

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

November 24, 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. Meeting was called to order at 9:03 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.

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 {*}).

Mayor Margo and Representative Svarzbein commented.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rodriguez, 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 November 10, 2020, the Agenda Review Meeting of November 9, 2020, the Work Session of October 26, 2020, and the Special Meeting of November 9, 2020

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CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:
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2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

NO ACTION was taken on this item.

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CONSENT AGENDA - RESOLUTIONS:
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3. Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development

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3.1. *RESOLUTION

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

That the City Manager be authorized to sign an Office Space Rental Agreement between the City of El Paso and G2 Secure Staff, LLC, for approximately three hundred and twenty-eight (328) square feet of office and related shared space in the Airport Terminal Building, for a one-year term with automatic renewal for two (2) additional terms of one (1) year each.

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3.2. *RESOLUTION

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

That the City Manager be authorized to sign the Airport Concurrence Form that identifies the siting requirements and the related impacts of the new Federal Aviation Administration Airport Traffic Control Tower and Terminal Radar Approach Control facilities planned to be constructed at the El Paso International Airport, including written confirmation that the City has advised the Airport user community about the impacts of the project on operations.

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3.3. *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 Chapter 380 Agreement between the City of El Paso and EPT The Reserve at Sandstone Ranch Apartments II, LLC, therein consenting to the assignment of the Chapter 380 Agreement from EPT The Reserve at Sandstone Ranch Apartments II, LLC to EPT The Reserve at Sandstone Ranch Apartments, LLC.

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3.4. *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 Chapter 312 Tax Abatement Agreement between the City of El Paso and MS Property,

LLC, therein consenting to the assignment of the Chapter 312 Tax Abatement Agreement from MS Property, LLC to Moderno Village, LLC.

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

4.1. *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 execute Highway-Rail Signal Interface Agreement between the City of El Paso and BNSF Railway Company to preempt the highway traffic control signals with the grade crossing warning devices located at the intersection of Doniphan and Green, and Doniphan and Brid. Further that the City Manager of designee is authorized to sign any amendments to the Agreements follow consultation with the City Attorney's office.

4.2. *RESOLUTION

WHEREAS, on September 29, 2020, the City of El Paso ("City") executed an Interlocal Cooperation Agreement ("Agreement") between the City of El Paso, and the El Paso County Emergency Services District No. 1 ("District") for the Use of the City's Grant Funded Rehab Unit Fire Apparatus; and

WHEREAS, subsequent to the District and City's execution of the Interlocal Cooperation Agreement, the Federal Emergency Management Agency (FEMA) requested that the Interlocal Cooperation Agreement be amended to specifically name the Horizon Fire Department, as a participating organization; and

WHEREAS, the City and District desire to modify and replace the Interlocal Cooperation Agreement in its entirety with the First Amendment to the Agreement.

BE IT RESOLVED BYT THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor be authorized to sign the First Amendment to the Interlocal Cooperation Agreement between the City and District to include the Horizon Fire Department as a participating organization, to provide the District, and its contracted emergency service organization, the Horizon Fire Department, access to the City's 2020 Frontline Communications, 6.7 Liter Cummins ISB I-6, Grant Funded Rehab Unit Fire Apparatus which will aid in the protection of the health and safety of the public and firefighting personnel against fire and fire-related hazards.

4.3. *RESOLUTION

WHEREAS, on September 29, 2020, the City of El Paso ("City") executed an Interlocal Cooperation Agreement ("Agreement") between the City of El Paso, and the El Paso County Emergency Services District No. 2 ("District") for the Use of the City's Grant Funded Rehab Unit Fire Apparatus; and

WHEREAS, subsequent to the District and City's execution of the Interlocal Cooperation Agreement, the Federal Emergency Management Agency (FEMA) requested that the Interlocal Cooperation Agreement be amended to specifically name the District as well as its contracted emergency service organizations and providers, as participating organizations; and

WHEREAS, the City and District desire to modify and replace the Interlocal Cooperation Agreement in its entirety with the First Amendment to the Agreement.

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

The Mayor be authorized to sign the First Amendment to the Interlocal Agreement between the City of El Paso ("City"), El Paso County Emergency Services District No. 2 ("District"), and its contracted emergency services organizations and providers, to include the Clint, Fabens, Montana Vista, San Elizario, Socorro and West Valley Fire Departments, to provide the District, and its contracted emergency services organizations and providers, access to the City's 2020 Frontline Communications, 6.7 Liter Cummins ISB I-6, Grant Funded Rehab Unit Fire Apparatus which will aid in the protection of the health and safety of the public and firefighting personnel against fire and fire-related hazards.

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5. Goal 7: Enhance and Sustain El Paso's Infrastructure Network
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5.1. *RESOLUTION

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

That the Mayor of the City of El Paso is authorized to execute a Right of Way License Agreement between the City of El Paso and the County of El Paso for the improvement and maintenance of pedestrian and vehicular improvements on Delta Drive.

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

Security Dynamics Inc., in the amount of \$3,153.72, made an overpayment on January 10, 2020 of 2019 taxes. (Geo. #M878-999-0050-0100)

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6.2. *RESOLUTION

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing tmit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Compass Group USA, Inc. through Compass Group Support Services ("Taxpayer") has applied for a refund with the tax assessor for their 2015 property taxes that were overpaid on December 23, 2015 in the amount of \$3,521.55 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2014 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

That the City finds that Compass Group USA, Inc. through Compass Group Support Services showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2015 taxes and the tax refund in the amount of \$3,521.55 is approved.

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CONSENT AGENDA - NOTICE FOR NOTATION:
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7. Goal 6: Set the Standard for Sound Governance and Fiscal Management
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7.1. *Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$1,000 from Marathon Petroleum to pay for permitted activities and other COVID-19 safe initiatives within District 3.

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CONSENT AGENDA - NOTICE OF CAMPAIGN CONTRIBUTIONS:
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8. Goal 6: Set the Standard for Sound Governance and Fiscal Management
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8.1. *Motion made, seconded, and unanimously carried to **ACCEPT, AS REVISED**, the notation pursuant to Section 2.92.110 of the City Code, receipt of the following campaign contributions by Mayor Margo: \$100.00 from R.A.D. Morton, \$50.00 from Jack Darbyshire, \$5,000.00 from Woody Hunt, \$500.00 from Ned Holmes, \$1,000.00 from Robert Murchison, \$500.00 from Robert Hoy, \$1,000.00 from Ryan McNellis, \$50.00 from Ben Bass, \$2,500.00 from Walter Price IV, \$500.00 from Donald Margo, and \$300.00 from Elva Garcia Ferrebee, \$2,500.00 from Clinton Wolf, \$2,000.00 from Maria Teran, \$200.00 from Jonathan Schwartz, \$200.00 from Josephine Schwartz, \$5,000.00 from Kirk Robison, \$125.00 from Sandra Hoover, \$1,500.00 from El Paso Association of Fire Fighters, \$50.00 from Colleen Marusich, \$50.00 from James Salome, \$1,000.00 from Christian Perez, \$5,000.00 from William Randag, \$2,500.00 from Josh Hunt, \$500.00 from Henry Bonilla, \$1,000.00 from Patrick Gorman, \$500.00 from Eduardo Rodriguez, \$500.00 from William Keating, \$500.00 from Marco Zaragoza, \$500 from Tim Collins, \$2,000 from Leonard A. Goodman III, \$250.00 from Mona Goldberg, \$500.00 from Richard Behrenhausen, and \$250.00 from William Yung, \$200.00 from William Coon, \$5,000.00 from Woody Hunt, \$1,000.00 from John Frullo, \$100.00 from John Cullers, \$1,000.00 from Jon Hjamliquist, \$250.00 from Steve & Martha Degroat, \$500.00 from Clay Lowenfield, and \$2,000.00 from JW Rogers, \$2,500.00 from Lyle Larson and \$1,000.00 from Peter Spier.

8.2. *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 City Representative Henry Rivera, District 7: \$200.00 from Sherman H. Barnett; \$200.00 from

Carlos Aguilar; \$200.00 from Leonard Goodman; \$200.00 from James & Pat Conover; \$400.00 from Mike Dipp; \$500.00 from Suzanne Dipp; \$500.00 from Jose Bayou; \$1,000.00 from Gerald Rubin; \$1,000.00 from Fred Loya, Sr.

8.3. *Motion made, seconded, and unanimously carried to **ACCEPT** the notation pursuant to Section 2.92.110 of the City Code, receipt of campaign contributions by City Representative Aleksandra Anello, District 2: \$2,500 (In-Kind) from Carlos Corral; \$1,000 from Frontera Vision PAC; \$500 from Deborah Kastrin; \$1,000 from The El Paso Association of Fire Fighters Local 51, INC. PAC; \$15 from Marco Gomez; \$25 from Shellie McMahon; \$150 from Linnea Toney; \$10 from Jose Avila; \$25 from Ward Beers; \$25 from Johnny Ruffier; \$25 from Evan Carcerano; \$250 from Gregory Schwab; \$2,500 from Robert Halpern; \$50 from Ben Bass; \$25 from Janelle Carden; \$300 from Richard Teschner.

8.4. *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 City Representative Sam Morgan, District 4: \$1000.00 from El Paso Association of Firefighters, \$2500.00 from Stanley Jobe, \$1000.00 from Irene Epperson, \$500.00 from Demetrius & Leticia Jimenez, \$250.00 from Mark Smith, \$1000.00 from Forma Group, \$1250.00 from Randall Bowling, \$1250.00 from Robert Bowling, \$250.00 from Gregory Deitch, \$1500.00 from Andrew Dominguez, \$100.00 from Carlos Lewis, \$500.00 from Charles Ellis, \$50 from Ben Bass.

CONSENT AGENDA - REQUESTS TO ISSUE PURCHASE ORDERS:

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

9.1. *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing to issue a Purchase Order to HUB International Texas, Inc., referencing Contract 2012-031R Benefit Consulting Service. This will be a change order to increase the contract by \$94,837.50 for a total amount not to exceed \$474,187.50 for the initial term. The change order will cover expenses for benefit consulting services November 24, 2020 to April 9, 2021.

Contract Variance: The cost for this change order is the same as in the original contract. There is no variance.

Department:	Human Resources
Award to:	HUB International Texas, Inc. El Paso, TX
Total Estimated Amount:	\$94,837.50
Account No.:	209-3500-521160
Funding Source	Self Insurance Fund
Districts:	All

CONSENT AGENDA - BIDS:

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

10.1. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2020-1090 Supplemental Foliar Nutrients for Sports Turf to the following vendors: Timothy Cuquet Mitchell dba C.M.C. Agronomy, LLC. for item 1, for a three (3) year initial term estimated award of \$24,213.75. The award is to include a two (2) year optional amount of \$16,142.50 for a total five (5) year award of \$40,356.25 and Turf Care of Texas, LLC for items 2 and 3, for a three (3) year term estimated award of \$66,645.00. The award is to include a two (2) year optional amount of \$44,430.00 for a total five (5) year award of \$111,075.00.

Contract Variance:

The difference in cost, based on the comparison from previous contract is as follows: An increase of \$6,071.25 for the initial term, which represents a 7.16% increase, due to price increases.

Department: Streets and Maintenance
 Vendor 1: Timothy Cuquet Mitchell dba C.M.C. Agronomy, LLC.
 McKinney, TX
 Item: 1
 Initial Term: 3 years
 Option to Extend: 2 years
 Annual Estimated Award: \$ 8,071.25
 Initial Term Estimated Award: \$ 24,213.75 (3 years)
 Total Estimated Award: \$ 40,356.25 (5 years)
 Account No.: 451 – 1000 – 51295 – 532000 – P5120
 Funding Source: General Fund
 Districts: All

Department: Streets and Maintenance
 Vendor 2: Turf Care of Texas, LLC.
 Frisco, TX
 Items: 2 and 3
 Initial Term: 3 years
 Option to Extend: 2 years
 Annual Estimated Award: \$ 22,215.00
 Initial Term Estimated Award: \$ 66,645.00 (3 years)
 Total Estimated Award: \$111,075.00 (5 years)
 Account No.: 451 – 1000 – 51295 – 532000 – P5120
 Funding Source: General Fund
 Districts: All
 Total Annual Amount: \$ 30,286.25 (2 vendors)
 Total Initial Estimated Award: \$ 90,858.75 (2 vendors - 3 years)
 Total Estimated Award: \$151,431.25 (2 vendors – 5 years)

This is a Low Bid, unit price contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to Timothy Cuquet Mitchell dba C.M.C. Agronomy, LLC. and Turf Care of Texas, LLC the lowest responsive responsible bidders.

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

REGULAR AGENDA - OPERATIONAL FOCUS UPDATES:

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

11.1. Presentation and final report on the completion of the 2020 Census and next steps by the U.S. Census Bureau as well as the 2020 Census outreach efforts by Sanders Wingo and Taylor Collective.

Ms. Nickole H. Rodriguez, Community Development Program Manager introduced the item.

The following City consultants presented PowerPoint presentations (copies on file in the City Clerk's Office).

1. Ms. Kim Taylor, Chief Executive Officer for Taylor Collective Solutions
2. Ms. Gloria Tostado, Senior Client Relations Representative for Sanders/Wingo
3. Ms. Paulina Lopez, Senior Partnership Specialist with the U.S. Census Bureau

Mayor Margo and Representatives Annello and Salcido commented.

Ms. Nicole Ferrini, Community and Human Development Director, expanded on the presentation and answered questions from Council members.

NO ACTION was taken on this item.

11.2. Budget Update.

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

Representatives Svarzbein and Rodriguez commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Ellen Smyth, Environmental Services Director

NO ACTION was taken on this item.

CALL TO THE PUBLIC – PUBLIC COMMENT

No public participation was received.

REGULAR AGENDA - FIRST READING OF ORDINANCES

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Lizarraga, 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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12. Goal 3: Promote the Visual Image of El Paso:

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12.1. An Ordinance to correct Ordinance 018955 annexing the following real property described as a Portion of Section 28, Block 79, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas. SUAX19-00001

PUBLIC HEARING WILL BE HELD ON DECEMBER 8, 2020

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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

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13.1. Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **AWARD** Solicitation 2020-1136 Security Guard Services for Parks Facilities (Re-bid) to Night Eyes Protective Services, Inc., for an initial term of three (3) years for an estimated amount of \$1,022,190.00. The award is to include a two (2) year optional amount of \$681,460.00 for a total of five (5) year estimated award of \$1,703,650.00. This contract will support the Parks and Recreational Department in maintaining its facilities safe for the public and employees.

Contract Variance:

The difference in cost, based on the comparison from previous contract is as follows: The hourly rate increased from \$11.73 to \$13.00 for Unarmed Security Guards and from \$11.73 to \$15.00 for Armed Guards. An increase of \$300,443.10 for the initial term, which represents a 41.63% increase due to the hourly rate increase and additional hours.

Department: Parks and Recreation
Award to: Night Eyes Protective Services, Inc.
El Paso, TX
Items: All
Initial Term: 3 years
Option 2 Years
Annual Estimated Award: \$340,730.00
Initial Estimated Award: \$1,022,190.00 (3 years)
Total Estimated Award \$1,703,650.00 (5 years)
Account No.: 451-51230-522120-1000-P5106
451-51260-522120-1000-P5111
451-51270-522120-1000-P5113
451-51280-522120-1000-P5116
Funding Source: General Fund

Districts: All

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing and Parks and Recreation Departments recommend award as indicated to Night Eyes Protective Services, Inc. the bidder offering the best value bid.

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

Representative Svarzbein commented.

The following City staff members commented:

1. Mr. Tayo Sokale, Purchasing and Strategic Sourcing Assistant Director
2. Mr. Ben Fyffe, Recreation and Cultural Affairs Director
3. Mr. Tommy Gonzalez, City Manager
4. Ms. Karla Nieman, City Attorney

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

NAYS: None

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

- 14.1.** Motion made by Representative Annello, seconded by Representative Morgan, and unanimously carried to **AWARD** Solicitation 2020-676 Montana RTS Pedestrian Enhancements to International Eagle Enterprises, Inc. for an estimated total award of \$1,898,169.75.

Department:	Capital Improvement
Award to:	International Eagle Enterprises, Inc. El Paso, TX
Items:	All
Initial Term:	182 Standard Workweek Days
Base Bid I:	\$1,868,569.75
Base Bid II:	\$29,600.00
Total Estimated Award:	\$1,898,169.75
Account No.:	190-580270-4510-28320-PCP19TRAN90 190-580270-4743-28320-PCP19TRAN90 190-580270-4950-38170-PCP10TRAN90
Funding Source:	2010 and 2018 Certificates of Obligation and Federal Highway Administration
District:	2

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to International Eagle Enterprises, 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.

Representative Annello commented.

Ms. Yvette Hernandez, Grant Funded Program Director, commented.

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

NAYS: None

14.2. Motion made by Representative Annello, seconded by Representative Morgan, and unanimously carried to **AWARD** Solicitation No. 2020-038 Alabama Bridge Replacement to International Eagle Enterprises, Inc. for an estimated total award of \$863,444.25.

Department:	Capital Improvement
Award to:	International Eagle Enterprises, Inc. El Paso, TX
Items:	All
Term:	60 Standard Workweek Days
Base Bid I:	\$797,564.25
Base Bid II:	\$ 65,880.00
Total Estimated Award:	\$863,444.25
Account No.:	190 – 4743 – 38290 – 580160 – PCP18TRAN06 190 – 4950 – 38170 – 580270 – PCP18TRAN06
Funding Source:	2018 Certificates of Obligation & Federal Highway Administration
Districts:	2

This is a Low Bid, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend that the contract be awarded as indicated to International Eagle Enterprises, Inc. the lowest responsive responsible bidder.

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

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

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

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

NAYS: None

REGULAR AGENDA - OTHER BUSINESS

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

15.1. RESOLUTION

WHEREAS, pursuant to Chapter 375 of the Texas Local Government Code, the El Paso Downtown Management District (the "District") was legally created as a municipal management district by order of the Texas Natural Resources Conservation Commission on March 10, 1997; and

WHEREAS, by Resolution dated September 3, 1996, the City of El Paso supported the creation of the District; and

WHEREAS, the District promotes, develops, encourages and maintains commerce, employment, transportation, tourism, economic development, safety and the public welfare in the downtown area of the City of El Paso; and

WHEREAS, the District's existing boundaries are generally defined by Wyoming Street on the north; Cesar Chavez Memorial Highway on the south; Santa Fe and Paisano on the west; and Ochoa and Alley G (Kansas) on the east; and

WHEREAS, pursuant to §49.301 (a) of the Texas Water Code, the District received petitions from property owners ("Petitioners") in an area referred to herein as the "Proposed Additional Territory"; and

WHEREAS, the boundaries of the Proposed Additional Territory are generally defined by Prospect Street and I-10 on the north; Santa Fe Street, Missouri Avenue and Durango Street on the east; and West Franklin Avenue on the south/west; and

WHEREAS, an aerial map outlining the Proposed Additional Territory is attached hereto as Attachment “A” and a list of properties in the Proposed Additional Territory are provided in Attachment “B”; and

WHEREAS, Petitioners asked the District to add the Proposed Additional Territory to the District; and

WHEREAS, Petitioners represented more than fifty percent of the assessed value of tax-paying properties subject to the special assessment in the Proposed Additional Territory; and

WHEREAS, of the thirty-eight total properties in the Proposed Additional Territory, fourteen supported the petition and four opposed it; and

WHEREAS, pursuant to §49.301 (d), the petitions were heard by the District’s Board of Directors (“Board”) at a duly called public hearing on October 22, 2020 wherein the Board voted to approve adding the Proposed Additional Territory to the District; and

WHEREAS, Texas Local Government Code §375.043 (a), provides that a district may annex land as provided by the Texas Water Code §49.301 and Chapter 54, subject to the approval of the governing body of the municipality; and

WHEREAS, the City Council of the City of El Paso, Texas has considered the annexation of the Proposed Additional Territory to the District and approves of the annexation of the Proposed Additional Territory.

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

THAT the City Council of the City of El Paso hereby approves the annexation into the El Paso Downtown Management District of the land in the Proposed Additional Territory as described in Attachment “A” and Attachment “B”.

Mr. Joe Gudenrath, Downtown Management District Executive Director, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Representatives Svarzbein, Annello, and Salcido commented.

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 Lizarraga, seconded by Representative Morgan, and unanimously carried to **APPROVE** the Resolution.

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

NAYS: None

ABSTAIN: Representative Salcido

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

WHEREAS, by resolution dated December 17, 2019, the City Council of the City of El Paso enacted a Resolution Establishing a Youth Advisory Board (Enabling Resolution) for the purpose of promoting regular and active civic engagement among the youth of the city; and

WHEREAS, the Enabling Resolution provides that membership to the Youth Advisory Board (YAB) shall be appointed by the Mayor and each City Council representative; and

WHEREAS, Council wishes to provide continuity of appointment to the YAB by delegating the appointment process to the City Manager.

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

1. That Section 1. A. of the Enabling Resolution be amended as follows:
 - a. The Youth Advisory Board shall consist of one member appointed by the City Manager or his/her designee, as nominated by the prospective appointee's school, for the Mayor and each City Council representative, for a total of nine members.
2. Except as amended herein, the December 17, 2019 Enabling Resolution remains in full force and effect.

Representative Annello commented.

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

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

NAYS: None

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

WHEREAS, the El Paso City Council previously approved funding for the Alameda RTS Sidewalk Improvement, Alameda RTS, and Montana Fiber projects (Existing Projects); and

WHEREAS, the City has other projects (Other Projects) which require City contributions or match funds; and

WHEREAS, the Existing Projects have or will be completed under their current budgets; and

WHEREAS, the City desires to to reallocate funds from the Existing Projects in the aggregated amount of \$2,947,000.58 to the Other Projects as and for City contributions or match funds.

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

THAT the City approves the reallocation of funds from the Alameda RTS Sidewalk Improvement, Alameda RTS, and Montana Fiber projects in the aggregated amount of \$2,947,000.58 to the Other Projects in the amounts shown in Attachment "A".

"ATTACHMENT A"

Budget Transfers

FROM		TO	
Project Name	Amount	Project Name	Amount
Alameda RTS Sidewalk Improvement	\$782,193.50	Montana Widening Phase I ROW	\$748,312.00
		Bicycle Phase I	\$33,881.50
Total:	\$782,193.50	Total:	\$782,193.50
Alameda RTS	\$1,164,807.08	Bicycle Phase I	\$120,118.50
		Alameda and Carolina	\$170,150.61
		Playa Drain	\$340,711.00
		Davis Bridge	\$80,000.00
		Alabama Bridge	\$81,000.00
		Delta Bridge	\$372,826.97
Total:	\$1,164,807.08	Total:	\$1,164,807.08
Montana Fiber	\$1,000,000.00	Delta Bridge	\$52,173.03
		Rojas Widening	\$720,166.97
		Border West Expressway	\$227,660.00
Total:	\$1,000,000.00	Total:	\$1,000,000.00
Aggregated Total:	\$2,947,000.58	Aggregated Total:	\$2,947,000.58

Ms. Yvette Hernandez, Grant Funded Program Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein and Hernandez commented.

Mr. Tommy Gonzalez, City Manager, commented.

Motion made by Representative Lizarraga, seconded by Representative Rivera, and unanimously carried to **ACCEPT** the Long Range Plan update presentation and **APPROVE** the Resolution.

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

NAYS: None

18. MAYOR AND COUNCIL

-
- 18.1.** Discussion and action to direct the City Manager and City Attorney to update City Council on the outstanding invoice of March 27, 2019, to Donald J. Trump for President Inc.

Representatives Svarzbein and Rivera commented.

Ms. Karla Nieman, City Attorney, provided an update on the status of the item, as previously discussed during the City Council Work Session of November 23, 2020.

NO ACTION was taken on this item.

18.2. RESOLUTION

WHEREAS, The Borderland Rainbow Center in El Paso, Texas recognizes the violence and challenges faced by the transgender community in the nation every day, particularly transgender women of color; and

WHEREAS, there is a long history of violence targeting the transgender community and women of color, much of which goes unreported or inaccurately reported; and

WHEREAS, transgender women of color are more likely to experience violence, including in prisons and immigration detention facilities; and

WHEREAS, this year there were at least 34 known transgender people killed in the United States, 28 of whom were people of color; and

WHEREAS, discriminatory attitudes toward the transgender community and women of color foster high rates of violence, homelessness, and economic instability; and

WHEREAS, the members of the transgender community and women of color who do not have access to safe education, employment, and housing due to lack of availability, targeted support programs, or training are forced into situations that put them in vulnerable positions; and

WHEREAS, our City must ensure anti-discriminatory employment practices and promote policies for accepting inclusive environments; and

WHEREAS, it is essential to develop policies that support the transgender community, develop public education to dispel myths, and to humanize transgender people;

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

November 20th 2020 shall be recognized as: "NATIONAL TRANSGENDER DAY OF REMEMBRANCE".

Representative Annelo commented.

The following members of the public commented:

- 1. Ms. Alison Westermann
- 2. Ms. Adri Perez

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Morgan

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The City Council Meeting was **RECESSED** at 11:14 a.m.

The City Council Meeting was **RECONVENED** at 12:02 p.m.

Representative Morgan left the meeting at 11:00 a.m.

.....
ADJOURN

Motion made by Mayor Pro Tempore Svarzbein seconded by Representative Rivera, and unanimously carried to **ADJOURN** this meeting at 12:04 p.m.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Morgan

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk