

DEE MARGO
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
PETER SVARZBEIN, DISTRICT 1
ALEXSANDRA ANNELLO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
SAM MORGAN, 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 13, 2020
3:30 PM

Due to the temporary suspension of 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 3:32 p.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alessandra Annello, Cassandra Hernandez, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga. Sam Morgan joined the videoconference at 3:45 p.m.

NOTICE TO THE PUBLIC

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Morgan

CONSENT AGENDA - APPROVAL OF MINUTES:

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

- 1.1. *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes of the Regular City Council Meeting of September 29, 2020 and the Agenda Review Meeting of September 28, 2020.

CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

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

NO ACTION was taken on this item.

.....
CONSENT AGENDA - RESOLUTIONS:

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

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

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

That the City Manager, or designee, is authorized to execute a Memorandum of Understanding Between the City of El Paso, Texas and the Housing Authority of the City of El Paso, Texas for Access to Criminal Justice Information Regarding Participants in Public Housing.

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

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

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

That the City Manager is authorized to sign a License Agreement between the City of El Paso ("City") and Border Swimming, Inc. ("Licensee") to rent the Armijo Pool facility for use by its swim team at a rate not to exceed \$5,870.40 per month, based on an hourly rate of \$48.92 per hour. The term of this Agreement shall be for a period of six (6) months, with an option for one six-month extension.

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

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

That the City Manager is authorized to sign a License Agreement between the City of El Paso ("City") and Border Swimming, Inc. ("Licensee") to rent the William W. Cowan Aquatic Center for use by its swim team at a rate not to exceed \$5,870.40 per month, based on an hourly rate of \$48.92 per hour. The term of this Agreement shall be for a period of six (6) months, with an option for one six-month extension.

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

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

That the City Manager is authorized to sign a License Agreement between the City of El Paso ("City") and Border Swimming, Inc. ("Licensee") to rent the Hawkins Aquatic Center for use by its swim team at a rate not to exceed \$5,870.40 per month, based on an hourly rate of \$48.92 per hour. The term of this Agreement shall be for a period of six (6) months, with an option for one six-month extension.

4.4.

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

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

That the City Manager is authorized to sign a License Agreement between the City of El Paso ("City") and Border Swimming, Inc. ("Licensee") to rent the Veterans Aquatic Center for use by its swim team at a rate not to exceed \$5,870.40 per month, based on an hourly rate of \$48.92 per hour. The term of this Agreement shall be for a period of six (6) months, with an option for one six-month extension.

4.5.

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

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

That the City Manager is authorized to sign a License Agreement between the City of El Paso ("City") and Loretto Academy ("Licensee") to rent the Armijo Pool facility for use by its swim team at a rate not to exceed \$5,880.00 per month, based on an hourly rate of \$49.00 per hour. The term of this Agreement shall be for a period of six (6) months, with an option for one six-month extension.

4.6.

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

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

That the City Manager is authorized to sign a License Agreement between the City of El Paso ("City") and Cathedral High School ("Licensee") to rent the Armijo Pool facility for use by its swim team at a rate not to exceed \$5,880.00 per month, based on an hourly rate of \$49.00 per hour. The term of this Agreement shall be for a period of six (6) months, with an option for one six-month extension.

5.

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

5.1.

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

WHEREAS, pursuant to the City's 2020 calendar year City Council regular meeting schedule, City Council is scheduled to meet on Tuesday, December 22, 2020; and

WHEREAS, the City Council desires to reschedule the December 22, 2020 meeting to Tuesday, December 15, 2020; and

WHEREAS, the City will resume its regular meetings of the City Council for the 2021 calendar year on Tuesday, January 5, 2021.

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

That in conformity with Section 3.5 of the City Charter, the regular City Council meeting scheduled on December 22, 2020 is hereby rescheduled for Tuesday,

December 15, 2020 and that the regular meetings of the City Council for the 2020 calendar year will resume on January 5, 2021.

5.2.

***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 2020 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 2020 tax roll for all entities for which the Consolidated Tax Assessor/Collector collects taxes.

6.

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

6.1.

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

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

That the City Council approves the expenditure of additional available funding in the amount of One Hundred Twelve Thousand and Twenty and 00/100 Dollars (\$112,020.00) to Allied Paving Company of El Paso, Inc. for Contract No. 2018-656 Street Median and Parkway Landscape Improvements. This notice provides for the increase in estimated quantities, which allow for additional capacity to the awarded contract. No days will be added to Contract No. 2018-656. The new contract sum, including this change order notice is Six Million Four Hundred Three Thousand, Eight Hundred Sixty Two and 42/100 Dollars (\$6,403,862.42).

