

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

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**MINUTES FOR REGULAR COUNCIL MEETING**

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**August 11, 2020  
9:00 AM**

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

The City Council of the City Council met on the above time and date via videoconference. Meeting was called to order at 9:01 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Aleksandra Annello, Cassandra Hernandez, Sam Morgan, Isabel Salcido, Claudia Rodriguez, and Henry Rivera. Cissy Lizarraga joined the meeting at 9:03 a.m.

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**NOTICE TO THE PUBLIC**

**1<sup>ST</sup> MOTION**

Motion made Representative Rivera, seconded by Representative Svarzbein, and carried to **APPROVE** 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, Hernandez, Morgan, Salcido, Rodriguez, and Rivera

NAYS: Representatives Annello and Lizarraga

**2<sup>ND</sup> MOTION**

Motion made by Representative Hernandez, seconded by Representative Morgan, and unanimously carried to **RECONSIDER** the items on the Consent Agenda.

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

NAYS: None

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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.** Approval of Minutes of the July 6, 2020 Work Session.

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

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

NAYS: None

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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 3: Promote the Visual Image of El Paso**  
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**3.1. RESOLUTION**

**WHEREAS**, Chapter 372 of the Texas Local Government Code authorizes municipalities and counties to create public improvement districts ("PID").

**WHEREAS**, Ranchos Real Land Holdings, LLC ("Developer") is the owner of real property located in El Paso County, but within the City of El Paso's extraterritorial jurisdiction, described in Exhibit "A" attached hereto and made a part hereof (the "Property").

**WHEREAS**, the Developer desires that the County of El Paso, Texas establish one or more PIDs covering all or any portion of the Property.

**WHEREAS**, a County may establish PIDs within the extraterritorial jurisdiction of the City provided the City does not object to their establishment.

**WHEREAS**, the City has reviewed the proposed development and has no objection to the establishment of one or more PIDs by the County of El Paso, Texas with respect to the Property.

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

**THAT**, the City Council of the City of El Paso makes no objection to the establishment of one or more PIDs by the County of El Paso, Texas with respect to the development of the Property.

Mr. Kevin Smith, Planning and Inspections Deputy Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Margo and Representatives Svarzbein, Hernandez, Salcido, Rivera, and Lizarraga commented.

The following City staff members commented:

1. Mr. Philip Etiwe, Planning and Inspections Director
2. Mr. Sam Rodriguez, Chief Operations and Transportation Officer
3. Mr. Cary Westin, Senior Deputy City Manager of Economic Development and Tourism
4. Mr. Tommy Gonzalez, City Manager

Mr. Doug Schwartz, Representative for Ranchos Real, commented.

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

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

**Mayor Margo broke the tie by voting "Aye"**

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The Regular City Council meeting was **RECESSED** at 10:04 a.m. in order to convene the Mass Transit Department Board meeting.

The Regular City Council meeting was **RECONVENED** at 10:32 a.m.

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The Regular City Council meeting was **RECESSED** at 11:55 a.m.

The Regular City Council meeting was **RECONVENED** at 12:01 p.m. in order to hear public comment.

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**CALL TO THE PUBLIC – PUBLIC COMMENT**

Mr. Adrian Slater, citizen, commented.

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**REGULAR AGENDA - FIRST READING OF ORDINANCES**

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Salcido, and unanimously carried that the following Ordinance, 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  
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**4. Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development:**

- 4.1. An Ordinance waiving certain City of El Paso fees and costs associated with the establishment and operation of the Downtown Management District sponsored Downtown Outdoor Dining Area and Enhanced Downtown Sanitation Program, both of which may include encroachments on and/or rental of public right-of-way in Downtown El Paso during the 2020 calendar year and through January 5, 2021.

PUBLIC HEARING TO BE HELD AUGUST 18, 2020

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

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

- 5.1. Pursuant to Section 370.002 of the Texas Local Government Code, City Council will conduct public hearings every three years to review and take action on the Juvenile Curfew Ordinance, El Paso City Code Title 10 (Public Peace, Morals and Welfare), Chapter 20 (Offenses By or Against Minors), Sections 010-054 (related to curfew), to determine whether the Juvenile Curfew Ordinance should be continued, modified, or abolished.

**The Public Hearing was opened at 10:33 a.m.**

Representative Hernandez commented.

The following City staff members commented:

- 1. Assistant Chief of Police Zina Silva
- 2. Ms. Dionne Mack, Deputy City Manager of Public Safety

Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **CLOSE** the Public Hearing at 10:35 a.m.

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

NAYS: None

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

- 6.1. Public Hearing on the Proposed Budget, as amended, for the City of El Paso, filed by the City Manager with the City Clerk on July 17, 2020, which begins on September 1, 2020 and ends August 31, 2021.

**The Public Hearing was opened at 10:35 a.m.**

Ms. Tracey Jerome, Deputy City Manager of Quality of Life, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein and Annello commented.

The following City staff members commented:

1. Mr. Robert Cortinas, Chief Financial Officer
2. Mr. Cary Westin, Senior Deputy City Manager of Economic Development and Tourism
3. Mr. Ben Fyffe, Cultural Affairs and Recreation Director
4. Mr. Tommy Gonzalez, City Manager

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried to **CLOSE** the Public Hearing at 11:04 a.m. and **POSTPONE** the final vote on the budget until August 18, 2020.

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

NAYS: None

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**REGULAR AGENDA - OTHER BUSINESS**

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

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**7.1. RESOLUTION**

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

That the City Manager be authorized to sign a Golf Course Operation and Concession Agreement ("Agreement") for Butterfield Trail Golf Course by and between the City of El Paso ("Lessor") and Spirit Golf Management, LLC ("Concessionaire"), for a percentage rental of certain gross receipts from the Effective Date through December 31, 2021, and thereafter for the greater of said percentage rental or a minimum annual guarantee of \$125,000 per year through December 31, 2023 and then \$191,000 beginning on January 1, 2024, for a ten (10) year initial term with the option to extend for an additional ten (10) years, for the following described property:

Approximately 9,909,900 square feet of land being a portion of Sections 22, 23, 26 and 27, Block 80, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, municipally known and numbered as 1858 Cottonwood Drive, El Paso, Texas.

The City Manager is further authorized to exercise any rights and responsibilities under the Agreement and sign any documents and contract amendments that do not affect the rent amount or term of the Agreement.

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

Representatives Svarzbein and Annello commented.

The following City staff members commented:

1. Mr. Sam Rodriguez, Chief Operations and Transportation Officer
2. Mr. Tommy Gonzalez, City Manager

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

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

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### **8.1. RESOLUTION**

**WHEREAS**, on February 5, 2013 the City Council approved the "2012 Quality of Life Bond Proposed 3 Year Roll-out Plan"; and

**WHEREAS**, on January 25, 2016 the City Council approved the list of project referenced as the "City of El Paso 2012 Quality of Life Bond Issuance FY2020 Plan" ("Plan"), as the 2012 Quality of Life Bond 5 Year implementation plan for FY2015-2020; and

**WHEREAS**, on February 4, 2019 the Plan was amended to include projects originally planned for FY2021-2023 in order for the implementation of the identified projects to begin by FY2020; and

**WHEREAS**, for certain approved projects the City has identified additional scope elements to address operational requirements and/or enhance the amenities available to the public; and

**WHEREAS**, the City desires to amend the "2012 Quality of Life Bond Proposed 3 Year Roll-out Plan" to defer projects that will increase operational costs until such time that the City determines that operational funds will be available to sustain the operation of the facilities due to the effects of COVID-19 on the City's budget; and

**WHEREAS**, the City desires to allocate investment earnings of Quality of Life funds in the amount of \$3,492,467.00 as additional funds to the identified Proposition 1 and Proposition 2 projects in Exhibit "A" of this resolution.

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

**THAT** the City Council authorizes the City Manager to delay projects that are part of the amended "2012 Quality of Life Bond Proposed 3 Year Roll-out Plan" which will increase operational costs until such time the City determines that operational funds are available and approves the allocation of additional funds of investment interest earnings of Quality of Life funds in the amount of \$3,492,467.00 to the identified Proposition 1 and Proposition 2 projects in Exhibit "A" of this resolution to meet funding gaps.

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

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

The following City staff members commented:

1. Mr. Tracey Jerome, Deputy City Manager of Quality of Life
2. Mr. Robert Cortinas, Chief Financial Officer

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

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

NAYS: None

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**ADJOURN**

Motion made by Representative Rivera, seconded by Representative Morgan, and unanimously carried to **ADJOURN** the Regular City Council meeting at 12:01 p.m.

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

NAYS: None

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APPROVED AS TO CONTENT:

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Laura D. Prine, City Clerk