

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 21, 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 9:09 a.m. on January 21, 2019, Mayor Dee Margo present and presiding and the following Council members answered roll call: Peter Svarzbein, Aleksandra Annello, Cassandra Hernandez, Henry Rivera, and Cissy Lizarraga. Late arrivals: Isabel Salcido at 9:11 a.m., Claudia Ordaz at 9:15 a.m., and Sam Morgan at 10:16 a.m. The invocation was given by Pastor Luis Diaz and Co-Pastor Adriana Martinez followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY PASTOR LUIS DIAZ AND CO-PASTOR ADRIANA MARTINEZ
EL PASO PALABRA VIVA

PLEDGE OF ALLEGIANCE

Big Brothers Big Sisters of El Paso at the invitation of Mayor Dee Margo

Joscelynn Thornton
Angel Romero
Charles Abeyta
Halo Toliver
Jahzara Wheaton

MAYOR'S PROCLAMATIONS

- 1. National Mentoring Month**
- 2. Catholic Schools Week 2020**
- 3. Priceless Heart Day**

RECOGNITIONS BY MAYOR

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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 Annello, Hernandez, Salcido, Ordaz Perez, Rivera, and Lizarraga
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Morgan

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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, AS REVISED the Minutes of the Agenda Review Meeting of January 06, 2020.

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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 the Consent to Assignment of the Tax Abatement Agreement between the City of El Paso and George E. Hermann, therein consenting to the assignment of the Tax Abatement Agreement from George E. Hermann to MedVen, LLC.

Ms. Denise Carter, Contract Compliance Coordinator, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Annello commented.

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3.2. *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 **WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS, INC.**, ("Consultant") a Georgia corporation, for Consultant to provide geotechnical material testing services for a project known as "**EPIA FBO RAMP EXTENSION AND TAXIWAY U & V RECONFIGURATION**" for an estimated amount not to exceed **TWO HUNDRED THOUSAND ONE HUNDRED SEVENTY FIVE AND NO/100 DOLLARS (\$200,175.00)**; that the City Engineer is authorized to approve additional Basic Services and Reimbursable for an amount not to exceed Fifty Thousand and No/1 00 Dollars (\$50,000.00) and to approve Additional Services for an amount not to exceed Fifty Thousand and No/1 00 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 Three Hundred Thousand One Hundred Seventy-Five and No/100 Dollars (\$300,175.00); 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. Terry Sharpe, Assistant Director of Aviation, provided a briefing on the item.

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

4.1. *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 the water park in District 7, said easement more particularly described as a portion of Tract IT, Ascarate Grant, Block 5, City of El Paso, El Paso County, Texas.

Mr. Sam Rodriguez, City Engineer, provided a briefing on the item.

4.2. *RESOLUTION

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

That the City Manager be authorized to sign an Overhead Electrical Easement, granting an easement to the El Paso Electric Company to provide electrical power to the water park in District 7, said easement more particularly described as a portion of Tract IT, Ascarate Grant, Block 5, City of El Paso, El Paso County, Texas.

Mr. Sam Rodriguez, City Engineer, provided a briefing on the item.

4.3. *RESOLUTION

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

That the City Manager be authorized to sign a Memorandum of Understanding

by and between the City of El Paso and the El Paso Water Utilities Public Service Board to establish the mutual responsibilities and duties regarding the construction of a Water Park in District 4 known locally as the Cohen Entertainment District Phase 1, to be located at 9700 Gateway North Boulevard, El Paso, Texas 79924; and that the City will compensate El Paso Water Utilities Public Service Board an estimated engineering fee of \$2,199.90.

Mr. Sam Rodriguez, City Engineer, commented.

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

5.1.

***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, Everando Ramirez ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on March 31, 2015 in the amount of \$116.80 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2014 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 Everando Ramirez showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$116.80 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, Andres and Martha Chacon ("Taxpayer") has applied for a refund with the tax assessor for their 2015 property taxes that were overpaid on August 15, 2016 in the amount of \$200.00 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 Andres and Martha Chacon 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 of \$200.00 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, Virginia Cox through Leroy and Virginia L. Cox ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on November 14, 2014 in the amount of \$14.74 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2014 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 Virginia Cox through Leroy and Virginia L. Cox showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$14.74 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, Virginia Cox ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on November 14, 2014 in the amount of \$ 13.11 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's

application for the overpayment of the 2014 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 Virginia Cox showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$13 .11 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, Mi Ra Dick through Robert M. and Soon Y. Dick ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on November 03, 2014 in the amount of \$7.38 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2014 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 Mi Ra Dick through Robert M. and Soon Y. Dick showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$7.38 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, Teri Spicer ("Taxpayer") has applied for a refund with the tax assessor for their 2015 property taxes that were overpaid on March 3, 2016 in the amount of \$1,416.47 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 Teri Spicer 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 of \$1,416.47 is approved.

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

6.1. *RESOLUTION

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

That the Mayor be authorized to sign a Second Amendment to the Interlocal Agreement between the City of El Paso (the "City") and Texas Tech University Health Sciences Center at El Paso ("TTUHSC EP"), to extend the ending date to January 31, 2020, to allow TTUHSC EP additional time to complete the research activities and findings on the research subjects currently enrolled, without further subject enrollment, in order to develop a regional human dental tissue and fluid bank for the research project entitled "Oral Health El Paso 1115 Waiver Program Project;" and to reduce the cost to the City by an amount of \$315,091.00, for a total payment by the City to TTUHSC EP of \$642,967.00, paid with funding from the Texas Healthcare and Quality Improvement Program 1115 Demonstration Waiver Program to support Medicaid Waiver projects.

Ms. Claudia Lozano, Program Manager, provided a briefing on the item.

CONSENT AGENDA - BOARD APPOINTMENTS:

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

7.1. *Motion made, seconded, and unanimously carried to **APPOINT** Kristin Romero to the Ethics Review Commission by Representative Cassandra Hernandez, District 3.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Morgan

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

8.1. *Motion made, seconded, and unanimously carried to **APPOINT** Sandra DiFrancesco to the Animal Shelter Advisory Committee by Representative Cassandra Hernandez, District 3.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Morgan

8.2. *Motion made, seconded, and unanimously carried to **APPOINT** Amparo Hernandez to the Retired and Senior Volunteer Program Advisory Council by Representative Cassandra Hernandez, District 3.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Morgan

- 8.3. *Motion made, seconded, and unanimously carried to **APPOINT** Don Parrott to the Veterans Affairs Advisory Committee by Representative Cassandra Hernandez, District 3.

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Morgan

CALL TO THE PUBLIC – PUBLIC COMMENT

The following members of the public commented:

1. Mr. Mark Cavaliere
2. Ms. Monica Barba
3. Mr. Marcos Lares
4. Ms. Kristi Lai
5. Ms. Xochitl Rodriguez
6. Ms. Cammy Gonzalez
7. Ms. Ophra Leyser-Whalen
8. Ms. Perla Galindo
9. Ms. Kristyn Ingram
10. Ms. Rachel Cheek
11. Ms. Gabriela Avila
12. Ms. Janet Crowe
13. Ms. Sara Diana Ibanez
14. Mr. Pierre Andre Euzarraga
15. Mr. Michael Castro
16. Mr. Colt DeMorris
17. Mr. Fernando Lugo
18. Mr. Rene Fierro
19. Mr. Leo Mendoza
20. Ms. Wally Cech

Motion made by Representative Svarzbein, seconded by Representative Ordaz Perez, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow the public additional time to speak.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Annello, Hernandez, and Rivera

Mayor Pro Tempore Ordaz Perez read a memo from the Mayor into the record regarding the Mayor's Proclamations.

REGULAR AGENDA - FIRST READING OF ORDINANCES

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Morgan, 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, Annelo, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera, and Lizarraga
NAYS: None

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

9.1. An Ordinance approving Amendment Number Seventeen to the Project Plan And Reinvestment Zone Financing Plan For Tax Increment Reinvestment Zone Number Five, City Of El Paso, Texas, to provide an increase in funding for the Downtown Management District's Commercial Façade Improvement Grant Program and to provide funding to a redevelopment project at 300 E. Main Street subject to execution of a separate agreement between the City and the project developer(S); adopting said amendments as required by Section 311.011(E) Texas Tax Code; and providing a severability clause.

Representative Annelo commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Mirella Craigo, Special District Program Manager

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

10.1. An Ordinance granting Special Permit No. PZST19-00011, to allow for a TV and Radio Broadcasting Antennae on the property described as a portion of Lot 62 & 63, Pendale Industrial Units B & C, Correction Plat, 1075 Pendale Road, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.700 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1075 Pendale Road. Property Owner: City of El Paso. PZST19-00011

10.2. An Ordinance changing the zoning of the property described as Lots 17 & 18, Block P2, Garden Addition to Moeller's Subdivision, 613 Raynor St., City of El Paso, El Paso County, Texas from A-O/c (Apartment/Office/condition) to S-D/c (Special Development/condition) pursuant to Section 20.04.360 and approving a Detailed Site Development Plan pursuant to Section 20.04.150 and 20.10.360 of the El Paso City Code to allow for commercial retail as permitted in the S-D (Special Development) zone district. 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: 613 Raynor St.; Owners: Belen O. Solis; PZRZ19-00025

10.3. An Ordinance changing the zoning of the property described as Tracts 6A2, 7A2 and 8A1A, and A portion of Tracts 5A, 5A2, 6A, 8A1A, 8A1B, 9A, 10A7, and 10A8, Block 54, Ysleta Grant Surveys City of El Paso, El Paso County, Texas from A-O (Apartment/office/special contract) & C-3 (Commercial) to R-5 (Residential/special contract). 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: Northeast corner of Lee Treviño Dr. & Castner Dr.; Owners: Albert Saab, Richard I. Saab, Edward A. Saab, William C. Saab, Robert A. Saab, Andrew P. Saab, Sylvia A. Zychowski, Linda J. Kamos; PZRZ19-00002

10.4. An Ordinance changing the zoning of a portion of Tracts 12, 12B1, 12C and 12C3, Block 7, Ysleta Grant, Clint, 411 North Zaragoza Road, City of El Paso, El Paso County, Texas from C-1/SP (Commercial/Special Permit) to C-3/SP (Commercial/Special Permit). 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: 411 N. Zaragoza, Owner: T-Zaragoza, LTD, PZRZ19-00026

10.5. An Ordinance changing the zoning of a portion of Tract 3A2, Nellie D. Mundy Survey No. 240, City of El Paso, El Paso County, Texas from A-2 (Apartments) to R-3A (Residential). 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: La Puesta Dr., Owner: Tropicana Development, Inc. PZRZ19-00029

10.6. An Ordinance changing the zoning of a portion of Lot 1, Block 237, Vista Del Sol Unit Forty Seven, 1791 Lee Trevino, City of El Paso, El Paso County, Texas from C-1/sc (Commercial/Special Contract) to C-3/sc (Commercial/Special Contract). 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: 1791 Lee Trevino. Owner: Malber LLC. PZRZ19-00031

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

11.1. 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 reduce the restriction on the Street Rental Charge; providing for additional compensation and assurances to the City; and providing consent as required in Section 15.08.013 of the City Code and Section 14(B) of Ordinance No. 16090 upon the terms and conditions described in this ordinance; the penalty as provided in City Code Section 15.08.040.

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

Representatives Svarzbein, Annello, Hernandez, and Rivera commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Karla Nieman, City Attorney

The following members of the public commented:

1. Mr. Steve Ortega, Lobbyist for Sun Jupiter Holdings, LLC
2. Mr. Patrick Reinhart, El Paso Electric Company Vice President of Governmental Affairs

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REGULAR AGENDA - OTHER BUSINESS:

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

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12.1. Presentation on Regional Marketing Initiative.

*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT OF THE AGENDA.**

Mr. Cary Westin, Senior Deputy City Manager of Economic Development and Tourism, and Mr. Bob Wingo, Chief Executive Officer for Sanders/Wingo, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Margo and Representatives Annelo and Rivera commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Jessica Herrera, Economic and International Development Director

NO FURTHER ACTION was taken on this item.

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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

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13.1. Motion made by Representative Lizarraga, seconded by Representative Morgan, and unanimously carried to **AWARD** Solicitation 2020-206 EPIA FBO Ramp Extension and TWY U & V Realignment to Jordan Foster Construction, LLC for an estimated total award of \$9,442,048.00. This project will include reconstructing portions of Taxiway U and Taxiway V to bring these pavement sections and geometry configurations into compliance with current FAA design standards. This project also includes the installation of pavement improvements that will support the addition of a Fixed Base Operator (FBO) facility located on the lot of land adjacent to the existing air traffic control tower on Hawkins Blvd.

Department:	Capital Improvement
Award to:	Jordan Foster Construction, LLC El Paso, TX
Items:	All
Initial Term:	243 Consecutive Calendar Days
Base Bid I:	\$7,474,010.50
Base Bid II:	\$1,968,037.50
Total Estimated Award:	\$9,442,048.00

Account No.: 562-3010-62335-580270-G62A193801
562-3080-62330-580270-G62A193801
Funding Source: Airport Enterprise / Federal Aviation Administration Grant
Districts: All

This is a Competitive Sealed Proposal, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Jordan Foster Construction, LLC, the highest ranked offeror.

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.

Mr. Franklin Godinez, Senior Purchasing Analyst, provided a briefing on the item.

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

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

14.1. Motion made by Representative Rivera, seconded by Representative Lizarraga, and carried to **AWARD** Solicitation No. 2019-1063R Property Insurance to USI Southwest, Inc., for an initial three (3) year estimated award of \$2,728,805.58. The award is to include two (2) additional terms of two (2) years each for an estimated amount of \$3,638,407.44 for a total seven (7) year estimated amount of \$6,367,213.02. The period of performance is from January 22, 2020 through July 1, 2027. USI Southwest, Inc., is guaranteeing the rate for the first year of the contract. Alliant Property Insurance Program submitted a proposal with a \$750M total property limit for \$909,601.86. The annual premium will increase or decrease depending on the total statement of values submitted by the City at the time of renewal. The City Manager or designee is authorized to execute any documents associated and affected by the addition or decrease of assets within the City premium.

CONTRACT VARIANCE:

The variance from previous policy to current policy is a total annual increase in cost of \$391,431.86. Premium for property insurance reflect the difference in the assets that

are covered.

Department: Human Resources
Award to: USI Southwest, Inc.
El Paso, TX
Item(s): All
Initial Term: 3 years
Option: Two (2) additional terms of two (2) years each
Annual Estimated Award: \$ 909,601.86
Initial Term Estimated Award: \$2,728,805.58 (3 years)
Option Total: \$3,638,407.44 (4 years)
Total Estimated Award: \$6,367,213.02 (7 years)
Account No.: 999-9999-1000-544090
Funding Source: Non-departmental – Property Insurance Expense
District(s): All

This is a Request for Proposal, service contract.

The Purchasing & Strategic Sourcing Department and Human Resources Department recommend award as indicated to USI Southwest, Inc., 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 and 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 upon City Attorney's Office review.

Representative Hernandez commented.

The following City staff members commented:

1. Ms. Paula Salas, Purchasing Agent
2. Mr. Bruce Collins, Purchasing and Strategic Sourcing Director

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

NAYS: Representative Hernandez

NOT PRESENT FOR THE VOTE: Representative Svarzbein

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

- 15.1. Motion made by Representative Rivera, seconded by Representative Lizarraga, and unanimously carried to **AWARD** Solicitation 2020-261 Yarbrough North Roadway Lighting and Landscape Improvements to EL PASO A.R.C. ELECTRIC, INC. for an estimated total award of \$1,621,371.86. The project scope of work consists of providing Roadway Lighting and Median Landscaping on Yarbrough Drive North, from I-10 to Montana Avenue. The work shall consist of placing a fully functional Roadway Lighting System and providing a complete Median Landscape System.

Department: Capital Improvement
Award to: EL PASO A.R.C. ELECTRIC, INC.
El Paso, TX

Item: Base Bid I
Initial Term: 270 Consecutive Calendar Days
Base Bid I: \$1,621,371.86
Total Estimated Award: \$1,621,371.86
Account No.: 190-4740-28900-580270-PCP19ST016
Funding Source: 2013 Street Infrastructure
Districts: 3 & 7

This is a Low bid, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to EL PASO A.R.C. ELECTRIC, INC., the lowest responsive, responsible bidder.

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

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

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

Representative Rivera commented.

Mr. Sam Rodriguez, City Engineer, commented.

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

NAYS: None

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- 15.2.** Motion made by Representative Rivera, seconded by Representative Lizarraga, and unanimously carried to **AWARD** Solicitation 2020-384 McCune Road Street Reconstruction to International Eagle Enterprises, Inc. for an estimated total award of \$1,721,902.08. This project consist of full street reconstruction of McCune Road between San Jose Road and Milton Road. The scope of work will include but not limited to the demolition of existing sidewalk, driveways, ramps and existing pavement structure. Roadway improvements shall consist of new pavement structure consisting of Hot Mix Asphaltic Concrete (HMAC), with base course and compacted subgrade. Improvements will also include new ADA compliant sidewalks and driveways, new ADA concrete ramps, dark sky complaint street lights and new street signage. Finally, the reconstruction project will include drainage improvements, water and sanitary sewer replacement.

Department: Capital Improvement

Award to: International Eagle Enterprises, Inc.
 El Paso, TX
 Item(s): All
 Initial Term: 300 Consecutive Calendar Days
 Base Bid I: \$1,268,134.88
 Base Bid II: \$236,837.20
 Base Bid III: \$216,930.00
 Total Estimated Award: \$1,721,902.08
 Account No.: 190-28900-4740-580270- PCP19ST012
 Funding Source: 2013 Street Infrastructure Certificates of Obligation
 Districts: 7

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing Department and Capital Improvement Departments recommend award as indicated to International Eagle Enterprises, Inc., lowest responsive and responsible bidder, and that Del Mar Contracting, Inc. be deemed non-responsive for failure to bid on all line items.

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. Crystal Paz, Procurement Analyst, provided a briefing on the item.

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

NAYS: None

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

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

16.1. ORDINANCE 019012

The City Clerk read an Ordinance entitled: **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.

Representatives Hernandez and Ordaz Perez commented.

The following City staff members commented:

1. Mr. Kevin Smith, Planning and Inspections Deputy Director
2. Mr. Cary Westin, Senior Deputy City Manager of Economic Development and Tourism

Mr. Howard Pearlmutter, citizen, commented.

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, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera, and Lizarraga

NAYS: Representative Annello

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

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16.2.

ORDINANCE 019020

The City Clerk read an Ordinance entitled: **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 WITH CONDITION 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.**

Representatives Svarzbein and Annello commented.

The following City staff members commented.

1. Mr. Raul Garcia, Planning and Inspections Project Manager
2. Mr. Phillip Etiwe, Planning and Inspections Director

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

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, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera, and Lizarraga

NAYS: Representatives Annello

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

REGULAR AGENDA - OTHER BUSINESS

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

17.1. Presentation and discussion providing an organizational strategic snapshot and review of the 2020 Goal Team Reporting Cycle, and operational transformation reports by:

Department of Aviation
International Bridges Department

Ms. Monica Lombraña, Managing Director of Aviation and International Bridges, and Mr. David Coronado, International Bridges Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

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

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

17.2. 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 **GEOMETRICS ENGINEERING PS INC.**, a Washington corporation, for Consultant to provide construction management services, for a project known as "**EPIA FBO RAMP EXTENSION AND TAXIWAY U & V RECONFIGURATION**" for an amount not to exceed SEVEN HUNDRED EIGHTY-NINE THOUSAND ONE HUNDRED FORTY-EIGHT AND NO/100 DOLLARS (\$789,148.00); that the City Engineer is authorized to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/1 00 Dollars (\$50,000.00) and to approve Additional Services for an amount not to exceed Fifty Thousand and No/1 00 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 EIGHT HUNDRED

EIGHTY-NINE THOUSAND ONE HUNDRED FORTY EIGHT AND NO/100 DOLLARS (\$889,148.00); 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. Terry Sharpe, Assistant Director of Aviation, provided a briefing on the item.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

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- 17.3.** Presentation and discussion by Project Arriba on their Annual report 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 2, 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 Pro Tempore Ordaz Perez commented.

NO ACTION was taken on this item.

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- 17.4.** Presentation by The Hub of Human Innovation on their Annual Report (September 1, 2018 – August 31, 2019), on their progress with respect to the FY 2019 performance measures, as described under the reporting metrics in the Chapter 380 grant agreement.

*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT OF THE AGENDA**.

Ms. Denise Carter, Contract Compliance Coordinator, introduced the item.

Mr. Carlos Martinez, Chief Executive Officer for the Hub of Human Innovation, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Margo and Representative Svarzbein commented.

NO FURTHER ACTION was taken on this item.

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

18.1.

RESOLUTION

WHEREAS, the Mayor and City Council accept the recommendation from the Parks and Recreation Advisory Board to rename Vivid Dreams Park located at 4960 Vincent James, within the City of El Paso, El Paso County, Texas, as Frank Castillo Park.

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

THAT the Vivid Dreams Park, located at 4960 Vincent James, within the City of El Paso, El Paso County, Texas, shall henceforth be renamed and known as Frank Castillo Park; and,

THAT JNC Development, INC, POC Nagesh Basnyat, (“Applicant”) shall incur the customary costs associated with the renaming of the park, such as installing or replacing signs with the park name or any other signs posted or affixed to a facility. Any proposed signs shall be reviewed and agreed upon by both the Parks and Recreation Department and Applicant.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

18.2. Discussion and action on a Resolution formally renaming Vocational Park Pond, located at 7464 Balsam Dr., El Paso, Texas, to Cedar Grove Park Pond.

Representatives Annello, Hernandez, and Rivera commented.

Mr. Joel McKnight, Parks and Recreation Assistant Director, commented.

Ms. Ana Duenez, citizen, commented.

Motion made by Representative Hernandez, seconded by Representative Annello, and carried to **POSTPONE** the item for two weeks.

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

NAYS: Representatives Ordaz Perez and Rivera

NOT PRESENT FOR THE VOTE: Representative Svarzbein

18.3.

RESOLUTION

WHEREAS, by way of a Resolution on April 12, 2005, City Council adopted the 2014-2024 Public Art Master Plan dated October 28, 2014, as the primary guideline in determining and appropriating expenditures from the public art fund; and

WHEREAS, under the provisions of the City Code Chapter 2.40 (Department of Museums and Cultural Affairs) Section 2.40.70 (Art in Municipal Places) and Section 2.40.80 (Administration of the Public Art Program and Establishment of the Public Art Committee) the City of El Paso provided for art in municipal places, established a means of funding acquisition or commissioning of art for municipal places and established that the Public Art committee and the Museums and Cultural Affairs Advisory Board shall submit an annual Public Art Plan to the City Council; and

WHEREAS, the 2020 Public Art Plan (the “Plan”) attached hereto as Exhibit “A” has been approved by the Public Art Committee (“PAC”) and the Museums and Cultural Affairs Advisory Board (“MCAAB”), and is being recommended to Council; and

WHEREAS, the City Council may accept or reject any portion of this Plan; and

WHEREAS, the City Council, having taken into consideration the recommendation of the PAC and MCAAB, determines that the Plan is reasonable and appropriately adopted and that said Plan serves the public purpose of enhancing the quality of life of the citizens of El Paso through the development of fine arts and cultural properties and by encouraging the integration of art in the architecture of municipal structures.

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

1. That the Plan, attached hereto, be and is hereby officially adopted.
2. That Plan includes new projects to be initiated in the 2020 fiscal year, and describes the planned location, proposed budget, timetable, and artist selection process for each project, and contains updates on public art projects in progress.
3. That adoption of the Plan is fully funded through 2010, 2011, 2012, 2013, 2017, 2018, and 2019 Certificates of Obligation; the 2012 Infrastructure and Quality of Life Bonds; and the 2019 Public Safety Bonds.
4. That the City Manager or a designee is authorized to enter into contracts and amendments to contracts to carry out the Plan as described in Exhibit “A”. If an artist identified in the Plan is unable or unwilling to finalize a contract with the City, then the City Manager is authorized to execute a contract and contract amendments with a new artist as selected by the Museum and Cultural Affairs Department approved by the Public Art Committee.

Mr. Ben Fyffe, Museums and Cultural Affairs Assistant Director, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Representatives Annelo, Hernandez, and Rivera commented.

The following City staff members commented:

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

1ST MOTION

Motion made by Representative Annello, seconded by Representative Morgan, and unanimously carried to **DIRECT** the City Manager to engage in an assessment of the condition and cost of the Alabama, Beaumont, and Geronimo murals within 120 days or by May 26, 2020.

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

NAYS: None

2ND AND FINAL MOTION

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

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

NAYS: None

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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 Resolution declaring a process to censure an El Paso City Council Representative.

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT OF THE AGENDA**.

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, and Morgan commented.

The following City staff members commented:

- 1. Ms. Karla Nieman, City Attorney
- 2. Mr. Kristen Hamilton, Assistant City Attorney

2ND MOTION

Motion made by Representative Morgan, seconded by Representative Rivera, and carried to **RETIRE** into executive session at 10:32 a.m.

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

NAYS: Representatives Annello and Hernandez

NOT PRESENT FOR THE VOTE: Representative Svarzbein

3RD MOTION

Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **COME OUT** of executive session at 10:49 a.m.

AYES: Representatives Annello, Hernandez, Morgan, Salcido and Rivera

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein, Ordaz Perez and Lizarraga

4TH MOTION

Motion made by Representative Hernandez, seconded by Representative Morgan, and unanimously carried to **TABLE** the item until the end of the agenda.

AYES: Representatives Annello, Hernandez, Morgan, Salcido and Rivera

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Ordaz Perez and Lizarraga

5TH AND FINAL MOTION

Motion made by Representative Hernandez, seconded by Representative Annello, and carried to **POSTPONE** the item for two weeks.

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

NAYS: Representative Annello

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Ordaz Perez

20. MAYOR AND COUNCIL

- 20.1.** Discussion and action to amend the City of El Paso Code of Conduct for Elected Officials by changing the required votes needed to formally reprimand an elected official.

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT OF THE AGENDA**.

Representatives Svarzbein, Annello, Hernandez, Morgan, and Rivera commented.

Ms. Karla Nieman, City Attorney, commented.

2ND AND FINAL MOTION

Motion made by Representative Svarzbein, seconded by Representative Annello, and unanimously carried to **AMEND** the City of El Paso Code of Conduct for Elected Officials by changing the required votes needed to formally reprimand an elected official to be determined by a super majority vote of City Council as defined by the City Charter.

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

NAYS: None

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- 20.2.** 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

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT OF THE AGENDA**.

2ND MOTION

Motion made by Representative Hernandez, seconded by Representative Morgan, and unanimously carried to **TABLE** the item until the end of the agenda.

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

NAYS: None

3RD AND FINAL MOTION

Motion made by Representative Hernandez, seconded by Representative Annello, and carried to **POSTPONE** the item for two weeks.

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

NAYS: Representative Annello

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Ordaz Perez

20.3. *Motion made, seconded, and unanimously carried to **POSTPONE** two weeks a Resolution for the use of District 3 and District 2 discretionary funds to support the El Paso Municipal Police Officers' Association Memorial.

20.4. Motion made by Representative Svarzbein, seconded by Representative Annello, and unanimously carried to **DIRECT** the City Manager and City Attorney to review House Bill 2359 (2017), House Bill 36 (2019), and Senate Bill 254 (2019) and to develop and implement recommended action plan to address buildings that are vacant, have substandard conditions, and/or violate city ordinances with in the city.

Representative Hernandez commented.

The following City staff members commented:

1. Ms. Karla Nieman, City Attorney
2. Mr. Tommy Gonzalez, City Manager

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

NAYS: None

21. OPERATIONAL FOCUS UPDATES

21.1. Budget Update.

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

Representative Svarzbein commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

21.2. Electric Utility Feasibility Study Update.

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

Mr. Howard Pearlmutter, citizen, commented.

NO ACTION was taken on this item.

21.3. Presentation and update on the El Paso Children's Museum.

Mr. Sam Rodriguez, City Engineer, introduced the item.

Mr. Paul Kortenaar, Founding Executive Director for the El Paso Children's Museum, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Ordaz Perez commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

21.4. Recycling Innovations – update on changes to the City of El Paso's recycling collection schedule and opt-in policy.

Ms. Ellen Smyth, Environmental Services Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein, Hernandez, and Ordaz Perez commented.

Mr. Tommy Gonzalez, City Manager, commented.

Mr. Howard Pearlmutter, citizen, commented.

NO ACTION was taken on this item.

EXECUTIVE SESSION

Motion made by Representative Rivera, seconded by Representative Morgan, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 3:55 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 items:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

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

NAYS: None

Motion made by Representative Lizarraga seconded by Representative Rivera, and unanimously carried to adjourn the Executive Session at 6:08 p.m. and **RECONVENE** the meeting of the City Council.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Ordaz Perez

EX1. El Paso Electric Company Franchise; Matter: 19-1008-126.001 (551.071) (551.087)

Mr. Howard Pearlmutter, citizen, commented.

NO ACTION was taken on this item.

EX2. Public Utility Commission of Texas Docket No. 49849, Joint Report and Application of El Paso Electric Company, Sun Jupiter Holdings LLC, and IIF US Holding 2 LP for Regulatory Approvals under PURA §§ 14.101, 39.262, and 39.915; Matter: 19-1008-126 (551.071) (551.087)

Mr. Howard Pearlmutter, citizen, commented.

NO ACTION was taken on this item.

EX3. Economic Incentives for a Medical Facility located in the City of El Paso. (14-1007-1014) (551.071) (551.087)

NO ACTION was taken on this item.

EX4. Economic Incentives for a Commercial Infill Project to be located in the City of El Paso. (20-1007-2559) (551.071) (551.087)

NO ACTION was taken on this item.

EX5. Update on Proposed Strategic Real Estate Acquisitions for Public Safety Facilities. (19-1065-118) (551.071) (551.072)

NO ACTION was taken on this item.

EX6. Celia Sanchez, and Oscar Salas, Statutory Death Beneficiaries of Erik Emmanuel Salas-Sanchez v. Mando Kenneth Gomez, Alberto Rivera, Pamela Smith, and the City of El Paso, Texas; Matter No. 17-1026-8443 (551.071)

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

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Morgan

EX7. Ysleta Del Sur Pueblo, a federally recognized Indian Tribe v. City of El Paso; USDC; Case No. 3:17-CV-00162-DCG; Our Matter No. 17-1009-561 (551.071)

NO ACTION was taken on this item.

EX8. Litigation Update to Council: FY2020 - 1st Quarter; Matter No. 19-1021-1210; (551.071)

NO ACTION was taken on this item.

EX9. Ex Parte: City of El Paso; Supreme Court of Texas, Case #19-0022; Matter No. 17-1001-171.002 (551.071)

NO ACTION was taken on this item.

EX10. Max Grossman v. City of El Paso; 8th Court of Appeals, Case #08-19-00272-CV; Matter No. 17-1001-171.001.001 (551.071)

NO ACTION was taken on this item.

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ADJOURN

Motion made by Representative Hernandez, seconded by Representative Morgan, and unanimously carried to **ADJOURN** this meeting at 6:13 p.m.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Ordaz Perez

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk