

Oscar Leeser  
Mayor

Tommy Gonzalez  
City Manager



CITY COUNCIL  
Peter Svarzbein, District 1  
Alexandra Anello, 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

## **AGENDA FOR THE REGULAR COUNCIL MEETING**

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**December 06, 2022**

**COUNCIL CHAMBERS, CITY HALL, 300 N. CAMPBELL AND VIRTUALLY  
9:00 AM**

**THE LOCAL HEALTH AUTHORITY STRONGLY RECOMMENDS THE USE OF  
MASKS IN ALL CITY FACILITIES AND INDOOR SPACES**

**Teleconference phone number: 1-915-213-4096**

**Toll free number: 1-833-664-9267**

**Conference ID: 144-178-968#**

**AND**

**AGENDA REVIEW MEETING  
COUNCIL CHAMBERS, CITY HALL  
300 N. CAMPBELL AND VIRTUALLY**

**December 05, 2022**

**9:00 AM**

**Teleconference phone number: 1-915-213-4096**

**Toll free number: 1-833-664-9267**

**Conference ID: 821-200-95#**

Notice is hereby given that an Agenda Review Meeting will be conducted on December 5, 2022 at 9:00 A.M. and a Regular Meeting of the City Council of the City of El Paso will be conducted on December 6, 2022 at 9:00 A.M. Members of the public may view the meeting via the following means:

Via the City's website. <http://www.elpasotexas.gov/videos>

Via television on City15,

YouTube: <https://www.youtube.com/user/cityofelpasotx/videos>

In compliance with the requirement that the City provide two-way communication for members of the public, members of the public may communicate with Council during public comment, and regarding agenda items by calling the following number:

1-915-213-4096 or Toll free number: 1-833-664-9267

**At the prompt please enter the corresponding Conference ID:**

**Agenda Review, December 5, 2022 Conference ID: 821-200-95#  
Regular Council Meeting, December 6, 2022 Conference ID: 144-178-968#**

**The public is strongly encouraged to sign up to speak on items on this agenda before the start of this meeting on the following links:**

**For Call to the Public: <https://elpasotx.seamlessdocs.com/f/SpeakerSignUpFormPublic>**

**To speak on Agenda Items: <https://elpasotx.seamlessdocs.com/f/SpeakerSignUpFormItem>**

**The following members of City Council will be present via video conference:**

**Representatives Peter Svarzbein and Aleksandra Annello**

**A quorum of City Council must participate in the meeting.**

### **ROLL CALL**

### **INVOCATION BY EL PASO POLICE CHAPLAIN RABBI LEVI GREENBERG**

### **PLEDGE OF ALLEGIANCE**

### **MAYOR'S PROCLAMATIONS**

**Pearl Harbor Day**

**Mr. and Mrs. Charles Q. Murphree Day**

**Leading the Way – Workplace Well-being Week**

### **NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

### **CONSENT AGENDA - APPROVAL OF MINUTES:**

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

1. Approval of the Minutes of the Regular City Council Meeting of November 22,

**[22-1564](#)**

2022, the Agenda Review of November 21, 2022, the Work Session of November 21, 2022, and the Work Session of January 31, 2022.

**All Districts**

City Clerk's Office, Laura D. Prine, (915) 212-0049

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

- 2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS. [22-1565](#)

**CONSENT AGENDA - RESOLUTIONS:**

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

- 3. That the City Manager, or designee, is authorized to sign a Contract Amendment to Industrial Site Lease Agreement by and between the City of El Paso ("City") and Raiz Federal Credit Union, f/k/a El Paso Area Teachers Federal Credit Union ("Concessionaire"), regarding the credit union name change, accordingly, for the property municipally known and numbered as 6610 Continental Drive, El Paso, Texas. [22-1551](#)

The north one-half of Lot 14 and all of Lot 15, Block 3, El Paso International Airport Tracts, El Paso International Airport, El Paso, Texas, municipally known and numbered as 6610 Continental Drive, El Paso, Texas.

**District 3**

Airport, Sam Rodriguez, (915) 212-7301

- 4. That the City Manager is authorized to sign a Second Amendment to the Air Cargo Center Agreement by and between the City of El Paso ("Lessor") and Mesa Airlines, Inc. ("Lessee") regarding Lessee's use of that certain office, warehouse space, aircraft parking apron and ground service equipment parking apron, and vehicle parking. In addition, to extend the current term, add an additional extension option, and to allow for a rental adjustment. Located at the property known as Air Cargo Building #3, municipally known and numbered as 301 George Perry Blvd., Suite B. [22-1554](#)

The Lessee's current term began on October 29, 2019 and will end on February 13, 2023. This amendment will extend their lease to February 13, 2025. The annual rental fee is \$106,934.00 or \$8,911.17 per month. This amendment includes one option to extend the lease term one (1) additional year to February 13, 2026 and allow for a rental adjustment.

**District 3**

Airport, Sam Rodriguez, (915) 212-7301

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

- 5. That the City Manager be authorized to sign an Agreement between the CITY [22-1530](#)

OF EL PASO and CENTER AGAINST SEXUAL AND FAMILY VIOLENCE (CASFV), a non-profit corporation, to provide outreach emergency counseling and follow-up public health services for the reported victims of sexual assault, a public health and safety function, for an annual amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00). The term of this Agreement shall start February 1, 2023 with two automatic annual renewals. The total amount of the three year period shall not exceed One Hundred and Fifty Thousand and No/100 Dollars (\$150,000)

**All Districts**

Police, Assistant Chief Zina Silva, (915) 212-4306

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

6. A Resolution approving a detailed site development plan for the property described as a Portion of Lot 18, Block 13, Three Hills Addition, 7768 Toltec Drive, City of El Paso, El Paso County, Texas, pursuant to Section 20.04150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. [22-1547](#)

The proposed detailed site plan 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: 7768 Toltec Drive  
Applicant: Candelaria Properties LP, PZDS22-00030

**District 1**

Planning and Inspections, Philip F. Etiwe, (915) 212-1553  
Planning and Inspections, Saul Pina, (915) 212-1612

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

7. A Resolution that the "Mary Frances Keisling Park Master Plan Report" be adopted as the masterplan document for the future improvements and development, to be addressed in phasing, as funding becomes available. [22-1535](#)

**District 1**

Parks and Recreation, Ben Fyffe, (915)212-1766  
Capital Improvement, Daniela Quesada, (915)212-1826

8. That the period of January 3, 2023 through January 20, 2023 be declared Library Amnesty period for the El Paso Public Library ("the Library") to waive \$1.00 worth of fines for every canned or non-perishable food donation, \$1.00 worth of fines for every can of pet food, and \$2.00 worth of fines for every pound of dry pet food made to the MLK Canned Food Drive and Animal Services at Library locations. [22-1539](#)

**All Districts**

Libraries, Norma Martinez, (915) 212-3200

9. That the City Manager be authorized to sign the Second Amendment to the [22-1561](#)

License Agreement, by and between the City of El Paso, a municipal corporation (the "City") and the El Paso Zoological Society, a Texas non-profit corporation (the "Society"), which was originally entered on December 18, 2012 to extend the term of the agreement by 3 months, ending on March 18, 2023.

**All Districts**

Zoo, Joe Montisano, (915) 212-2800

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

**Goal 5: Promote Transparent and Consistent Communication Amongst All Members of the Community**

10. For notation pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Representative Joe Molinar in the amount of \$2,500.00 from Richard V. Teschner. [22-1570](#)

Members of the City Council, Representative Joe Molinar, (915) 212-0004

**CONSENT AGENDA - BEST VALUE PROCUREMENTS:**

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

11. The linkage to the Strategic Plan is subsection 2.9 - Promote Building Safety [22-1544](#)

Request that the Director of Purchasing & Strategic Sourcing be authorized to issue a purchase order to Oklahoma Investigative Group, Inc. dba Tricorps Security referencing Contract 2019-1056 Security for Municipal Court Guards Services. This change order is to increase the contract by \$140,000.00 for a total amount not to exceed \$1,294,645.20. The change order will cover additional expenses for Security Guard Services for the duration of the contract term, February 5, 2023.

Contract Variance:

No Contract Variance

Department: Municipal Court

Award to: Oklahoma Investigative Group, Inc. dba Tricorps Security

Oklahoma City, OK

Total Estimated Amount: \$140,000.00

Account No.: 522120-111-11030-2532-P1137

Funding Source Restrictive fund for Court Security

District(s): All

This is a Best Value, service contract

**All Districts**

Purchasing and Strategic Sourcing, Claudia A. Garcia, (915) 212-1218

Municipal Court, Lilia Worrell, (915) 212-5822

**CONSENT AGENDA - BIDS:**

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

12. The linkage to the Strategic Plan is subsection 4.2 - Create innovative recreational, educational and cultural programs

[22-1543](#)

Award Summary:

The award of Solicitation 2023-0097 Tom Lea Lower Dog Park to Keystone GC, LLC. for an estimated total award of \$245,882.17. The project consists of the construction of a fenced in dog park to be located on the northwest site of Tom Lea Lower Park located at 1203 Schuster Ave. The scope of work includes but not limited to the furnish and install park benches, chain link fence with maintenance gates, concrete plaza, irrigation modifications, water fountains, waste disposal stations and mutty paw dispenser.

Department:	Capital Improvement
Award to:	Keystone GC, LLC. El Paso, TX
Item(s):	Base Bid I
Initial Term:	150 Consecutive Calendar Days
Base Bid I:	\$245,882.17
Total Estimated Award:	\$245,882.17
Funding Source:	Community Development Block Grant
Accounts:	471-2400-71240-580270- G7147CD62
District(s):	8

This is a Low Bid procurement, unit price contract.

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

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

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

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent

of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

**District 8**

Purchasing and Strategic Sourcing, Claudia A. Garcia, (915) 212-1218  
Capital Improvement, Yvette Hernandez, (915) 212-1845

**REGULAR AGENDA - OPERATIONAL FOCUS UPDATES**

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

13. Management update on the City's financial health.

[22-1578](#)

**All Districts**

City Manager's Office, Robert Cortinas, (915) 212-1067

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

14. Presentation and discussion on El Paso Animal Services Volunteer Program.

[22-1545](#)

**All Districts**

Animal Services Department, Terry Kebschull, (915) 212-8742

**CALL TO THE PUBLIC – PUBLIC COMMENT:**

Call to the Public will begin at 12:00 p.m. Requests to speak must be received by 9:00 a.m. on the date of the meeting. Sixty minutes in total will be devoted for Call to the Public. This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

Members of the public may communicate with Council during public comment, and regarding agenda items by calling 1-915-213-4096 or toll free number 1-833-664-9267 at the prompt please enter the following Conference ID: 144-178-968#

A sign-up form is available on line for those who wish to sign up in advance of the meeting at: <https://elpasotx.seamlessdocs.com/f/SpeakerSignUpFormPublic>

**REGULAR AGENDA - FIRST READING OF ORDINANCES:**

**INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the first reading of ordinances. Public comments are invited at the date of the scheduled public hearing.**

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the

public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 300 N. Campbell, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

### **Goal 3: Promote the Visual Image of El Paso**

15. An Ordinance amending the following provisions of El Paso City Code Title 20 (Zoning): Chapter 20.02 (General Provisions and Definitions), Article II (Definitions) to add definitions for Type 1 and Type 2 Short Term Rentals and amend the definition for Bed and Breakfast Establishment; Chapter 20.08 (Permissible Uses), Section 20.08.030.C (Permissible Uses) Appendix A (Table of Permissible Uses) to add Type 1 and Type 2 Short Term Rentals; Chapter 20.10 (Supplemental Use Regulations) to add supplemental use regulations for Type 1 and Type 2 Short Term Rentals; and Title 20 (Zoning) Chapter 20.14 (Off-street Parking, Loading and Storage Standards), Section 20.14.050 (Parking Requirements and Standards), Subsection C, Table of Parking Requirements and Standards: Appendix C (Table of Parking Requirements and Standards) to add parking requirements for Type 1 and Type 2 Short Term Rentals. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

[22-1568](#)

#### **All Districts**

Planning and Inspections, Philip F. Etiwe, (915) 212-1553  
Planning and Inspections, Kevin Smith, (915) 212-1566

**PUBLIC HEARING WILL BE HELD ON JANUARY 17, 2023**

16. An Ordinance amending Title 5 (Business License and Permit Regulations), to create Chapter 5.19 (Short Term Rentals) and subsections thereafter in the El Paso City Code relating to the permitting and registration requirement for short term rentals within the City of El Paso; the penalty as provided in 5.19.110 of the El Paso City Code.

[22-1569](#)

#### **All Districts**

Planning and Inspections, Philip F. Etiwe, (915) 212-1553  
Planning and Inspections, Tony De La Cruz, (915) 212-1589

**PUBLIC HEARING WILL BE HELD ON JANUARY 17, 2023**

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

17. An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.64 (City Employees' Pension Fund), Section 2.64.190 (Contributions), subsection (a) of the El Paso City Code, to allow the City to make the required employee participant contributions on behalf of the City Manager as agreed to by contract.

[22-1556](#)

#### **All Districts**

Human Resources, Araceli Guerra, (915) 212-1401

**PUBLIC HEARING WILL BE HELD ON DECEMBER 13, 2022**



**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:**

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

18. The linkage to the strategic plan is subsection 7.2 - Improve Competitiveness Through Infrastructure Improvements Impacting the Quality of Life.

[22-1536](#)

Award Summary:

Discussion and action on the request that the Director of Purchasing & Strategic Sourcing Department be authorized to issue Purchase Order(s) to TE of El Paso, LLC., the sole and authorized distributor for the 2023-0168 Autocar Proprietary Parts and Service, for a term of three (3) years for an estimated amount of \$675,000.00, with a stipulation that TE of El Paso, LLC. provides an updated sole source letter and affidavit each year. This contract will allow the purchase of Autocar Proprietary Parts and Service for the Fleet Division.

Contract Variance:

N/A

Department: Streets and Maintenance

Vendor: TE of El Paso, LLC  
El Paso, TX

Initial Term: 3 Years

Annual Estimated Award: \$225,000.00

Total Estimated Award: \$675,000.00 (3 Years)

Account No.: 532 - 3600 - 531210 - 37020 - P3701 (Parts)  
532 - 3600 - 531250 - 37020 - P3701 (Service)

Funding Source: Internal Service Fund

District(s): All

This is a Sole Source contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to TE of El Paso, LLC, the sole and authorized distributor.

**All Districts**

Purchasing and Strategic Sourcing, Claudia A. Garcia, (915) 212-1218

Streets and Maintenance, Richard J. Bristol, (915) 212-7000

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

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

19. An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.34 (Picketing), Section 13.34.020 (Notice of Intent to Picket) to add exceptions and spontaneous events; Chapter 13.34 (Picketing), Section 13.34.030 (Receipt of Notification) to delete and reserve; Chapter 13.34 (Picketing), Section 13.34.050 (Violation) to delete and reserve; Chapter 13.36 (Parades and Public Assemblies) to amend chapter title to 'Parades;' Chapter 13.36 (Parades and Public Assemblies), Section 13.36.010 (Definitions) to delete 'Demonstration' and 'Public Assembly' from definitions; Chapter 13.36 (Parades and Public Assemblies), Section 13.36.020 (Permit Required) to add spontaneous event exception; Chapter 13.36 (Parades and Public Assemblies), Section 13.36.100 (Violation - Penalty) to remove the term 'Public Assembly' from violations; Chapter 13.38 (Special Events), Section 13.38.020 (Definitions) to remove Picketing, Demonstrating, Parades, and Public Assembly from the definition of 'Special Events;' the penalty as provided in Section 13.36.100 and 13.38.110 of the City Code.

[22-1507](#)

**All Districts**

Police, Assistant Chief Peter Pacillas, (915) 212-4302

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

20. An Ordinance changing the zoning of Lots 25 through 32, Block 15, Highland Park Subdivision, City of El Paso, El Paso County, Texas from R-5 (Residential) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

[22-1422](#)

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: South of Detroit Avenue and East of Murchison Drive  
Applicant: T.J. Karam, PZRZ22-00028

**District 8**

Planning and Inspections, Philip F. Etiwe, (915) 212-1553  
Planning and Inspections, Nina Rodriguez, (915) 212-1561

21. An Ordinance changing the zoning of the South 27 feet of Lots 30, 31, and 32, in Block 100, East El Paso, 1112 N. San Marcial Street, City of El Paso, El Paso County, Texas from R-5 (Residential) to G-MU (General Mixed Use), and approving a master zoning plan. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

[22-1435](#)

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: 1112 N. San Marcial Street  
Applicant: Buck Money Johnston and Brian Campbell Bosworth, PZRZ22-00022

**District 2**

Planning and Inspections, Philip F. Etiwe, (915) 212-1553  
Planning and Inspections, Luis Zamora, (915) 212-1552

22. An Ordinance terminating the Sign Design non-exclusive franchise for waste containers on sidewalks and other City property. [22-1479](#)
- All Districts**  
Environmental Services, Ellen A. Smyth, (915) 212-6000
23. An Ordinance granting to Tyler Lyon El Paso Street Ads, LLC a non-exclusive franchise for waste containers on sidewalks and other City property. [22-1476](#)
- All Districts**  
Environmental Services, Ellen A. Smyth, (915) 212-6000
24. An Ordinance granting to Ruben Torres d/b/a Elite Advertising a non-exclusive franchise for waste containers on sidewalks and other City property. [22-1478](#)
- All Districts**  
Environmental Services, Ellen A. Smyth, (915) 212-6000

### **REGULAR AGENDA - OTHER BUSINESS:**

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

25. Discussion and action that the City Manager be authorized to sign an Amendment to the Multiple Use Agreement between the City of El Paso and the State of Texas, on behalf of the Texas Department of Transportation, to permit the City of El Paso to design, construct, operate and maintain additional public parking on the Spur 601 right of way. [22-1532](#)
- District 3**  
Capital Improvement Department, Yvette Hernandez, (915) 212-1860

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

26. Discussion and action to approve policies and procedures for planning and implementation of the Community Development Block Grant (CDBG) Program, Emergency Solutions Grant (ESG) Program, HOME Investment Partnerships (HOME) Program, and Housing Opportunities for Persons with AIDS (HOPWA) Program. [22-1555](#)
- All Districts**  
Community and Human Development, Nicole Ferrini, (915) 212-1659

### **EXECUTIVE SESSION**

**The following members of City Council will be present via video conference:**

**Representatives Peter Svarzbein and Alexandra Annello**

The City Council of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS
Section 551.089	DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS; CLOSED MEETING

## **ADJOURN**

### **NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. If you need Spanish Interpreter Services, you must email [CityClerk@elpasotexas.gov](mailto:CityClerk@elpasotexas.gov) at least 72 hours in advance of the meeting.

### **ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET ON THURSDAY PRIOR TO THE MEETING AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov/>