

DEE MARGO
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL

PETER SVARZBEIN, DISTRICT 1
ALEXSANDRA ANNELLO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
SAM MORGAN, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
CLAUDIA ORDAZ PEREZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

January 7, 2020
COUNCIL CHAMBERS, CITY HALL
9:00 AM

ROLL CALL

The City Council met in regular session at the above place and date. Meeting was called to order at 9:18 a.m. on January 7, 2019, Mayor Dee Margo present and presiding and the following Council members answered roll call: Peter Svarzbein, Alexsandra Annello, Cassandra Hernandez, Sam Morgan, Henry Rivera, and Cissy Lizarraga. Late arrivals: Claudia Ordaz Perez at 9:29 a.m. and Isabel Salcido at 9:41 a.m. The invocation was given by Police Fire, and Elara Caring Chaplain Sam L. Faraone followed by the Pledge of Allegiance to the Flag of the United States of America.

**INVOCATION BY INVOCATION BY POLICE, FIRE AND ELARA CARING
CHAPLAIN, SAM L. FARAONE**

PLEDGE OF ALLEGIANCE

Boy Scout Troop 4 at the invitation of Mayor Dee Margo

Roe Belkin
Nathan Perez
Mauricio Posadas
Fernando Sepulveda
Christopher Torres

MAYOR'S PROCLAMATIONS

- 1. Crime Stoppers Month**
- 2. National Human Trafficking Awareness Week**

RECOGNITIONS BY MAYOR

NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Ordaz Perez, 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, Morgan, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

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CONSENT AGENDA - APPROVAL OF MINUTES:
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1. Goal 6: Set the Standard for Sound Governance and Fiscal Management

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1.1. *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Agenda Review of December 16, 2019 and the Special City Council meeting of December 20, 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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3. Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development

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3.1. ***RESOLUTION**

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

That the City Manager is authorized to sign a Lessor's Approval Assignment by and between the City of El Paso ("Lessor"), Shaudra Company, Inc. ("Assignor"), and Mast Partners, L.P. ("Assignee") for the following described property:

A portion of Lot 4, Block 2B, El Paso International Airport Tracts, Unit 4, City of El Paso, El Paso County, Texas, containing approximately 71,919.363 square feet, municipally known and numbered as 6460 Hiller, El Paso, Texas.
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4. Goal 2: Set the Standard for a Safe and Secure City

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4.1. ***RESOLUTION**

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

That the City Manager be authorized to sign a Professional Services Agreement for Public Protection Classification (PPC) Consultant Services, Contract No. 2020-417R, by and between the City of El Paso and Mike Pietsch, P.E. Consulting Services, Inc. to provide assistance with the El Paso Fire Department ISO Survey, for a contract term of one (1) year from the effective date of the Agreement with one (1) option to extend for one (1) additional year, to be compensated on a phase by phase basis for a contract amount not to exceed \$89,500.00.

In addition, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents necessary to effectuate this award. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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

5.1. *RESOLUTION

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

THAT the City Manager be authorized to sign a Concession Agreement known as 2020-546 Water Parks Concessions between THE CITY OF EL PASO and **BORREGO ENTERPRISES, INC.**, a Texas corporation ("Concessionaire"), for the Concessionaire to sell food and beverages, including alcoholic beverages, and offer catering services at the Camp Cohen, Lost Kingdom, Chapoteo, and Oasis water parks ("Water Parks") for a term of 2 years with three 1 year options to extend beginning on the Commencement Date, for a concessionaire fee of 18% of the gross revenue to be paid to the City. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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

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

6.1. *RESOLUTION

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

That the City Manager be authorized to sign an Underground Electrical and Transformer Pad Easement, granting an easement to the El Paso Electric Company to provide electrical power to District 2 Regional Water Park, said easement more particularly described as a portion of Tract 5-B-1, Block 2, Ascarate Grant, City of El Paso, El Paso County, Texas.

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

7.1. *RESOLUTION

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and the El Paso County Hospital District d/b/a University Medical Center of El Paso (“UMC”), for the period of December 1, 2019 through January 1, 2022, whereby the parties agree to share information for purposes of contributing to each party meeting the immunization metrics required under the Delivery System Reform Incentive Program operated by the Centers for Medicare and Medicaid Services. This Interlocal Agreement does not require an exchange of money between the parties.

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CONSENT AGENDA - BOARD APPOINTMENTS:
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8. Goal 8: Nurture and Promote a Healthy, Sustainable Community
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- 8.1. *Motion made, seconded, and unanimously carried to **APPOINT** Jayne Causey to the Animal Shelter Advisory Committee by Mayor Dee Margo.

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CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:
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9. Goal 6: Set the Standard for Sound Governance and Fiscal Management
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- 9.1. *Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds listed on the attachment posted with this agenda.

1. Quicken Loans, in the amount of \$4,369.44, made an overpayment on November 27, 2019 of 2019 taxes. (Geo. #L22600000501200)

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CONSENT AGENDA - NOTICE OF CAMPAIGN CONTRIBUTIONS:
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10. Goal 6: Set the Standard for Sound Governance and Fiscal Management
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- 10.1. *Motion made, seconded, and unanimously carried to **ACCEPT** the notation pursuant to Section 2.92.110 of the City Code, receipt of the following campaign contributions by Representative Cassandra Hernandez in the amounts of \$300 from Gary Porras Sr.

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CONSENT AGENDA - REQUEST FOR PROPOSAL:
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11. Goal 4: Enhance El Paso’s Quality of Life through Recreational, Cultural and Educational Environments
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- 11.1. *Motion made, seconded, and unanimously carried to **DELETE** the item on the award of Solicitation No. 2020-450R Water Parks Ticketing System to CivicPlus, LLC, for a three (3) year initial term estimated award of \$307,045.00. The award is to include a two (2) year optional amount of \$140,750.00 for a total five (5) year estimated award of \$447,795.00.

Contract Variance:
No previous contract.

Department:	Parks and Recreation
Award to:	CivicPlus. LLC Manhattan, KS
Item(s):	All
Initial Term:	3 years
Option to Extend:	2 years
Initial Term Estimated Award:	\$307,045.00 (3 years)
Option Estimated Award:	\$140,750.00 (2 years)
Total Estimated Award:	\$447,795.00 (5 years)
Account No.:	451-51245-580100-1000-P5125/P5126/P5127/P5128 451-51245-522205-1000-P5125/P5126/P5127/P5128 451-51245-533020-1000-P5125/P5126/P5127/P5128
Funding Source:	General Fund
District(s):	All

This is a Request for Proposals, service contract.

The Purchasing and Strategic Sourcing and Parks and Recreation Departments recommend award as indicated to CivicPlus, LLC, the highest ranked proposer based on evaluation factors established for this procurement.

In addition, it is requested that the City Attorney's Office review and that the City Manager be authorize to execute any related contract documents and agreements necessary to effectuate this award. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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CALL TO THE PUBLIC – PUBLIC COMMENT

The following members of the public commented:

1. Mr. Robert Moses
2. Mr. Patrick Hernandez-Cigarruista
3. Mr. Michael Castro
4. Mr. Colt DeMorris
5. Mr. Jose Gaston Barriga

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REGULAR AGENDA - FIRST READING OF ORDINANCES

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, 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, Morgan, Ordaz Perez, Rivera and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

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

- 12.1. An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.150 (Shared Mobility Devices), to extend the evaluation period for the placement of shared mobility devices on the right of way to January 31, 2021. The Penalty is as provided in Section 15.08.150 of the El Paso City Code.

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

- 13.1. *Motion made, seconded, and unanimously carried to **DELETE** the introduction of an Ordinance amending Ordinance No. 16090, granting a Franchise to El Paso Electric Company, (as amended by Ordinances No. 17460 and 18772, amending the street rental charge) to remove the restriction on the additional fee, and provide for additional compensation and assurances to the City and providing consent as required in Section 15.08.013 of the City Code and Ordinance No. 16090 upon the terms and conditions described in this Ordinance; the penalty as provided in City Code Section 15.08.040.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

- 14.1. Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, and unanimously carried to **AWARD, AS REVISED**, Solicitation No. 2019-834R Fiber Network Services to Conterra Ultra Broadband Services, LLC for an initial three (3) year estimated award of \$1,908,000.00. The award is to include two (2), one year options in the amount of \$1,272,000.00 for a total five (5) year award of \$3,180,000.00. The period of performance is from June 1, 2020 through May 31, 2023.

This award will support the 2025 Strategic Plan Goal: 4.3 – Establish Technical Criteria for Improved Quality of Life Facilities. Through the term of this contract, 46 existing locations will obtain these services to include 54 future sites for a total of 100 sites.

COST VARIANCE:

The difference in cost, based on the comparison to the previous contracts is as follows: A decrease of 23.58% in the unit price from \$655.00 to \$530.00.

Department:	Department of Information Technology Services
Award to:	Conterra Ultra Broadband Services, LLC Charlotte, NC
Items:	All
Initial Term:	3 years
Option to extend:	Two (2) one year options
Annual Estimated Award:	\$636,000.00
Initial Term Estimated Award:	\$1,908,000.00 (3 years)
Total Estimated Award:	\$3,180,000.00 (5 years)
Account No.:	239-15090-540000-1000
Funding Source:	General Fund
Districts:	All

This is a Request for Proposal, service contract.

The Purchasing and Strategic Sourcing Department and Department of Information Technology Services recommend award as indicated to Conterra Ultra Broadband Services, LLC, the highest ranked proposer based on evaluation factors established for this procurement.

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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

REGULAR AGENDA - OTHER BUSINESS:

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

15.1. Presentation and discussion of the Capital Improvement Program Comprehensive Update.

Mr. Sam Rodriguez, City Engineer, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Representative Hernandez commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

The City Council Meeting was **RECESSED** at 11:05 a.m. in order to convene the Mass Transit Board meeting.

The City Council Meeting was **RECONVENED** at 11:09 a.m.

REGULAR AGENDA - INTRODUCTIONS AND PUBLIC HEARINGS

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

ITEMS 16.1. TO 16.3 WERE TAKEN TOGETHER

16.1. ORDINANCE 019013

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF EL PASO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020”; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SUCH CERTIFICATES; AND RESOLVING OTHER MATTERS WHICH ARE NECESSARY TO EFFECTUATE SUCH ISSUANCE, INCLUDING THE DELEGATION OF**

MATTERS RELATING TO THE SALE AND ISSUANCE OF SUCH CERTIFICATES TO AN AUTHORIZED CITY OFFICIAL WITHIN CERTAIN SPECIFIED PARAMETERS

16.2.

ORDINANCE 019014

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF EL PASO, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2020” IN ONE OR MORE SERIES; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SUCH BONDS; AND RESOLVING OTHER MATTERS WHICH ARE NECESSARY TO EFFECTUATE SUCH ISSUANCE; INCLUDING THE DELEGATION OF MATTERS RELATING TO THE SALE AND ISSUANCE OF SUCH BONDS TO AN AUTHORIZED CITY OFFICIAL WITHIN CERTAIN SPECIFIED PARAMETERS**

16.3.

ORDINANCE 019015

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF EL PASO, TEXAS, AIRPORT REVENUE REFUNDING BONDS, SERIES 2020 (EL PASO INTERNATIONAL AIRPORT)” TO REFUND CERTAIN PREVIOUSLY ISSUED OBLIGATIONS OF THE CITY; AND RESOLVING MATTERS WHICH ARE NECESSARY TO EFFECT SUCH ISSUANCE, INCLUDING THE DELEGATION OF AUTHORITY RELATING TO THE SALE AND ISSUANCE OF THE BONDS TO AN AUTHORIZED CITY OFFICIAL WITHIN CERTAIN SPECIFIED PARAMETERS**

Mr. Robert Cortinas, Chief Financial Officer, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Mayor Margo and Representative Hernandez commented.

Mr. Tommy Gonzalez, City Manager, commented.

Ms. Marsha Labadda, citizen, commented.

Motion duly made by Representative Lizarraga, seconded by Representative Morgan, 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 Svarzbein, Annello, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

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

17.1. The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), ARTICLE VII (PUBLIC HEARINGS), SECTION 20.04.520 (NOTICE); TITLE 20 (ZONING), APPENDIX A (TABLE OF PERMISSIBLE USES); TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES) SUBSECTION A; TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES) SUBSECTION D; TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES) SUBSECTION E; TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES) SUBSECTION F; TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES) SUBSECTION G; AND TITLE 20 (ZONING), CHAPTER 20.22 (NONCONFORMING SITUATIONS), SECTION 20.22.100 (NONCONFORMING PWSF) OF THE EL PASO CITY CODE TO MODIFY EXISTING STANDARDS, UPDATE NOTIFICATION REQUIREMENTS, UPDATE THE TABLE OF PERMISSIBLE USES; REQUIRE COMPLIANCE WITH A POLICY GUIDE; TO ESTABLISH LOCATION PREFERENCES, CLARIFY ORGANIZATION OF THE TITLE; AND PROVIDE FOR NON CONFORMING SITUATIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE**

Representatives Svarzbein, Hernandez, and Ordaz Perez commented.

The following City staff members commented:

1. Mr. Phillip Etiwe, Planning and Inspections Director
2. Mr. Omar De La Rosas, Assistant City Attorney
3. Mr. Tommy Gonzalez, City Manager

1ST MOTION

Motion made by Representative Hernandez, seconded by Representative Annello, and carried to **DELETE** the item.

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

NAYS: Representatives Morgan, Salcido, and Ordaz Perez

2ND MOTION

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Svarzbein, and carried to **RECONSIDER** the item.

AYES: Representatives Svarzbein, Morgan, Salcido, Ordaz Perez, Rivera

NAYS: Representatives Annello, Hernandez, and Lizarraga

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Salcido, and carried to **DELETE** the Ordinance and **DIRECT** staff to send revisions to

the City Planning Commission and return to City Council with the recommendations.

AYES: Mayor Margo and Representatives Svarzbein, Morgan, Salcido, Ordaz Perez
NAYS: Representatives Annello, Hernandez, Rivera, and Lizarraga

THE MOTION PASSED with Mayor Margo breaking the tie.

17.2.

ORDINANCE 019016

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the item before item 17.1.

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), ARTICLE VII (PUBLIC HEARINGS), SECTION 20.04.520 (NOTICE); TITLE 20 (ZONING), APPENDIX A (TABLE OF PERMISSIBLE USES); TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES) SUBSECTION A; TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES) SUBSECTION D; TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES) SUBSECTION E; TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES) SUBSECTION F; TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES) SUBSECTION G; AND TITLE 20 (ZONING), CHAPTER 20.22 (NONCONFORMING SITUATIONS), SECTION 20.22.100 (NONCONFORMING PWSF) OF THE EL PASO CITY CODE TO MODIFY EXISTING STANDARDS, UPDATE NOTIFICATION REQUIREMENTS, UPDATE THE TABLE OF PERMISSIBLE USES; REQUIRE COMPLIANCE WITH A POLICY GUIDE; TO ESTABLISH LOCATION PREFERENCES, CLARIFY ORGANIZATION OF THE TITLE; AND PROVIDE FOR NON CONFORMING SITUATIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Jeff Howell, Project Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Margo and Representatives Svarzbein, Annello, Hernandez, Ordaz Perez, and Rivera commented.

The following City staff members commented:

1. Mr. Cary Westin, Senior Deputy City Manager of Economic Development and Tourism
2. Mr. Phillip Etiwe, Planning and Inspections Director
3. Mr. Omar De La Rosa, Assistant City Attorney

The following wireless provider representatives commented:

1. Mr. JD Salinas
2. Mr. Andrew Dominguez

2ND MOTION

Motion duly made by Representative Hernandez, 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, Rivera, and Lizarraga

NAYS: Representatives Morgan, Salcido, and Ordaz Perez

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

3RD MOTION

Motion made by Representative Svarzbein, seconded by Mayor Pro Tempore Ordaz Perez, and carried to **RECONSIDER** the item.

AYES: Representatives Svarzbein, Morgan, Salcido, Ordaz Perez, and Rivera

NAYS: Representatives Annello, Hernandez, and Lizarraga

4TH AND FINAL MOTION

Motion duly made by Representative Hernandez, seconded by 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, Salcido, Rivera, and Lizarraga

NAYS: Representatives Morgan and Ordaz Perez

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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17.3.

ORDINANCE 019017

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST19-00009, TO ALLOW FOR A BALLROOM ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 2, BLOCK 1, AGUIRRE SUBDIVISION UNIT 2, 6456 DONIPHAN DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.240 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 6456 DONIPHAN DRIVE. PROPERTY OWNER: RIO BRAVO INVESTMENTS, LLC. PZST19-00009**

Motion duly made by Representative Hernandez, 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, Morgan, Salcido, Ordaz
Perez, 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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- 17.4.** Motion duly made by Representative Annello, seconded by Representative Hernandez, and unanimously carried to **POSTPONE** two weeks the public hearing on an Ordinance granting Special Permit no. PZST19-00002: to allow for Off Street Parking (Serving Another Property) in an R-5 (Residential) district on the property legally described as Lots 31 and 32, Block 101, East El Paso Addition, City of El Paso, El Paso, Texas; and to allow a 100% parking reduction on the property legally described as a Portion of Lot 5 and all of Lots 6 to 8, Block 101, East El Paso Addition, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. The proposed special permit meets the intent of the Future Land Use designation for the property and is in accordance with Plan El Paso, the City's Comprehensive Plan. Subject Property: 3000 Douglas and 3011 Pershing. Owner: Hector Barragan and 3011 Pershing LLC PZST19-00002.

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

NAYS: None

17.5. ORDINANCE 019018

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY KNOWN AS: PARCEL 1: LOTS 3 AND 4, BLOCK 8, ROCKET WAREHOUSE PARK UNIT TWO, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-4 (COMMERCIAL) AND P-R1 (PLANNED RESIDENTIAL) TO A-3 (APARTMENT); AND, PARCEL 2: A PORTION OF SECTION 31, BLOCK 80, TSP 1, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS AND A PORTION OF LOT 1, BLOCK 1, ROCKET WAREHOUSE PARK UNIT THREE CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM A-M (APARTMENT/MOBILE HOME PARK), C-4 (COMMERCIAL) AND P-R1 (PLANNED RESIDENTIAL) TO A-3 (APARTMENT); AND, PARCEL 3: A PORTION OF LOT 1, BLOCK 1, ROCKET WAREHOUSE PARK UNIT THREE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM P-R1 (PLANNED RESIDENTIAL) TO A-3 (APARTMENT); 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: 10405 DYER STREET. PROPERTY OWNER: TEXTAPE INC. PZRZ19-00021**

Motion duly made by Representative Hernandez, seconded by Mayor Pro Tempore Ordaz Perez, and carried that the Ordinance be **ADOPTED**.

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

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Ordaz
Perez, 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**.

17.6.

ORDINANCE 019019

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20, CHAPTER 20.02, ARTICLE II (DEFINITIONS) TO ADD A DEFINITION FOR MEDICAL WASTE FACILITY AND AMEND THE DEFINITION FOR HEAVY PROCESSING FACILITY, SECTION 20.08.030.C APPENDIX A (TABLE OF PERMISSIBLE USES) TO ADD MEDICAL WASTE FACILITY, CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS) TO ADD SUPPLEMENTAL USE REGULATIONS FOR MEDICAL WASTE FACILITY, SECTION 20.14.020.C APPENDIX C (TABLE OF PARKING REQUIREMENTS AND STANDARDS) TO ADD PARKING REQUIREMENTS FOR MEDICAL WASTE FACILITY**

Mr. Raul Garcia, Planning and Inspections Project Manager, read floor amendments into the record.

Representatives Hernandez and Ordaz Perez commented.

The following members of the public commented:

1. Ms. Debbie Torres
2. Ms. Fabiola Campos Lopez

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the item to the forefront of the agenda.

2ND AND FINAL MOTION

Motion duly made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, and carried that the Ordinance be **ADOPTED, AS AMENDED**.

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

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Ordaz
Perez, 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, AS AMENDED**.

REGULAR AGENDA - OTHER BUSINESS

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

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

That the City Manager be authorized to sign an Agreement for Professional Services by and between the CITY OF EL PASO and **BROCK AND BUSTILLOS, inc.**, a Texas Corporation, for a project known as “**RECREATIONAL FACILITY LOWER BEAUMONT PROPERTY – FT. BLISS**” for an amount not to exceed **SIX HUNDRED FIFTY THOUSAND NINE HUNDRED THIRTEEN AND 39/100 DOLLARS (\$650,913.39)**; that the City Engineer is authorized to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if such services are necessary for the proper execution of the project and that the increased amounts are within the appropriate budgets of the project for a total amount of Seven Hundred Fifty Thousand Nine Hundred Thirteen and 39/100 Dollars (\$750,913.39); and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for the execution of the Agreement.

Mr. Gerald DeMuro, Capital Improvement Deputy Director, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Representative Annello commented.

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Morgan, and unanimously carried to **APPROVE** the Resolution.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Ordaz Perez and Rivera

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19. Goal 6: Set the Standard for Sound Governance and Fiscal Management
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19.1. Discussion and action on a referral made by the Civil Service Commission at its December 12, 2019 meeting relating to a grievance appeal brought by Daniel Martinez and Jose Villalobos with regards to Sun Metro’s FY 2019 Safety Incentive Program.

Mayor Margo and Representatives Annello, Hernandez, and Rivera commented.

The following City Staff members commented:

1. Ms. Linda Ball Thomas, Human Resources Director
2. Mr. Jay Banasiak, Sun Metro Director

Mr. Daniel Martinez, appellant, commented.

1ST MOTION

Motion made by Representative Hernandez, seconded by Representative Svarzbein, and carried that the City Council retire into **EXECUTIVE SESSION** at 12:33 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Section 551.07.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Ordaz Perez and Rivera

2ND MOTION

Motion made by Representative Rivera, seconded by Representative Morgan, and unanimously carried to adjourn the Executive Session at 12:58 p.m. and **RECONVENE** the meeting of the City Council.

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

NAYS: None

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Lizarraga, and carried that the City Council of El Paso **DENY** the grievance appeal brought by Daniel Martinez and Jose Villalobos with regards to Sun Metro's FY2019 Safety Incentive Program.

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

NAYS: Representatives Annello, Salcido, and Ordaz Perez

ITEMS 19.2 AND 20.1 WERE TAKEN TOGETHER

19.2. Discussion and action on a Resolution declaring a process to censure an El Paso City Council Representative.

20.1. Discussion and action that the Mayor and City Council Representatives censures and condemns Representative Sam Morgan for conduct that violates the values of El Paso in a way that is not befitting of an elected member of the Council; Representative Sam Morgan will be presented the pronouncement of censure; and Representative Sam Morgan will be censured by the public reading of this resolution at the conclusion of the City Council meeting. Further, that Mayor and City Council do not condone domestic violence, and believe Representative Sam Morgan is entitled to due process under the law. Resolution to follow.

Mr. Cary Westin, Senior Deputy City Manager of Economic Development and Tourism, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein, Annello, Hernandez, Ordaz Perez, and Rivera commented.

The following City staff members commented:

1. Ms. Lupe Martinez, Deputy City Attorney
2. Mr. Kristen Hamilton, Assistant City Attorney

1ST MOTION

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Morgan, and carried that the City Council retire into **EXECUTIVE SESSION** at 1:35 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 and 551.074.

AYES: Representatives Svarzbein, Morgan, Salcido, Ordaz Perez, Rivera, and Lizarraga

NAYS: Representatives Annelo and Hernandez

2ND MOTION

Motion made by Representative Rivera, seconded by Representative Morgan, and unanimously carried to adjourn the Executive Session at 2:17 p.m. and **RECONVENE** the meeting of the City Council.

AYES: Representatives Svarzbein, Annelo, Hernandez, Morgan, Salcido, and Lizarraga

NAYS: None

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Morgan, and carried to **POSTPONE** the items for two weeks.

AYES: Representatives Svarzbein, Morgan, Salcido, Ordaz Perez, Rivera, and Lizarraga

NAYS: Representatives Annelo and Hernandez

21. OPERATIONAL FOCUS UPDATES

21.1. Presentation and discussion on the 4th Quarter Financial Report for FY 2019.

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

Mayor Margo and Representatives Hernandez commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

21.2. Discussion and action on Street Resurfacing Recommendations.

Mr. Harold Kutz, Engineering Division Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Annelo, Hernandez, Salcido, and Rivera commented.

The following City staff members commented:

1. Mr. Sam Rodriguez, City Engineer
2. Mr. Tommy Gonzalez, City Manager

NO ACTION was taken on this item.

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21.3. Quarterly presentation on active capital projects, Quality of Life, and Street project updates.

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

Representative Hernandez commented.

NO ACTION was taken on this item.

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ADJOURN

Motion made by Representative Svarzbein, seconded by Representative Hernandez, and unanimously carried to **ADJOURN** this meeting at 3:06 p.m.

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

NAYS: None

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk