

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 L. RODRIGUEZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

**February 18, 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. Mayor Dee Margo present and presiding and the following Council members answered roll call: Peter Svarzbein, Alexsandra Annello, Cassandra Hernandez, Sam Morgan, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga. The invocation was given by Ms. Pam Faraone followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY PAM FARAONE, NEW DAY MINISTRIES INTERNATIONAL

PLEDGE OF ALLEGIANCE

**Students from Parkland Middle School STEM Program at the invitation of Mayor
Dee Margo**

**D'Andre Ramirez
Daniel Avalos**

MAYOR'S PROCLAMATIONS

- 1. Senior Games Opening Ceremonies**
- 2. Retired Sergeant Major Pierce Day**
- 3. Joseph Tellez Day**

RECOGNITIONS BY MAYOR

REGULAR AGENDA - OTHER BUSINESS

1. MAYOR AND COUNCIL

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1.1. Discussion and action on the election of Mayor Pro Tempore.

Mayor Margo and Representatives Svarzbein, Annello, Hernandez, and Morgan commented.

1ST MOTION

Motion made by Representative Lizarraga, seconded by Representative Rivera, to **ELECT** Henry Rivera as Mayor Pro Tempore. **THE MOTION FAILED.**

AYES: Representatives Rivera and Lizarraga

NAYS: Representatives Svarzbein, Annello, Hernandez, Morgan, and Salcido

ABSTAIN: Representative Rodriguez

2ND AND FINAL MOTION

Motion made by Representative Hernandez, seconded by Representative Annello, and unanimously carried to **ELECT** Peter Svarzbein as Mayor Pro Tempore.

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

NAYS: None

ABSTAIN: Representative Rodriguez

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NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Hernandez, 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, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative 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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1.2. *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes of the Regular City Council Meeting of February 4, 2020, the Agenda Review Meeting of February 3, 2020, the Work Session of June 24, 2019, the Work Session of August 5, 2019, and the Work Session of November 25, 2019, the Work Session of February 3, 2020, and the Special Meeting of February 6, 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.

CONSENT AGENDA - RESOLUTIONS:

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

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 Miguel and Yolanda Zavala, therein consenting to the assignment of the Tax Abatement Agreement from Miguel and Yolanda Zavala (jointly) to Yolanda Zavala (individually).

3.2. *RESOLUTION

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

That the City Manager or designee is authorized to complete and execute a Letter of Instruction form to Shareowner Services regarding Delta Air Lines, Inc. Common Stock owned by the City of El Paso through the El Paso International Airport, to amend the address for receipt of communications and payments.

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

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 Agreement for Professional Services by and between the CITY OF EL PASO and **IN SITU ARCHITECTURE, PLLC, a Texas professional limited liability company**, for a project known as **“ARCHITECT AND ENGINEERING SERVICES FOR FIRE STATION 12”** for an amount not to exceed **THREE HUNDRED TWENTY THOUSAND SEVEN HUNDRED TWENTY AND NO/100 DOLLARS (\$320,720.00)**; 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 **FOUR HUNDRED TWENTY THOUSAND SEVEN HUNDRED TWENTY AND NO/100 DOLLARS (\$420,720.00)**; 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.

1ST MOTION

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

2ND AND FINAL MOTION

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Morgan

ITEMS 4.2. THROUGH 4.7. WERE TAKEN TOGETHER

4.2.

R E S O L U T I O N

WHEREAS, the City of El Paso (the "City") is eligible to apply for grants through the Homeland Security Grant Division of the Office of the Governor of the State of Texas ("HSGD"); and

WHEREAS, the El Paso City Council seeks to receive grant funding through the HSGD grant/application number 2950706 for the El Paso Police Department project identified as "State Homeland Security Program, FY2020 MATRIX El Paso Fusion Center Sustainment and Enhancement;" and

WHEREAS, the El Paso City Council desires to designate the City Manager or his designee as the City's authorized official to apply for, accept, reject, alter and/or terminate the grant.

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

1. That the City Manager or designee is authorized to submit grant application number 2950706, for the City of El Paso Police Department project identified as "Homeland Security Program FY2020, MATRIX El Paso Fusion Center Sustainment and Enhancement" through the Office of the Governor of the State of Texas, Homeland Security Grant Division, including all related paperwork, including but not limited to, authorization of budget transfers, and/or revisions to the operation plan, and to accept, reject, amend, correct, and/or terminate the grant; and
2. That the City of El Paso commits to provide all applicable matching funds for said grant; and

That in the event of loss or misuse of the grant funds, the City of El Paso assures that it will return the funds to the Office of the Governor in full.

4.3.

R E S O L U T I O N

WHEREAS, the City of El Paso (the "City") is eligible to apply for grants through the Homeland Security Grant Division of the Office of the Governor of the State of Texas ("HSGD"); and

WHEREAS, the El Paso City Council seeks to receive grant funding through the HSGD grant/application number 2950606 for the El Paso Police Department project identified as “State Homeland Security Program, FY2020” Law Enforcement Terrorism Prevention Activities (“LETPA”) Project and

WHEREAS, the El Paso City Council desires to designate the City Manager or his designee as the City’s authorized official to apply for, accept, reject, alter and/or terminate the grant.

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

1. That the City Manager or designee is authorized to submit grant application number 2950606, for the City of El Paso Police Department project identified as “Homeland Security Program FY 2020- LETPA Project ” through the Office of the Governor of the State of Texas, Homeland Security Grant Division, including all related paperwork, including but not limited to, authorization of budget transfers, and/or revisions to the operation plan, and to accept, reject, amend, correct, and/or terminate the grant; and
2. That the City of El Paso commits to provide all applicable matching funds for said grant; and
3. That in the event of loss or misuse of the grant funds, the City of El Paso assures that it will return the funds to the Office of the Governor in full.

4.4.

R E S O L U T I O N

WHEREAS, the City of El Paso (the “City”) is eligible to apply for grants through the Homeland Security Grant Division of the Office of the Governor of the State of Texas (“HSGD”); and

WHEREAS, the El Paso City Council seeks to receive grant funding through the HSGD grant/application number 3967901 for the El Paso Police Department project identified as “State Homeland Security Program , FY 2020 Sustainment of First Responders” and

WHEREAS, the El Paso City Council desires to designate the City Manager or his designee as the City’s authorized official to apply for, accept, reject, alter and/or terminate the grant.

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

1. That the City Manager or designee is authorized to submit grant application number 3967901, for the City of El Paso Police Department project identified as “Homeland Security Program FY 2020- Sustainment of First Responders” through the Office of the Governor of the State of Texas, Homeland Security Grant Division, including all related paperwork, including but not limited to, authorization of budget transfers, and/or revisions to the operation plan, and to accept, reject, amend, correct, and/or terminate the grant; and

2. That the City of El Paso commits to provide all applicable matching funds for said grant; and
3. That in the event of loss or misuse of the grant funds, the City of El Paso assures that it will return the funds to the Office of the Governor in full.

4.5.

R E S O L U T I O N

WHEREAS, the City of El Paso (the “City”) is eligible to apply for grants through the Criminal Justice Division of the Office of the Governor of the State of Texas (“CJD”); and

WHEREAS, the El Paso City Council seeks to receive grant funding and in-kind funds through the CJD grant/application number 2592807 for the El Paso Police Department project identified as General Victims Services (the “Grant”); and

WHEREAS, the Grant requires the City to provide matching funds; and

WHEREAS, the City Council agrees that in the event of loss or misuse of said Grant funds, the City of El Paso will return all funds for the Grant to the State of Texas Office of the Governor, Criminal Justice Division; and

WHEREAS, the El Paso City Council designates the City Manager or his designee as the City’s authorized official.

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

1. That the El Paso City Council authorizes the Grant submission to CJD for the City of El Paso Police Department project identified as General Victims Services to provide financial assistance to the City of El Paso; and
2. That the City of El Paso shall provide applicable matching funds for the Grant; and
3. That the City Council agrees that in the event of loss or misuse of said Grant funds, the City of El Paso will return all funds for the Grant to the State of Texas Office of the Governor, Criminal Justice Division; and
4. Further, that the City Manager or designee is authorized to sign any related paperwork, including but not limited to, applications, rejections, the actual Grant contract, the authorization of budget transfers, and/or revisions to the operation plan, as well as any amendments, corrections, extensions or terminations of the Grant agreement which increase, decrease or de-obligate program funds, provided that no additional City funds are required.

4.6.

R E S O L U T I O N

WHEREAS, the City of El Paso (the “City”) is eligible to apply for grants through the Criminal Justice Division of the Office of the Governor of the State of

Texas (“CJD”); and

WHEREAS, the El Paso City Council seeks to receive grant funding through the CJD grant/application number 3947401 for the El Paso Police Department project identified as Scene Investigation, FY 2021 (the “Grant”); and

WHEREAS, the Grant requires no matching funds by the City; and

WHEREAS, the City Council agrees that in the event of loss or misuse of said Grant funds, the City of El Paso will return all funds for said Grant to the State of Texas Office of the Governor, Criminal Justice Division; and

WHEREAS, the El Paso City Council designates the City Manager or his designee as the City’s authorized official.

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

1. That the El Paso City Council authorizes the Grant submission to the CJD, for the City of El Paso Police Department project identified as “Scene Investigation, FY 2021” to provide financial assistance to the City of El Paso; and
2. That the City Council agrees that in the event of loss or misuse of said Grant funds, the City of El Paso will return all funds for said Grant to the State of Texas Office of the Governor, Criminal Justice Division; and
3. Further, that the City Manager or designee is authorized to sign any related paperwork, including but not limited to, applications, rejections, the actual Grant contract, the authorization of budget transfers, and/or revisions to the operation plan, as well as any amendments, corrections, extensions, or terminations of the Grant agreement which increase, decrease or de-obligate program funds, provided that no additional City funds are required.

4.7.

R E S O L U T I O N

WHEREAS, the El Paso City Council finds it in the best interest of the citizens of El Paso that the Municipal Court Juvenile Justice Prevention and Community Outreach Program be operated for the FY2021;

WHEREAS, the City of El Paso agrees to provide applicable matching funds for the said project as required by the Office of the Governor grant application;

WHEREAS, the City of El Paso agrees that in the event of loss or misuse of the Office of the Governor funds, the City of El Paso assures that the funds will be returned to the Office of the Governor in full;

WHEREAS, the City of El Paso designates the City Manager or his designee as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

EL PASO:

That the City Council of the City of El Paso approves submission of the grant application for the Juvenile Justice & Truancy Prevention Grant Program, FY2021, Grant Number 4021601, to the Office of the Governor, and the City Manager or his designee is authorized to execute any necessary documents to apply for, accept, reject, alter or terminate the grant on behalf of the City that do not affect the approved budget, upon review and approval by the City Attorney.

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the items to the forefront of the Regular Agenda.

2ND AND FINAL MOTION

Motion made by Representative Hernandez, seconded by Representative Rivera, and unanimously carried to **APPROVE** the Resolutions.

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

NAYS: None

ABSTAIN: Representative Annello

NOT PRESENT FOR THE VOTE: Representative Morgan

CONSENT AGENDA - BOARD RE-APPOINTMENTS:

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

5.1. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Christopher Antcliff to the Ethics Review Commission by Mayor Dee Margo.

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

CONSENT AGENDA - BOARD APPOINTMENTS:

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

6.1. *Motion made, seconded, and unanimously carried to **APPOINT** Isabel Salcido to the Financial Oversight and Audit Committee by Mayor Dee Margo.

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

7.1. *Motion made, seconded, and unanimously carried to **APPOINT** Aleksandra Annello to the Animal Shelter Advisory Committee by Mayor Dee Margo.

CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:

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

- 8.1. *Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds listed on the attachment posted with this agenda be approved.

1. Wells Fargo Home Mortgage, in the amount of \$5,917.03, made an overpayment on December 23, 2019 of 2019 taxes.
2. Wells Fargo Home Mortgage, in the amount of \$7,377.83, made an overpayment on December 23, 2019 of 2019 taxes.
3. IBEW Local Union 583, in the amount of \$2,624.36, made an overpayment on January 8, 2020 of 2019 taxes.
4. Alex Harrison Jr., in the amount of \$4,250.44, made an overpayment on January 30, 2020 of 2019 taxes.
5. River Oaks Properties, in the amount of \$5,209.09, made an overpayment on January 24, 2020 of 2019 taxes.

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CONSENT AGENDA - NOTICE OF CAMPAIGN CONTRIBUTIONS:
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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 **ACCEPT** the notation pursuant to Section 2.92.110 of the City Code, receipt of the following campaign contributions by Mayor Margo: \$50.00 from Jose Hinojosa Jr., \$500.00 from James Maloney, \$500.00 from G. Russell Hill, \$2,500.00 from Yolanda & Ben Arriola, \$250.00 from Barbara & Charlie Horak, \$500.00 from Steve & Martha DeGroat, \$100.00 from Hooper Vint, \$2,500.00 from Perry O Barber, \$250.00 from John Broadus, \$500.00 from Howard Senk, \$50.00 from Thomas Figart, \$1,000.00 from Monga Goldberg, \$1,000.00 from Suzanne Dipp, \$2,500.00 from Betty Ruth Wakefield, \$1,000.00 from Clay Lowenfield, \$50.00 from Ron Thomson, \$2,500.00 from Jon & Lory Rogers, \$100.00 from Stuart Kahn, \$500.00 from Ralph Lowenfield, \$100.00 from Mimi & Jay Gladstein, \$500.00 from Ceci Miles Mulvihill, \$500.00 from Dalton & Kimmie Caldwell, and \$250.00 from Matt Keats.

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CONSENT AGENDA - REQUESTS TO ISSUE PURCHASE ORDERS:
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10. Goal 7: Enhance and Sustain El Paso's Infrastructure Network
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- 10.1. *Motion made, seconded, and unanimously carried to **AUTHORIZE** that the Director of Purchasing & Strategic Sourcing issue a Purchase Order to Trapeze Software Group, Inc. referencing Contract 2019-654 Annual Software Maintenance and Support. This will be a change order to increase the contract by \$4,264.00 for a total amount not to exceed \$50,654.67.

| | |
|-------------------------|--|
| Department:: | Streets and Maintenance |
| Award to: | Trapeze Software Group, Inc. Wayne, PA |
| Total Estimated Amount: | \$4,264.00 |
| Account No.: | 532-522020-3600-P3701-37020 |
| Funding Source: | Supply Support Fund – Data Process Services Contract |

Districts:

All

CALL TO THE PUBLIC – PUBLIC COMMENT

REGULAR AGENDA - FIRST READING OF ORDINANCES

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

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

NAYS: None

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

11.1. An Ordinance partially amending the Master Zoning Plan approved on August 12, 2008 By Ordinance No. 016959, as amended by Ordinance No. 017825 approved on July 17, 2012, pertaining to the approval of a rezoning of portions of Sections 9, 10, 15, 16, 17 and 18, Block 81, Township 1, Texas & Pacific Railway Company Surveys; Portions of Sections 11, 14, and 19, Block 81, Township 1, Texas & Pacific Railway Company Surveys; Portions of Sections 11, 12, 13, 14, 19, 20 and 21 Block 81, Township 1, Texas & Pacific Railway Company Surveys; and Portions of Sections 7, 17, 18, 19, 20, and 30 Block 80, Township 1, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas to General Mixed Use and pertaining to the approval, and amendment, of a Master Zoning Plan. the Partial Amendment to the Master Zoning Plan under this ordinance only applies to the following tracts of land rezoned under Ordinance 016959:

Tract 1: A Portion of Section 14, Block 81, Township 1, Texas & Pacific Railway Company Surveys, Abstract No. 5418, City of El Paso, El Paso County, Texas, and being part of the tracts of land described in the Deed to the City of El Paso Recorded in Volume 1242, Page 231 of the Deed Records of El Paso County, Texas;

Tract 2: A Portion of Section 14, Block 81, Township 1, Texas & Pacific Railway Company Surveys, Abstract No. 5418, City of El Paso, El Paso County, Texas, and being part of the tracts of land described in the deed to the City of El Paso recorded in Volume 1242, Page 231 of the Deed Records of El Paso County, Texas;

Tract 3: A Portion of Section 13, Block 81, Township 1, Texas & Pacific Railway Company Surveys, Abstract No. 2158, City of El Paso, El Paso County, Texas, and being part of a called 640 Acre tract of land described in the deed to the City of El Paso Recorded in Volume 1242, Page 231 of the Deed Records of El Paso County, Texas;

Tract 4: A Portion of Section 7, Block 80, Township 1, Texas & Pacific Railway Company Surveys, Abstract No. 2405, Sections 17, Block 80, Township 1, Texas & Pacific Railway Company Surveys, Abstract No. 2399, Section 18, Block 80, Township 1, Texas & Pacific Railway Company Surveys, Abstract Nos. 9866, 9940, 10055 and 10009, Sections 19, Block 80, Township 1, Texas & Pacific Railway Company

Surveys, Abstract No. 2400, and Section 20, Block 80, Township 1, Texas & Pacific Railway Company Surveys, Abstract 5423, City of El Paso, El Paso County, Texas, and being part of the tracts of land described in deed to the City of El Paso recorded in Volume 1186, Page 178 Of The Deed Records Of El Paso County, Texas, and being part of the tracts of land described in deed to the City of El Paso Recorded in Volume 1186, Page 183 of said deed records, and being part of a called 44.65 Acre Tract Of Land Described In Deed to the City Of El Paso recorded in Volume 1360, Page 610 of said deed records, and being part of the tract of land described as "Parcel III" in Warranty Deed to El Paso Water Utilities Public Service Board Recorded in Volume 4352, Page 569 of said deed records;

Tract 5: A Portion of Section 19, Block 81, Township 1, Texas & Pacific Railway Company Surveys, Abstract No. 2161, City of El Paso, El Paso County, Texas, and being part of the tracts of land described in deed to the City of El Paso recorded in Volume 1186, Page 183 of the Deed Records of El Paso County, Texas;

Tract 6: A Portion of Section 19, Block 81, Township 1, Texas & Pacific Railway Company Surveys, Abstract No. 2161, City of El Paso, El Paso County, Texas, and being part of the tracts of land described in deed to the City of El Paso recorded in Volume 1186, Page 183 of the Deed Records of El Paso County, Texas;

Tract 7: A Portion of Section 20, Block 81, Township 1, Texas & Pacific Railway Company Surveys, Abstract No. 5419 and Section 21, Block 81, Township 1, Texas & Pacific Railway Company Surveys, Abstract No. 2162, City of El Paso, El Paso County, Texas, and being part of the tracts of land described in deed to the City of El Paso recorded in Volume 1186, Page 183 of the Deed Records of El Paso County, Texas;

Tract 8: A Portion of Section 19, Block 80, Township 1, Texas & Pacific Railway Company Surveys, Abstract No., City of El Paso, El Paso County, Texas, and being part of the tracts of land described in deed to the City of El Paso recorded in Volume 1186, Page 183 of the deed records of El Paso County, Texas.

The Proposed Master Zoning Plan Amendment 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: east of US Highway 54 and north of Loma Real Ave. Owner: City of El Paso PZRZ19-00032

- 11.2. An Ordinance vacating a portion of City Right-of-Way over all of Linda Lane, Block 4, Upper Valley Surveys, City of El Paso, El Paso County, Texas. Subject Property: West of Montoya Drive at Linda Lane. Owner: William Kell as Trustee of the Cervantes Revocable Trust. SURW16-00005

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

- 12.1. Motion made by Representative Rivera, seconded by Representative Morgan, and unanimously carried to **AWARD** Solicitation No. 2020-095 El Paso Police Department Parking Improvements to JMR Demolition, Ltd. for an estimated total award of

\$1,225,431.66.

Department: Capital Improvement
Award to: JMR Demolition, Ltd.
El Paso, TX
Items: All
Term: 305 Consecutive Calendar Days
Total Estimated Award: \$1,225,431.66
Account No.: 580270 – 38290 – 4741 – 190 – PCP17MF002
Funding Source: 2017 Certificates of Obligation
District: 2

This is a Competitive Sealed Proposal, unit price contract.

The Purchasing & Strategic Sourcing Department and Capital Improvement recommend award as indicated to JMR Demolition, Ltd. the highest ranked proposer.

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.

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

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

- 13.1.** Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **AWARD** Solicitation 2020-199 Yarbrough Drive, George Dieter Drive & Lee Trevino Drive Roadway Lighting and Median Landscaping Project to EL PASO A.R.C. ELECTRIC, INC. for an estimated total award of \$5,710,588.40. The project scope of work consists of providing Roadway Lighting and Median Landscaping on Yarbrough Drive South, from I-10 to Loop 375; providing Median Landscaping and Irrigation Improvements on George Dieter Drive, from Zaragoza Drive to Montana Avenue; and providing Median Landscaping and Irrigation Improvements on Lee Trevino Drive, from North Loop Drive to Rojas Drive.

Department: Capital Improvement
Award to: EL PASO A.R.C. ELECTRIC, INC.
El Paso, TX
Item(s): All
Initial Term: 480 Consecutive Calendar Days

Base Bid: \$4,922,226.40
Additive Alternate I: \$394,706.00
Additive Alternate II: \$393,626.00
Total Estimated Award: \$5,710,558.40
Account No.: 190-38290-4745-580270- PCP19ST017
Funding Source: 2019 Capital Plan Certificates of Obligation
Districts: 3, 5, 6, & 7

This is a Low Bid procurement, unit price contract.

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

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

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

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

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

NAYS: None

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

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

14.1. ORDINANCE 019023

The City Clerk read an Ordinance entitled: **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**

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

NAYS: None

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

14.2.

ORDINANCE 019024

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

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

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

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

NAYS: None

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

-
- 14.3.** *Motion made, seconded, and unanimously carried to **POSTPONE TWO WEEKS** 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

14.4.

ORDINANCE 019025

The City Clerk read an Ordinance entitled: **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**

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

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

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

NAYS: None

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

14.5.

ORDINANCE 019026

The City Clerk read an Ordinance entitled: **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**

Motion duly made by Mayor Pro Tempore Svarzbein, 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, Annello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

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

14.6.

ORDINANCE 019027

The City Clerk read an Ordinance entitled: **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**

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

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

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

NAYS: None

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

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

15.1.

ORDINANCE 019028

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (CLASSIFICATION AND COMPENSATION PLAN) TO AMEND THE INTRODUCTORY PARAGRAPH OF SECTION 3 (COMPENSATION PLAN), SECTION 3.2 (PROCEDURES FOR ADVANCEMENT WITHIN PAY GRADE) AND SECTION 3.10 (PROFESSIONAL/MANAGERIAL PLAN) TO REPLACE REFERENCES TO "GENERAL SERVICES" AND "PROFESSIONAL MANAGERIAL" WITH THE TERM "UNIFIED SERVICES."**

Motion duly made by Mayor Pro Tempore Svarzbein, 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, Rodriguez, Rivera, and Lizarraga

NAYS: None

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

.....
REGULAR AGENDA - OTHER BUSINESS
.....

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

16.1. Presentation on El Paso Water Conservation Initiatives at City Facilities.

Mr. Alan Shubert, El Paso Water Vice President of Engineering, Operations and Technical Services, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Svarzbein commented.

NO ACTION was taken on this item.

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

17.1. RESOLUTION

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

That the El Paso City Council approves the list of projects on Exhibit "A" attached hereto, totaling approximately \$110,934,293.00, which updates the document known as the "El Paso International Airport Proposed Five Year Capital Improvement Plan," as the established list of Airport Capital Improvement Program projects for FY 2020 through FY 2024 and the use of the identified funding sources and that the City Manager be authorized to make all necessary budget transfers prior to the execution of the projects.

Mr. Terry Sharpe, Assistant Director of Aviation, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein, Annello, and Hernandez commented.

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

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

NAYS: None

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

18.1. Discussion and action on information related to City Council direction from October 29, 2019 for Staff to provide additional information regarding the preservation of approximately 1,000 acres of land owned by the City of El Paso in Northwest El Paso, including Lost Dog Trail.

Representatives Svarzbein, Annello, and Rivera commented.

The following City staff members commented:

1. Mr. Kevin Smith, Planning and Inspections Assistant Director
2. Mr. Tommy Gonzalez, City Manager
3. Ms. Karla Nieman, City Attorney

The following members of the public commented:

1. Mr. Rick Bonart
2. Judy Ackerman
3. Ms. Sharon Miles-Bonart
4. Ms. Marilyn Guida
5. Mr. Mark Huston
6. Mr. Philip Goodell
7. Ms. Sylvia Searfoss
8. Ms. Ann Lilly
9. Ms. Jean Wigle

1ST MOTION

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

2ND MOTION

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Hernandez, and carried to allow for public comment prior to retiring into Executive Session.

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

NAYS: Representative Rivera

3RD MOTION

Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 10:15 a.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 item.

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

NAYS: None

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

4TH MOTION

Motion made by Representative Lizarraga, seconded by Representative Rivera, and unanimously carried to adjourn the Executive Session at 11:21 a.m. and **RECONVENE** the meeting of the City Council, during which time a motion was made.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Morgan

5TH AND FINAL MOTION

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello, and unanimously carried that separate from the ballot initiative based upon the interest of public health, safety, economic development, and overall welfare and to be more aggressive with preservation of open space to **DIRECT** City Staff to take all necessary steps and resources to create a conservation easement on the land of the 1,107 acres of TIRZ 12.

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

NAYS: None

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

19.1 Discussion and action on a 2012 Quality of Life (QOL) Bond update to include the following:

1. Comprehensive update on the QOL Program;

2. RESOLUTION

WHEREAS, on February 5, 2013 the City Council approved the "2012 Quality of Life Bond Proposed 3 Year Roll-out Plan" which included the Touch Tank, Public Restrooms in Exhibits of Africa area, Tapir Yard and Holding, Administration Building addition and improvement, Asia Discovery Center, Squirrel Monkey, Plaza Improvements, Komodo Dragon/Red Panda Exhibit, Penguins Exhibits, Animal Holding II and South American Pavilion Restrooms, and Sea Lion Exhibit Repair and Upgrade projects; and

WHEREAS, pursuant to the paragraph 7 of Budget Resolution for FY2020, the City Manager or designee is authorized to increase or decrease the budget for up to \$1,000,000.00 for any capital projects within a Capital Improvement Program (CIP) approved by the City Council; and

WHEREAS, the City desires to reprogram the following projects: Touch Tank, Public Restrooms in Exhibits of Africa area, Tapir Yard and Holding, Administration Building addition and improvement, Asia Discovery Center, Squirrel Monkey, Plaza Improvements, Komodo Dragon/Red Panda Exhibit projects ("Reprogrammed Zoo Projects"); and

WHEREAS, the Komodo Dragon/Red Panda Exhibit project will be reprogrammed to the Komodo Dragon Exhibit; and

WHEREAS, the City desires to allocate funds budgeted for the Reprogrammed Zoo Project and allocate the funds to the budgets of the following projects: Penguins Exhibits, Animal Holding II, South American Pavilion Restrooms, Komodo Dragon Exhibit, and Sea Lion Exhibit Repair and Upgrade projects.

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

That the City Manager or Designee be authorized to reprogram the projects identified in Exhibit A of this Resolution as Reprogrammed Zoo Projects and reallocate the funding to the budgets of the Penguins Exhibits, Animal Holding II, South American Pavilion Restrooms, Komodo Dragon Exhibit, and Sea Lion Exhibit Repair and Upgrade projects as show in Exhibit A of this Resolution, for a total reallocation of funds in the amount of \$6,887,017.00; 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.

3. RESOLUTION

WHEREAS, on October 1, 2013, the City Council of the City of El Paso approved the Trailhead and Trails Project Priority list ("List") using 2012 Quality of Life Bond funds; and

WHEREAS, on August 9, 2016, the City Council of the City of El Paso approved changes to the prioritized list of Trailhead projects; and

WHEREAS, On March 7, 2017, the City Council of the City of El Paso approved changes to the prioritized list of Trailhead projects; and

WHEREAS, On July 8, 2019, the Parks and Recreation Advisory Board reviewed the below proposed changes and recommended formal adoption by City Council; and

WHEREAS, the City's Parks and Recreation Department is requesting that the trailhead identified in the Trailhead Plan, located at Country Club Road, be relocated to Mary Francis Keisling Park, as reflected in the schedule pursuant to Schedule "A" attached hereto.

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

THAT the City's Parks and Recreation Department amend the prioritized list of the Trail and Trailhead Implementation Plan, as set forth on Schedule "A", and to fund such projects under the 2012 Quality of Life Bond.

4. Presentation of the renaming of the Eastside Regional Park; and

5. Water Park update on Marketing.

The following members of City staff presented a PowerPoint presentation on the items (copy on file in the City Clerk's Office).

1. Mr. Sam Rodriguez, City Engineer
2. Ms. Lily Gutierrez, Capital Improvement Administrator, Zoo
3. Mr. Joe Montisano, Director, Zoo
4. Ms. Laura Cruz-Acosta, Strategic Communications Director
5. Ms. Ana McCranie, Events and Programming Coordinator, Capital Improvement

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

The following City staff members commented:

1. Mr. Robert Cortinas Chief Financial Officer
2. Mr. Tommy Gonzalez, City Manager
3. Ms. Karla Nieman, City Attorney

Motion made by Representative Rivera, seconded by Representative Lizarraga, and unanimously carried to **APPROVE** the Resolutions.

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

NAYS: None

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

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

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

That the City Attorney be authorized to sign an Employment Agreement by and between the City of El Paso ("City") and Guadalupe Cuellar ("Contract Employee") whereby the City will hire Contract Employee as a legislative attorney to assist with and represent the City at the upcoming 87th Texas Legislative Session, with the services of Contract Employee to begin on or about March 1, 2020 through December 31, 2020 for approximately twenty hours of work per week at \$5,000 per month, and then beginning on January 1, 2021 through August 31, 2021 Contract Employee will work full-time at the rate of \$9,000 per month.

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

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Karla Nieman, City Attorney
3. Ms. Ana Schumacher, Assistant City Attorney

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

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

NAYS: None

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

21.1. RESOLUTION

WHEREAS, on January 23, 2018, the City of El Paso ("City") awarded Contract No. 2018-712 City Wide New Median Maintenance to the following three (3) vendors:

1. Abescape Landscaping, LLC
2. Border TM Industries Inc. dba Xceed Resources
3. MG Evergreen, LLC; and

WHEREAS, pursuant to Part 4, Section 8, Paragraph A of the contract (Termination for Convenience) the City is authorized to terminate the Contract for convenience; and

WHEREAS, the City desires to terminate the Contract for Convenience.

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

That the Purchasing Director is authorized to notify Abescape Landscaping, LLC, Border TM Industries Inc. dba Xceed Resources and MG Evergreen, LLC that the City is terminating Contract No. 2018-712 City Wide New Median Maintenance for convenience, pursuant to the provisions and requirements of Part 4, Section 8, Paragraph A of the Contract Clauses, and that the termination shall be effective as of February 18, 2020. Median maintenance will now be completed by the City's Streets and Maintenance Department.

Mayor Margo and Representatives Svarzbein and Hernandez commented.

The following City staff members commented:

1. Mr. Richard Bristol, Street and Maintenance Director
2. Mr. Tommy Gonzalez, City Manager

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

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

NAYS: None

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

22.1. 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 **GA ARCHITECTURE, INC., a Texas Corporation**, for a project known as “**Animal Services Center Large Dog Kennels Building and HVAC Improvements**” for an amount not to exceed **SIX HUNDRED TWENTY-SIX THOUSAND FIVE HUNDRED SIXTY-NINE AND 80/100 DOLLARS (\$626,569.80)**; 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 TWENTY-SIX THOUSAND FIVE HUNDRED SIXTY-NINE AND 80/100 DOLLARS (\$726,569.80)**; 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.

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

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

NAYS: None

22.2.

R E S O L U T I O N

WHEREAS, the Texas Department of Housing and Community Affairs (“TDHCA”) adopts every year a Qualified Allocation Plan (“QAP”) that sets requirements for each year’s 9 % Housing Tax Credit program; and

WHEREAS, the QAP adopted for the 2020 9 % Housing Tax Credit program allows the allocation of points if a development site is located in a distinct area that was once vital and has lapsed into a condition requiring concerted revitalization, and where a concerted revitalization plan has been developed, executed, and adopted by a municipality; and

WHEREAS, on October 15, 2019 the City Council adopted priority Tier 1 sites for support of low-income housing tax credit proposals, such Tier 1 sites being in the Medical Center of the Americas area and the City’s Uptown area; and

WHEREAS, the City Council wishes to adopt a Priority Housing Area Summary plan for the Uptown Area that summarizes the currently planned and ongoing efforts to reinvigorate the Uptown Area; and

WHEREAS, the Priority Housing Area Summary will serve as the City’s concerted revitalization plan for the Uptown Area to allow projects supported by City Council to be eligible for concerted revitalization plan points under the current and future Qualified Allocation Plan(s).

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

That the Priority Housing Area Summary for the Uptown Area, attached to this

Resolution as Attachment “A”, is adopted and will serve as the concerted revitalization plan for the Uptown Area for the current and future Qualified Allocation Plan(s) adopted by TDHCA.

Representative Rivera commented.

Mr. Mark Weber, Interim Community Development Planning Manager, commented.

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

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

NAYS: Representative Rodriguez

.....
22.3.

R E S O L U T I O N

WHEREAS, the Texas Department of Housing and Community Affairs (“TDHCA”) adopts every year a Qualified Allocation Plan (“QAP”) that sets requirements for each year’s 9 % Housing Tax Credit program; and

WHEREAS, the QAP adopted for the 2020 9 % Housing Tax Credit program allows the allocation of points if a development site is located in a distinct area that was once vital and has lapsed into a condition requiring concerted revitalization, and where a concerted revitalization plan has been developed, executed, and adopted by a municipality; and

WHEREAS, on February 18, 2020 the City Council adopted the Priority Housing Area Summary for the Uptown Area; and

WHEREAS, the Housing Authority of the City of El Paso (HACEP) has proposed a development for affordable rental housing at 405 Montana Ave., El Paso, Texas 79902, named Nuestra Senora, in the City of El Paso, Texas (“Nuestra Senora”);

WHEREAS, HACEP has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2020 Competitive 9% Housing Tax Credits for Nuestra Senora; and

WHEREAS, Nuestra Senora is located within the Uptown Area boundaries as defined within the Priority Housing Area Summary for the Uptown Area.

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

1. That City Council finds that Nuestra Senora contributes to the concerted revitalization efforts more than any other project within the City of El Paso’s Uptown Area applying for 2020 Competitive 9% Housing Tax Credits.
2. That the Director of the Department of Community and Human Development is authorized to execute and issue a letter to TDHCA documenting measureable improvements within the Uptown Area as

required by the 2020 QAP.

3. That the Director of the Department of Community and Human Development is authorized to execute and submit any documents required by TDHCA under the 2020 QAP.

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

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

NAYS: None

22.4.

R E S O L U T I O N

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

That the City Manager is hereby authorized to sign a Child Care Local Match Contribution Agreement with Workforce Solutions Borderplex. Further, that the City Manager and/or the Director of Community and Human Development be authorized to sign any certification reports and amendments related to this agreement, including amendments that change the certification amount if needed.

The match is a certification of services provided in the amount of \$90,000.00 These Services will be provided with 45th year Community Development Block Grant Funds (CDBG) awarded to the City of El Paso Parks and Recreation Department and the City of El Paso Parks and Recreation general funds.

Mr. Ben Fyffe, Parks and Recreation Interim Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Annello and Hernandez commented.

Mr. Mark Weber, Interim Community Development Planning Manager, commented.

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

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

NAYS: None

22.5.

R E S O L U T I O N

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

That the City Manager be authorized to submit an application to the Office of the Governor, Texas Military Preparedness Commission for the Defense Economic Adjustment Assistance Grant ("DEAAG") for the expansion of the KBH Desalination Plant ("Desalination Plant"), which is a joint project of the City of El Paso and the El Paso Water Utilities. Part A of the expansion of the Desalination Plant is known as the

Blend Well Collector Pipeline Project. The Desalination Plant is the world's largest inland desalination plant and can produce up to 27.5 million gallons per day (MGD) of fresh water daily, using previously unusable brackish groundwater. Expansion of the plant is needed to increase water resilience for El Paso and Fort Bliss and is identified in the State Water Plan as necessary to meet needs of the growing population. The Blend Well Collector Pipeline Project will enable construction of a pipeline to deliver source water approximately 6.6 miles from a well to the Desalination Plant. The cost of the Blend Well Collector Pipeline Project is \$8.2 million, and the U.S. Bureau of Reclamation has agreed to fund 25% of the project and the El Paso Water Utility will be funding 50% of the cost of the project. Through the DEAAG grant, the City will be requesting another 25% (\$2.05 million).

Further, that the City Manager, or designee, be authorized to explore funding sources and partnerships and to execute any documents and agreements in relation to the grant, funding sources, and/or partnership agreements, after consultation with the City Attorney's Office. In addition, the City Manager or designee is authorized to sign any related documents, including but not limited, budget transfer authorizations, revisions to the operation plan, grant amendments, and/or corrections or extensions of the grant which increase, decrease, or de-obligate program funds.

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

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

NAYS: None

23. MAYOR AND COUNCIL

23.1. RESOLUTION

WHEREAS, in accordance with Section 370.251 of the Texas Transportation Code and the City of El Paso's Petition and Request for Authorization to Form the Camino Real Regional Mobility Authority, as approved by the Texas Transportation Commission, the terms for three (3) Camino Real Regional Mobility Authority (CRRMA) Board positions expire on February 1st of each year;

WHEREAS, in the event of a vacancy, reappointment, or replacement, Board member nominations shall be solicited by the Mayor from City Council by written notice for a period of not less than two (2) weeks, and upon completion of this two week period, the Mayor shall review all received recommendations and those identified by the Mayor as well;

WHEREAS, the Mayor shall then make one (1) nomination for each position via presentation to the City Council at a City Council meeting and Council shall appoint a member for each open position by majority vote evidenced by City Council Resolution; and

WHEREAS, on January 7, 2020, the Mayor notified City Council in writing of the intent to appoint Board members for position 2 and position 6 and also provided an opportunity for Council members to provide recommendations for nominations by January 21, 2020;

WHEREAS, no recommendation were received from Council;

WHEREAS, the Mayor now nominates a candidate for appointment for CRRMA Board position 2 in accordance with the appointment process outlined herein and presents the nominations at a City Council meeting on February 18, 2020; and

WHEREAS, the City now desires to make an appointment for CRRMA Board position 2, in accordance with the appointment process outlined herein.

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

That the City of El Paso hereby appoints to the Camino Real Regional Mobility Authority Board Luis Rosas for position 2 which shall take effect February 18, 2020 and whose terms will expire on February 1, 2021.

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

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

.....
24. OPERATIONAL FOCUS UPDATES
.....

24.1. Provide management update on Budget

Ms. Nicole Cote, Director of Office of Management and Budget, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

.....
ADJOURN
.....

Motion made by Representative Hernandez, seconded by Representative Annello, and unanimously carried to **ADJOURN** this meeting at 1:51 p.m.

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

.....
APPROVED AS TO CONTENT:
.....

Laura D. Prine, City Clerk