CONSENT AGENDA - BOARD RE-APPOINTMENTS:

7.

Goal 3: Promote the Visual Image of El Paso

7.1.

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Manuel Moreno to the Capital Improvements Advisory Committee by Representative Cassandra Hernandez, District 3.

CONSENT AGENDA - BOARD APPOINTMENTS:

8.

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

.....
8.1. *Motion made, seconded, and unanimously carried to **APPOINT** Francisco Montoya to the Committee on Border Relations by Representative Alexsandra Anello, District 2.

.....
8.2. *Motion made, seconded, and unanimously carried to **APPOINT** Ann Marie Canales to the Committee on Border Relations by Representative Cissy Lizarraga, District 8.

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

.....
9.1. *Motion made, seconded, and unanimously carried to **APPOINT** Gina Gagen to the Animal Shelter Advisory Committee by Representative Henry Rivera, District 7.

.....
CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:

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

.....
10.1. ***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 through CMS ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on May 15, 2017 in the amount of \$36.00 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 CMS 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 \$36.00 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, Bryan Haddad ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on January 06, 2017 in the amount of \$1,304.00 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 Bryan Haddad 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 \$1,304.00 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, Mersen USA EP Corp. through Mersen USA Newburyport-MA LLC, ("Taxpayer") has applied for a refund with the tax assessor for their 2016 property taxes that were overpaid on May 01, 2017 in the amount of \$42.56 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 Mersen USA Newburyport-MA 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 \$42.56 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, Gannett ("Taxpayer") has applied for a refund with the tax assessor for their 2015 property taxes that were overpaid on December 13, 2015 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 2015 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 Gannett showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2015 taxes and the tax refund in the amount of \$20.00 is approved.

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

1. First Savings Bank, in the amount of \$6,490.11, made an overpayment on January 14, 2019 of 2018 taxes. (Geo. #E22299908202100)
2. Corelogic Tax Service, in the amount of \$3,216.65, made an overpayment on December 14, 2018 of 2018 taxes. (Geo. #E04999900601100)

.....
CONSENT AGENDA - NOTICE OF CAMPAIGN CONTRIBUTIONS:

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

.....
11.1. *Motion made, seconded, and unanimously carried to **ACCEPT** the notation pursuant to Section 2.92.110 of the City Code, receipt of the following campaign contributions by Mayor Margo: \$300.00 from Frederick Michael Norwich Jr., \$200.00 from Robert and Martha Vera, \$50.00 from Maria Del Carmen Becerra, \$500.00 from Clay & Rhonda Lowenfield, \$100.00 from Jan Guynes McNutt, \$50.00 from Jan Engels, \$100.00 from Jan Engels, \$100.00 from Basilio & Elsa Silva, \$150.00 from Yolanda Arriola, \$5,000.00 from Dede Rogers, \$200.00 Dr. Josie Tinajero, \$100.00 from Helen Knopp, \$100.00 from Richard Knopp, \$100.00 from Dr. T.A. Ware-Asbury, \$100.00 from H&H Coffee Shop, \$50.00 from Donna Mae Bloedorn, \$5,000 from Betty Ruth Wakefield, \$250.00 from Joe Gomez, \$500.00 from Hector Retta, \$1,000.00 from Thad Steele Jr., \$2,500.00 from The El Paso Association of Fire Fighters, \$500.00 from Bryan Abraham, \$250.00 from Keith Gorman, \$500.00 from David Henderson, \$1,500.00 from Jimena Ponte, \$100.00 from Mark Dunham, \$100.00 from Martha Oaxaca Vera, \$50.00 from Elizabeth Rios Carl, \$100.00 from Monica Brown, \$5,000.00 from Texas Association of Realtors PAC, \$100.00 from Nicholas & Beverly Binyon.

.....

11.2. *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 Cassandra Hernandez: \$2,000.00 from Miguel Fernandez, \$100.00 from Enrique Chavez, \$2,000.00 from the El Paso Municipal Police Officers Association, \$25.00 from Lecha Chavez, \$2,500.00 from Bill & Linda Correa, \$2,500.00 from Rick Francis, \$2,500.00 from Ryan & Celeste Kieffe, \$250.00 from Steve Yellen, \$1,000.00 from David Chen, \$175.00 from Pilap LLC, \$100.00 Alyssa & Ramon Benavides, \$750.00 from Raymond Palacio, \$750.00 from Eduardo & Margarita Escudero, \$200.00 from Eddie Castillo, \$2,500.00 from The El Paso Association of Fire Fighters Local 51 PAC, \$500.00 from FORMA, \$500.00 from Sam Legate, \$1,000.00 Frontera Vision PAC, \$450.00 from Manuel & Francoise Feliberti, \$1,000.00 from the DEC PAC and \$100.00 from Elisa Tamayo.

11.3. *Motion made, seconded, and unanimously carried to **ACCEPT** the notation pursuant to Section 2.92.110 of the City Code, receipt of the following campaign contributions by City Representative Henry Rivera, District 7: \$100.00 from Joe M. Gomez; \$250.00 from Oscar Venegas; \$500.00 from Fabiola Murphy; \$500.00 from Eileen Karlsruher; \$1,000.00 from Kathy and Raymond Palacios.

11.4. *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 Dr. Sam Morgan: Kenny Davis \$10.70, Dori Fenenbock \$250.00, Franklin Barker \$100.00, El Paso Association of Firefighters, Local 51 \$2,500.00, Douglas Schwartz \$1,000.00, Robert Wingo \$500.00, E.C. Houhton, Jr. \$1,000.00, Linebarger Goggan Blair & Sampson, LLP \$500.00.

CONSENT AGENDA - BIDS:

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

12.1. *Motion made, seconded, and unanimously carried to **APPROVE** the award of Solicitation 2020-1186 DPS Tower at Pendale Improvements to VISTACON II, LLC for an estimated total award of \$73,036.95. City I.T. is installing a communication tower at Pendale and Yermoland, this work will provide the necessary site work to protect the antenna and comply with city code. The work will include installation of chain-link fence, landscape and irrigation, site grading and ground cover for dust control.

Department:	Capital Improvement
Award to:	VISTACON II, LLC El Paso, TX
Item(s):	All
Initial Term:	55 Consecutive Calendar Days
Total Estimated Award:	\$73,036.95
Account No.:	239-580270-4743-15210-PCP18IT001
Funding Source:	IT Fund
District:	District7

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to VISTACON II, LLC, 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.

-
- 12.2.** *Motion made, seconded, and unanimously carried to **APPROVE, AS REVISED**, the award of Solicitation 2020-035 Davis Bridge Replacement to International Eagle Enterprises, Inc. for an estimated total award of \$481,418.50.

Department:	Capital Improvement
Award to:	International Eagle Enterprises, Inc. El Paso, TX
Items:	All
Initial Term:	60 Standard Workweek Days
Base Bid I:	\$419,058.50
Base Bid II:	\$62,360.00
Total Estimated Award:	\$481,418.50
Account No.:	190-580270-4743-38290-PCP18TRAN03 190-580270-4950-38170-PCP18TRAN03
Funding Source:	2018 Certificates of Obligation and Federal Highway Administration Funds
District:	6

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to International Eagle Enterprises, 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.

.....
The Regular City Council meeting was **RECESSED** at 5:02 p.m. in order to convene the Mass Transit Department Board meeting.

The Regular City Council meeting was **RECONVENED** at 5:05 p.m.

.....
REGULAR AGENDA - OPERATIONAL FOCUS UPDATES:
.....

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

13.1. Grant Funded Program End of Year Update.
.....

Ms. Yvette Hernandez, Grant Funded Program Director, along with the following representatives from Merchant McIntyre Associates presented a PowerPoint presentation (copy on file in the City Clerk's Office).

- Ms. Julia Angelotti, Vice President and Director of Legislative Strategy
- Mr. Brent Merchant, Principal and Co-Founder

Representatives Svarzbein, Rodriguez, and Lizarraga commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

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

14.1. WinterFest 2020.
.....

Mr. Ben Fyffe, Cultural Affairs and Recreation Director, and Ms. Diana Cepeda, Strategic Initiatives Coordinator, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Margo and Representatives Svarzbein and Hernandez commented.

The following City staff members commented:

- Mr. Tommy Gonzalez, City Manager
- Ms. Ellen Smyth, Sun Metro Director

NO ACTION was taken on this item.

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

15.1. Organizational Connections: Financial Focus.

Ms. Nicole Cote, Office of Management and Budget Director, and Ms. Margarita Munoz, Comptroller presented a PowerPoint presentation (copy on file in the City Clerk's Office).

The following City staff members commented:

- Mr. Robert Cortinas, Chief Financial Officer
- Mr. Tommy Gonzalez, City Manager

NO ACTION was taken on this item.

.....
CALL TO THE PUBLIC – PUBLIC COMMENT
.....

There was no public participation during this portion of the meeting.

.....
REGULAR AGENDA - FIRST READING OF ORDINANCES
.....

Motion made by Representative Hernandez, seconded by Representative Lizarraga, and unanimously carried that the following Ordinances, with the **exception of item 17.2.**, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

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

NAYS: None

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

- 16.1.** An Ordinance approving Amendment Number Eighteen to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number Five, City of El Paso, Texas, to allocate up to five percent of the Tax Increment Reinvestment Zone annual revenue to the administrative costs associated with zone management; and to provide funding to update the downtown wayfinding kiosks maps and the first phase of the downtown alleyway revitalization and street tree implementation project; adopting said amendments as required by section 311.011(E) Texas Tax Code; and providing a severability clause.

PUBLIC HEARING WILL BE HELD ON OCTOBER 27, 2020

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

- 17.1. An Ordinance amending Ordinance No. 018925, to update Elite Medical Transport of Texas, LLC d/b/a Elite Medical Transport, franchise rates due to COVID-19 financial impacts to ambulance transfer service.

PUBLIC HEARING WILL BE HELD ON OCTOBER 27, 2020

- 17.2. An Ordinance approving the recommendations of the Uptown Parking Benefit District Advisory Committee and amending Ordinance No. 018762 to allow the use of revenue from the District to fund the alley activation project.

PUBLIC HEARING WILL BE HELD ON OCTOBER 27, 2020

*Motion made, seconded, and unanimously carried to **POSTPONE THIS ITEM FOR TWO WEEKS.**

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

- 18.1. An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.38 (Building and Standards Commission) Section of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON OCTOBER 27, 2020

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

- 19.1. An Ordinance authorizing the City Manager to sign a Contract of Sale, Special Warranty Deed, and any other documents necessary to convey 0.7683 acres of land, more or less, being described as a portion of Tract 7, Laura E. Mundy Survey No. 237, El Paso, County, Texas, to Black Sea Acquisitions, L.P.

PUBLIC HEARING WILL BE HELD ON OCTOBER 27, 2020

- 19.2. An Ordinance authorizing the City Manager to sign a Contract of Sale and Warranty Deed and any other documents necessary to convey to the El Paso Electric Company, a 5 acre parcel of land in Tract 5, John Barker Survey No. 10, City of El Paso, El Paso County, Texas.

PUBLIC HEARING WILL BE HELD ON OCTOBER 27, 2020

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

- 20.1. Motion made by Representative Hernandez, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation No. 2020-974 Scrap Tire Disposal Services to Tres Pesetas, LLC for a three (3) year term in the estimated amount of \$463,875.00. The award is to include a two (2) year option in the estimated amount of \$309,250.00 for a total five (5) year award amount of \$773,125.00.

Contract Variance

The difference in cost based on the comparison to the previous contract is as follows:
A decrease by \$33,540.00 from the previous contract, which represents a 7.23% decrease in annual cost. The decrease is due to less quantities being disposed of.

Department:	Environmental Services
Award to:	Tres Pesetas, LLC
	El Paso, TX
Items:	All
Initial Term:	3 Years
Option to Extend:	2 Years
Annual Estimated Amount:	\$154,625.00
Initial Term Estimated Amount:	\$463,875.00 (3 Years)
Total Estimated Amount:	\$773,125.00 (5 Years)
Account No.:	334-3100-34100-522040-P3410
	334-3100-34130-522040-P3470
Funding Source:	Scrap Tire Disposal Services
Districts:	All

This is a Best Value contract.

The Purchasing & Strategic Sourcing and Environmental Services Departments recommend that the contract be awarded to Tres Pesetas, LLC, the bidder offering the best value bid. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

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

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

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

21.1. ORDINANCE 019106

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST20-00007 TO ALLOW FOR INFILL DEVELOPMENT WITH A 0 FOOT REAR SETBACK AND A 100% PARKING REDUCTION ON THE PROPERTY LEGALLY DESCRIBED AS A PORTION OF LOTS 17 AND 18, BLOCK 24, FRANKLIN HEIGHTS ADDITION, 710 NOBLE STREET, 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: 710 NOBLE ST. APPLICANT: ROBERT PALACIOS AND MARYCRUZ DE LEON (PZST20-00007)**

Representatives Svarzbein, Annello, Morgan, and Lizarraga commented.

The following City staff members commented:

- Ms. Anne Guayante, Zoning Administrator
- Mr. Kevin Smith, Planning and Inspections Deputy Director

The following members of the public commented:

1. Mr. Fred Vasquez
2. Mr. Jaime Montoya

Motion duly made by Alternate Mayor Pro Tempore Lizarraga, 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, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

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

.....
REGULAR AGENDA - OTHER BUSINESS
.....

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

22.1. RESOLUTION

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

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

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

WHEREAS, Paseo Del Este Municipal District No. Five ("M.U.D. No. 5") requested review and approval of the issuance of the Unlimited Tax Bonds, Series 2020 Bonds Utility by M.U.D. No. 5 (the "Series 2020 Bonds"); and

WHEREAS, the City reviewed the proposed issuance of Series 2020 Bonds by M.U.D. No. 5 and desires to approve the issuance of the bonds.

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

That the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2020 Bonds in the estimated amount of \$1,100,000, by Paseo Del Este Municipal Utility District No. 5, with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

Mayor Margo and Representative Rivera commented.

Mr. Robert Cortinas, Chief Financial Officer, commented.

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

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

NAYS: Representative Hernandez

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

23.1. ITEMS 23.1. THROUGH 23.3. WERE TAKEN TOGETHER

R E S O L U T I O N

WHEREAS, on March 13, 2020 the President of the United States declared a national emergency, the Governor of the State of Texas declared a state of disaster, and the Mayor of the City of El Paso ("City") declared a local state of disaster in relation to COVID-19; and

WHEREAS, on March 17, 2020 City Council Issued an Emergency Ordinance Instituting Emergency Measures Due to A Public Health Emergency ("Emergency Ordinance"); and

WHEREAS, some local businesses have been ordered to cease operations due to national and local regulations related to the COVID-19 pandemic, causing a large number of lay-offs and economic strain for the City and its residents and businesses; and

WHEREAS, on March 27, 2020, the federal government enacted the Coronavirus Aid, Relief and Economic Security Act ("CARES Act"), which established the Coronavirus Relief Fund and appropriated \$150 billion to the Fund to be used to address the economic fallout caused by the COVID-19 pandemic; and

WHEREAS, the City is a recipient of the Coronavirus Relief Fund under the CARES Act grant; and

WHEREAS, on May 12, 2020 the City Council appropriated the Coronavirus Relief Fund grant funds to be used by the City in accordance with the requirements stipulated by the CARES Act and federal guidelines; and

WHEREAS, the City desires to enter into a Contract of Sale with ELP Family Dollar, L.P., for the purchase of the Property identified in this Contract of Sale, which is necessary to respond to the public health crisis; and

WHEREAS, the City plans to purchase the Property using Coronavirus Relief Funds; and

WHEREAS, the purchase of this property is a necessary expenditure in the reasonable judgement of the City Council of the City of El Paso; and

WHEREAS, the City's expenditure under this Contract of Sale is a necessary expenditure incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), which was not accounted for in the budget most recently approved as of the date of enactment of this section for the City, and will be incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

BE IT RESOLVED BY THE 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 9341 Alameda Avenue, El Paso, Texas, more particularly described as Tract 3-B-3, Block 47, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, for the appraised value of \$720,000.00. Such property is owned by ELP Family Dollar, L.P., a Texas limited partnership. Further, the City Manager or designee is authorized to: (1) execute a Contract of Sale with ELP Family Dollar, L.P. 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, and (4) sign any documents necessary to effectuate any rights or obligations in relation to the purchase and closing of the property.

23.2.

R E S O L U T I O N

WHEREAS, on March 13, 2020 the President of the United States declared a national emergency, the Governor of the State of Texas declared a state of disaster, and the Mayor of the City of El Paso ("City") declared a local state of disaster in relation to COVID-19; and

WHEREAS, on March 17, 2020 City Council Issued an Emergency Ordinance Instituting Emergency Measures Due to A Public Health Emergency ("Emergency Ordinance"); and

WHEREAS, some local businesses have been ordered to cease operations due to national and local regulations related to the COVID-19 pandemic, causing a large number of lay-offs and economic strain for the City and its residents and businesses; and

WHEREAS, on March 27, 2020, the federal government enacted the Coronavirus Aid, Relief and Economic Security Act ("CARES Act"), which established the Coronavirus Relief Fund and appropriated \$150 billion to the Fund to be used to address the economic fallout caused by the COVID-19 pandemic; and

WHEREAS, the City is a recipient of the a Coronavirus Relief Fund under the CARES Act grant; and

WHEREAS, on May 12, 2020 the City Council appropriated the Coronavirus Relief Fund grant funds to be used by the City in accordance with the requirements stipulated by the CARES Act and federal guidelines; and

WHEREAS, the City desires to enter into a Contract of Sale with El Paso County 911 District for the purchase of the Property identified in this Contract of Sale, which is necessary to respond to the public health crisis; and

WHEREAS, the City plans to purchase the Property using Coronavirus Relief Funds; and

WHEREAS, the purchase of this property is a necessary expenditure in the reasonable judgement of the City Council of the City of El Paso; and

WHEREAS, the City's expenditure under this Contract of Sale is a necessary expenditure incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), which was not accounted for in the budget most recently approved as of the date of enactment of this section for the City, and will be incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

BE IT RESOLVED BY THE 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 7380 Remcon Circle, Unit A, El Paso, Texas, more particularly described as a portion of Unit A, a Part of Desert Sage Plaza, a Condominium Regime, in the City of El Paso, El Paso County, Texas, for the appraised value of \$1,060,000.00. Such property being owned by MicBec Investments, LLC, a Texas limited liability company. Further, the City Manager or designee is authorized to: (1) execute a Contract of Sale with MicBec Investments, LLC, a Texas limited liability company, 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, and (4) sign any documents necessary to effectuate any rights or obligations in relation to the purchase and closing of the property.

23.3.

R E S O L U T I O N

WHEREAS, on March 13, 2020 the President of the United States declared a national emergency, the Governor of the State of Texas declared a state of disaster, and the Mayor of the City of El Paso ("City") declared a local state of disaster in relation to COVID-19; and

WHEREAS, on March 17, 2020 City Council Issued an Emergency Ordinance Instituting Emergency Measures Due to A Public Health Emergency ("Emergency Ordinance"); and

WHEREAS, some local businesses have been ordered to cease operations due to national and local regulations related to the COVID-19 pandemic, causing a large number of lay-offs and economic strain for the City and its residents and businesses; and

WHEREAS, on March 27, 2020, the federal government enacted the Coronavirus Aid, Relief and Economic Security Act ("CARES Act"), which established the Coronavirus Relief Fund and appropriated \$150 billion to the Fund to be used to address the economic fallout caused by the COVID-19 pandemic; and

WHEREAS, the City is a recipient of the a Coronavirus Relief Fund under the CARES Act grant; and

WHEREAS, on May 12, 2020 the City Council appropriated the Coronavirus Relief Fund grant funds to be used by the City in accordance with the requirements stipulated by the CARES Act and federal guidelines; and

WHEREAS, the City desires to enter into a Contract of Sale with El Paso County 911 District for the purchase of the Property identified in this Contract of Sale, which is necessary to respond to the public health crisis; and

WHEREAS, the City plans to purchase the Property using Coronavirus Relief Funds; and

WHEREAS, the purchase of this property is a necessary expenditure in the reasonable judgement of the City Council of the City of El Paso; and

WHEREAS, the City's expenditure under this Contract of Sale is a necessary expenditure incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), which was not accounted for in the budget most recently approved as of the date of enactment of this section for the City, and will be incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

BE IT RESOLVED BY THE 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 220 S. Stanton, El Paso, Texas, 79901, more particularly described as 39.667 Ft on Stanton x 120 Ft on First, SWC, Block 37, Mills Addition, City of El Paso, El Paso County, Texas, for the appraised value of \$550,000.00. Such property being owned by LEE NADLER, GARY NADLER AND JACQUELINE NADLER WENDT, FORMERLY KNOWN AS JACQUELINE SANDRA NADLER, INDEPENDENT CO- EXECUTORS OF THE ESTATE OF IRVIN E. NADLER, DECEASED, AND DAVID KAPLAN, AND PACIFIC JOINT VENTURE. Further, the City Manager or designee is authorized to: (1) execute a Contract of Sale with owners, 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, and (4) sign any documents necessary to effectuate any rights or obligations in relation to the purchase and closing of the property.

Mr. Alex Hoffman, Capital Improvement Assistant Director, and Ms. Lisa Gala, Capital Improvement Redevelopment Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Svarzbein commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annello

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

24.1. RESOLUTION

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**").

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 delete existing projects and add new projects ("**Sixth Amendment**"); and

WHEREAS, on October 7, 2020 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 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 CDBG Program Budget is hereby amended as follows:
 - a. Reduce the CDBG Delta Haven and Welcome Center project by \$1,000,000;
 - b. Add \$1,000,000 in CDBG for rapid rehousing of individuals and families experiencing homelessness.
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, the Second Amendment, the Third Amendment, Fourth Amendment, Fifth Amendment and this Sixth Amendment, the 2019-2020 Annual Action Plan and 45th Year CDBG Program Budget remains in full force and effect.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annello

25. MAYOR AND COUNCIL

25.1. RESOLUTION

WHEREAS, voting is a right granted to the citizens by the United States Constitution;

WHEREAS, this year, Election Day will be on November 3, 2020 (“Election Day”);

WHEREAS, the El Paso City Council recognizes the importance of voting in elections at Federal, State and Local levels;

WHEREAS, the Fiscal year 2021 Budget Resolution for the Mass Transit Department allows the waiver or reduction of bus fares for City Sponsored events such as Election Day.

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

That November 3, 2020 will be known as Ride Sun Metro to Vote day. Further, all fares to use the Sun Metro, Brio, and/or Lift services are waived for the entire day of November 3, 2020.

Representative Rivera commented.

The following City staff members commented:

- Ms. Ellen Smyth, Sun Metro Director
- Ms. Laura Cruz-Acosta, Strategic Communications Director

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annello

ITEMS 25.2. AND 25.3. WERE TAKEN TOGETHER

25.2.

R E S O L U T I O N

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a state of disaster and the President of the United States of America declared a national emergency in relation to COVID-19; and

WHEREAS, on March 13, 2020, the Mayor signed a Local Emergency Declaration; and

WHEREAS, on October 1, 2020, The Department of Public Health issued Halloween Guidance prohibiting trick-or-treating and door to door; and

WHEREAS, The office of District 3, City Representative wishes to host permitted activities for Halloween and the office will host a socially distanced drive-by Trick-o-Treat event which will conform with safety guidelines to educate the public; and

WHEREAS, El Paso Disposal intends to donate \$1,000 for Halloween permitted activities; and

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

That the City Council accept the donation in the amount of \$1,000.00 from El Paso Disposal to pay for permitted activities for Halloween and serves a municipal purpose by setting the standard for a safe and secure city, promoting the visual image of El Paso, enhancing El Paso's quality of life, promoting transparent and consistent communication among all members of the community, and nurturing and promoting a healthy and sustainable community.

Further, the City Council authorizes the expenditure of the funds as described above further, that the City Manager is authorized to effectuate any budget transfers necessary to ensure that the funds are properly expended for such purpose and is authorized to execute any related agreements, amendments to such agreements, and documents necessary to carry out the purpose of this resolution.

25.3.

R E S O L U T I O N

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a state of disaster and the President of the United States of America declared a national emergency in relation to COVID-19; and

WHEREAS, on March 13, 2020, the Mayor signed a Local Emergency Declaration; and

WHEREAS, on October 1, 2020, The Department of Public Health issued Halloween Guidance prohibiting trick-or-treating and door to door; and

WHEREAS, The office of District 3, City Representative wishes to host permitted activities for Halloween and the office will host a socially distanced drive-by Trick-o-Treat event which will conform with safety guidelines to educate the public; and

WHEREAS, Representative of District 3, Cassandra Hernandez, desires to contribute discretionary funds in an amount not to exceed \$1,500.00 for permitted activities for Halloween;

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

That the City Council declares the expenditure of District 3 discretionary funds in an amount not to exceed \$1,500.00 to be used to obtain a traffic safety control permit for the drive-by event and to ensure the necessary security personnel are present. Serves a municipal purpose by setting the standard for a safe and secure city, promoting the visual image of El Paso, enhancing El Paso's quality of life, promoting transparent and consistent communication among all members of the community, and nurturing and promoting a healthy and sustainable community.

Further, the City Council authorizes the expenditure of the funds as described above further, that the City Manager is authorized to effectuate any budget transfers necessary to ensure that the funds are properly expended for such purpose and is authorized to execute any related agreements, amendments to such agreements, and documents necessary to carry out the purpose of this resolution.

Motion made by Representative Hernandez, seconded by Representative Rivera, and unanimously carried to **APPROVE** the Resolutions.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annello

25.4.

R E S O L U T I O N

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

That the City Manager or designee is authorized to accept a \$500 donation from the El Paso Electric Company for the purpose of purchasing and distributing personal protective equipment to seniors. Further, that the City Manager or designee is authorized to sign all documents and execute all budget transfers necessary to carry out the purpose of the donation.

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

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

NAYS: None

25.5.

R E S O L U T I O N

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

That the City Council of El Paso declares that the expenditure of District 2 discretionary funds in an amount not to exceed \$1,000.00 to purchase roses for the El Paso Municipal Rose Garden in addition to any prior budgeted purchases of roses in collaboration with the El Paso County Master Gardeners Association for the replenishment and replacement of flora in order to support City Strategic Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments.

That the City Manager be authorized to effectuate any budget transfer necessary to ensure that the funds are properly expended for such purpose and to execute any related agreements and amendments to such agreements.

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

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

NAYS: None

25.6.

RESOLUTION

WHEREAS, Ruth Bader Ginsburg, of Brooklyn, New York, was one of the most notable and influential Justices to have served on the Supreme Court of the United States; and

WHEREAS, Justice Ginsburg broke barriers and served with distinction as a law professor at Rutgers Law School and Columbia Law School, and as a co-founder of the Women's Rights Project at the American Civil Liberties Union; and

WHEREAS, Justice Ginsburg served on the United States Court of Appeals for the District of Columbia Circuit for 13 years and on the United States Supreme Court for 27 years;

WHEREAS, the jurisprudence of Justice Ginsburg blended moral purpose with precision and technical mastery of the law;

WHEREAS, Justice Ginsburg embodied the Jewish values of *tikkun olam* ("repairing the world");

WHEREAS, Justice Ginsburg brought to her entire legal career, including her jurisprudence, a focus on reducing discrimination, particularly against women of every race, class, and life experience;

WHEREAS, Ruth Bader Ginsburg fought for gender justice, voting rights, abortion rights, the rights of immigrants, and the rights of LGBTQ+ individuals;

WHEREAS, the City of El Paso is committed to upholding and protecting each of those rights, as Ruth Bader Ginsburg was, and is equally committed to guarding against efforts to deliberately erode access to those rights;

WHEREAS, the nation and our city are deeply indebted to Justice Ginsburg, a truly distinguished American;

WHEREAS, Justice Ruth Bader Ginsburg passed away on September 18, 2020.

NOW, THEREFORE, BE IT RESOLVED that the City Council for the City of El Paso extends heartfelt condolences to the family and friends of Justice Ginsburg and acknowledges her lifetime of service to the United States as a trailblazing attorney, acclaimed scholar, and brilliant jurist.

Representatives Svarzbein and Annello commented.

The following members of the public commented:

1. Ms. Judy Ackerman
2. Ms. Marilyn Guida
3. Ms. Crystal Robert
4. Ms. Adriano Perez

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 Annello, seconded by Representative Svarzbein, and unanimously carried to **APPROVE** the Resolution.

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

NAYS: None

ADDITION TO THE AGENDA

CONSENT AGENDA – REQUEST TO ISSUE PURCHASE ORDERS

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

- 1.1.** *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of the Purchasing & Strategic Sourcing Department to issue a Purchase Order to Christopher Weed Sculpture, Inc., for the Flores Del Desierto repairs. The purchase order is for an amount not to exceed \$73,900.00.

Contract Variance: No contract variance.

Department:	MCAD
Award to:	Christopher Weed Sculpture, Inc. Colorado Springs, CO
Annual Estimated Amount:	\$73,900.00
Funding Source:	Outside Contracts
Account No.:	454-54320-522150-4005-PBARTSTRET85
Districts(s):	ALL
Reference No.:	2021-0218

This is a purchase pursuant to the procurement necessary because of unforeseen damage to public machinery, equipment, or other property exemption, 252.022 (a) (3) of the Texas Local Government Code, services contract.

Additionally, it is requested that the City Attorney's Office review and that the City Manager or designee be authorized to execute any related contract documents and agreements necessary to effectuate this award.

ADJOURN

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Morgan, and unanimously carried to **ADJOURN** the Regular City Council meeting at 6:08 p.m.

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

NAYS: None

.....
APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk