

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

October 15, 2019
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 9:12 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 Ordaz Perez, Henry Rivera, and Cissy Lizarraga. The invocation was given by Police, Fire, and CIMA Hospice Chaplain, Sam L. Faraone followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY POLICE, FIRE AND CIMA HOSPICE CHAPLAIN, **SAM L. FARAONE**

PLEDGE OF ALLEGIANCE

Students of Ramona Elementary at the invitation of District 3
Representative Cassandra Hernandez

Gavin Luis Avila
Jon Mason Carreon
Isabella Celine Cristan
Francisco Gael De La Cruz
Zachary Leonardo Guzman
Marianna Esther Lopez
Izayah Louis Mier
Bianca Maite Montes
Macy Lynn Ochoa
Brianna Marie Yaya Prieto
Danai Michelle Quezada
Mateo Rodriguez
Azra Rodriguez
Sophia Rondan
Amaya Jean Saucedo

Arianna Elena Torres
Luna Sandra Aguilera
Weylin Micheal Brown
Edward Jozef Thaddeus Deanda
Angel Gael Estrada
Peter Christopher Frank
Ryleigh Ailana Jordan
Mauricio Lopez
Montserrat Lopez
Sophia Christine Martinez
Janney Rocio Ochoa
Ian Abdiel Pena
Nevaeh Jaylah Ramirez
Lorena Escarleth Rodriguez
Samuel Rosales
Leslie Macias
Jose Luis Ibanez

MAYOR'S PROCLAMATIONS

1. Fire Prevention Week
2. White Cane Day
3. Community Planning Month
4. Medical Assistant Week
5. Lights on Afterschool Day
6. BBBWare! Week

RECOGNITIONS BY MAYOR

Star on the Mountain Award to Walmart Store #2201 Associates

NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Lizarraga, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

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

NAYS: None

CONSENT AGENDA - APPROVAL OF MINUTES:

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

- 1.1.** *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes of the Regular City Council Meeting of October 1, 2019 and the Agenda Review Meeting of September 30, 2019.

CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

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

WHEREAS, WinterFest is a holiday event that draws the community to the downtown area, during a time of year when there are numerous other activities in the downtown area, which can cause a strain on available downtown parking; and

WHEREAS, City Code Subsection 12.56.020F allows for the International Bridges Director to make a recommendation to City Council for exceptions to the days and times when parking meter fees shall apply; and

WHEREAS, the International Bridges Director recommends that parking meter fees North of I10, including but not limited to the Uptown Parking Benefit District, be waived solely and exclusively on November 23, 2019, for the event known as WinterFest; and

WHEREAS, the International Bridges Director does not recommend that parking meter fees in the downtown area be waived on November 23, 2019; and

WHEREAS, the City Council encourages the community to park at the parking meters to the North of I10, including but not limited to the Uptown Parking Benefit District, and encourages the community to utilize the El Paso Streetcar in order to travel to WinterFest on November 23, 2019; and

WHEREAS, the City Council finds that WinterFest constitutes a special downtown event as contemplated in City Code Subsection 12.56.020F.1;

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

THAT the City Council, in accordance with the provisions of City Code

Subsection 12.056.020F.1, hereby exempts the regularly designated parking meter fees to the North of I10, to include, but not be limited to the Uptown Parking Benefit District, on November 23, 2019, for WinterFest which constitutes a special downtown event.

3.2.

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

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

That the City Manager be authorized to sign a Seventh Amendment to Lease Agreement by and between the City of El Paso ("Lessor") and Azar - Coleman Properties, ("Lessee") to the Lease Agreement dated June 8, 1982, as amended, for the purpose of removing two (2) parcels of property upon which the Radisson Hotel is located, the remaining Leasehold interest is described as:

Portion of Lot 1, Block 19, El Paso International Airport Tracts Unit 10, City of El Paso, El Paso County, Texas. Such leased premises are sometimes referred to as Parcel 1, Tract C, Tract D, Tract E; and

A portion of Lot 4A25, Block 2, Ascarate Grant, City of El Paso, El Paso County Texas. Such Leased premises are sometimes referred to as Parcel 3, Tract A, Tract B

3.3.

***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 authorized to sign a Hotel Site Lease between the City of El Paso as Lessor and EP Hotel Partners, L.P. as Lessee for the following property managed by the El Paso International Airport for a term of 40 years with an option to extend for an additional 10 years:

Parcel 1: 2.519 acres, more or less being a portion of Lot 1, Block 19 EL PASO INTERNATIONAL AIRPORT TRACT UNIT 10, and addition to the City of El Paso County, Texas, according to the Map thereof on file in Book 53, Page 13, Plat Records of El Paso County, Texas and being more particularly described by Metes and Bounds as attached to the Lease.

Parcel 2: 1.4833 acres, more or less, being a portion of Lot 1, Block 19, EL PASO INTERNATIONAL AIRPORT TRACTS UNIT 10, and Addition to the City of El Paso, El Paso County, Texas, According to the Map thereof on file in Book 53, Page 12 Plat Records of El Paso County, Texas, and being more particularly described by Metes and Bounds as attached to the Lease.

And that the City Manager is authorized to sign the Memorandum of Lease for the purpose of recordation only.

3.4.

***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 authorized to sign a Lessor's Approval of the Correction Partial Assignment of Ground Lease, Assignment of Sublease and Assumption by and between the City of El Paso ("Lessor"), Azar-Coleman Properties ("Assignor"), and Richard N. Azar Testamentary Trust ("Assignee") for the following described property:

A portion of Block 19, El Paso International Airport Tracts, Unit 10, City of El Paso, El Paso County, Texas, containing 5.625 acres of land, more or less.

3.5.

***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 is authorized to sign a First Amendment to the Fixed Base Operators Lease and Operating Agreement by and between the City of El Paso ("Lessor"), and Franklin Mountain Aviation ELP, LLC ("Lessee") to amend Section 11.23, that the property governed by the right of first refusal is:

Lots 3-9, Block 13, El Paso International Airport Tracts, Unit 8, Replat A, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 56, Page 54, El Paso County, Texas.

3.6.

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

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

That the City Manager be authorized to sign a Southern Industrial Site Lease by and between the City of El Paso ("Landlord") and Circle K Stores, Inc., a Texas corporation, ("Tenant") regarding the following described property:

Portions of Lot 1 and Lot 2, Block 13, El Paso International Airport Tracts Unit 8, Replat A, City of El Paso, El Paso County, Texas, generally depicted as Exhibit "A", attached hereto and incorporated herein by reference, and commonly known and numbered as 1600 Hawkins Blvd., El Paso, Texas.

3.7.

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 or designee be authorized to sign the following U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), Project Requirements Understanding/Acknowledgment (PRUA) for a turn-key facility at the El Paso International Airport for each of the following purposes:

- 1) Federal Inspection Services Facility
- 2) Foreign Trade Zone Facility
- 3) General Aviation Facility

Representative Annello commented.

Ms. Monica Lombraña, Aviation and International Bridges Managing Director,

commented.

1ST MOTION

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

2ND MOTION AND FINAL MOTION

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

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

NAYS: None

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 Council authorizes the City Manager to sign a Communications Site Lease Agreement between the City of El Paso and the Department of Public Safety of the State of Texas ("DPS") for the lease space on the City's communication tower located at 2600 Darrington Rd., known as the Clint Site, for DPS to install radio communication equipment needed to enhance the interoperable communications capabilities and reduce public safety communication gaps, for a term of five (5) years and two (2) options to extend the term for five-year periods each, which may be exercised administratively by the City Manager or Designee; and that the increased public safety communication that results from this lease is sufficient consideration for the lease of City property.

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

5.1. *RESOLUTION

WHEREAS, Winterfest Scherr Legate Tree Lighting Ceremony (hereinafter referred to as "Grantee") has submitted an application for a Special Event Permit as per Chapter 13.38 (Special Events) of the El Paso City Code, for the use and closure of rights-of-way within the City of El Paso's (hereinafter referred to as "the City") for the Winterfest Scherr Legate Tree Lighting Ceremony from 6:00 a.m. on Saturday, November 23, 2019, to 6:00 a.m. on Sunday, November 24, 2019 (hereinafter referred to as the "Event"); and

WHEREAS, The Event will utilize both City and State rights-of-way; and

WHEREAS, The City of El Paso (hereinafter referred to as the "City") has found the Event serves a public purpose; and

WHEREAS, The State of Texas (hereinafter referred to as the "State") owns

and operates a system of highways for public use and benefit, including Mesa St. between Texas Ave. and Franklin Ave. within El Paso, Texas; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of portions of the State Highway System for periods of time exceeding four hours; and

WHEREAS, the State in recognition of the public purpose for the Event, provides a means of cooperating with the City for the temporary closure of State right-of-way, provided the closure is in accordance with the requirements of 43 TAC, Section 22.12 and the City enters into an Agreement for the Temporary Closure of State Right-of-Way for the Event (Form TEA 30A).

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

That the closure of rights-of-way within the City of El Paso for the Winterfest Scherr Legate Tree Lighting Ceremony from 6:00 a.m. on Saturday, November 23, 2019, to 6:00 a.m. on Sunday, November 24, 2019, serves a public purpose of providing cultural and recreational activities for the residents and visitors of the City of El Paso, and in accordance with 43 TAC, Section 22.12, the City Manager be authorized to sign an Agreement For The Temporary Closure of State Right Of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the temporary closure and use of State owned and operated street (s) in excess of four hours for portions of Mesa St. between Texas Ave. and Franklin Ave. upon the issuance of required permits from the City of El Paso and substantial conformity to the finalized TEA30 agreement between the City of El Paso and State of Texas Department of Transportation.

5.2.

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

WHEREAS, Winterfest - Scherr Legate Celebration of Lights Parade (hereinafter referred to as "Grantee") has submitted an application for a Special Event Permit as per Chapter 13.38 (Special Events) of the El Paso City Code, for the use and closure of rights-of-way within the City of El Paso's (hereinafter referred to as "the City") for the Winterfest - Scherr Legate Celebration of Lights Parade from 12:00 p.m. on Saturday, November 23, 2019, to 10:00 p.m. on Saturday, November 23, 2019) (hereinafter referred to as the "Event"); and

WHEREAS, The Event will utilize both City and State rights-of-way: and

WHEREAS, The City of El Paso (hereinafter referred to as the "City") has found the Event serves a public purpose; and

WHEREAS, The State of Texas (hereinafter referred to as the "State") owns and operates a system of highways for public use and benefit, including Mesa St. between Paisano and Texas Ave. and Texas between Campbell St. and St. Vrain within El Paso, Texas; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for

the temporary closure of portions of the State Highway System for periods of time exceeding four hours; and

WHEREAS, the State in recognition of the public purpose for the Event, provides a means of cooperating with the City for the temporary closure of State right-of-way, provided the closure is in accordance with the requirements of 43 TAC, Section 22.12 and the City enters into an Agreement for the Temporary Closure of State Right-of-Way for the Event (Form TEA 30A).

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

That the closure of rights-of-way within the City of El Paso for the Winterfest - Scherr Legate Celebration of Lights Parade from 12:00 p.m. on Saturday, November 23, 2019, to 10:00 p.m. on Saturday, November 23, 2019, serves a public purpose of providing cultural and recreational activities for the residents and visitors of the City of El Paso, and in accordance with 43 TAC, Section 22.12, the City Manager be authorized to sign an Agreement For The Temporary Closure of State Right Of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the temporary closure and use of State owned and operated street (s) in excess of four hours for portions of Mesa St. between Paisano and Texas Ave. and Texas between Campbell St. and St. Vrain upon the issuance of required permits from the City of El Paso and substantial conformity to the finalized TEA30 agreement between the City of El Paso and State of Texas Department of Transportation.

5.3.

***RESOLUTION**

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services to perform Planning, Public Engagement and Urban Design services on a task basis by and between the City of El Paso and each of the following five (5) consultants:

1. Clarion Associates, Inc.
2. The Image Network, Inc. of Delaware d/b/a Dover, Kohl & Partners
3. Freese and Nichols, Inc.
4. Stantec Consulting Services, Inc.
5. Verdunity, Inc.

Each On Call Agreement will be for an amount not to exceed Two Hundred Fifty Thousand and No/00 Dollars (\$250,000.00), and each agreement will include authorization for the City Engineer to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and authorization for the City Engineer to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if the identified services are necessary for proper execution of identified project and if the increased amounts are within the appropriate budget identified for a project. In addition, the City Manager is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for

execution of each On-Call Agreement.

5.4. *RESOLUTION AMENDING SCHEDULE C FOR THE CITY OF EL PASO

FY 2020 BUDGET RESOLUTION

WHEREAS, the City Council adopted the Budget Resolution for FY 2020 on August 20, 2019; and

WHEREAS, paragraph 47 of the Budget Resolution provides that revisions or additions to the fees set forth in Schedule C, attached to the Budget Resolution, may be approved by simple resolution of the City Council; and

WHEREAS, the City Council desires that the Director of the El Paso Zoo be authorized to offer El Paso Zoo admission tickets to be sold by community partners at a discounted wholesale blended price of \$7.00 each; and

WHEREAS, the City Council desires that the Director of the El Paso Zoo be authorized to offer summer and spring break, week long day-camps for children ages 6-10 years and 11-16 years at a rate of \$200-\$300.00 per child with optional early and late care for an additional \$20.00 an hour, Zoo Members and Active Duty Military will receive a 10% discount on camp prices; and

WHEREAS, the City Council desires that the Director of the El Paso Zoo be authorized to offer Campouts/Sleepovers at the El Paso Zoo priced at a range of \$100.00-\$300.00 per adult and \$65.00-\$150.00 per child, Zoo Members and Active Duty Military will receive a 10% discount on Campouts/Sleepovers; and

WHEREAS, this Amendment to Schedule C enhances El Paso's quality of life through recreational, cultural and educational environments and promotes transparent and consistent communication amongst all members of the community.

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

That Schedule C, attached to the FY 2020 Budget Resolution and effective September 1, 2019, shall be amended, effective October 15, 2019, as set forth in Attachment A, to establish the following fees:

1. Discounted El Paso Zoo admission tickets to be sold by community partners at a wholesale blended price of \$7.00 each.
2. Summer and spring break, week long day-camps for children ages 6-10 years and 11-16 years, at a rate of \$200.00-\$300.00 per child with optional early and late care for an additional \$20.00 an hour, Zoo Members and active military will receive a 10% discount on camp prices.
3. Campout/Sleepovers at the El Paso Zoo priced at \$100.00-\$300 per

adult and \$65.00-\$150.00 per child, Zoo Members and Active Duty Military will receive a 10% discount on Campouts/Sleepovers.

5.5.

***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 sign an amendment to 2009-182R Recreation and Management Software with Active Network, Inc (Solicitation 2009-182R) , to add ActiveWorks, a point of sale, customer relationship management, on-line ticket purchase and reservation solution for the Regional Water Parks and continue the use of ActiveNet, for a total estimated cost of One Hundred Seventy Five Thousand, Eight Hundred Sixty Two and No/100 Dollars (\$175,862.00), which includes a 5.5% processing fee; and that the term of the agreement be amended for an additional 8 months beyond the February 18, 2020 contract period, ending October 18, 2020; 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.

6.

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

6.1.

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

WHEREAS, the Tax Assessor/Collector of the City of El Paso (the "**City**") has entered the amount of tax as provided by Section 26.09(e) of the Texas Tax Code in the appraisal roll, creating a tax roll for entities, for which the City Tax Assessor/Collector collects taxes, a summary of which is attached hereto and incorporated herein by reference;

WHEREAS, the tax roll for the remaining entities is on file and available for inspection in the City Tax Office; and

WHEREAS, the City Tax Assessor/Collector now submits the tax roll to the City Council for approval as the 2019 tax roll.

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

THAT the tax roll attached hereto is hereby approved and constitutes the 2019 tax roll for all entities which the City Tax Assessor/Collector collects taxes.

6.2.

***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 of El Paso was entitled to receive a portion of a bingo prize fee as of January 1, 2019; and

THAT, the City Council of the City of El Paso by a majority vote approved

the continued receipt of funds pursuant to the Texas Occupations Code; and

THAT, the City will notify the Texas Lottery Commission of the approval of the continued receipt of the funds not later than November 1, 2019; and

THAT, the City will notify each licensed authorized organization within the City's jurisdiction of the continued imposition of the bingo prize fee; and

THAT the City Manager is authorized to sign the "Texas Lottery Commission- Charitable Bingo Division Bingo Prize Fee Funds Municipality Governing Body Vote Verification Notice" form, attached to this resolution as Attachment 1, as required by House Bill 914 of the 86th Texas Legislature for the City to continue to receive a share of bingo prize fees after January 1, 2020.

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

7.1. *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 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 Carwash City, a City tenant, located on Airport property, said easement more particularly described as a portion of W.A. Morehouse Survey No. 12 and Section 40, Block 80, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas.

CONSENT AGENDA - BOARD RE-APPOINTMENTS:

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

- 8.1.** *Motion made, seconded, and unanimously carried to **RE-APPOINT** Christopher R. Esper to the Historic Landmark Commission by Representative Peter Svarzbein, District 1.

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

- 9.1.** *Motion made, seconded, and unanimously carried to **RE-APPOINT** Adam Marshall to the Museums and Cultural Affairs Advisory Board by Representative Peter Svarzbein, District 1.

- 9.2.** *Motion made, seconded, and unanimously carried to **RE-APPOINT** Ivan Nino to the Museums and Cultural Affairs Advisory Board by Representative Isabel Salcido, District 5.

- 9.3.** *Motion made, seconded, and unanimously carried to **RE-APPOINT** Frank Luna to the Museums and Cultural Affairs Advisory Board by Representative Isabel Salcido, District 5.
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- 9.4. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Rachel Adame Anderson to the Museums and Cultural Affairs Advisory Board by Representative Cissy Lizarraga, District 8.

CONSENT AGENDA - BOARD APPOINTMENTS:

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

- 10.1. *Motion made, seconded, and unanimously carried to **APPOINT** Patrice Hills to the Greater El Paso Civic, Convention, and Tourism Advisory Board by Representative Claudia Ordaz Perez, District 6.
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11. Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments

- 11.1. *Motion made, seconded, and unanimously carried to **APPOINT** Stephanie Schmid-Falcon to the Museums and Cultural Affairs Advisory Board by Representative Claudia Ordaz Perez, District 6.
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12. Goal 6: Set the Standard for Sound Governance and Fiscal Management

- 12.1. *Motion made, seconded, and unanimously carried to **APPOINT** Nicholas Castanzo to the Public Service Board Selection Committee by Representative Sam Morgan, District 4.
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- 12.2. *Motion made, seconded, and unanimously carried to **APPOINT** Debbie Torres to the Public Service Board Selection Committee by Representative Claudia Ordaz Perez, District 6.
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13. Goal 7: Enhance and Sustain El Paso's Infrastructure Network

- 13.1. *Motion made, seconded, and unanimously carried to **APPOINT** Christopher Villa to the Zoning Board of Adjustment, as an Alternate member, by Representative Peter Svarzbein, District 1.
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- 13.2. *Motion made, seconded, and unanimously carried to **APPOINT** Elena Garza D'Vargas to the Zoning Board of Adjustment, as a Regular member, by Representative Claudia Ordaz Perez, District 6.
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- 13.3. *Motion made, seconded, and unanimously carried to **APPOINT** Jesse Brown to the Capital Improvement Advisory Committee by Representative Claudia Ordaz Perez, District 6.
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14. Goal 8: Nurture and Promote a Healthy, Sustainable Community

- 14.1. *Motion made, seconded, and unanimously carried to **APPOINT** Daniel O. Hernandez to the Fair Housing Task Force, as an Alternate member, by Representative Alexsandra Annello, District 2.

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CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:

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

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

1. Anibal Ortega Linares, in the amount of \$6,512.06, made an overpayment on February 11, 2019 of 2018 taxes.
2. Corelogic, in the amount of \$4,978.16, made an overpayment on December 10, 2018 of 2018 taxes.

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CONSENT AGENDA - NOTICE OF CAMPAIGN CONTRIBUTIONS:

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

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16.1. *Motion made, seconded, and unanimously carried to **ACCEPT** notation pursuant to Section 2.92.110 of the City Code, receipt of campaign contributions by Mayor Dee Margo in the amounts of \$500.00 from Jane Macon, \$500.00 from Irving J. Brown, \$300.00 from John M. Rindt, \$100.00 from Rita Baca, \$1,000.00 from John Karlsruher, \$2,500.00 from Marion L. Hunt, \$500.00 from G. Russell Hill, \$2,500.00 from Isha Rogers, \$500.00 from John T. Montford, \$500.00 from Kimmie & Dalton Caldwell, \$2,500.00 from Steve Fox, \$500.00 from Robert M. Shiloff, \$500.00 from Alton F. Thomas, \$1,000.00 from Richard & Elizabeth Behrenhausen, \$100.00 from Joseph P. Hammond, \$50.00 from James L Salome, \$100.00 from Dr. Stuart W. Kahn, \$2,500.00 from J.W. Rogers, Jr., \$50.00 from Frank T. James, \$500.00 from Peggy A. Powers, \$500.00 from Paul Harvey, \$100.00 from William E. Dahlberg, \$500.00 from James P. Maloney, \$500.00 from James Arthur Lyle, \$500.00 from Zarina Lyle, \$1,000.00 from Robert E. Skov, \$2,500.00 from William S. Harvey, \$100.00 from Josephine P. Schwartz, \$100.00 from Jonathan D. Schwartz, \$100.00 from R.A.D. Morton, MD, \$500.00 from Will Brown, \$100.00 from Helen Knopp, \$500.00 from Crecí Miles Mulvihill, \$200.00 from Nan Napier, \$100.00 from David Palafox, \$50.00 from Thompson, \$2,500.00 from Betty Wakefield.

16.2. *Motion made, seconded, and unanimously carried to **ACCEPT** notation pursuant to Section 2.92.110 of the City Code, receipt of campaign contributions by Representative Cassandra Hernandez in the amounts of \$1,000 from Raul Hernandez; \$500 from Linebarger Goggan Blair & Sampson LLP; \$500 from Mary Eileen Karlsruher; \$1,500 from The El Paso Assn of Fire Fighters Local 51 Inc PAC; \$500 from El Paso Apartment Association PAC.

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CONSENT AGENDA - BIDS:

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

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17.1. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2019-1169 City Wide Backflow Preventer Inspection and Repair to EP Integrated Fire Systems & Concepts, LLC dba Integrated Fire Systems & Concepts, LLC for an

initial term estimated award of \$241,146.00. The award is to include a two (2) year optional amount of \$160,764.00 for a total five (5) year estimated award of \$401,910.00. This contract will allow for inspections, maintenance and repair of Backflow Preventers in City owned facilities to insure maximum reliability.

CONTRACT VARIANCE:

The difference in cost, based on comparison to the previous contract is as follows: An increase of \$91,395.00 over the three (3) year initial term of the contract, (annual increase of \$30,465.00) or 61%, due to the addition of eighty four (84) new locations, and an increase in parts cost of \$5,970.00 per year.

Department:	Streets and Maintenance
Award to:	EP Integrated Fire Systems & Concepts, LLC dba Integrated Fire Systems & Concepts, LLC El Paso, TX
Item(s):	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$ 80,382.00
Initial Term Estimated Award:	\$241,146.00 (3 years)
Total Estimated Award :	\$401,910.00 (5 years)
Account No.:	532-31040-522260-1000-P3120
Funding Source:	Streets and Maintenance Environmental –
General Fund	
Districts:	All

This is a Low Bid, service contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to EP Integrated Fire Systems & Concepts, LLC dba Integrated Fire Systems & Concepts, LLC the lowest responsive, responsible bidder.

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

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

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

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

That the City Manager be authorized to sign an Agreement for Preventative Care Services between the City of El Paso (the “City”) and Tenet Hospitals Limited dba The Hospitals of Providence (the “Service Provider”), Contract No. 2019-858R, to perform preventative care services for Medicaid and uninsured patients at Service Provider’s centers on a three (3) year term with the option to extend the Term for two (2) one (1) year options under the same terms and conditions, which may be exercised by the City Manager or designee administratively, for an estimated contract amount of \$276,450.00 for the initial term and an estimated \$184,300 if the option to extend is exercised.

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

.....
The City Council Meeting was **RECESSED** at 10:08 a.m. in order to convene the Mass Transit Board meeting.

The City Council Meeting was **RECONVENED** at 10:17 a.m.

.....
CALL TO THE PUBLIC – PUBLIC COMMENT

The following members of the public commented:

1. Mr. Fainot Pierre
2. Mr. Michael Castro
3. Mr. Colt DeMorris
4. Mr. Eddie Chavez, Jr.
5. Ms. Wally Cech

.....
REGULAR AGENDA - FIRST READING OF ORDINANCES

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

NAYS: None

.....
19.1. An Ordinance terminating Tax Increment Reinvestment Zone Number Twelve, City of El Paso, Texas. Dissolving the Tax Increment Fund for the Zone; Dissolving the Board of Directors for the Zone; and providing and effective date.

.....
19.2. An Ordinance approving amendment number two to the final project plan and finance plan for Tax Increment Reinvestment Zone Number Eleven, the City of El Paso, Texas; and establishing a Sales Tax and Use Tax Increment contribution by the City of the Zone's Tax Increment Fund.

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

.....
20.1. An Ordinance granting a special privilege license to Summit Indigo EP LLC. to permit the construction, installation, maintenance, use, and repair of a surface encroachment of two (2) new planter beds over portions of city right-of-way along Main and Kansas streets adjacent to the property located at 325 N. Kansas street, El Paso, Texas
Subject Property: 325 N. Kansas Property Owner: Summit Indigo EP, LLC.
NESV2019-00008.

.....
20.2. An Ordinance amending Title 19 (Subdivision and development plats), Article 2 (Subdivision Standards), Chapter 19.20 (Parks and Open Space), Section 19.20.070

(Deed conveyance) of the El Paso City Code, to clarify the requirements for the conveyance instrument and to allow for deferral of delivery of the conveyance instrument in circumstances where the obligation to install public improvements to serve a subdivision or development is deferred until after recordation of the final plat. The penalty is as provided in Chapter 19.42 of the El Paso City Code.

-
- 20.3.** An Ordinance amending the Regulating Plan placed on the property under Ordinance No. 018024 which changed the zoning of a 7.645 acre parcel of land legally described as being all of Lot 2 and a portion of Lots 1 and 3, University Center as filed in Volume 23, Page 35, El Paso County Deed Records, El Paso County, Texas from C-1 (Commercial) and C-3 (Commercial) to SCZ (Smartcode Zone). The Penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: West of Mesa Street and East of Sun Bowl Drive; Owner: University of Texas. PLRP19-00007
-

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

-
- 21.1.** An Ordinance amending Title 12, Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking prohibited at all times on certain streets), Subsection 240 (Both sides of Westcity Court from Waymore Drive to Eubank Court) of the City Code to remove the parking restriction on the east side of Westcity Court from Waymore Drive to Eubank Court. The penalty being provided in Chapter 12.84 of the El Paso City Code.
-

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

.....

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

.....

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 **GARVER, LLC**, an Arkansas Limited Liability Company, for a project known as “**EL PASO INTERNATIONAL AIRPORT RELOCATION OF TAXIWAY M**”, for an amount not to exceed **SEVEN HUNDRED ONE THOUSAND SIXTY FOUR AND 75/100 DOLLARS (\$701,064.75)**; 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 Eight Hundred One Thousand Sixty Four Dollars and 75/100 (\$801,064.75); 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 Mayor Pro Tempore Ordaz Perez, seconded by Representative Hernandez, and unanimously carried to **APPROVE** the Resolution.

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

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

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

- 23.1.** An Ordinance amending Title 5 (Business License and Permit Regulations), Chapter 5.03 (Amplified Sound Permit), Article I (General Provisions), Section 5.03.020 (Definitions); Title 5 (Business License and Permit Regulations), Chapter 5.03 (Amplified Sound Permit), Article II (Permit Application Process), Section 5.03.030 (Permit Application), Subsection A (Permit Application) to clarify the Application Requirement, and Paragraph 5 Thereunder; to add Section 5.03.35 (Extended Hours Allowed By Permit); Title 5 (Business License And Permit Regulations), Chapter 5.03 (Amplified Sound Permit), Article VI (Violation, Penalty), Section 5.03.130 (Violation), Subsection D; Title 5 (Business License and Permit Regulations), Chapter 5.03 (Amplified Sound Permit), To Add Article VII (Severability), Section 5.03.140 (Severability) to allow for Outdoor Amplified Sound until 2 A.M. with duly issued permit, provided required noise control measures have first been installed or constructed and verified by a designated City Inspector; the penalty being as provided in Section 5.03.130 (Violation) of the El Paso City Code.

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

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

The following members of City staff commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Javier De La Cruz, Building Permits and Inspections Assistant Director
3. Ms. Kristen Hamilton-Karam, Assistant City Attorney

The following members of the public commented:

1. Mr. Jon Schwartz
2. Ms. Nevena Christi
3. Mr. Marty Snortum
4. Mr. Albert Rivera
5. Mr. Rudy Alarcon
6. Mr. Gilbert Valles
7. Ms. Tara Livingston
8. Mr. Austin Allen
9. Mr. Johnny Escalante
10. Mr. Patrick McNeil

1ST MOTION

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

2ND MOTION

Motion made by Representative Svarzbein, seconded by Mayor Pro Tempore Ordaz Perez, and carried to **SUSPEND** the Rules of Order to allow for additional speakers.

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

NAYS: Representatives Rivera and Lizarraga

3RD AND FINAL MOTION

Motion made by Representative Rivera, seconded by Representative Lizarraga, and carried to **DELETE** the item.

AYES: Representatives Annello, Hernandez, Rivera, Lizarraga and Mayor Margo

NAYS: Representatives Svarzbein, Morgan, Salcido and Ordaz Perez

Mayor Margo broke the tie by voting “AYE”.

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

- 24.1.** *Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the public hearing of an Ordinance changing the zoning of Tracts 4C, 4D, 4E, 4F, 4G, 4J, 4K, 4L, and 5, Block 8, Ysleta Grant, Texas, 343-345 Zaragoza Road, City of El Paso, El Paso County, Texas from R-F (RanchFarm) to C-1 (Commercial), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property : 343-345 Zaragoza Road. Property Owner: Iwaloye Properties, LLC and the Estate of Maria Germany. PZRZ19-00013
-

24.2. ORDINANCE 018989

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST19-00007, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCTIONS IN THE REQUIRED FRONT AND STREET SIDE YARD SETBACKS, AND A REDUCTION IN THE MINIMUM NUMBER OF REQUIRED PARKING SPACES, AND TO RESCIND SPECIAL PERMIT SP90-20 ON THE PROPERTY DESCRIBED AS A PORTION OF LOTS 11, 12, 13, AND 14, BLOCK 2, ALEXANDER ADDITION (404 E. ARIZONA AVENUE), CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. 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: 404 E. ARIZONA AVENUE. OWNER: LEFT INVESTMENTS, LLC PZST19-00007.**

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, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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

24.3. ITEMS 24.3. AND 24.4 WERETAKEN TOGETHER

ORDINANCE 018990

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF SECTION 15, BLOCK 79, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F TO R-3A. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: NORTH OF PELLICANO DRIVE AND EAST OF DOMINIC ANAKIN DRIVE. PROPERTY OWNER: CUESTA DEL SOL, INC. PZRZ19-00017**

24.4. ORDINANCE 018991

The City Clerk read an Ordinance entitled **AN ORDINANCE AMENDING THE FUTURE LAND USE MAP CONTAINED IN "PLAN EL PASO" FOR THE PROPERTY LEGALLY DESCRIBED AS SECTION 15, BLOCK 79, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM O6, POTENTIAL ANNEXATION, TO G4, SUBURBAN. SUBJECT PROPERTY: NORTH OF PELLICANO DRIVE AND EAST OF DOMINIC ANAKIN DRIVE. PROPERTY OWNER: CUESTA DEL SOL, INC. PLCP19-00001**

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

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

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

NAYS: None

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

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

25.1. ORDINANCE 018992

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 7861 TO AMEND THE BINGO PRIZE FEE IMPOSED BY THE CITY OF EL PASO TO 50 PERCENT OF THE 5 PERCENT BINGO PRIZE FEE COLLECTED BY AUTHORIZED ORGANIZATIONS WITHIN THE CITY OF EL PASO ON PRIZES OF MORE THAN \$5.00.**

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

NAYS: None

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

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

26.1. ORDINANCE 018993

The City Clerk read an Ordinance entitled: **AN ORDINANCE, AMENDING TITLE 12, CHAPTER 12.88 (SCHEDULES), SECTION 12.88.180 (NO STOPPING OR STANDING - TOW-AWAY ZONE), SUBSECTION A, SUBSUBSECTION 15 OF THE EL PASO CITY CODE, TO DELETE THE PARKING AND STANDING PROHIBITION ON BOTH SIDES OF COLES STREET FROM SECOND AVENUE TO PAISANO DRIVE. THE PENALTY BEING PROVIDED IN CHAPTER 12.84 OF THE EL PASO CITY CODE.**

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, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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

26.2. ORDINANCE 018994

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING VEHICULAR TRAFFIC USE FOR PORTIONS OF SOUTH OREGON STREET, SOUTH MESA STREET, SOUTH KANSAS STREET, AND PARK STREET WHICH INTERSECT WITH STATE LOOP 375, BORDER WEST EXPRESSWAY.**

Ms. Hannah Williams, Streets and Maintenance Engineering Associate, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Annello commented.

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

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

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

- 27.1.** *Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the item for discussion and action on information related to City Council direction from July 23, 2019 to explore a conservation easement and associated items regarding the approximately 1,000 acres of land owned by the City of El Paso in northwest El Paso, including Lost Dog Trail.

Mr. Tommy Gonzalez, City Manager, commented.

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

28.1. RESOLUTION

WHEREAS, the Colorado Health Facilities Authority (the "Authority"), is in the process of issuing Health Facilities Revenue Bonds and Revenue Refunding Bonds (The Evangelical Lutheran Good Samaritan Society Project), Series 2019 (the "Bonds") in aggregate principal amount not to exceed \$480,000,000, a portion of which will be used to finance the Evangelical Lutheran Good Samaritan Society—Facilities located in El Paso, Texas (the "Project");

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986 requires that before the bonds are issued, the issuance of such tax exempt bonds must be approved by the highest elected official of the local governmental unit having jurisdiction over the area in which such facility is located after a public hearing following reasonable notice to the public;

WHEREAS, the Authority published a Notice of Public Hearing in the El Paso Times as required by Section 147(f) of the Internal Revenue Code on October 3, 2019, and held a public hearing on Tuesday, October 11, 2019;

WHEREAS, Alamito now requests that the Mayor sign a Certificate of Approval of the Highest Elected Official.

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

That the Mayor be authorized to sign the Certificate of Approval of the Highest Elected Official attached to this Resolution for the sole purpose of compliance with Section 147(f) of the Internal Revenue Code of 1986.

Representative Lizarraga commented.

Mr. Robert Cortinas, Chief Financial Officer, commented.

Mr. Jerry Amerman, citizen, commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

.....
28.2.

R E S O L U T I O N

WHEREAS, on December 3, 2002 the City Council of the City of El Paso ('City') consented to the creation of Paseo Del Este Municipal Utility Districts Nos. 1 through 9 ("Districts") in the City of El Paso's Extraterritorial Jurisdiction; and

WHEREAS, the City's consent to the creation of the Districts was subject to several conditions; and

WHEREAS, one of the City's conditions for the creation of the Districts was that the City is to review and approve the Districts' bonds and notes prior to issuance and may place restrictions on the terms and provisions of each of the District's bonds and notes issued to provide service to the land and conditions on the sale of the District's bonds and notes to the extent such restrictions and conditions do not generally render the bonds and notes of the Districts unmarketable; and

WHEREAS, Paseo Del Este Municipal District No. Two ("M.U.D. No. 2") requested review and approval of the issuance of the Unlimited Tax Refunding Bonds, Series 2019 Bonds Utility by M.U.D. No.2 (the "Series 2019 Bonds"); and

WHEREAS, the City reviewed the proposed issuance of Series 2019 Bonds by

M.U.D. No. 2 and desires to approve the issuance of the bonds.

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

That the City reviewed and approves the issuance of the Unlimited Tax Refunding Bonds, Series 2019 Bonds in the estimated amount of \$1,375,000.00, by Paseo Del Este Municipal Utility District No. 2, with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Annello and Hernandez

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

29.1. RESOLUTION

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services to geotechnical and materials testing for streets and maintenance on a task basis by and between the City of El Paso and each of the following five (5) consultants:

1. CQC Testing and Engineering, LLC
2. PAVETEX Engineering, LLC
3. Professional Service Industries, Inc.
4. Terracon Consultants, Inc.; and
5. Wood Environment & Infrastructure Solutions, Inc.

Each On Call Agreement will be for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$500,000.00), and each agreement will include authorization for the City Engineer to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and authorization for the City Engineer to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if the identified services are necessary for proper execution of identified project and if the increased amounts are within the appropriate budget identified for a project. In addition, the City Manager is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of each On-Call Agreement.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Annello and Hernandez

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

30.1. RESOLUTION

WHEREAS, in administering the low income housing tax credit program, the Texas Department of Housing and Community Affairs ("TDHCA") scores and ranks applications using a point system that prioritizes certain criteria, such point system published in a qualified allocation plan ("QAP"); and

WHEREAS, an application for low income housing tax credits may qualify for points if the applicant receives a resolution from the governing body of a municipality expressly setting forth that the municipality supports or has no objection to the application or development; and

WHEREAS, on August 23, 2016 the City Council approved evaluation criteria and procedures to be used in determining City support for low income tax credit proposals (the "Evaluation Procedures"); and

WHEREAS, the City wishes to amend the Evaluation Procedures to align with recommendations of the El Paso Regional Housing Plan.

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

That the Evaluation Procedures adopted August 23, 2016 are amended with the document attached to this resolution as Attachment "A". Attachment "A" supersedes in its entirety the Evaluation Procedures adopted by August 23, 2016.

Ms. Nicole Ferrini, Community and Human Development Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Annello and Rivera commented.

The following members of the public commented:

1. Mr. Robert Blumenfeld
2. Mr. Tom DeLoye

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Morgan, and unanimously carried to **APPROVE** the Resolution and to **ACCEPT** Option 2, as presented.

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

NAYS: None

30.2. RESOLUTION

WHEREAS, in 2006 the City Council approved the Capital Budget, which included funding for the initial Neighborhood Improvement Program (“NIP”); and

WHEREAS, the NIP was categorized as a Priority Program, in which the requested projects from recognized neighborhood associations and civic associations must be for permanent public improvements that benefit neighborhood residents and the general public at large; and

WHEREAS, in 2012, the citizens of El Paso, Texas approved the 2012 Quality of Life Bonds, which included funding for the NIP; and

WHEREAS, the NIP’s total budget made available from the 2012 Quality of Life Bonds is \$10,000,000.00 to be apportioned equally among El Paso’s eight Representative Districts for eligible public improvement projects, and procurement, design, project and construction management, and contract compliance over a ten (10) year period; and

WHEREAS, on June 24, 2014, the City Council approved the expenditure of designated funds for the NIP Staff recommendations of projects for the first round of the 2012 Quality of Life Bonds NIP funding; and

WHEREAS, on July 29, 2014, the City Council approved the current policies for the Neighborhood Improvement Program; and

WHEREAS, on June 23, 2015, the City Council approved the expenditure of designated funds for the NIP Staff recommendations of projects for the second round of the 2012 Quality of Life Bonds NIP funding; and

WHEREAS, on January 24, 2017, the City Council approved the expenditure of designated funds for the NIP Staff recommendations of projects for the third round of the 2012 Quality of Life Bonds NIP funding; and

WHEREAS, on November 14, 2017, the Neighborhood Improvement Program scorecard was approved by the City Council;

WHEREAS, projects for the 4th round of funding are currently being evaluated,

WHEREAS, there are \$7,000,000 of funds allocated for rounds 4, 5, and 6; and

WHEREAS, the Department of Community and Human Development recommends that the funds from round 6 be re-allocated to rounds 4 and 5.

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

That City Council hereby authorizes the distribution of the remaining \$7,000,000 in 2012 Quality of Life (QOL) funds dedicated to the Neighborhood Improvement Program (NIP) by allocating \$3,000,000 to Round 4 and \$4,000,000 to Round 5. The Department of Community and Human Development is authorized to evaluate projects based on this new re-allocation of funds.

Ms. Nicole Ferrini introduced Ms. Olivia Montalvo Patrick, Interim Neighborhood Services Coordinator, who briefed Council on the item.

Representatives Morgan and Rivera commented.

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

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

NAYS: None

30.3.

ITEMS 30.3. AND 30.4. WERE TAKEN TOGETHER

R E S O L U T I O N

That the City Manager be authorized to sign a Lease Agreement between the City of El Paso and Paisano Housing Redevelopment Corporation, an affiliate of the Housing Authority for the City of El Paso, for the lease to the City of the 17th floor of the Blue Flame Building located at 304 Texas Ave. El Paso, Texas 79901. The initial term of the lease is 10 years with two renewal options to extend for additional 5 years each option. The Base Rent for the first year is \$70,317 with an approximate two percent increase in the following years during the term. Further, that the City Manager be authorized to sign any amendments to the Lease Agreement provided that such amendments do not increase the Term of the lease or increase the Base Rent amounts.

30.4.

R E S O L U T I O N

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso ("HACEP") and Paisano Housing Redevelopment Corporation ("PHRC"), an affiliate of the Housing Authority for the City of El Paso, for the construction and use of the Downtown Center for Civic Empowerment on the 17th floor of the Blue Flame Building, for consistent with the lease of the 17th floor; and

That the City will reimburse HACEP an amount up to \$1,500,000.00 in Community Development Block Grant ("CDBG") funds designated by the City Council for the construction of the Center, which will be completed through HACEP's project Developer's contractor; and

That HACEP will contribute an additional estimated amount of \$800,000.00 for the construction of the Center and will use the Center at no additional cost; and

That HACEP and the City will use the Center in a manner consistent with the national objectives of the CDBG Grant.

Ms. Nicole Ferrini, Community and Human Development Director, presented a PowerPoint presentation, (copy on file in the City Clerk's Office).

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

Mr. Tommy Gonzalez, City Manager, commented.

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Lizarraga, and carried to **APPROVE** the Resolutions.

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

NAYS: Representative Annello

31. MAYOR AND COUNCIL

- 31.1. Motion made by Representative Hernandez, seconded by Representative Salcido, and unanimously carried to **ACCEPT, AS REVISED** the recommendation from the Citizen's Advisory Committee for the Mass Transit Board and the Mass Transit Board to name the Eastside Transit Center located at 1165 Sunmount Drive the Arturo "Tury" Benavides Transit Center.

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

NAYS: None

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- 31.2. Discussion of El Paso City Charter provisions relating to an elected city official's removal from office.

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 1:03 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089

Motion made by Representative Annello, seconded by Representative Morgan, and unanimously carried to **ADJOURN** the Executive Session at 1:31 p.m. and **RECONVENE** the meeting of the City Council.

Mayor Margo and Representative Hernandez commented.

NO ACTION was taken on this item.

31.3. ITEMS 31.3. AND 31.4. WERE TAKEN TOGETHER

Discussion and action to direct City Manager to develop and implement an El Paso Police Department Car Opportunity Program (EPPD C.O.P).

Motion made by Representative Rivera, seconded by Representative Annello, and unanimously carried to **APPROVE** and **DIRECT** the City Manager to develop an El Paso Police Department Car Opportunity Program (EPPD COP) to transfer any city decommissioned EPPD vehicles to area schools that offer a law enforcement program to expose students with real-world applications that Police Officers encounter on a daily basis through different simulated scenarios in exchange for the municipal purpose of enhancing the recruitment and interest from area students to become future EPPD recruits.

- 31.4.** Discussion and action to direct City Manager and City Attorney to draft and return on October 29, 2019 with an inter-local agreement between the City of El Paso and El Paso Independent School District (EPISD) regarding their request for a decommissioned vehicle at Austin High School Sandra Day O'Connor Public Service Academy and the Center for Career and Technology Education (CCTE).

Motion made by Representative Rivera, seconded by Representative Annello, and unanimously carried to **APPROVE** and **DIRECT** the City Manager and City Attorney to draft the necessary documents between the City of El Paso and any City of El Paso school district regarding the request for a decommissioned city vehicle to area schools that offer a law enforcement program to expose students with real-world applications that Police Officers encounter on a daily basis through different simulated scenarios for the municipal purpose of enhancing the recruitment and interest from area students to become future EPPD recruits.

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

NAYS: None

- 31.5.** Motion made by Representative Rivera, seconded by Representative Lizarraga, and unanimously carried to **DELETE** the item for discussion and action to direct the City Manager to work with Cielo Vista/ Simon properties and Cielo Vista Walmart on any immediate or future plans regarding the items at the Cielo Vista Walmart Community Makeshift Memorial; and to secure the victims' families and surviving victims of the August 3, 2019 Walmart shooting and Cielo Vista Walmart employees are given priority and be the first to be offered all items that the community has taken to be placed at the memorial in loving memory of the victims.

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

NAYS: None

32. MANAGEMENT UPDATES

- 32.1.** August 3 Temporary Memorial.

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

Representatives Svarzbein, Annello, Hernandez, and Rivera commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

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- 32.2.** Update for Fire and Office of Emergency Management Community Programs.

Fire Chief Mario D'Agostino and Assistant Fire Chief Jorge Rodriguez and Mr. Jason Laney, National Weather Service Warning Coordination Meteorologist, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Hernandez commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

32.3. Budget Update.

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

Mayor Margo commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

32.4. Presentation and discussion on an update of the 2012 Street Improvement Program.

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

Representatives Annello and Hernandez commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

32.5. WinterFest 2019 Overview of planning, amenities, and programming for WinterFest 2019.

Ms. Tracey Jerome, Museums and Cultural Affairs, Libraries and Tourism Managing Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Margo and Representatives Svarzbein and Annello commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

ADJOURN

Motion made by Representative Lizarraga, seconded by Representative Rivera, and unanimously carried to **ADJOURN** this meeting at 2:24 p.m.

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

NAYS: None

APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk