Emergency Solutions Grant ("Second Amendment"); and

WHEREAS, on June 22, 2020, the City amended the Annual Action Plan to add the 45th Year Community Development Block Grant (CDBG-CV) and Housing Opportunities for Persons with HIV/AIDS (HOPWA-CV) funding ("Third Amendment"); and

WHEREAS, on August 18, 2020, the City amended the Annual Action Plan to delete the El Paso Child Guidance Center project (\$1,263,267), and delete the Parks and Recreation Summer Youth Program (\$65,000), and delete the Hotel and Motel for COVID-19 Positive Homeless project (\$125,000); and add \$1,263,267 to the existing contract with the Opportunity Center for the Homeless for continued operation of the temporary Delta Haven and Welcome Center, and add \$65,000 to the existing contract with the YWCA Paso del Norte Region for childcare services, and add \$125,000 to the Transportation for Homeless Individuals and Families project ("Fourth Amendment"); and

WHEREAS, on September 15, 2020, the City amended the Annual Action Plan to delete the CDBG-CV Economic Recovery Technical Assistance project (\$100,000); delete the YWCA CDBG-EN Children and Youth Services project (\$65,000); reduce the YWCA CDBG-CV Children and Youth Services project from \$250,000 to \$235,000; add \$85,000 in CDBG-CV for a Veterans Permanent Supportive Housing Case Management project; and add \$30,000 in CDBG-CV and \$65,000 in CDBG-EN for a United Way Family Resilience Center project ("Fifth Amendment"); and

WHEREAS, on October 13, 2020, the City amended the Annual Action Plan to reduce the CDBG Delta Haven and Welcome Center project by \$1,000,000; and add

\$1,000,000 in CDBG for rapid rehousing of individuals and families experiencing homelessness ("Sixth Amendment"); and

WHEREAS, on October 27, 2020, the City amended the Annual Action Plan to reduce the CDBG-CV Financial Counseling and Bankability project by \$112,500; and add \$112,500 in CDBG-CV to create a Digital Expansion project for the purchase of mobile hotspots ("Seventh Amendment"); and

WHEREAS, on December 15, 2020, the City amended the Annual Action Plan to reduce the Project BRAVO-COVID-19 Emergency Housing Payment Assistance Program by \$1,000,000 in CDBG-CV; add \$1,000,000 in CDBG-CV to the El Paso Rent Help Rental Assistance Program operated by Under One Roof; add \$1,100,000 in CDBG-CV to create the Inspira Hotel Emergency Shelter Project operated by Endeavors; and add \$3,021,341 in CDBG-CV to create a "hold project" for the remaining balance of CDBG-CV funds ("Eighth Amendment"); and

WHEREAS, on January 5, 2021, the City amended the Annual Action Plan to reduce the "hold project" for the remaining balance of CDBG-CV funds by \$341,160 in CDBG-CV; add \$341,160 in CDBG-CV funds to supplement the Inspira Hotel Emergency Shelter Project, operated by Endeavors; add \$1,700,000 in ESG-CV funds to create a Rapid Rehousing Project; add \$500,000 in ESG-CV funds to create an Emergency Shelter Project; add \$430,000 in ESG-CV funds to create a Homeless Prevention Project; add \$234,248 in ESG-CV funds to create a Homeless Management Information System (HMIS) Project; add \$100,000 in ESG-CV funds to create a Street Outreach Project; and add \$1,000,000 in ESG-CV funds to create a Homeless Welcome Center Project ("Ninth Amendment"); and

WHEREAS, the City Council, based on the recommendation of the Director of the Community and Human Development Department, now desires to amend the 2019-2020 Annual Action Plan to reduce existing projects and add new projects ("Ninth Amendment"); and

WHEREAS, on April 22, 2021 the City of El Paso posted on its website public notice and allowed a 5 day public comment period regarding the proposed amendment to the 2019-2020 Annual Action Plan and 45th Year CDBG-CV Program Budget and City Council has duly considered public comment if any.

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

1. That the 2019-2020 Annual Action Plan and 45th Year Community Development Block Grant-Coronavirus Phase 3 (CDBG-CVIII) Program Budget are hereby amended as follows:

- a. Add \$100,000 in CDBG-CVIII funds to create a COVID-19 Emergency Shelter Capacity Expansion Project for the Opportunity Center for the Homeless;
- b. Add \$350,000 in CDBG-CVIII funds to supplement the Transportation for Homeless Individuals and Families project, operated by Endeavors;
- c. Add \$250,000 in CDBG-CVIII funds to create a Case Management for Persons Experiencing Homelessness Project, operated by Project Amistad;

2. That the Department of Community and Human Development, through the Director, be authorized to make the above changes to the 2019-2020 Annual Action Plan in the United States Department of Housing and Urban Development's program system.
3. That the City Manager, or designee, be authorized to take any actions necessary to accomplish the intent of this resolution upon approval by the City Attorney's Office and Director of Community and Human Development Department.
4. Except as amended in the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment and this Tenth Amendment, the 2019-2020 Annual Action Plan and 45th Year CDBG Program Budget remains in full force and effect.

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

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

NAYS: None

44.

RESOLUTION

WHEREAS, on July 7, 2020, the City Council for the City of El Paso adopted the Final Action Plan for 2020-2021 and on that date Authorized the City Manager to sign and submit to the United States Department of Housing and Urban Development (HUD) the 2020-2021 Annual Action Plan to include all certifications contained therein; and

WHEREAS, on September 15, 2020, the City amended the Annual Action Plan to delete the CDBG Parks and Recreation Senior and Disabled Exercise Program (\$30,000) and add \$30,000 in CDBG for a Veterans Permanent Supportive Housing - Support Services and Subrecipient Administration project ("First Amendment"); and

WHEREAS, the City Council, based on the recommendation of the Director of the Community and Human Development Department, now desires to amend the 2020-2021 Annual Action Plan to delete existing projects and add new projects; and

WHEREAS, on April 22, 2021 the City of El Paso posted on its website public notice and allowed a 5 day public comment period regarding the proposed amendment to the 2020-2021 Annual Action Plan and 46th Year CDBG Program Budget and City Council has duly considered public comment if any.

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

1. That the 2020-2021 Annual Action Plan and 46th Year CDBG Program Budget is hereby amended as follows:
 - a. Delete the CDBG Playa Drain Trail Improvement from Whittier Dr. to Prado Dr. (\$295,800); and

- b. Add \$295,800 in CDBG for a JP Shawver Park 3-Wall Handball Court project.
2. That the Department of Community and Human Development, through the Director, be authorized to make the above changes to the 2020-2021 Annual Action Plan in the United States Department of Housing and Urban Development's program system.
 3. That the City Manager, or designee, be authorized to take any actions necessary to accomplish the intent of this resolution upon approval by the City Attorney's Office and Director of Community and Human Development Department.
 4. Except as herein amended in the First Amendment and this Second Amendment, the 2020-2021 Annual Action Plan, 46th Year CDBG Program Budget and 46th Year ESG Program Budget remain in full force and effect.

Ms. Sarah Ortiz, Grant Project Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Annello and Rivera commented.

The following City staff members commented:

1. Ms. Nicole Ferrini, Community and Human Development Director
2. Mr. Mark Weber, Community and Human Development Program Manager

The following members of the public commented:

1. Mr. Charlie Garcia
2. Mr. Art Benitez

1ST MOTION

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

2ND AND FINAL MOTION

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

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

NAYS: None

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MEMBERS OF THE CITY COUNCIL

45. Discussion and action initiating a 2021 City of El Paso Ad Hoc Charter Advisory Committee for the purpose of a City Charter Amendment Special Election to be held Tuesday, November 2, 2021.

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

The following City staff members commented and answered questions from Council members.

1. Ms. Karla Nieman, City Attorney
2. Ms. Laura Prine, City Clerk

Motion made by Representative Annelo, seconded by Representative Svarzbein, and carried to **DIRECT** the City Attorney to work with Council and staff to come up with a list of City Charter amendments for a November 2022 election.

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

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46. Discussion and action to direct the City Manager and City Attorney to explore and make recommendations to amend Title 3 (Revenue and Finance) of the El Paso Municipal Code, Chapter 3.04 (Property Taxes), Section 3.04.040 (Exemption – Residence Homestead) by increasing the Ad Valorem Property Tax Exemption for the market value of the residence homestead owned by an eligible disabled persons and persons sixty-five years of age or older.

Representatives Hernandez and Rivera commented.

Motion made by Representative Annelo, seconded by Representative Hernandez, and carried to **DIRECT** the City Manager and City Attorney to explore and make recommendations to amend Title 3 (Revenue and Finance) of the El Paso Municipal Code, Chapter 3.04 (Property Taxes), Section 3.04.040 (Exemption - Residence Homestead) by increasing the Ad Valorem Property Tax Exemption for the market value of the residence homestead owned by an eligible disabled persons and persons sixty-five years of age or older.

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

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47. Discussion and action to direct the City Manager to commence with the rezoning process of the land formerly known as TIRZ 12 and any other changes in order to be consistent with the conservation easement process and preservation of the land, and report back to City Council in no less than 90 days.

Representative Svarzbein commented.

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annelo, and unanimously carried to **DIRECT** the City Manager to commence with the rezoning process of the land formerly known as TIRZ 12 and any other changes in order to be consistent with the conservation easement process and preservation of the land, and report back to City Council in no less than 90 days.

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

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48. Discussion and action to direct the City Manager to develop an Intersection Safety Improvement Program and bring back recommendations as part of the FY2022 budget discussions and to develop the framework for an El Paso Vision Zero program that incorporates all current City traffic safety programs and aligns with the Federal and State Vision Zero programs.

Representative Annello commented.

Mr. Victor Barajas, citizen, commented.

Motion made by Representative Annello, seconded by Representative Molinar, and unanimously carried to **DIRECT** the City Manager to develop an Intersection Safety Improvement Program and bring back recommendations as part of the FY2022 budget discussions and to develop the framework for an El Paso Vision Zero program that incorporates all current City traffic safety programs and aligns with the Federal and State Vision Zero programs.

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

ADJOURN

Motion made by Representative Annello, seconded by Representative Molinar, and unanimously carried to **ADJOURN** this meeting at 6:42 p.m.

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

APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk