

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

**\*\*\* REVISED \*\*\***

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

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**January 19, 2021**

**3:30 PM**

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

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

**Conference ID: 960-358-843#**

### **TEMPORARY SUSPENSION OF OPEN MEETINGS LAWS DUE TO EMERGENCY**

The Texas Governor temporarily suspended specified provisions of the Texas Open Meetings Act to allow telephonic or videoconference meetings and to avoid congregate settings in physical locations.

Notice is hereby given that a Regular Meeting of the City Council of the City of El Paso will be conducted on January 19, 2021 at 3:30 P.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: 960-358-843#**

**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:**

**<https://www.elpasotexas.gov/city-clerk/meetings/city-council-meetings>  
and  
[http://legacy.elpasotexas.gov/muni\\_clerk/Sign-Up-Form-Call-To-The-Public.php](http://legacy.elpasotexas.gov/muni_clerk/Sign-Up-Form-Call-To-The-Public.php)**

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

**Mayor Oscar Leeser and Representatives Peter Svarzbein, Aleksandra Anello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga**

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

At the request of the Mayor, the Invocation, Pledge of Allegiance, Proclamations, and Recognitions by Mayor have been temporarily suspended.

## **ROLL CALL**

## **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 Minutes of the Regular City Council Meeting of January 5, 2021. [21-84](#)

#### **All Districts**

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

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

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

## **CONSENT AGENDA - RESOLUTIONS:**

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

3. That the City Manager be authorized to sign a Lessor's Approval of Assignment by the City of El Paso ("Lessor"), Lomeli Investments, LLC ("Assignor") and Americas Compliance Training and Drug Testing, LLC ("Assignee") for property described as Lots 8, Block 7, El Paso International Airport Tracts, Unit 2, City of El Paso, El Paso County, Texas, also known as 7501 Lockheed, El Paso, Texas. [21-42](#)

The remaining lease term is 36 years and 5 months with two (2) five-year options. The site is 30,825 SF at \$0.5191 per SF and the annual rent is \$16,001.26. The lease agreement expires July 24, 2057 with option to extend to July 24, 2067.

**District 3**

Airport, Sam Rodriguez, (915) 212-7301

- 4. That the City Manager be authorized to sign a Lessor’s Approval of Assignment by the City of El Paso (“Lessor”), EWM P1, LLC (“Assignor”) and UW CMC, LLC (“Assignee”) for property described as a portion of Butterfield Trail Aviation Park, Unit Two Replat “A” an addition to the City of El Paso, El Paso County Texas, commonly known as 3640 Global Reach Drive, El Paso, Texas. [21-45](#)

The remaining lease term is 26 years and 9 months with three (3) five-year options. The lease is for 273,830.0 square feet. The annual rent is \$37,716.82. The lease agreement expires October 31, 2047 with option to extend to October 31, 2062.

**District 2**

Airport, Sam Rodriguez, (915) 212-7301

- 5. A Resolution to authorize the City Manager to sign a Lessor’s Approval of Assignment of Butterfield Trail Industrial Park Lease by and between the City of El Paso (“Lessor”), TV6-W Holdings, LLC (“Assignee”) for property described as Lot 1, Block 11, Butterfield Trail Industrial Park Unit Two, Foreign Trade Zone No. 68, City of El Paso, El Paso County, Texas municipally known and numbered as 25 Butterfield Trail Blvd., El Paso, Texas. The remaining lease term is 24 years with two (2) five-year options. The site is 119,907 square feet at \$0.20 per square feet and the annual rent is \$23,981.40. All other terms and conditions remain the same. [21-46](#)

**District 2**

Airport, Sam Rodriguez, (915) 212-7301

- 6. That the City Manager be authorized to sign the First Amendment to the September 1, 1972 Lease between the City of El Paso (“Lessor”) and El Paso Independent School District (“Lessee”) for the property described as Lots 8 and 9, Block 2-C; Lots 1,2,13, the north 77 feet of Lot 12 and the south ½ of Lot 14, all of Block 3, El Paso International Airport Tracts, El Paso International Airport, El Paso, Texas also known as 6531 Boeing Drive, El Paso, Texas. [21-50](#)

The Rights Upon Expiration are amended to allow the asphalt and landscaping in the excepted area to remain. Improvements outside the excepted area will be removed at expiration of the lease. EPISD is required to perform an environmental site assessment of the removed and excepted areas. If remediation is required, EPISD will remediate the areas.

**District 2**

Airport, Sam Rodriguez, (915) 212-7301

- 7. That the City Manager be authorized to sign the First Amendment to the May 1, 1980 Lease between the City of El Paso (“Lessor”) and El Paso Independent [21-52](#)

School District (“Lessee”) for the property described as a portion of Lot 10 and all of 11, Block 2-C;, El Paso International Airport Tracts, Unit 4, El Paso, Texas also known as 6531 Boeing Drive, El Paso, Texas.

The legal description is revised to a portion of Lot 10 from all of Lot 10. Additionally, the Rights Upon Expiration are amended to allow the asphalt and landscaping in the excepted area to remain. Improvements outside the excepted area will be removed at expiration of the lease. EPISD is required to perform an environmental site assessment of the removed and excepted areas. If remediation is required, EPISD will remediate the areas.

**District 2**

Airport, Sam Rodriguez, (915) 212-7301

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

- 8. That the City Manager be authorized to execute a Contract with Maria Ramirez, Judge of the Municipal Court of Appeals, to provide reasonable compensation to the Judge to cover her own clerical support and other administrative requirements for the administration of the court. The contract is for \$2,000 per month (\$24,000 per year), totaling \$96,000 over the 4-year term of the contract.

[21-44](#)

**All Districts**

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

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

- 9. A Resolution approving a Detailed Site Development Plan for a portion of Tract 1, Block 5 and a Portion of Tract 1, Block 6, Christy Tract, 588 South Yarbrough, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

[19-851](#)

The proposed detailed site development 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: 588 South Yarbrough  
Applicant: Sitework Engineering, LLC PZDS20-00026  
**[POSTPONED FROM 12-08-2020 AND 01-05-2021]**

**District 7**

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

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

- 10. The linkage to the Strategic Plan is subsection 8.5 - Improve air quality throughout El Paso.

[21-78](#)

That the City Manager be authorized to sign a Consent to Assignment of Contract No. 2016-1241 from Stericycle Environmental Solutions, Inc. (Assignor) to Clean Earth Environmental Solutions, Inc. ("Assignee") for Household Hazardous Waste Disposal Services.

**All Districts**

Environmental Services, Ellen Smyth, (915) 212-6060  
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1182

- 11. The linkage to the Strategic goal is subsection 8.6 - Provide long-term, cost effective, sustainable regional solid waste solution. This is a change order to cover the repair cost for hidden damages discovered when the compactor was dismantled for refurbishment. [21-79](#)

Request that the Director of Purchasing and Strategic Sourcing be authorized to issue a Purchase Order to Wagner Equipment Company dba Wagner Power System, referencing contract 2020-1086 CAT Certified Rebuild on 836 Compactor Unit 08051. This will be a change order to increase the contract by \$65,372.56 for a total not to exceed \$654,929.96 for the initial term.

Department: Environmental Services  
Award to: Wagner Equipment Company dba Wagner Power System  
Denver, CO  
Items: All  
Term: 1 year  
Total Estimated Award: \$65,372.56  
Account No.: 334-34130-3150-P3470-580290-PESD00200  
Funding Source: ESD Capital Funds  
Reference No.: 2020-1086

This is a Change Order for a Sole Source, service contract.

**All Districts**

Environmental Services, Ellen Smyth, (915) 212-6060  
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

**CONSENT AGENDA - SPECIAL APPOINTMENTS:**

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

- 12. That the City confirms that Mayor Oscar Leeser is the designated appointee for the Transportation Policy Board (TPB) as described in the TPB bylaws. [21-67](#)

**All Districts**

Capital Improvement Department, Yvette Hernandez, (915) 212-1860

- 13. That District 3 Representative Cassandra Hernandez, be appointed as a City Representative to the Transportation Policy Board (TPB) for the Metropolitan Planning Organization to replace former District 4 Representative, Sam Morgan, effective immediately. [21-60](#)

**All Districts**

Mayor and Council, Oscar Leeser, (915) 212-0021

**CONSENT AGENDA - BOARD RE-APPOINTMENTS:**

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

14. Stephen Mercer to the Capital Improvement Advisory Committee by Representative Peter Svarzbein, District 1. [21-89](#)

Mayor and Council, Representative Peter Svarzbein, (915) 212-1002

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

15. Luis Antonio Sandoval to the Civil Service Commission by Representative Henry Rivera, District 7. [21-94](#)

Mayor and Council, Representative Henry Rivera, (915) 212-0007

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

16. Manuela "Mannys" Rodriguez to the Community Development Steering Committee by Representative Cissy Lizarraga, District 8. [21-88](#)

Mayor and Council, Representative Cissy Lizarraga, (915) 212-0008

**CONSENT AGENDA - BOARD APPOINTMENTS:**

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

17. David Ortwein to the El Paso Bond Overview Advisory Committee by Representative Cissy Lizarraga, District 8. [21-99](#)

Mayor and Council, Representative Cissy Lizarraga, (915) 212-0008

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

18. Lee Chayes to the Foster Grandparent Program Advisory Council by Representative Svarzbein, District 1. [21-87](#)

Mayor and Council, Representative Peter Svarzbein, (915) 212-1002

19. Karen Polanco to the Animal Shelter Advisory Committee by Representative Isabel Salcido, District 5. [21-98](#)

Mayor and Council, Representative Isabel Salcido, (915) 212-0005

## **CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:**

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

20. That the tax refunds listed on the attachment posted with this agenda be approved. This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments exceeding the three (3) year limit. (See Attachment A) [21-48](#)

**All Districts**

Tax Office, Maria O. Pasillas, (915) 212-1737

21. That the tax refunds listed on the attachment posted with this agenda be approved. This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00. (See Attachment B) [21-49](#)

**All Districts**

Tax Office, Maria O. Pasillas, (915) 212-1737

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

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

22. For notation pursuant to Section 2.92.110 of the City Code, receipt of the following campaign contribution by Representative Henry Rivera, District 7: \$500.00 from Frank Martinez. [21-92](#)

Mayor and Council, Representative Henry Rivera, (915) 212-0007

## **CONSENT AGENDA - REQUESTS TO ISSUE PURCHASE ORDERS:**

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

23. The linkage to the Strategic Plan is subsection 1.5 Stimulate economic growth through transit and bridges integration. [21-68](#)

Request that the Director of Purchasing and Strategic Sourcing be authorized to issue a Purchase Order to Duncan Parking Technologies, Inc., referencing Contract 2019-794 Single Space Parking Meters. This will be a change order to increase the contract by \$154,500.00 for a total amount not to exceed \$772,500.00 for the initial term. The change order will cover current expenses and future projects until the end of the term January 19, 2021 to April 29, 2022.

Contract Variance: The unit cost for this change order remains the same. There is no variance.

Department: International Bridges

Award to: Duncan Parking Technologies, Inc.  
Milwaukee, WI  
Total Estimated Amount: \$154,500.00  
Account No.: Parking Meter Fund  
Funding Source: 532290-564-3300-64850  
District(s): 1, 3 & 8

This is a Change Order for a Sole Source, service contract.

**District 1, 3 & 8**

International Bridges, David Coronado, (915) 212-7505  
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

**CONSENT AGENDA - BIDS:**

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

24. The linkage to the Strategic Plan is subsection 2.1 - Maintain standing as one of the nation's top safest cities. This award allows the Police Department to purchase equipment needed to properly and safely dispose of abandoned or seized property items.

[21-64](#)

Award Summary:

The award of Solicitation No. 2021-0006 Industrial Firearm Metal Shredder to BESA Equipment LLC, for an estimated total award of \$82,820.00. The award of this contract allows the Police Department to safely and effectively dispose of abandoned or seized property items.

**Contract Variance:**

N/A

Department: Police  
Award to: BESA Equipment LLC  
Souderton, PA  
Items: All  
Total Estimated Award: \$82,820.00  
Account No.: 321-21270-2812-580070  
Funding Source: Confiscated Funds  
Districts: All

This is a Formal Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Police Departments recommend award to BESA Equipment LLC the lowest responsive and responsible bidder.

**All Districts**

Police, Chief Gregory K. Allen, (915) 212-4305  
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

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



## Environments

25. The linkage to the Strategic Plan is subsection 4.1 - Deliver bond projects impacting quality of life across the city in a timely, efficient manner.

[21-56](#)

### Award Summary:

The award of Solicitation 2021-0376 Cleveland Clark Pocket Park Improvements to MARTINEZ BROS. CONTRACTORS, LLC for an estimated total award of \$121,759.29. The projects consist of parkway, landscape and irrigation improvements. Some of the improvements will include new bike racks, new receptacles, benches, and installation of landscape rock, trees and vegetation, and placement of geotextile fabric and rock mulch.

Department: Capital Improvement  
Award to: MARTINEZ BROS. CONTRACTORS, LLC  
El Paso, TX  
Item(s): All  
Initial Term: 150 Consecutive Calendar Days  
Base Bid: \$121,751.29  
Total Estimated Award: \$121,751.29  
Account No.: 471-71240-2400-580270- G7145CD68  
Funding Source: Community Development Block Grant  
District: 3

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to MARTINEZ BROS. CONTRACTORS, LLC 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 3

Capital Improvement Department, Sam Rodriguez, (915) 212-0065  
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

## **REGULAR AGENDA - OPERATIONAL FOCUS UPDATES**

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

- 26.** Presentation and discussion by the COVID-19 Response and Recovery Cross-Functional Team providing information on key activities, efforts and processes. [21-63](#)

1. Overview (Tommy Gonzalez)
2. CFT Operations (Chief Mario D'Agostino)
3. City Attorney Overview (Karla Nieman)
  - a) State Disaster Declarations
  - b) City Attorney's Office COVID-19 Support
4. Team Lead Reports:
  1. Health Focus (Hector Ocaranza, M.D.)
    - a) Community Task Force Recommendations Update
  2. Vaccination Update (Angela Mora)
  3. Testing Recap and Update (Tracey Jerome)
  4. Data Analysis (David Coronado)
  5. Planning + Infrastructure (Facilities) (Alex Hoffman)
  6. Education, Communication and Compliance (Laura Cruz-Acosta, Ellen Smyth, Dionne Mack)
  7. Financial Focus (Robert Cortinas)
  8. Community Vulnerabilities + Human Services (Nicole Ferrini)
  9. Economic Recovery (Jessica Herrera)
  10. Operations Focus (Cary Westin)

### **All Districts**

City Manager's Office, Cary Westin, (915) 212-1063

- 27.** Budget Update - 1st Quarter Financial Report. [21-83](#)

### **All Districts**

City Manager's Office, Nicole K. Cote (915) 212-1092

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

- 28.** Update on the Cite and Release as requested by the City Manager to provide quarterly reports to City Council regarding the cite and release program for the purposes of transparency and to provide data regarding citations being issued and when discretionary arrests are used in lieu of citation. Said reports must be submitted within 45 days after the end of the quarter for 24 months after the implementation of the program. The report should not include any information that would jeopardize any ongoing criminal investigation or prosecution, or include any sensitive, witness, or crime tip information. The report should include the following data for each instance: [21-41](#)

1. The documented reason for the stop or arrest;
2. The reason for the discretionary use of arrest (including but not limited to: outstanding warrants, intoxicated individual, uncooperative Individual, not a resident of the County of El Paso, habitual offender);
3. The race and ethnicity of the person; and
4. The general location, such as the region or zip code of the incident

**All Districts**

Police, Assistant Chief Z. Silva, (915) 212-4306

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

**Call to the Public will begin at 5:30 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: 960-358-843#**

**A sign-up form is available on line at:**

**[http://legacy.elpasotexas.gov/muni\\_clerk/signup\\_form.asp](http://legacy.elpasotexas.gov/muni_clerk/signup_form.asp) for those who wish to sign up in advance of the meeting.**

**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 3:30 p.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 Friday, 8:00 a.m. to 5:00 p.m.

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

29. **An Ordinance amending Title 17 (Housing), Chapter 17.20 (Fair Housing Ordinance) of the El Paso City Code to amend in its entirety the Chapter to change the word handicap to disability and to include protections**

**[21-62](#)**

**against discrimination for reasons of sexual orientation and gender identity.**

**All Districts**

Community & Human Development, Nicole Ferrini, (915) 212-1659

**PUBLIC HEARING WILL BE HELD ON FEBRUARY 2, 2021**

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

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

30. The linkage to the Strategic Plan is subsection 7.2 - Improve competitiveness through infrastructure improvements impacting the quality of life.

[21-53](#)

Award Summary:

Discussion and action on the award of Solicitation 2021-0252 Metro 31 Flood Zone Mitigation to ZTEX CONSTRUCTION, INC. for an estimated total award of \$1,176,885.77. This award will support the improvements to the commercial development known as Northgate, located at the intersection of Diana and Dyer Street.

Department: Capital Improvement  
Award to: ZTEX CONSTRUCTION, INC.  
El Paso, TX  
Item(s): All  
Initial Term: 300 Consecutive Calendar Days  
Base Bid I: \$1,176,885.77  
Total Estimated Award: \$1,176,885.77  
Account No.: 580010 - 480 - 4930 - 48000 - PEDFY18012  
522360 - 480 - 2323 - 48040 - PEDFY18012  
580170 - 480 - 4741 - 48040 - PEDFY18012  
580160 - 480 - 4741 - 48040 - PEDFY18012  
580270 - 480 - 4741 - 48040 - PEDFY18012  
Funding Source: 2017 Certificates of Obligation and Economic  
Development Incentives  
District(s): 4

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to ZTEX CONSTRUCTION, 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.

**District 4**

Capital Improvement Department, Sam Rodriguez, (915) 212-0065  
Purchasing and Strategic Sourcing, Bruce D. Collins, (915) 212-1181

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

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

31. An Ordinance amending Title 14 (Aircraft and Airports) Chapter 14.24 (Commercial Air Carriers Rates and Charges) to add Section 14.24.130 Daily Cargo Parking and Building Use Fee. [21-30](#)

**District 3**

Airport, Sam Rodriguez, (915) 212-7301

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

32. An Ordinance changing the zoning of portion of Tract 4G, Nellie D. Mundy Survey 240, City of El Paso, El Paso County, Texas from C-4/c (Commercial/conditions) to R-3A/c (Residential/conditions). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. [19-852](#)

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

Subject Property: East of Resler Dr. and South of Woodrow Bean Transmountain Rd.

Applicant: CSA Design Group, Inc. c/o Adrian Holguin-Ontiveros  
PZRZ20-00023

**[POSTPONED FROM 01-05-2021]**

**District 1**

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

33. An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.150 (Shared Mobility Devices), to update permit term and renewal requirements. [20-57](#)

**All Districts**

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

**REGULAR AGENDA - OTHER BUSINESS:**

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

34. Discussion and action on a Resolution that Schedule C, attached to the FY 2021 Budget Resolution and effective September 1, 2020, shall be amended as set forth in Attachment A, to establish the daily cargo parking and building use fee under Section 14.24.130 of the City Code. [21-47](#)

**District 3**

Airport, Sam Rodriguez, (915) 212-7301

35. Presentation and discussion by El Paso Electric to introduce Chief Executive Officer, Kelly Tomblin, and present an overview of El Paso Electric planned activities and goals moving into 2021. [21-73](#)

**All Districts**

Economic and International Development, Elizabeth Triggs, (915) 212-1619

36. Discussion of a Business Assistance and Recovery program implemented by the Economic and International Development Department. The program provides continued assistance to the local business community. [21-82](#)

**All Districts**

Economic and International Development, Jessica Herrera, (915) 212-1619

37. Discussion and action that the City of El Paso Incentives Policy - Guidelines and Criteria 2021 attached to Resolution, as Exhibit "A" be adopted as the City of El Paso Incentives Policy. [21-72](#)

**All Districts**

Economic and International Development, Jessica Herrera, (915) 212-1624

38. Discussion and action on a Resolution that the Texas Economic Development Fund Incentive Program - Policy and Guidelines be adopted as the Economic Development Fund contemplated in the January 28, 2020 order issued by the Public Utility Commission of Texas, Docket No. 49849. [21-65](#)

**All Districts**

Economic and International Development, Elizabeth Triggs, (915) 212-1619

39. Discussion and action that the City Manager is authorized to sign an Infill 380 Economic Development Program Agreement in a form substantially similar to the attached document by and between CITY OF EL PASO, TEXAS and GREAT RIVER COMMERCIAL, LLC. and EPPX MANAGEMENT PROPERTY, LLC. in support of the redevelopment of the property located at 1101-1125 TEXAS AVENUE, EL PASO, TEXAS 79901. [21-77](#)

**District 8**

Economic and International Development, Jessica Herrera, (915) 212-1624

40. Discussion and action on a Resolution that the City Council of the City of El Paso approves of the implementation of the Texas Gas Service Company ("TGS") Application to Implement Initial Rates for a Conservation Adjustment tariff; that the implementation occur on February 23, 2021; and the tariff will be filed once every 3 years on October 15th; and that two full time employees based in El Paso be hired by TGS to administer the program. [21-75](#)

**All Districts**

Economic and International Development, Elizabeth Triggs, (915) 212-1619

41. Discussion and action that the City Manager be authorized to sign an Agreement for Professional Services by and between the **CITY OF EL PASO** and **GARVER, LLC**, an Arkansas Limited Liability Company, for a project known as "**EL PASO INTERNATIONAL AIRPORT TAXIWAY K, K1, K2 AND J RECONFIGURATION**", for an amount not to exceed \$786,583.50; and [21-71](#)

That the City Manager or Designee be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed \$836,583.50; and 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 the Agreement.

**All Districts**

Capital Improvement Department, Sam Rodriguez, (915) 212-1815

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

42. Discussion and action on a request from Kinective Fitness Club, LLC for City Council to grant an exception from the prohibition of the sale of alcohol beverages within three hundred feet of a public or private school for a fitness gym requesting to sell beer and wine, for the property located at 1020 Belvidere, and legally described as a portion of Lot 1, Block 67-A, Chaparral Park #22, City of El Paso, El Paso County, Texas. [21-61](#)

**District 1**

Planning and Inspections, Philip Etiwe, (915) 212-1553

Planning and Inspections, Raul Garcia, (915) 212-1643

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

43. Discussion and action on a Resolution to authorize the City Manager or a designee to enter into contracts and amendments to contracts to carry out the 2021 Public Art Plan. [21-70](#)

**All Districts**

Museums & Cultural Affairs, Ben Fyffe, (915) 212-1766

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

44. Discussion and action on a Resolution authorizing the City Manager, or designee, to sign all contracts, contract amendments and related documents between the City of El Paso and the State of Texas for Texas Emergency Rental Assistance Program (TERAP) funds and to sign all contracts, amendments and related documents between the City of El Paso and agencies receiving sub-awards from the City (Sub-Grantee Agencies) for TERAP funds, as well as all certifications, performance reports, and related documents for Texas Department of Housing and Community Affairs (TDHCA) and Sub-Grantee Agencies.

[21-66](#)

**All Districts**

Community & Human Development, Nicole Ferrini, (915) 212-1659

**MEMBERS OF THE CITY COUNCIL**

45. Update and discussion from staff on the El Paso Electric Newman 6 Project and the recent ruling from all interveners to include the New Mexico Public Regulation Commission and the impact it will have on the City of El Paso and residents.

[21-96](#)

**All Districts**

Mayor and Council, Representative Aleksandra Anello, (915) 212-0002

Mayor and Council, Representative Peter Svarzbein, (915) 212-1002

**EXECUTIVE SESSION**

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.

**TEMPORARY SUSPENSION OF OPEN MEETINGS LAWS DUE TO EMERGENCY**

The Texas Governor temporarily suspended specified provisions of the Texas Open Meetings Act to allow telephonic or videoconference meetings and to avoid congregate settings in physical locations.

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

**Mayor Oscar Leeser and Representatives Peter Svarzbein, Aleksandra Anello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga.**

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

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

**Discussion and action on the following:**

- EX1.** Tovar, Daniel vs. City of El Paso; Matter: 19-1005-1751; (551.071) [21-97](#)  
City Attorney's Office, Karla M. Nieman, (915) 212-0033  
City Attorney's Office, Victoria Hayslett, (915) 212-0033
- EX2.** Birds N Beasts Inc. c/o Krathwohl, President; Matter No. 19-1045-096; (551.071) [21-93](#)  
City Attorney's Office, Karla M. Nieman, (915) 212-0033  
City Attorney's Office, Evan D. Reed, (915) 212-0033  
City Attorney's Office, Manuel Arambula, (915) 212-0033
- EX3.** Economic Incentives for a Telecommunications Company located in the City of El Paso. (21-1007-2674) (551.071) (551.087) [21-100](#)  
Economic and International Development, Jessica Herrera, (915) 212-0094
- EX4.** Status of pending negotiations for several Economic and International Development Department Projects in the City of El Paso. (20-1007-2670) (551.087) (551.071) [21-101](#)  
Economic and International Development, Jessica Herrera, (915) 212-0094

**ADJOURN**

**NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to 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/>