

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
PETER SVARZBEIN, DISTRICT 1
ALEXSANDRA ANNELLO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
JOE MOLINAR, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
CLAUDIA L. RODRIGUEZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

October 25, 2022
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY
9:00 AM

ROLL CALL

The City Council of the City of El Paso met on the above time and date. Meeting was called to order at 9:00 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Alexsandra Annello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, and Cissy Lizarraga. Late arrivals: Henry Rivera at 9:02 a.m. and Peter Svarzbein at 9:08 a.m. Early departures: Peter Svarzbein at 3:16 p.m. and Mayor Oscar Leeser at 3:18 p.m. The invocation was given by Police Chaplain and Sun Valley Baptist Pastor Dennis Coffman followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY EL PASO POLICE CHAPLAIN AND SUN VALLEY BAPTIST PASTOR DENNIS COFFMAN

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

Title IX 50th Year Anniversary and Celebration Week of UTEP's 1974 First Women's Volleyball and Basketball Teams

Red Ribbon Week

Ysleta Education Foundation Week

National Breast Cancer Awareness Month

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, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

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CONSENT AGENDA - APPROVAL OF MINUTES:
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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1. *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes of the Regular City Council Meeting of October 11, 2022, the Agenda Review Meeting of October 10, 2022, and the Work Session of October 10, 2022.

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

*Motion made, seconded, and unanimously carried to **DELETE** the request to excuse Mayor Oscar Leaser from the Regular City Council Meeting of Tuesday, October 25, 2022.

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CONSENT AGENDA - RESOLUTIONS:
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Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
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3. ***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 be authorized to sign an agreement between the City of El Paso and the Sun Bowl Association relating to services provided by the City of El Paso and the Sun Bowl Association in conjunction with the Sun Bowl Association events.

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Goal 3: Promote the Visual Image of El Paso
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4. ***R E S O L U T I O N**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, HUDSON J C E & DOROTHY J, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

7515 Taxco Dr, more particularly described as Lot 8 (12358 Sq Ft), Block 25, Hacienda Heights #4 Subdivision, City of El Paso, El Paso County, Texas, PID #H012-999-0250-2200

to be \$425.50, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 7th day of December, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED TWENTY FIVE AND 50/100 DOLLARS (\$425.50) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

5.

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

WHEREAS, the Environmental Services Department ("ESD") had previously placed liens on properties which were invoiced for the clean-up services provided under Chapter 9.04 including commensurate sales tax ("Sales Tax"); and

WHEREAS, the Texas Comptroller of Public Accounts has provided guidance that municipalities should not charge sales tax on the invoiced amounts for services provided; and

WHEREAS, ESD wishes to adjust the property owner's account by removing the Sales Tax charged to the property; and

WHEREAS, ESD wishes to release portions of liens, solely associated with the Sales Tax, previously placed on the properties; and

WHEREAS, upon removal of the portion of the lien associated with the Sales Tax, the remaining lien amounts will remain in full force and effect.

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

1. The City Manager or designee is granted authority to effectuate any accounting adjustments associated with the removal of the Sales Tax amounts invoiced to the properties identified in Exhibit A** of Attachment A.
2. The City Manager or designee is granted authority to sign the Release of Lien attached hereto and made a part hereof for all purposes intended as Attachment A.
3. The portion of the existing liens amounts reflected in the column labeled "Sales Tax Amount" in Exhibit A** of Attachment A shall be released from the properties identified in said Attachment.
4. The remaining lien amounts reflected in the column labeled "Revised Invoice Amount" will remain in full force and effect on the properties described in Exhibit A** of Attachment A.

5. The City Clerk is directed to give notice by filing a copy of this Resolution and the Release of Lien for record with the County Clerk.
6. All records of the City Clerk's office relating to the above described proceedings are made a part of this Resolution by reference.

Attachment A

Release of Lien

for portions of existing liens associated with
the invoicing of Sales Tax
on certain identified properties

STATE OF TEXAS)

)

COUNTY OF EL PASO)

R E L E A S E

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, after providing the notices to the property owner of the hereinafter described property that the property owner's property constituted a public nuisance due to the accumulation of trash, vegetation, weeds or other objectionable, unsightly or unsanitary matter in violation of the El Paso City Code, the property owner failed to comply after due notice, and the City's Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds and/or other rubbish; and

WHEREAS, fees associated with the cost of addressing the nuisance under Chapter 9.04 were assessed on the property; and

WHEREAS, in addition to the above fee(s), a commensurate sale tax ("Sales Tax") was also charged by the Environmental Services Department for the City of El Paso; and

WHEREAS, the El Paso City Council, in accordance with Chapter 9.04 of the El Paso City Code, previously declared amounts due for work performed which included the Sales tax and recorded said liens with the Real Property Records of El Paso County, Texas; and

WHEREAS, the Environmental Service Department wishes to release the portions of the liens associated with the Sales Tax.

NOW, THEREFORE, the City of El Paso does release the portion of the previously filed lien associated with the Sales Tax on the properties listed in **Exhibit A****.

**Exhibit A available at the City Clerk's Office.

6.

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

WHEREAS, the City of El Paso ("Landlord" or "City") owns the premises and improvements located at 400 W. San Antonio, Suite B, El Paso, Texas, 79902 ("Premises").

WHEREAS, eighty percent (80%) of the cost of construction of the Premises was paid through a grant from the United States Department of Transportation, through the Federal Transit Administration.

WHEREAS, the Government of the Country of El Salvador ("Tenant") desires to enter into a lease agreement with Landlord for use of the Premises as the location of the El Salvadoran Consulate.

WHEREAS, Landlord has determined that use of the Premises by Tenant would benefit the City of El Paso by serving the public purpose of providing consulate services to the residents of the City; fostering the City of El Paso's relationship with the Government of El Salvador; and growing the City of El Paso's international visibility;

WHEREAS, the lease agreement between Landlord and Tenant limits the use of the Premises by Tenant solely as the Consulate for the Government of El Salvador;

WHEREAS, Tenant has indicated a willingness and ability to use the property solely to provide consulate services in accordance with the terms of this Lease;

WHEREAS, the proposed lease between the City and the Tenant complies with the City's policies regulating leases.

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

THAT the City Manager is hereby authorized to sign, on behalf of the City of El Paso, a lease with the Government of the Country of El Salvador for the lease of 400 W. San Antonio, Suite B, El Paso, Texas 79902, for a five-year term, at an annual rental amount of \$38,959.92 with a 2% annual increase inclusive of the two, five-year options to extend.

7.

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

WHEREAS, pursuant to the City's 2022 calendar year City Council regular meeting schedule, City Council is scheduled to meet on Tuesday December 20, 2022; and

WHEREAS, the City Council desires to reschedule the December 20, 2022 meeting to Tuesday, December 13, 2022; and

WHEREAS, the City will resume its regular meeting of the City Council for the 2023 calendar year on Tuesday January 3, 2021.

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

That in conformity with Section 3.5A of the City Charter the regular City Council meeting scheduled on December 20, 2022 is hereby rescheduled for Tuesday December 13, 2022 and that the regular meetings of the City Council for the 2023 calendar year will resume on January 3 2023.

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

8.

***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, be authorized to sign an Agreement to Contribute

Right of Way Funds by and between the City of El Paso and the State of Texas, acting through the Texas Department of Transportation, for the SS 320 from BU 54 Dyer St. to Railroad Dr. highway improvements project, which has an estimated total project cost of \$2,887,416.00 of which the estimated local government participation amount is estimated at \$115,496.64. Further, that the City Manager, or designee, is authorized to sign all documents and perform all actions required to carry out the obligations of the City under this agreement.

9.

***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 a change order in the amount of \$305,143.22 to Lesna Construction Inc. for costs associated with project overhead and equipment standby for the Central Business District Phase IV Project, Contract No. 2021-0026. An additional sixty-six (66) working days are allowed for the completion of the work. The new contract sum, including this change order notice and previous change order notices, is \$13,217,428.02. The City Manager, or designee, is authorized to execute any documents and contract amendments needed to carry out the intent of this Resolution.

CONSENT AGENDA – SPECIAL APPOINTMENT:

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

10.

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

WHEREAS, the By-laws and Procedures for the Metropolitan Planning Organization's Transportation Policy Board (TPB) provide that the City of El Paso ("City") shall have multiple representatives on the TPB and one representative on the Transportation Project Advisory Committee ("TPAC"); and

WHEREAS, Yvette Hernandez, City Engineer, is currently one of the City's representatives on the TPB and is currently the City's singular representative on the TPAC; and

WHEREAS, the City desires to appoint Joaquin Rodriguez, Transportation Planning Administrator, as its TPAC representative, thereby replacing Ms. Hernandez on the TPAC; and

WHEREAS, the City desires that Ms. Hernandez continue as one of the City's representative on the TPB.

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

That Joaquin Rodriguez, Transportation Planning Administrator, is appointed as the City's representative to the Metropolitan Planning Organization's Transportation Project Advisory Committee; that Yvette Hernandez will remain one of the City's representative on the Transportation Policy Board; and the Mayor shall sign a letter informing the Metropolitan Planning Organization and the Transportation Project Advisory Committee of the change in City representation.

CONSENT AGENDA – BOARD RE-APPOINTMENTS:

Goal 3: Promote the Visual Image of El Paso

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11. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Rodolfo A. Barba to the Building and Standards Commission by Representative Cissy Lizarraga, District 8.
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Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments

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12. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Danny Padilla to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Henry Rivera, District 7.
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CONSENT AGENDA – BOARD APPOINTMENTS:

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Goal 8: Nurture and Promote a Healthy, Sustainable Community

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13. *Motion made, seconded, and unanimously carried to **APPOINT** Nathan Coleman to the City Accessibility Advisory Committee by Representative Joe Molinar, District 4.
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14. *Motion made, seconded, and unanimously carried to **APPOINT** James Pleasant II to the Regional Renewable Energy Advisory Council (RREAC), as a non-voting member, by Nicole Ferrini, Chief Resilience Officer.
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15. *Motion made, seconded, and unanimously carried to **APPOINT** Isabel Chacon to the Women's Rights Commission by Representative Isabel Salcido, District 5.
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CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS

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

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16. *Motion made, seconded, and unanimously carried to **APPROVE** a Tax Refund to WestStar Title, in the amount of \$4,065.03 for an overpayment made on July 27, 2022 of 2021 taxes. (Geo. # A462-999-0360-7600).
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CONSENT AGENDA – NOTICE FOR NOTATION

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

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17. *Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$1,000 from Marathon Petroleum for the District 2 Fall Festival hosted in District 2.
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Goal 5: Promote Transparent and Consistent Communication Amongst All Members of the Community

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18. *Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$4000 from ZTEX Construction toward the 3rd annual Halloween Costume Giveaway event that was held on October 13, 2022 at Marty Robbins Community Center in District 6.
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CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS

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

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19. *Motion made, seconded, and unanimously carried to **ACCEPT** the notation pursuant to Section 2.92.080 of the City Code, receipt of the following campaign contributions by City Representative Claudia L. Rodriguez, District 6: \$2500.00 from Ted Houghton; \$2500.00 from Rick Francis; \$1000.00 from Josh Hunt, \$2500.00 from Raymond Palacios; \$915.00 from Revive Medical PLLC; and \$100.00 from Phillip T. Laign.
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20. *Motion made, seconded, and unanimously carried to **ACCEPT** the notation pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions of five hundred dollars or greater by Representative Isabel Salcido in the amounts of \$1,038.73 by Yajaira Lopez, \$519.52 by Juan Uribe, \$2,500 by Jose Bernardo Soto, and \$2,500 by Gerald and Stanlee Rubin.
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REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL:

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

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21. RESOLUTION

WHEREAS, in 1982, Angel Orquiz founded, and has since then, been the president of the Detroit Iron Car Club with Rob Bender now serving as vice-president; and

WHEREAS, in 1995, the Street Memories Car Club was founded and since 2013, John Guerrero has served as president with Jesus Hughes as vice-president, and Lalo Rivera as Media Relations Director and Ken Murphy as Sergeant-at-Arms; and

WHEREAS, in 2015, Robert Pisenso founded the Bordertown Muscle Car Club and Mike Nuñez now serves as president; and

WHEREAS, in 2019, the three organizations formed the 3-Car Club, where they interact and gather together but remain autonomous; and

WHEREAS, the goal of the 3-Car Club is to help the community, persons with life-threatening illnesses, and to help charitable organizations raise funds by displaying their classic rides; and

WHEREAS, to date, the 3-Car Club has raised over \$13,000 for retired peace officers with more reaching out for assistance; and

WHEREAS, the 3-Car Club has participated in many car shows for the El Pasoans Fighting Hunger Food Bank, the Alzheimer’s Association, and the Christmas Trails for Toys, a group of Socorro Independent School District mothers that collects toys, food and clothing for needy families in the Mission Valley; and

WHEREAS, this year, on October 23, 2022, in partnership with City Representative Henry Rivera, District 7, and thanks to several sponsorships from the Albert Aveytia Allstate Agency, Advanced Auto Collision Center, El Paso Mail & Print Service, Five Star Collision, AGO Logistics and Fanatics Bar & Grill; the Detroit Iron Car Club, the Street Memories Car Club and the Bordertown Muscle Car Club were able to host a “Trunk-Or-Treat” car show to benefit the Alzheimer’s Association of El Paso and also participate in the 2022 Walk to End Alzheimer’s at La Viña Winery on October 22, 2022.

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

That the City of El Paso proudly honors and recognizes the Detroit Iron, Street Memories and Bordertown Muscle Car Clubs for their positive contributions and volunteer work in the community of El Paso. Thank you!

Representative Rivera commented and read the resolution into the record.

The following Club members commented:

1. Mr. Juan Guerrero
2. Mr. Lalo Rivera
3. Mr. Ray Rivera
4. Ms. Gracie Nunez

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

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

NAYS: None

22.

RESOLUTION

WHEREAS, Judy Ackerman has been a force for good in El Paso for over fifteen years and El Paso should feel fortunate that she chose to stay in our city when she retired from the United States Army in 2007 with the distinguished rank of Sergeant Major after 27 years of service; and

WHEREAS, Judy has worked tirelessly to ensure the conservation and preservation of El Paso's natural open spaces, on the mountain and down to the river with programs such as the Franklin Mountains Wilderness Coalition, the Friends of the Rio Bosque, the Sierra Club, the Frontera Land Alliance, and the Castner Range National Monument Coalition and they have all benefitted from Judy's participation; and

WHEREAS, Judy has rendered significant service to her many causes which deserves special recognition with one such instance being in 2008 she stood in front of machinery at the Rio Bosque Wetland for many hours, protecting it from the encroaching border fence; and

WHEREAS, in recent years Judy has been a dynamic force in the Castner Range effort, traveling outside El Paso as needed, to press for the declaration of this magnificent mountainside range as a national monument and when this finally does happen, Judy will deserve much of the credit, and

WHEREAS, volunteering one's time and resources has traditionally been, and continues to be, an elemental part of the essence and tradition of our country and is essential to its spirit and vitality;

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

That the City of El Paso is proud to recognize Judy Ackerman as she has been a benefit to both El Pasoans and visitors to our city, and recognition by the City is more than merited through her professional and personal contributions.

Representative Annello commented and read the resolution into the record.

Mayor Leeser and Representatives Svarzbein, Hernandez and Molinar commented.

The following members of the public commented:

1. Ms. Betty Ann Helliburton
2. Ms. Pat White
3. Mr. Marshall Carter-Tripp
4. Mr. Scott White
5. Ms. Marilyn Guida - Statement read by the City Clerk
6. Ms. Kathleen Staudt - Statement read by Representative Lizarraga
7. Ms. Sylvia Carreon - Statement read by the City Clerk
8. Ms. Veronica Carbajal - Statement read by Representative Annello
9. Ms. Melissa Kirkham - Statement read by the City Clerk
10. Ms. Diana Moy – Statement read into the record by Representative Annello
11. Mr. Don Baumgardt - Statement Read into the record by the City Clerk
12. Mr. Rick Lobello- Statement Read into the record by the City Clerk
13. Ms. Pauline Aguirre - Statement Read into the record by the City Clerk
14. Ms. Annalisa Benavides, Statement read by Representative Hernandez

1ST MOTION

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

2ND AND FINAL MOTION

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

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

NAYS: None

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Goal 8: Nurture and Promote a Healthy, Sustainable Community
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23.

RESOLUTION

WHEREAS, October is known as breast cancer awareness month, an annual campaign to raise awareness about the impact of breast cancer; and

WHEREAS, in 2020, an estimated 276,480 new cases of invasive breast cancer were diagnosed in women in the United States as well as 48,530 new cases of non-invasive breast cancer; and

WHEREAS, in October 2020, during a worldwide pandemic, more commonly known as COVID-19, Esther Melendez a then 37-year-old, mother, daughter, sister, friend, cheer coach and wife was diagnosed with STAGE 3 breast cancer; and

WHEREAS, Esther Melendez began her journey with treatment that included 6 weeks of radiation followed by 5 years of treatment at the El Paso Texas Oncology clinic

with the support from her family and friends, staying strong under the constant reminder, prayer This Too Shall Pass; and

WHEREAS, Esther Melendez, a strong, Latina, female presence in the City of El Paso, a resident of District 6, a Montwood alumni and a woman who has committed to giving back to her community when she first started her team Cheer Force back in 2018 when she was first approached by the City of El Paso's Parks and Recreation department, to start a city team; and

WHEREAS, upon accepting to volunteer her time as a cheer coach, Esther began to cultivate and grow the program at Marty Robbins Rec Center, where the success of the program out grew the space available for young cheer athletes and coach Esther had to move the team to a larger facility to keep up with the demand in growth for aspiring young cheer leaders, in the Cheer Force program grew to over 100 athletes from the original 12; and

WHEREAS, Esther has always been about giving back to the community either by being a devoted coach or by being an involved leader, Esther has taught her team about the importance of giving back to the community through the means of volunteering by hosting an annual can food drive during the month of November; and

WHEREAS, even through her battle with cancer, and the challenges that chemotherapy brings about, Esther a 37-year-old young mother, young wife, and a young coach, persevered and pushed forward for the success of those around her including her children, her husband but especially for the young cheer athletes she proudly serves; and

WHEREAS presently even though Esther is still in battle with breast cancer, she is letting cancer know that she is not a victim of cancer but instead proudly stands with the thousands of women across our country to tell her story and to let her cancer know that it will not stop her from living her life to the fullest, she will not give up and she will prevail!

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

1. Recognizes the month of October as breast cancer awareness month; and
2. Thanks, Esther Melendez, for her service to El Paso Parks and Recreation by investing and devoting herself to Cheer Force athletics; and
3. Stands with Esther Melendez in her battle to beat breast cancer. God Bless you and congratulations, you already won!

Representative Rodriguez commented and read the resolution into the record.

Ms. Esther Melendez, honoree, commented.

1ST MOTION

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

2ND AND FINAL MOTION

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

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

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The Regular City Council meeting was **RECESSED** at 10:13 a.m. in order to take photos with the honorees.

The Regular City Council meeting was **RECONVENED** at 10:33 a.m.

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Goal 3: Promote the Visual Image of El Paso

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24. ITEM: Discussion and action to direct the City Manager and City Attorney to impose a moratorium on Article XVII of the City's Municipal Code for residential property owners who have filed an over 65 or persons with disabilities homestead exemption with the El Paso Central Appraisal District; this moratorium will protect a person over 65 years or disabled person from receiving a citation from the City for overgrown weeds at their homestead property; to go into effect immediately and expire on December 31, 2022.

Motion made by Representative Rivera, seconded by Representative Annello, and unanimously carried to **DIRECT** the City Manager and City Attorney to establish a moratorium on Article XVII of the City's Municipal Code for residential property owners who have filed an over 65 or persons with disabilities homestead exemption with the El Paso Central Appraisal to expire on December 31, 2022.

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

- 25. ITEM:** Discussion and action to direct the City Manager and City Attorney to create an amnesty period for residential property owners who have filed an over 65 or persons with disabilities exemption with the El Paso Central Appraisal District that have received a citation for overgrown weeds in the last 60 days.

Motion made by Representative Rivera, seconded by Representative Annello, and unanimously carried to **DIRECT** the City Manager and City Attorney to create an amnesty period for residential property owners who have filed an over 65 or persons with disabilities exemption with the El Paso Central Appraisal District that have received a citation for overgrown weeds in the last 60 days.

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

- 26. ITEM:** Discussion and action to direct the City Manager and City Attorney to create a permanent moratorium on Article XVII of the City's Municipal Code for residential property owners who have filed an over 65 or persons with disabilities exemption with the El Paso Central Appraisal District from July 15 to September 30 of every year. Calling it the "65 for 65+ Moratorium." The moratorium will protect a person over 65 years or disabled person from receiving a citation from the City for overgrown weeds at their homestead property during El Paso's monsoon season.

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

The following City staff members commented:

- Ms. Ellen Smyth, Chief Transit and Fields Operations Officer
- Ms. Lillia Worrell, Municipal Court Director
- Ms. Karla Nieman, City Attorney
- Mr. Tommy Gonzalez, City Manager

Motion made by Representative Rivera, seconded by Representative Annello, and unanimously carried to **DIRECT** the City Manager and City Attorney to create a permanent moratorium on Article XVII of the City's Municipal Code for residential property owners who have filed an over 65 or persons with disabilities exemption with the El Paso Central Appraisal District from July 15 to September 30 of every year and develop a program and/or partner with a non-profit organization that can provide free of charge landscaping/yard cleaning service to home property owners 65 or older or persons with disabilities who are unable to complete the physical activity necessary to upkeep with overgrown weeds and return to Council in four weeks.

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

NAYS: None

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- 27. ITEM:** Discussion and action to direct the City Manager to outsource companies to help with the weed cleanup efforts across the city.

Mayor Leeser and Representatives Svarzbein, Annello, Hernandez, Salcido, Rodriguez, and Rivera commented.

Ms. Ellen Smyth, Chief Transit and Fields Operations Officer, commented.

Motion made by Representative Rodriguez, seconded by Representative Salcido, and unanimously carried to **DIRECT** the City Manager to outsource companies to help with the weed cleanup efforts across the city.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annello

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Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments
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28.

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 declares that the expenditure of District 2 discretionary funds, in an amount not to exceed \$1,600.00, for a Fall Festival at Memorial Park Reserve, serves the municipal purpose of enhancing the quality of life of the citizens of El Paso through entertainment to citizens in El Paso, and by fostering community pride and encouraging civic engagement ; and

Further, that the City Manager, or designee, be authorized to effectuate any budget transfers and execute any contracts and/or related documents necessary to ensure that the funds are properly expended for the municipal purpose.

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

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

NAYS: None

29.

RESOLUTION

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

That the City Council declares that the expenditure of District 1 discretionary funds in an amount not to exceed \$25,000 to improve the Westside Community Dog Park and Lower Tom Lea Dog Park to serve a municipal purpose of enhancing the quality of life through recreational, cultural and educational environments for El Paso residents;

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.

Representative Svarzbein commented.

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

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

NAYS: None

30. **ITEM:** Discussion and action formalizing the name of the City of El Paso open space preserve to read "Lost Dog Nature Preserve."

Representative Svarzbein commented.

Mr. Scott White, citizen, commented.

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello, and unanimously carried to **FORMALIZE** the name of the City of El Paso open space preserve to read "Lost Dog Nature Preserve."

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Lizarraga

31.

RESOLUTION

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

That the City Council declares that the expenditure of District 1 discretionary funds in an amount not to exceed \$2,500 for sponsorship of the Vanguard conference hosted in our community, to promote visual image of the City of El Paso;

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

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

32.

RESOLUTION

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

That the City Council declares that the expenditure of District 8 discretionary funds, in an amount not to exceed \$5,000.00, for the painting of a mural on the basketball court surface at Tula Irrobali Park in collaboration with local muralist Jesus "Cimi" Alvarado, serves the municipal purpose of enhancing the quality of life of the citizens of El Paso through the development of fine arts and cultural properties and by encouraging the integration of art in the architecture of municipal structures; and

That the City Attorney be authorized to negotiate and the City Manager be authorized to sign an appropriate contract and contract amendment to ensure that the funds are properly expended for the municipal purpose.

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

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

Goal 8: Nurture and Promote a Healthy, Sustainable Community

33. Presentation by Christina I. Paz, Chief Executive Officer of Centro San Vicente, on the services offered to the El Paso community by the Centro San Vicente Clinic.

Representative Rivera introduced the item.

Ms. Christina I. Paz briefed Council members on the the important and meaningful work and variety of services provided by the non-profit health center.

Mr. David Porras, Chairman for Centro San Vicente, commented.

*Motion made, seconded, and unanimously carried to **TAKE ITEM** after Item 23 of the agenda.

NO FURTHER ACTION was taken on this item.

REGULAR AGENDA – OPERATIONAL FOCUS UPDATES

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

34. Presentation and Update on Accomplishments and Capital Project Impacts.

Mr. Tommy Gonzalez, City Manager, introduced the item.

Mr. Sam Rodriguez, Chief Operations Officer, and Mr. Robert Cortinas, Chief Financial Officer, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Hernandez and Rodriguez commented.

NO ACTION was taken on this item.

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

35. Streets and Maintenance Department Facilities Management Update.

Mr. Victor Morales, Streets and Maintenance Facility Engineer, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mr. Richard Bristol, Streets and Maintenance Director, commented.

Representatives Hernandez and Lizarraga commented.

NO ACTION was taken on this item.

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36. Presentation and discussion on Pavement Condition Index (PCI) results.

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Hernandez, and unanimously carried to **POSTPONE** the presentation for **TWO WEEKS**.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Annello

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

37. Presentation and discussion on El Paso Animal Services Medical Operations.

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Hernandez, and unanimously carried to **POSTPONE** the presentation for **TWO WEEKS**.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Annello

.....
The Regular City Council Meeting was **RECESSED** at 11:36 a.m. for lunch.

The Regular City Council Meeting was **RECONVENED** at 12:04 p.m.

.....
CALL TO THE PUBLIC – PUBLIC COMMENT:
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The following members of the public commented:

1. Ms. Wally Cech

2. Mr. Ron Comeau
3. Mr. Carlos Carmona
4. Ms. Georgia Paul
5. Ms. Susan Martinez

REGULAR AGENDA – FIRST READING OF ORDINANCES:

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Annello

Goal 3: Promote the Visual Image of El Paso

38. An Ordinance vacating a 3.81 acre portion of Threadgill Avenue, Ranchito Avenue, Roanoke Avenue, Rutledge Place, and Albany Drive, located within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas.

Applicant: El Paso Water Utilities - Public Service Board, SURW22-00007

PUBLIC HEARING WILL BE HELD ON NOVEMBER 8, 2022

39. An Ordinance changing the zoning of Lots 1 through 16, Block 36, East El Paso, 3200 and 3230 Durazno Avenue, City of El Paso, El Paso County, Texas from M-1 (Light Manufacturing) 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.

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: 3200 and 3230 Durazno Ave.

Applicant: Spaghetti Bowl Properties, LLC, PZRZ22-00025

PUBLIC HEARING WILL BE HELD ON NOVEMBER 22, 2022

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

40. *Motion made, seconded, and unanimously carried to **DELETE** an Ordinance of the City Council of the City of El Paso, Texas, ordering a Special Election for the submission of Charter Amendments to Section 2.2C to allow persons to serve two full terms as Mayor or District Representative if a such person carried out an unexpired term; Section 3.18 to allow City Council to authorize leases for 40 years or less by Resolution or Ordinance; Section 3.5A to allow Council to reschedule meetings for holidays and allow the Mayor to cancel a Council meeting if required due to Declared Emergency; Section 3.9B, 3.10B, and 6.1-12 to align to State law and update obsolete references; Section 3.11 to remove the requirement for a second petition in initiatives, and provide a procedure for citizens to initiate City Ordinances; Section 1.2, 3.5E, 3.6, 4.1B, 4.3 and 7.3 to authorize the Mayor to vote on all Council items, removing the tie-breaking and veto capacity; Section 6.1-4 to authorize the City to create a policy regarding membership on the Civil Service Commission to reflect the community and City Workforce; Sections 6.2-2 and 6.2-3 to align the employee serving as Civil Service

Commission Recorder with other employees carrying out similar duties; Section 6.7-1 and 6.8-1 to allow the City to establish more flexible policies in hiring employees; Section 6.13-11D to establish the City contribution to the Police and Fire Pension Fund of no less than 18% of the wages of the participants, and remove the limit on the City's contribution; such Election to be held within the City, on November 8, 2022; making provisions for the conduct of the Election; and authorizing a contract with El Paso County to furnish election services and equipment; providing for severability and setting an effective date.

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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:
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Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational
.....

41. *Motion made, seconded, and unanimously carried to **POSTPONE TWO WEEKS** the discussion and action that the City Manager be authorized to sign a Use, Construction, and Donation Agreement with Western Refining Company, LLC for use, construction and donation of improvements at Marina Rios Park.

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REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:
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Goal 3: Promote the Visual Image of El Paso
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ITEMS 42 AND 43 WERE TAKEN TOGETHER
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42. ORDINANCE 019392

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 17 TO 20, BLOCK 52, BASSETT, 2101 TEXAS AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-3/SP (APARTMENT/SPECIAL PERMIT) TO C-4 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

THE PROPOSED REZONING MEETS THE INTENT OF THE FUTURE LAND USE DESIGNATION FOR THE PROPERTY AND IS IN ACCORDANCE WITH PLAN EL PASO, THE CITY'S COMPREHENSIVE PLAN.

43. ORDINANCE 019393

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST22-00011, TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN REAR YARD SETBACK AND SIDE STREET YARD SETBACK AND 100% PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 17 TO 20, BLOCK 52, BASSETT, 2101 TEXAS AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT AND 20.14.070 PARKING REDUCTION OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

THE PROPOSED SPECIAL PERMIT MEETS THE INTENT OF THE FUTURE LAND USE DESIGNATION FOR THE PROPERTY AND IS IN ACCORDANCE WITH PLAN EL PASO, THE CITY'S COMPREHENSIVE PLAN.

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

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

44.

ORDINANCE 019394

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 4, KILPATRICK SUBDIVISION, 8636 NORTH LOOP DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) TO C-3 (COMMERCIAL) AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

THE PROPOSED REZONING MEETS THE INTENT OF THE FUTURE LAND USE DESIGNATION FOR THE PROPERTY AND IS IN ACCORDANCE WITH *PLAN EL PASO*, THE CITY'S COMPREHENSIVE PLAN.

Motion duly made by Representative Rivera, 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 Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Annello

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:

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

45.

RESOLUTION

WHEREAS, on May 19, 2022 the Mayor of the City of El Paso ("City") issued an Emergency Ordinance due to a new wave of migration through the City of El Paso ("Ordinance 019333"); and

WHEREAS, on September 12, 2022, City Council ratified the award of 2022-0971 Charter Bus Transportation Services ("Contract"), under § 252.022(a)(1) – (2) of the Texas Local Government Code in an amount not to exceed \$2,000,000 from August 26, 2022 to December 31, 2023 to Gogo Charters LLC, for charter bus transportation services to migrants; and

WHEREAS, on September 27, 2022, City Council approved the contract increase for 2022- 0971 Charter Bus Transportation Services for an additional amount of \$4,000,000 for a total amount not to exceed \$6,000,000; and

WHEREAS, as of October 19, 2022 the City has expended \$ \$6,095,700 for contract 2022- 0971 Charter Bus Transportation Services; and

WHEREAS, the City wishes to increase the amount of the Contract to allow the City to continue to use the Contract to provide transportation to migrants to other cities as may be needed.

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

That the City Council ratify the contract increase of contract 2022-0971 Charter Bus Transportation Services for an additional \$2,000,000 for a total amount not to exceed \$8,000,000.

The following City staff members presented a PowerPoint presentation and answered questions posed by Council members:

- Assistant Fire Chief Jorge Rodriguez
- Chief Mario D'Agostino, Deputy City Manager
- Ms. Nicole Cote, Managing Director of Office of Management and Budget and Purchasing and Strategic Sourcing

The following City staff members commented and assisted answering questions from members of Council:

- Mr. Tommy Gonzalez, City Manager
- Mr. Robert Cortinas, Chief Financial Officer
- Ms. Tracey Jerome, Senior Deputy City Manager

Mayor Leeser and Representatives Annello, Molinar, Salcido, and Rodriguez commented.

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

AYES: Representatives Annello, Hernandez, Molinar, Rivera, and Lizarraga

NAYS: Representatives Salcido and Rodriguez

NOT PRESENT FOR THE VOTE: Representative Svarzbein

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

46.

RESOLUTION

WHEREAS, through Ordinance No. 019355, adopted July 19, 2022, the City of El Paso ("City") approved the Complete Streets Policy, an addendum to the City's Comprehensive Plan, *Plan El Paso*; and

WHEREAS, pursuant to the Complete Streets Policy, the Technical Review Committee (the "TRC") and the Mobility Advisory Committee (the "MAC") were to be created; and

WHEREAS, the TRC is responsible for overseeing implementation of the Complete Streets Policy and is comprised of staff from various City departments and one representative from the MAC; and

WHEREAS, pursuant to the Complete Streets Policy, the TRC is responsible for drafting an enabling policy creating the MAC; establishing its membership and responsibilities; and describing how the TRC and MAC will interface; and

WHEREAS, City staff has prepared a "Mobility Advisory Committee Enabling Policy," attached as Exhibit "A"**, for the purpose of creating the MAC; establishing membership and responsibilities; and describing how the TRC and MAC will interface.

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

That the "Mobility Advisory Committee Enabling Policy," attached as Exhibit "A"**, is approved; and, in furtherance of the approved policy, City staff is directed to perform all acts necessary to give effect to the "Mobility Advisory Committee Enabling Policy."

**Exhibit A available at the City Clerk's Office.

Mr. Joaquin Rodriguez, Capital Improvement Project Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Annello, Salcido, and Rodriguez commented.

Mr. Scott White, citizen, commented.

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

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

NAYS: Representative Rodriguez

NOT PRESENT FOR THE VOTE: Representative Svarzbein

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

- 47. ITEM:** FY 2021-2022 4th Quarter Financial Report and to authorize the City Manager or his designee to allocate year-end surplus to the Operating and Debt Stabilization Fund.

*Motion made, seconded, and unanimously carried to **DELETE** the item.

- 48. ITEM:** Discussion and action on the City of El Paso's Legislative Agenda for the 88th Regular Session of the Texas State Legislature.

Ms. Lindsey Adams, Legislative Liaison, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Ms. Guadalupe Cuellar and Mr. Snapper Carr, Legislative Attorneys, expanded on the agenda proposals and answered questions posed by Council members.

Representatives Svarzbein, Annello, Hernandez, and Rodriguez, commented.

The following City staff members commented and answered questions from members of Council:

1. Ms. Karla Nieman, City Attorney
2. Chief Mario D'Agostino, Deputy City Manager
3. Assistant Police Chief Humberto Talamantes
4. Mr. Abraham Gutierrez, Community and Human Development Assistant Director

Mr. Scott White, citizen, commented.

1ST MOTION

Motion made by Representative Svarzbein, seconded by Representative Rivera and carried to move the legislation that appropriates money for the Moving Image Industry Incentive Program (MIIIP) and creates supplemental tools for local communities to attract moving image projects and related jobs; from the Support section to the Priority Legislative Initiative section of the Legislative agenda.

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

NAYS: Representative Rodriguez

2ND MOTION

Motion made by Representative Hernandez, seconded by Representative Svarzbein and carried to **OPPOSE** legislation that removes the local health authority's existing authority to issue emergency orders and **SUPPORT** legislation that gives continued authority to the local health authority to issue emergency orders.

AYES: Representatives Svarzbein, Anello, Hernandez, Molinar, Rivera, and Lizarraga

NAYS: Representatives Salcido and Rodriguez

3RD MOTION

Motion made by Representative Anello, seconded by Representative Rivera and carried to **DELETE** the opposition to legislation that will allow U.S. Border Patrol Agents to be carried as state peace officers.

AYES: Representatives Svarzbein, Anello, Molinar, Salcido, and Rivera

NAYS: Representatives Hernandez, Rodriguez, and Lizarraga

4TH MOTION

Motion made by Representative Anello, seconded by Representative Svarzbein and carried to **POSTPONE** the items listed under the Affordable Housing Section for 2 weeks until the November 7, 2022 Work Session.

- Support legislation that prioritizes viable transactions for 4% Low Income Housing Tax Credit (LIHTC) Applications
- Support legislation that would repeal the two mile/same year rule for low income housing tax credits or allow municipalities to approve a waiver of the rule
- Support legislation that would limit Housing Finance Corporations to operate only within the municipal city limits

AYES: Representatives Svarzbein, Anello, Hernandez, Salcido, Rivera, and Lizarraga

NAYS: Representatives Molinar and Rodriguez

5TH MOTION

Motion made by Representative Rodriguez, seconded by Representative Annello and carried to **POSTPONE** the action on the following items for 2 weeks until the November 7, 2022 Work Session.

- Legislation to reduce residential speed limits
- Legislation to limit bar parking requirements
- Legislation to use Proposition 7 funds to support urban transit

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

NAYS: Representative Molinar

6TH AND FINAL MOTION

Motion made by Representative Annello, seconded by Representative Rivera, and unanimously carried to **APPROVE** the City of El Paso's Legislative Agenda for the 88th Regular Session of the Texas State Legislature as presented by City Staff and **REVISED**.

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

NAYS: None

49.

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 on the terms 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 Utility District No. Seven ("M.U.D. No. 7") requested review and approval of the issuance of the Unlimited Tax Bonds, Series 2022 Bonds by M.U.D. No. 7 (the "Series 2022 Bonds"); and

WHEREAS, the City reviewed the proposed issuance of Series 2022 Bonds by M.U.D. No. 7 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 2022 Bonds in the estimated amount of \$2,750,000, by Paseo Del Este Municipal Utility District No. 7, with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

Representative Salcido commented.

Mr. Robert Cortinas, Chief Financial Officer, commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

50.

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 on the terms 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 Utility District No. Five ("M.U.D. No. 5") requested review and approval of the issuance of the Unlimited Tax Bonds, Series 2022 Bonds by M.U.D. No. 5 (the "Series 2022 Bonds"); and

WHEREAS, the City reviewed the proposed issuance of Series 2022 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 2022 Bonds in the estimated amount of \$1,250,000, 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.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

ADJOURN

Motion made by Representative Annello, seconded by Representative Molinar, and unanimously carried to **ADJOURN** this meeting at 4:00 p.m.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk