

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

**May 11, 2021
3:30 PM**

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Due to the temporary suspension of specified provisions of Texas Open Meetings laws due to the COVID-19 emergency this meeting was conducted via telephonic and videoconference platforms.
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ROLL CALL

The City Council of the City Council 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: Peter Svarzbein, Alexandra Anello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga.

INVOCATION BY POLICE CHAPLAIN ROBERT HEMPHILL

PLEDGE OF ALLEGIANCE

Students from Benito Martinez Elementary School

Jordan Aguirre, Eli Dominguez Amador, Ismael Contreras, Mia Contreras, Georgia Lynn Cruz Trase Delgadillo, Carlos Delgado, Mavis Estrada, Valentino Franco, Angela Galaz Khloe Gonzalez, Bella Johnson, Chase Lopez, Oliver Montes, Erick Novella, Seri Obptande Zachary Obptande, Makana Primacio, Dante Ramirez, Sabella Ramirez, Brianna Reed Gemma Rodriguez, Giovanni Rodriguez, Jahdielbanex Rodriguez, Josias Rodriguez Jayden Salas, Evangeline Sierra, Lillian Sloggett, Haggit Solis, Jaime Vasquez, Oscar Verduzco

MAYOR'S PROCLAMATIONS

El Paso Police Officers Memorial Day and Police Week

Joint Advisory Committee for Air Quality Improvement Recognition Day

NOTICE TO THE PUBLIC

1ST MOTION

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

2ND MOTION

Motion made by Representative Hernandez, seconded by Representative Rivera, and unanimously carried to **RECONSIDER** the items in the Consent Agenda in order to allow a speaker on Item 17.

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

NAYS: None

3RD AND FINAL MOTION

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 April 27, 2021, the Agenda Review Meeting of April 26, 2021, the Work Session of April 26, 2021, the Work Session of April 15, 2019, the Special Meeting of July 22, 2019, and the Work Session of October 14, 2019.

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

NO ACTION was taken on this item.

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

3.

***RESOLUTION**

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

That the City Manager be authorized to sign the First Amendment to the City of El Paso Infill Development Incentive Policy that was approved by City Council on May 16, 2017; extending the effective date of this policy through June 1, 2022.

4.

***RESOLUTION**

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

That the City Manager be authorized to sign the Second Amendment to the City of El Paso Transit Oriented Development Incentive Policy that was approved by City Council on May 30, 2017; extending the effective date of this policy through June 1, 2022.

Goal 3: Promote the Visual Image of El Paso

5.

***RESOLUTION**

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

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

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

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

0 Baker more particularly described as BLK 1 Desert Villas Lot 2,
PIO# D467-999-0010-0200

to be \$649.37, 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 4th day of February, 2020, 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 SIX HUNDRED FORTY NINE AND 37/100 DOLLARS

(\$649.37) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

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

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

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

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

0 Mesquite more particularly described as Andrew Stout Surv 135
ABST 2695 Lot TR 15-A (0. 7819 AC), PIO #X135-999-0000-6625

to be \$347.36, 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 4th day of February, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FORTY SEVEN AND 36/100 DOLLARS (\$347.36) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

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

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

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

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

0 PELL WAY more particularly described as 7 YSLETA TR 12-D
(6.4490 AC), PID #Y805-999-0070-1260

to be \$2,254.72, 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 11th day of February, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount TWO THOUSAND TWO HUNDRED FIFTY FOUR AND 72/100 DOLLARS (\$2,254.72) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

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

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

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

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

211 Mango Rd., more particularly described as 26 Cedar Grove Park
Replat Lot 29, PID #C301-999-0260-5700

to be \$343.03, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 11th day of February, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FORTY THREE AND 03/100 DOLLARS (\$343.03) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, HOFFER, JUSTIN, 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:

333 Thunderbird Dr., more particularly described as 7 Coronado
Country Club Fthills Lot 2 (8030 Sq. Ft.), PID #C809-999-0070-0400

to be \$357.10, 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 6th day of February, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FIFTY SEVEN AND 10/100 DOLLARS (\$357.10) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, BLOOM LURDES V S & CHOU BERTH, 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:

234 Cargill St., more particularly described as Park Side 11 & N 11
Ft. of 12 & N 2 1/2 of S 39 Ft. of E 111 Ft. of 12 (12237 Sq. Ft.),
PID #P376-999-0000-2800

to be \$410.14, 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 14th day of February, 2020, 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 TEN AND 14/100 DOLLARS (\$410.14) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, COBB, ZOLLIE R JR., 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:

7820 Mustang Ave., more particularly described as 9 Ranchland Hills 6 6100 Sq. Ft., PID #R200-999-0090-2100

to be \$343.03, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 6th day of February, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FORTY THREE AND 03/100 DOLLARS (\$343.03) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above

described property are made a part of this Resolution by reference.

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

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

That the City of El Paso Museums and Cultural Affairs Department Cultural Funding Guidelines for Fiscal Year 2022 (attached as Exhibit "A") be approved, as recommended by the Museums and Cultural Affairs Staff. The Cultural Funding Guidelines for Fiscal Year 2022 include the Artist Incubator Program (AIP), the Operating Support Program (OSP) and the new Arts Activate Program (AAP).

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7. *RESOLUTION

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

That the City Manager be authorized to sign the First Amendment to the Plaza Theatre Closeout Agreement, by and between the City of El Paso and the El Paso Community Foundation, addressing the change of ownership of movie posters that are on loan and display in the Plaza Theatre since 2006.

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

WHEREAS, pursuant to Section 33.011(a)(1) of the Tax Code, the governing body of a taxing unit shall waive penalties and may provide for the waiver of interest on a delinquent tax in an act or omission of an officer, employee, or agent of the taxing unit or appraisal district in which the taxing unit participates caused or resulted in the taxpayer's failure to pay the tax before delinquency and if the tax is paid not later than the 21st day after the taxpayer knows or should know or should know of the delinquency; and

WHEREAS, pursuant to Section 33.011(d) a request for waiver of penalties and interest pursuant to Section 33.011(a)(1) must be made before the 181st day after the delinquency date; and

WHEREAS, pursuant to Section 33.011(d) of the Tax Code, taxpayer, JUSTO J. ANDRADE ("Taxpayer") requested a waiver of penalties and interest on March 20, 2021, before the 181st day after the delinquency date, in the amount of \$540.55 for the 2020 delinquent taxes for the property with the following legal description:

79 TSP 3 SEC 17 T & P ABST 2154 S 131.08 FT OF N 392.58 FT OF W 1/2 OF SE 1/4 OF SW 1/4 OF NE 1/4 (1.00 AC)

WHEREAS, the Taxpayer paid the taxes owed on the property on March 25, 2021, which is not later than the 21st day after the date the taxpayer knew or should have known of the delinquency; and

WHEREAS, the Taxpayer's failure to pay the tax before the delinquency date was a result of an act or omission of the tax office.

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

THAT the Taxpayer JUSTO J. ANDRADE, has met the requirements of Section 33.011 of the Tax Code for the request of waiver of penalties and interest and the City waives the penalty and interest amount on the 2020 delinquent taxes pursuant to Section 33.011(a)(1) of the Tax Code in the amount of \$540.55, for the property with the following legal description:

79 TSP 3 SEC 17 T & P ABST 2154 S 131.08 FT OF N 392.58 FT OF W 1/2 OF SE 1/4 OF SW 1/4 OF NE 1/4 (1.00 AC)

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

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

That the Mayor be authorized to sign and submit Amendment No. 5 to HHSC Contract No. 537-18-0159-00001, under which the City of El Paso, through its Department of Public Health, provides the Department of State Health Services with laboratory analyses of submitted milk samples. Amendment No. 5 will extend the contract end date to August 31, 2022, and will increase the funds available in support of the services provided under the contract by adding \$34,750.00, for a total compensation amount not to exceed \$173,750.00.

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CONSENT AGENDA - BOARD APPOINTMENTS:
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Goal 3: Promote the Visual Image of El Paso
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10. *Motion made, seconded, and unanimously carried to **APPOINT** Erik Tijerina to the Building and Standards Commission by Representative Isabel Salcido, District 5.

11. *Motion made, seconded, and unanimously carried to **APPOINT** Yajaira Lopez to the Zoning Board of Adjustment, as an Alternate Member, by Representative Isabel Salcido, District 5.

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Goal 8: Nurture and Promote a Healthy, Sustainable Community
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12. *Motion made, seconded, and unanimously carried to **APPOINT** Sandi J. Smith to the Fair Housing Task Force, as a Regular Member, by Mayor Oscar Leeser.

13. *Motion made, seconded, and unanimously carried to **APPOINT** Paul Garcia, Jr. to the Regional Renewable Energy Advisory Council by Representative Claudia L. Rodriguez, District 6.

CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS:

14. *Motion made, seconded, and unanimously carried to **APPROVE** the tax refund listed below and posted on the attachment with this agenda:

1. Efrain Corona Family 2005 Trust and Coron, in the amount of \$2,896.62, made an overpayment on March 8, 2021 of 2020 taxes.
(Geo. # S658-999-0050-1200)

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Texas Title Company ("Taxpayer") has applied for a refund with the tax assessor for their 2015 property taxes that were overpaid on August 01, 2016 in the amount of \$9,600.55 for all taxing entities; and

WHEREAS, City Council ma) extend the deadline for the Taxpayer's application for the Overpayment of the 2015 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Texas Title Company showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2015 laws and the tax refund in the amount of \$9,600.55 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed t\0 years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Texas Title Company ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on November 13, 2017 in the amount of \$18.55 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Texas Title Company showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2017 taxes and the tax refund in the amount of \$18.55 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Texas Title Company ("Taxpayer") has applied for a refund with the tax assessor for their 2015 property taxes that were overpaid on August 31, 2016 in the amount of \$5,989.37 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2015 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Texas Title Company showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2015 taxes and the tax refund in the amount or \$5,989.37 is approved.

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CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS:
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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16. *Motion made, seconded, and unanimously carried to **ACCEPT** the notation pursuant to Section 2.92.110 of the City Code, receipt of campaign contributions of five hundred dollars or greater by Representative Cissy Lizarraga in the amounts of \$2,500 from L. Frederick Francis; \$500 from Deborah C. Kastrin; \$1,000 from Donald R. Margo II & Adair W. Margo Trustees of the Margo Living Trust; \$2,500 from Paul L. Foster; \$500 from Linebarger Goggan Blair & Sampson, LLP Attorneys at Law; \$500 from Leonard A. Goodman III; \$2,500 from Ginger G. Francis; \$2,500 from Linda Christina Troncoso; \$2,500 from Richard A. Castro; \$500 from Dan W. Olivas; \$500 from Ike J. Monty; \$2,500 from E.C. Houghton, Jr.; \$1,305 in-kind from Woody L. Hunt.
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CONSENT AGENDA – BIDS:

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Goal 7 : Enhance and Sustain El Paso’s Infrastructure Network
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17. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2021-0835 Rio Del Norte Improvements to TAO INDUSTRIES INC., dba HAWK Construction for an estimated award of \$127,524.76. The award of this project will support the installation of arm gates to allow access to authorized vehicles only. The project consists of installing gate foundations, installing and supplying gate power source, and modifying the road and medians to accommodate the gates.

Department: Capital Improvement
Award to: TAO INDUSTRIES INC., dba HAWK Construction
Horizon City, TX
Items: All
Initial Term: 60 Consecutive Calendar Days
Base Bid I: \$127,524.76
Total Estimated Award: \$127,524.76
Account No.: 580270-38290-4741-190-PCP17ST022
Funding Source: 2017 Certificates of Obligation
District: 6

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to TAO INDUSTRIES INC., dba HAWK Construction, lowest responsive and responsible bidder and that Vertex Construction & Engineering, LLC be deemed non-responsible due to not providing proper documentation that demonstrates a satisfactory performance record.

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.

Ms. Erika Ruiz, citizen, commented.

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REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL:
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18. Discussion and action to direct the City Manager to provide an update on the transition plan from the temporary facilities providing services for the homeless at the Delta Site as well as funding allocation details regarding the 10th amendment to the City's 2019-2020 (45th Year) Annual Action Plan for the Community Development Block Grant-Coronavirus Phase 3 (CDBG-CVIII).

Representative Lizarraga commented.

Mr. Tommy Gonzalez, City Manager, commented.

Motion made by Representative Annelo, seconded by Representative Lizarraga, and unanimously carried to **APPROVE** the item.

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

NAYS: None

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19. Discussion and action to direct the City Manager to draft a plan to implement renewable energy sources, possibly including but not limited to solar generation, into City of El Paso facilities and projects; to seek the input of the Regional Renewable Energy Advisory Council in the development of said plan; and to bring the draft plan back to City Council for consideration within 120 days.

Representatives Svarzbein, Annelo, and Lizarraga commented.

Mr. Tommy Gonzalez, City Manager, commented.

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

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

NAYS: None

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20. Discussion and action regarding virtual attendance at future City Council meetings by members of Council and members of the public, including but not limited to:

1) consideration of amending the City Council's adopted Rules of Order to allow members of the public to continue to address the Council virtually/telephonically even after such time that the City Council returns to in-person meetings (and setting up the infrastructure to facilitate virtual public participation); and

2) consideration of amending the City Council's adopted Rules of Order to clarify the process by which members of Council can appear virtually/telephonically at a City Council meeting after all provisions of the Texas Open Meetings Act are reinstated following the pandemic.

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

Ms. Karla Nieman, City Attorney, provided legal advice.

1ST MOTION

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Lizarraga and carried to **AMEND** the item to include virtual participation and attendance at City Boards and Commission meetings in compliance with the Texas Open Meetings Act.

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

NAYS: Representative Molinar

2ND AND FINAL MOTION

Motion made by Representative Salcido, seconded by Representative Rodriguez, and carried to **APPROVE THE ITEM, AS AMENDED.**

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

NAYS: Representative Molinar

.....
REGULAR AGENDA – OPERATIONAL FOCUS UPDATES:
.....

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

21. Update on Airport projects, achievements, and initiatives.

Mr. Sam Rodriguez, Airport Director, introduced the item and presented a PowerPoint presentation (copy on file in the City Clerk's Office).

The following City staff members provided input during the presentation:

1. Ms. Jessica Herrera, Director of Economic and International Development
2. Mr. Terry Sharpe, Assistant Director of Aviation
3. Mr. Tommy Gonzalez, City Manager
4. Mr. Ben Fyffe, Managing Director

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

NO ACTION was taken on this item.

.....
The City Council Meeting was **RECESSED** at 11:22 a.m. in order to convene the Mass Transit Board Meeting.
.....

The City Council Meeting was **RECONVENED** at 11:46 a.m.
.....

CALL TO THE PUBLIC – PUBLIC COMMENT

Mr. Michael Castro, citizen, commented.
.....

REGULAR AGENDA - FIRST READING OF ORDINANCES

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

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

NAYS: None

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

-
22. An Ordinance changing the zoning of Tract 2-A, Block 52, Ysleta Grant, City of El Paso, El Paso County, Texas from R-F (Ranch- Farm) and R- F/H (Ranch-Farm/Historic) to R-3/C (Residential/Condition) and R-3/H/C (Residential/Historic/Condition) and imposing conditions. The penalty being as provided 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: South of Americas Avenue and West of Socorro Road
Applicant: B&B Socorro, LLC
PZRZ20-00019

.....
PUBLIC HEARING WILL BE HELD ON JUNE 8, 2021

-
23. An Ordinance vacating City right-of-way over a 20 foot alley out of Block 266, Campbell Addition, City of El Paso, El Paso County, Texas.

Subject Property: North of Montana Ave. and East of Campbell St.
Applicant: Housing Authority of the City of El Paso
SURW21-00002

.....
PUBLIC HEARING WILL BE HELD ON MAY 25, 2021

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

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

-
24. Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **AWARD** Solicitation No. 2021-0733 Lease of Unmarked Police Vehicles to Acme Auto Leasing, LLC for an initial three (3) year term for an estimated amount of \$8,260,200.00. The award is to include a two (2) year optional term for an estimated amount of \$5,506,800.00. The total estimated award of \$13,767,000.00 for a total of five (5) years.

Contract Variance:

The difference in price, based on comparison to the previous contract is as follows: An increase of \$293,400.00 for the initial term, which represents a 3.68% increase due to an increase of Special Purpose Vehicles lease per year.

Department: Police Department
 Award to: Acme Auto Leasing, LLC North Haven, CT
 Items: All
 Initial Term: 3 years
 Option to Extend: 2 years
 Annual Estimated Award: \$ 2,753,400.00
 Initial Term Estimated Award: \$ 8,260,200.00 (3 years)
 Total Estimated Award: \$13,767,000.00 (5 years)
 Account No.: 321-21270-524080-2814
 321-21240-524080-2710- P2104-G2120SW055
 321-21240-524080-2710-P2104-G2120SW056
 321-21240-524080-2710-P2110-G2120SW058
 321-21240-524080-2710-P2104-G2120SW059
 321-21240-524080-2710-P2104-G2120SW060
 321-21210-524080-2680-P2104-GS2121MVC
 Source: Confiscated Funds
 HIDTA Source City
 HIDTA Intel
 HIDTA Multi
 HIDTA Enterprise
 HIDTA Transportation
 MVCPA Funding
 Districts: All

This is a Best Value, unit type contract. The Purchasing & Strategic Sourcing and the Police Departments recommend award as indicated to Acme Auto Leasing, LLC, the bidder offering the best value bid. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

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

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

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

25. ORDINANCE 019179

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT OF SALE AND SPECIAL WARRANTY DEED AND ANY OTHER DOCUMENTS NECESSARY TO CONVEY TO YERMOLAND ENTERPRISES, INC., A 0.6334 ACRES OF LAND IN A PORTION OF LOTS 3, 4 AND 5, BLOCK 5, KESSLER INDUSTRIAL DISTRICT # 1, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

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

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

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

NAYS: None

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

Goal 3: Promote the Visual Image of El Paso

26. ORDINANCE 019180

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST20-00011, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCTION OF PARKING, LOT AREA, LOT WIDTH, LOT DEPTH, FRONT YARD SETBACK, AND CUMULATIVE FRONT & REAR YARD SETBACK ON THE PROPERTY DESCRIBED AS BEING THE WEST 47.47 FEET OF LOT 5, INDIAN TOWN SUBDIVISION, 9124 SAN FERNANDO COURT, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

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

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

NAYS: None

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

27. ORDINANCE 019181

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 27, BLOCK 1, ALTO MESA UNIT 5, 6700 N. MESA STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM P-C (PLANNED COMMERCIAL) TO C-2 (COMMERCIAL). THE PENALTY BEING AS PROVIDED 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: 6700 N. MESA STREET APPLICANTS: WESTSTAR BANK PZRZ21-00002

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

Representatives Svarzbein and Annelo commented.

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

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

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

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

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28.

ORDINANCE 019182

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO "ELMSHIRE, LLC" TO PLACE AND MAINTAIN UP TO 150 WASTE CONTAINERS ON SIDEWALKS AND CITY PROPERTY WITHIN THE CITY OF EL PASO, SUBJECT TO THE TERMS AND CONDITIONS DESCRIBED IN THE ORDINANCE.**

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

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

AYES: Representatives Svarzbein, Molinar, Rodriguez, Rivera, and Lizarraga
NAYS: Representatives Annelo and Hernandez
NOT PRESENT FOR THE VOTE: Representative Salcido

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

.....
29.

ORDINANCE 019183

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO "A1 OUTDOOR MARKETING" TO PLACE AND MAINTAIN UP TO 150 WASTE CONTAINERS ON SIDEWALKS AND OTHER CITY PROPERTY WITHIN THE CITY OF EL PASO, SUBJECT TO THE TERMS AND CONDITIONS DESCRIBED IN THE ORDINANCE.**

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

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

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

NAYS: Representatives Annello and Hernandez

NOT PRESENT FOR THE VOTE: Representative Salcido

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

.....
30.

ORDINANCE 019184

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A TWENTY-FOOT PUBLIC UTILITY EASEMENT LOCATED WITHIN A PORTION OF BLOCK 36, CLARDY FOX SUBDIVISION UNIT FOUR, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

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

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

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31.

ORDINANCE 019185

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A CONSERVATION EASEMENT, BY AND BETWEEN THE CITY OF EL PASO, EL PASO WATER UTILITIES, AND THE FRONTERA LAND ALLIANCE, TO CONVEY A CONSERVATION EASEMENT OVER THE OPEN SPACE PROPERTY COMMONLY REFERRED TO AS THE "LOST DOG PROPERTY".**

Mr. Sam Rodriguez, City Engineer, presented a PowerPoint presentation covering items 31 and 32 (copy on file in the City Clerk's Office).

Representatives Svarzbein, Annello, Hernandez, and Molinar commented.

The following City staff members and consultants commented and provided additional information.

1. Ms. Roberta Brito, Assistant City Attorney
2. Ms. Karla Nieman, City Attorney
3. Mr. Edward Moreno, Partner at Kemp Smith Law
4. Mr. Scott Cutler, Frontera Land Alliance Board of Directors

The following members of the public commented:

1. Ms. Sharon Bonart
2. Ms. Marilyn Guida
3. Mr. Rick Bonart

1ST MOTION

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annelo, and carried to ask the Public Service Board to **RETURN WITHIN SIXTY DAYS** to City Council with a maintenance plan for the Lost Dog Trail Property.

AYES: Representatives Svarzbein, Annelo, Hernandez, Rodriguez, and Rivera

NAYS: Representatives Molinar, Salcido, and Lizarraga

2ND AND FINAL MOTION

Motion duly made by Representative Annelo, seconded by Mayor Pro Tempore Svarzbein, and carried that the Ordinance be **ADOPTED**.

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

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

NAYS: None

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

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32.

ORDINANCE 019186

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A CONSERVATION EASEMENT, BY AND BETWEEN THE CITY OF EL PASO, EL PASO WATER UTILITIES, AND THE FRONTERA LAND ALLIANCE, TO CONVEY A CONSERVATION EASEMENT OVER THE OPEN SPACE PROPERTY COMMONLY REFERRED TO AS THE "KNAPP PROPERTY"**.

Mayor Leeser and Representatives Svarzbein and Molinar commented.

The following members of the public commented:

1. Ms. Sharon Bonart
2. Ms. Marilyn Guida

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

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

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

NAYS: None

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

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

33. ORDINANCE 019187

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12, CHAPTER 12.88 (SCHEDULES), SECTION 12.88.180 (NO STOPPING OR STANDING-TOW-AWAY ZONE), PARAGRAPH A, TO ADD PORTIONS OF RIO DEL NORTE DRIVE; THE PENALTY BEING PROVIDED IN SECTION 12.84 OF THE EL PASO CITY CODE.**

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

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

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

NAYS: None

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

34. ORDINANCE 019188

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12, CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV - SPEED LIMITS), PARAGRAPH J (FIFTY-FIVE MILES PER HOUR), TO ESTABLISH A MAXIMUM SPEED LIMIT ON STAN ROBERTS SR AVENUE; THE PENALTY BEING PROVIDED IN CHAPTER 12.84 OF THE EL PASO CITY CODE.**

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

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

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

NAYS: None

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

35.

ORDINANCE 019189

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12, CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV - SPEED LIMITS), TO AMEND PARAGRAPH I (FIFTY MILES PER HOUR) BY DELETING SUBPARAGRAPH 6; TO AMEND PARAGRAPH H (FORTY-FIVE MILES PER HOUR) BY DELETING SUBPARAGRAPHS 28 AND 32; AND TO AMEND PARAGRAPH H (FORTY-FIVE MILES PER HOUR) BY AMENDING SUBPARAGRAPH 27, TO REDUCE THE SPEED LIMIT ON PORTIONS OF ZARAGOZA ROAD; THE PENALTY BEING PROVIDED IN CHAPTER 12.84 OF THE EL PASO CITY CODE.**

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

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

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

NAYS: None

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

REGULAR AGENDA – OTHER BUSINESS:

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

36.

RESOLUTION

WHEREAS, on January 5, 2021, the El Paso City Council approved the "El Paso International Airport Proposed Five Year Capital Improvement Plan" which established the list of Airport Capital Improvement Program projects for FY 2021 through FY 2025 to be funded at the Airport; and

WHEREAS, the City desires to amend the El Paso International Airport Proposed Five Year Capital Improvement Plan for FY 2021 through FY 2025 to include additional project costs that will occur 10 2021 and add additional projects which are highlighted on Exhibit A" totaling approximately \$128,359,235.

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

THAT the City Council approves the amended list of projects on Exhibit "A" attached hereto, totaling approximately \$128,359,235, which includes the list of Airport Capital

Improvement Program projects approved by the City Council on January 5, 2021, the additional project costs that will occur in 2021 and the additional projects; and

THAT the City Council approves the use of the identified funding sources and that the City Manager be authorized to make all necessary budget transfers prior to the execution of the projects.

Mr. Terry Sharpe, Assistant Director of Aviation, commented.

1ST MOTION

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rivera

2ND MOTION

Motion made by Representative Lizarraga, seconded by Representative Hernandez, and unanimously carried to **RECONSIDER** the item.

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

NAYS: None

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Svarzbein, 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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- 37.** Presentation and discussion by Project Arriba on their Mid-Year report (September 1, 2020 - March 31, 2021) on status of activities during the fiscal year, use of grant funds and progress in the performance measures required under the agreement executed on October 02, 2018 with the City of El Paso.

Ms. Monica Fuentes, Senior Economic Development Compliance Analyst, introduced the item.

Mr. Roman Ortiz, Chief Executive Officer for Project Arriba, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser commented.

NO ACTION was taken on this item.

38.

R E S O L U T I O N

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

Discussion and Action that the City Manager be authorized to sign a Chapter 3 80 Economic Development Program Agreement ("Agreement") by and between CITY OF EL PASO ("City") and 1031 FIRESTONE, L.L.C. ("Applicant") in support of an infill development project located at 1031 Texas Avenue, El Paso, Texas, 79901. The project includes the rehabilitation of an existing facility to activate an office condominium. The Agreement requires the Applicant to make a minimum investment of \$443,918. Over the term of the Agreement, the City shall provide economic incentives not to exceed \$27,992 in the form of a Property Tax Rebate, a Development Fee Rebate, and a Construction Materials Sales Tax Rebate.

Mr. Rafael Arellano, Business Services Coordinator, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Svarzbein commented.

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rodriguez, 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 7: Enhance and Sustain El Paso's Infrastructure Network
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39.

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 a two year On-Call Agreement for Professional Services to perform geotechnical and materials testing consulting services on a task by task basis by and between the by City of El Paso and each of the following ten (10) consultants:

1. AECOM Technical Services Inc.
2. Brock & Bustillos, Inc.
3. Civil Associates, Inc.
4. Cobb Fendley & Associates, Inc.
5. CONSOR Engineering, LLC.
6. Dannenbaum Engineering Company-El Paso, LLC.
7. ESSCO International, Inc.
8. Freese & Nichols, Inc.
9. Huitt Zollars, Inc.
10. Moreno Cardenas, Inc.

Each On-Call Agreement will be for an amount not to exceed Seven Hundred and Fifty Thousand and No/00 Dollars (\$750,000.00), and each agreement will include authorization

for the City Engineer to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and authorization for the City Engineer to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if the identified services are necessary for proper execution of identified project and if the increased amounts are within the appropriate budget identified for a project. In addition, the City Manager is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of each On-Call Agreement.

Motion made by Representative Salcido, seconded by Representative Lizarraga, 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 Community

40. Presentation and introduction to the 47th Year (2021-2022) Annual Action Plan for the following Federal Department of Housing and Urban Development (HUD) Entitlement Grants: Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Housing Opportunities for Persons with Aids (HOPWA), and Emergency Solutions Grant (ESG) programs. Following this introduction, a 30-day public comment period will commence, after which the Final Annual Action Plan will be presented to Council for approval.

The following members of the public commented:

1. Mr. Gilbert Reynaud
2. Ms. Carol Henry Bohle
3. Mr. Roger De Moor
4. Ms. Celia Garcia

NO ACTION was taken on this item.

EXECUTIVE SESSION

Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 1:52 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss the following:

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.074 PERSONNEL MATTERS

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

NAYS: None

Motion made by Representative Annelo, seconded by Representative Hernandez, and unanimously carried to **ADJOURN** the Executive Session at 3:42 p.m. and **RECONVENE** the meeting of the City Council.

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

NAYS: None

.....
EX1 Legal consultation regarding the City Attorney and City Manager performance evaluation. (551.071 and 551.074)

NO ACTION was taken on this item.

.....
ADJOURN

.....
Motion made by Representative Rivera, seconded by Representative Lizarraga, and unanimously carried to **ADJOURN** this meeting at 3:42 p.m.

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

NAYS: None

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk