

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
MICHEL R. NOE, DISTRICT 5
CLAUDIA ORDAZ PEREZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

**November 27, 2018
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, Claudia Ordaz Perez, Henry Rivera, and Cissy Lizarraga. Michiel Noe requested to be excused. The invocation was given by Pastor Luis Diaz and Co-Pastor Adriana Martinez followed by the Pledge of Allegiance to the Flag of the United States of America.

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

PLEDGE OF ALLEGIANCE

Students from Sageland MicroSociety Student Council Leaders, at the invitation of District 7 Representative Rivera:

Phoenix Payan
Oscar Borges
Madisyn McMillan
Audrey Santiago
Naomi Cabral
Pedro Guillen

SPECIAL PRESENTATION BY THE EL PASO CHORAL AND ORCHESTRA SOCIETY

MAYOR'S PROCLAMATIONS

- 1. Armed Services YMCA Operation Holiday Joy Week**
- 2. Mount Zion Baptist Church Day**
- 3. Pulmonary Hypertension Awareness Month**

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RECOGNITIONS BY MAYOR

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NOTICE TO THE PUBLIC

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

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

NAYS: None

ABSENT: Representative Noe

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CONSENT AGENDA - APPROVAL OF MINUTES:

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

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- 1.1.** *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of November 13, 2018, the Special Meeting of November 14, 2018, and the Special Meeting of November 19, 2018.
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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:

*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Noe from the November 27, 2018 City Council meeting..

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CONSENT AGENDA - RESOLUTIONS:

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

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3.1. 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 Agreement between the City of El Paso and Fuerza Conjunta Progresista, A.C., to sell a 1997 International 4700 Ambulance, which is salvage and no longer required or used by the City of El Paso Fire Department, to be used for medical responses in Chihuahua, Mexico.

Mayor Margo commented.

Fire Chief Mario D'Agostino commented.

Ms. Emma Jacquez, representative for City of Janos, Mexico, commented.

1ST MOTION

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

2ND AND FINAL MOTION

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

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

NAYS: None

ABSENT: Representative Noe

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 is authorized to sign a First Amendment to Contract 2015-709R for Traffic Violation Collection Municipal Court Services with Delgado, Acosta, Spencer, Linebarger & Perez, LLP ("Contract") to amend the original Contract term to extend the term of the Contract for an additional year through January 11, 2020.

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 be authorized to sign Consent to Assignment of the following Contracts: Contract No. 2016-1263 Armed Guard Services Public Health, Contract No. 2018-797 Security Guard Service International Bridges, Contract No. 2014-516 Security Services Police Headquarters, Contract No. 2015-411 Security Guard Services-Landfills Environmental Services and Contract No. 2014-025 Security Guard Services-Fire Department from Ruiz Protective Service, Inc. to Boutchantharaj Corporation dba DFW Security Protective Force.

4.

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

4.1.

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

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

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

WHEREAS, taxpayer, Fred C. Fitzpatrick ("Taxpayer") has applied for a refund with the tax assessor for their 2013 property taxes that were overpaid on May 20, 2014 in the amount of \$13.15 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2013 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 Fred C. Fitzpatrick showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2013 taxes and the tax refund in the amount of \$13.15 is approved.

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

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

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

WHEREAS, taxpayer, Billie K. S. Gilbert ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on January 31, 2015 in the amount of \$6.41 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 Billie K. S. Gilbert showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$6.41 is approved.

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

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

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

WHEREAS, taxpayer, Guild Mortgage Company ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on April 20, 2015 in the amount of \$533.30 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 Guild Mortgage Company showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$533.30 is approved.

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

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

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

WHEREAS, taxpayer, Marlin D. Helming ("Taxpayer") has applied for a refund with the tax assessor for their 2013 property taxes that were overpaid on September 9, 2014 in the amount of \$17.55 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2013 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 Marlin D. Helming showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2013 taxes and the tax refund in the amount of \$17.55 is approved.

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

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

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

WHEREAS, taxpayer, Her Health OBGYN & Fertility Center c/o Claudia Suarez, MD ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on May 27, 2015 in the amount of \$145.24 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 Her Health OBGYN & Fertility Center c/o Claudia Suarez, MD showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$145.24 is approved.

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

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

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

WHEREAS, taxpayer, Ricardo Hernandez ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on February 25, 2015 in the amount of \$67.31 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 Ricardo Hernandez showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$67.31 is approved.

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

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

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

WHEREAS, taxpayer, Houghton Financial Partners, LLC ("Taxpayer") has applied for a refund with the tax assessor for their 2013 property taxes that were overpaid on January 31, 2014 in the amount of \$109.40 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2013 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 Houghton Financial Partners, LLC showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2013 taxes and the tax refund in the amount of \$109.40 is approved.

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

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

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

WHEREAS, taxpayer, Mi K. Lee ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on March 11, 2015 in the amount of \$10.82 for all taxing entities; and

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

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

THAT the City finds that Mi K. Lee showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$10.82 is approved.

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

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

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

WHEREAS, taxpayer, Lone Star Title ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on December, 11 2014 in the amount of \$5.50 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 Lone Star Title showed a good cause to extend the

deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$5.50 is approved.

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

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

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

WHEREAS, taxpayer, Arthur Herbert Loyda ("Taxpayer") has applied for a refund with the tax assessor for their 2013 property taxes that were overpaid on January 9, 2014 in the amount of \$18.00 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2013 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 Arthur Herbert Loyda showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2013 taxes and the tax refund in the amount of \$18.00 is approved.

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

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

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

WHEREAS, taxpayer, Guadalupe Mata ("Taxpayer") has applied for a refund with the tax assessor for their 2013 property taxes that were overpaid on September 08, 2014 in the amount of \$258.85 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2013 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 Guadalupe Mata showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2013 taxes and the tax refund in the amount of \$258.85 is approved.

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

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

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

WHEREAS, taxpayer, Jesus Mendoza ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on January 16, 2015 in the amount of \$50.00 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 Jesus Mendoza showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$50.00 is approved.

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

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

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

WHEREAS, taxpayer, Quicken Loans ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on March 10, 2015 in the amount of \$2,902.43 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 Quicken Loans showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$2,902.43 is approved.

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

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

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

WHEREAS, taxpayer, Quicken Loans ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on March 10, 2015 in the amount of \$97.57 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 Quicken Loans showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$97.57 is approved.

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

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

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

WHEREAS, taxpayer, Irma Rada ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on July 6, 2015 in the amount of \$27.82 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 Irma Rada showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$27.82 is approved.

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

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for

a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

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

WHEREAS, taxpayer, Reverse Mortgage Solutions ("Taxpayer") has applied for a refund with the tax assessor for their 2012 property taxes that were overpaid on September 26, 2013 in the amount of \$100.01 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2012 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 Reverse Mortgage Solutions showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2012 taxes and the tax refund in the amount of \$100.01 is approved.

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

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

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

WHEREAS, taxpayer, Rocky Mountain Mortgage Co. ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on May 6, 2015 in the amount of \$9.22 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 Rocky Mountain Mortgage Co. showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$9.22 is approved.

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

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

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

WHEREAS, taxpayer, Sotoak Realty, LLC ("Taxpayer") has applied for a refund with the tax assessor for their 2013 property taxes that were overpaid on December 24, 2013 in the amount of \$21.20 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2013 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 Sotoak Realty, LLC showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2013 taxes and the tax refund in the amount of \$21.20 is approved.

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

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

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

WHEREAS, taxpayer, Texas Title Company ("Taxpayer") has applied for a refund with the tax assessor for their 2013 property taxes that were overpaid on August 28, 2014 in the amount of \$12.02 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2013 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 Texas Title Company showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2013 taxes and the tax refund in the amount of \$12.02 is approved.

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

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

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing

unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Valero Title, Inc. ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on December 16, 2014 in the amount of \$80.00 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 Valero Title, Inc. showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$80.00 is approved.

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

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

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

WHEREAS, taxpayer, Patricia Vallejo ("Taxpayer") has applied for a refund with the tax assessor for their 2013 property taxes that were overpaid on September 8, 2014 in the amount of \$71.50 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2013 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 Patricia Vallejo showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2013 taxes and the tax refund in the amount of \$71.50 is approved.

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

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

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

WHEREAS, taxpayer, Weststar Pacific Mortgage ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on June 30, 2015 in the amount of \$17.42 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 Weststar Pacific Mortgage showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$17.42 is approved.

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

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

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

WHEREAS, taxpayer, C L North Company ("Taxpayer") has applied for a refund with the tax assessor for their 2012 property taxes that were overpaid on October 8, 2013 in the amount of \$6.48 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2012 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 C L North Company showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2012 taxes and the tax refund in the amount of \$6.48 is approved.

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

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

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

WHEREAS, taxpayer, Stuart C. Cox, Trustee ("Taxpayer") has applied for a

refund with the tax assessor for their 2011 property taxes that were overpaid on December 30, 2014 in the amount of \$322.11 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2011 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 Stuart C. Cox, Trustee showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2011 taxes and the tax refund in the amount of \$322.11 is approved.

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

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

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

WHEREAS, taxpayer, Stephen W. T. Tjiong ("Taxpayer") has applied for a refund with the tax assessor for their 2013 property taxes that were overpaid on March 31, 2014 in the amount of \$28.81 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2013 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 Stephen W. T. Tjiong showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2013 taxes and the tax refund in the amount of \$28.81 is approved.

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

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

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

WHEREAS, taxpayer, Diane E. Balicki ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on November 7, 2014 in the amount of \$7.65 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 Diane E. Balicki showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$7.65 is approved.

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

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

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

WHEREAS, taxpayer, Gabriela Villar ("Taxpayer") has applied for a refund with the tax assessor for their 2013 property taxes that were overpaid on May 31, 2014 in the amount of \$14.67 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2013 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 Gabriela Villar showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2013 taxes and the tax refund in the amount of \$14.67 is approved.

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

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

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

WHEREAS, taxpayer, Oscar Andrade Properties through Oscar Andrade ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on January 21, 2015 in the amount of \$19.32 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 Oscar Andrade Properties through Oscar Andrade showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$19.32 is approved.

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

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

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

WHEREAS, taxpayer, Celia Alcala ("Taxpayer") has applied for a refund with the tax assessor for their 2013 property taxes that were overpaid on June 16, 2014 in the amount of \$105.02 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2013 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 Celia Alcala showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2013 taxes and the tax refund in the amount of \$105.02 is approved.

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

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

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

WHEREAS, taxpayer, John Bernhard and Hadley Huchton ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on March 2, 2015 in the amount of \$207.96 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 John Bernhard and Hadley Huchton showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$207.96 is approved.

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

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

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

WHEREAS, taxpayer, S.J. Harlan ("Taxpayer") has applied for a refund with the tax assessor for their 2015 property taxes that were overpaid on February 26, 2015 in the amount of \$26.77 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2015 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT the City finds that S.J. Harlan 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 \$26.77 is approved.

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

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

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

WHEREAS, taxpayer, Glen Clark Jr. ("Taxpayer") has applied for a refund with the tax assessor for their 2014 property taxes that were overpaid on October 23, 2014 in the amount of \$14.18 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 Glen Clark Jr. showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2014 taxes and the tax refund in the amount of \$14.18 is approved.

4.2.

***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, on October 16, 2018 the City adopted the 2018 Tax Roll for all entities that adopted each entity’s budget or tax rate by October 1, 2018; and

WHEREAS, Fabens Independent School District ratified its tax rate on November 14, 2018 and certified their tax rate to the City Tax Assessor/Collector; and

WHEREAS, the City Tax Assessor/Collector now desires to amend and submit the revised tax roll to the City Council for approval as the final 2018 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 2018 tax roll for all entities which the City Tax Assessor/Collector collects taxes.

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

5.1.

***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 Agreement to Contribute Right of Way Funds by and between the City of El Paso (“**City**”) and the State of Texas, acting by and through the Texas Department of Transportation (“**State**”), whereby the City shall contribute 3.7% of the actual cost of right-of-way acquisition for the State’s project to construct highway improvements on Highway No. Loop 375 frontage road from North Loop to the Zaragoza Port of Entry. The City’s estimated contribution is \$5,832.00. The total estimated right-of-way costs is \$157,617.00.

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

6.1.

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 El Paso City Council authorizes the City Manager to sign a contract and any necessary documentation required for the City of El Paso to accept the donation of

spay and neuter clinic equipment valued at \$125,430 dollars from PetSmart Charities.

Mayor Margo commented.

Ms. Paula Powell, Animal Services Director, commented.

1ST MOTION

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

2ND AND FINAL MOTION

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

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

NAYS: None

ABSENT: Representative Noe

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CONSENT AGENDA - SPECIAL APPOINTMENT:

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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 **RATIFY** the appointment of William Veliz to Fire and Police Pension Fund Board of Trustees by City Manager Tommy Gonzalez.
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.....
CONSENT AGENDA - BOARD RE-APPOINTMENTS:

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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 **APPROVE** the appointment of Leticia Arreola to the Civil Service Commission by Representative Cassandra Hernandez, District 3.
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.....
9. Goal 7: Enhance and Sustain El Paso's Infrastructure Network

-
9.1. *Motion made, seconded, and unanimously carried to **DELETE** the re-appointment of Christina Munoz-Estrada to the City Plan Commission by Representative Alexsandra Annello, District 2.
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.....
CONSENT AGENDA - BOARD APPOINTMENTS:

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

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10.1. *Motion made, seconded, and unanimously carried to **APPROVE** the appointment of Carla Owen to the Committee on Border Relations by Representative Sam Morgan, District 4.
.....

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

11.1. *Motion made, seconded, and unanimously carried to **APPROVE** the appointment of Deidra Pratt to the Community Development Steering Committee by Representative Sam Morgan, District 4.

11.2. *Motion made, seconded, and unanimously carried to **APPROVE** the appointment of Fabiola Campos-Lopez to the Community Development Steering Committee by Representative Henry Rivera, District 7.

CONSENT AGENDA - NOTICE FOR NOTATION:

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

12.1. *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 Representative Peter Svarzbein in the amount of \$180.00 from Lyndon Mansfield; \$250.00 from Merton Goldman; \$250.00 from Ron J. Mittelstaedt; \$250.00 from D.W. Chambliss; \$2,500.00 from Woody Hunt; \$250.00 from James M. Little; \$250.00 from John M. Fields; \$100.00 from James A. Lyle Tod; \$500.00 from TREPAC/Texas Association of Realtors Political Action Committee; \$1,000.00 from James F. Scherr; \$5,000.00 from Sylvia Svarzbein; \$2,500.00 from Paul Foster; \$250.00 from Andrew Stromberg; \$100.00 from Roger Rodriguez; \$1,000.00 from Maria F. Teran; \$180.00 from Adam Baruchowitz; \$180.00 from Hallie Heyman; \$50.00 from Alison Westerman; \$500.00 from Thad Steele; \$200.00 from George Salom Jr; \$100.00 from Marc F. Cohen; \$100.00 from Sammy Holaschutz; \$2,500.00 from Rodrigo Fernandez; \$200.00 from Joseph Riccillo; \$100.00 from Rebekah Genauer; \$250.00 from Tony Legaspy; \$2,000.00 from Benjamin Arriola; \$500.00 from Richard Aguilar; \$300.00 from Austin Allen; \$200.00 from Ricardo Mora; \$100.00 from Robert Beckoff; \$50.00 from Ben Ivey; \$100.00 from David Ortwein; \$100.00 from Michael Guerra; \$200.00 from Jose L. Falconi; \$100.00 from Tiffany Nicole Joudi; \$200.00 from Maxey M. Scherr; \$150.00 from Joseph and Melissa Isaac; \$1,000.00 from James F. Scherr.

REGULAR AGENDA - FIRST READING OF ORDINANCES

Motion made by Alternate Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, and unanimously carried that the following Ordinances, except for item 13.9, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

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

NAYS: None

ABSENT: Representative Noe

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

13.1. An Ordinance amending Title 18 (Building and Construction), Chapter 18.18 (Outdoor Lighting Code), Article X (Other Exemptions) to revise and add exemptions related to the El Paso International Airport terminal and airfield. The penalty is as provided for in Chapter 18.18.400 of the El Paso City Code.

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13.2. An Ordinance amending the Future Land Use Map (FLUM) contained in “Plan El Paso” for the properties legally described as:

Parcel 1: Lot 3 and the eastern 120 feet of Lot 2, Block 8, El Paso International Airport Tracts Unit 1, 7606 Boeing, and;

Parcel 2: Lots 4-6, Block 8, El Paso International Airport Tracts Unit 1, 7610 Boeing, and;

Parcel 3: Lots 7 and 8, Block 8, El Paso International Airport Tracts Unit 1, 7618 Boeing, and;

Parcel 4: Lots 1 and 11, block 9, El Paso International Airport Tracts Unit 1, 8001 Lockheed, and;

Parcel 5: Lots 2-4 and Lots 8-10, Block 9, El Paso International Airport Tracts Unit 1, 8037 Lockheed, and;

Parcel 6: Lots 5 and 6 and 17 and 18, Block 9, El Paso International Airport Tracts Unit 1, 8108 Lockheed, and;

Parcel 7: Lots 5 and 6, Block 7, El Paso International Airport Tracts Unit 2, 7328 Boeing, and;

Parcel 8: Lot 1 and the western 34 feet of Lot 2, Block 8, El Paso International Airport Tracts Unit 2, 7600 Boeing, and;

Parcel 9: Lots 7 and 12-16, Block 9, El Paso International Airport Tracts Unit 7, 8201 Lockheed, and;

Parcel 10: Lots 1-3 and the westerly 86.5 feet of Lot 4, Block 10, El Paso International Airport Tracts Unit 7, 8400 Boeing, and;

Parcel 11: northerly 205.5 feet of easterly 54 feet of Lot 4, Block 10, El Paso International Airport Tracts Unit 7, 8412 Boeing, and;

Parcel 12: northerly 205.5 feet of Lot 5, Block 10, El Paso International Airport Tracts Unit 7, 8500 Boeing, and;

Parcel 13: northerly 205.5 feet of Lot 6, Block 10, El Paso International Airport Tracts Unit 7, 8550 Boeing, and;

Parcel 14: northerly 181 feet of Lot 1, Block 11, El Paso International Airport Tracts Unit 8 Replat A, 8600 Boeing, and;

Parcel 15: northerly 181 feet of Lots 2-4, Block 11, El Paso International Airport Tracts Unit 8 Replat A, 8630 Boeing, and;

Parcel 16: Lots 1 and 6 and the northerly 78 feet of Lot 2, and northerly 78 feet of Lot 5, Block 12, El Paso International Airport Tracts Unit 8 Replat A, 1625 Hawkins, and;

Parcel 17: Lot 1, Block 14, El Paso International Airport Tracts Unit 11, 1701 Hawkins, and;

Parcel 18: Lot 1, block 15, El Paso International Airport Tracts Unit 11, 8601 Stinson, and;

Parcel 19: Lot 2, Block 15, El Paso International Airport Tracts Unit 11, and;

Parcel 20: Lot 1, Block 16, El Paso International Airport Tracts Unit 11, 8401 Boeing, City of El Paso, El Paso County, Texas, from G3, post-war to G7, Industrial.

Property Owner: City of El Paso. PLCP18-00002.

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- 13.3.** An Ordinance amending a Regulating Plan to modify the boundaries of the Regulating Plan to remove all airport properties East of Sikorsky Street from the Regulating Plan area.

Owner: City of El Paso PLRP18-00005

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- 13.4.** An Ordinance Changing the zoning of the following real property known as:

Parcel 1: The western 54 feet of Lot 10 and eastern 68 feet of Lot 11, Block 8, El Paso International Airport Tracts Unit 1, 7727 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode) To C-2 (Commercial) and;

Parcel 2: The eastern 100 feet of Lot 10, Block 8, El Paso International Airport Tracts Unit 1, 7729 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode) to C-2 (Commercial) and;

Parcel 3: The north part of Lot 9, Block 8, El Paso International Airport Tracts Unit 1, 1605 Beech, City of El Paso, El Paso County Texas, from SCZ (Smartcode) To C-2 (Commercial) And;

Parcel 4: The south part of Lot 9, Block 8, El Paso International Airport Tracts Unit 1, 7741 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode) To C-2 (Commercial) and;

Parcel 5: Lots 13 and 14 and the western 20 feet of Lot 12, Block 8, El Paso International Airport Tracts Unit 1, 7701 Lockheed, and;

Parcel 6: The western 86 feet of Lot 11 and eastern 134 feet of Lot 12, Block 8, El Paso International Airport Tracts Unit 1, 7717 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode) to C-2 (Commercial) and;

Parcel 7: Lots 1-4 and 9-12, Block 7, El Paso International Airport Tracts Unit 2, 7201 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode) to C-2 (Commercial) and;

Parcel 8: Lot 7, Block 7, El Paso International Airport Tracts Unit 2, 7505 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode) to C-2 (Commercial) and;

Parcel 9: Lot 8, Block 7, El Paso International Airport Tracts Unit 2, 7501 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode) To C-2 (Commercial) and;

Parcel 10: The western 34 feet of Lot 15, Block 8, El Paso International Airport Tracts Unit 2, City of El Paso, El Paso County Texas, from SCZ (Smartcode) to C-2 (Commercial) and;

Parcel 11: The eastern 120 feet of Lot 15, Block 8, El Paso International Airport Tracts Unit 2, 7619 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode) to C-2 (Commercial) and;

Parcel 12: Lot 16, Block 8, El Paso International Airport Tracts Unit 2, 7601 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode) to C-2 (Commercial) and;

Parcel 13: Portions of Lots 4, 5 and 6, Block 10, El Paso International Airport Tracts Unit 7, as filed in Book 24, Page 11 of the Plat Records of El Paso County, 8515 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode) to C-2 (Commercial) and;

Parcel 14: A portion of Lots 1, 2, 3 and 4 and all of Lot 5, Block 11, El Paso International Airport Tracts Unit 8 Replat A, as filed in Book 56, Page 54 of the Plat Records of El Paso County, 8601 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode) to C-2 (Commercial) and;

Parcel 15: All of Lots 3 and 4 and portions of Lots 2 and 5, Block 12, El Paso International Airport Tracts Unit 8 Replat A, as filed in Book 56, Page 54 of the Plat Records of El Paso County, 8701 Montana, City of El Paso, El Paso County Texas, From SCZ (Smartcode) To C-2 (Commercial) and;

Parcel 16: Lots 1-7, Block 13, El Paso International Airport Tracts Unit 8 Replat A, 1600 Hawkins, 1612 Hawkins, 1624 Hawkins, 1636 Hawkins, 1700 Hawkins, 1712 Hawkins, 1724 Hawkins, City of El Paso, El Paso County Texas, from SCZ (Smartcode) to C-2 (Commercial) and;

Parcel 17: All of Lot 1 and a portion of Lot 2 , Block 1, Hawkins Plaza, as filed in Book 18, Page 66 of the Plat Records of El Paso County, A portion of W.A. Morehouse Survey Number 12 and a portion of Section 40, Block 80, Township 2, Texas and Pacific Railway Company Surveys, 1550 Hawkins and 8836 Montana, from SCZ (Smartcode Zone) to C-2 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

Owner: City of El Paso PZRZ18-00018

13.5. An Ordinance changing the zoning of the following real property known as:

Parcel 1: Lot 3 and the eastern 120 feet of Lot 2, Block 8, El Paso International Airport Tracts Unit 1, 7606 Boeing, City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 2: Lots 4-6, Block 8, El Paso International Airport Tracts Unit 1, 7610 Boeing,

City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 3: Lots 7 and 8, Block 8, El Paso International Airport Tracts Unit 1, 7618 Boeing, City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 4: Lots 1 and 11, Block 9, El Paso International Airport Tracts Unit 1, 8001 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 5: Lots 2-4 and Lots 8-10, Block 9, El Paso International Airport Tracts Unit 1, 8037 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 6: Lots 5 and 6 and 17 and 18, Block 9, El Paso International Airport Tracts Unit 1, 8108 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 7: Lots 5 and 6, Block 7, El Paso International Airport Tracts Unit 2, 7328 Boeing, City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 8: Lot 1 and the western 34 feet of Lot 2, Block 8, El Paso International Airport Tracts Unit 2, 7600 Boeing, City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 9: Lots 7 and 12-16, Block 9, El Paso International Airport Tracts Unit 7, 8201 Lockheed, City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 10: Lots 1, 2, and 3 and portions of Lots 4, 5, and 6, Block 10, El Paso International Airport Tracts Unit 7, as filed in Book 24, Page 11 of the Plat Records of El Paso County, 8400 Boeing, 8412 Boeing, 8500 Boeing, 8550 Boeing, City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 11: Lots 1, 2, 3, and 4, Block 11, El Paso International Airport Tracts Unit 8 Replat A, as filed in Book 56, Page 54 of the Plat Records of El Paso County, 8600 Boeing, 8630 Boeing, City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 12: Lots 1 and 6 and the northerly 78 feet of Lot 2, and the northerly 78 feet of Lot 5, Block 12, El Paso International Airport Tracts Unit 8 Replat A, 1625 Hawkins, City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 13: Lot 1, Block 14, El Paso International Airport Tracts Unit 11, 1701 Hawkins, City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 14: Lot 1, Block 15, El Paso International Airport Tracts Unit 11, 8601 Stinson,

City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 15: Lot 2, Block 15, El Paso International Airport Tracts Unit 11, 8601 Stinson City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing) and;

Parcel 16: Lot 1, Block 16, El Paso International Airport Tracts Unit 11, 8401 Boeing, City of El Paso, El Paso County Texas, from SCZ (Smartcode Zone) to M-1 (Manufacturing).

The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

Owner: City of El Paso PZRZ18-00018

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13.6. An Ordinance granting Special Permit No. PZST17-00013, to allow for a helistop on the property described as Lots 1 to 15 & Closed Alley and Adjacent Street, Block 91, Alexander Addition, 1800 Oregon Street., City of El Paso, El Paso County, Texas, pursuant to Section 20.10.240 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1800 Oregon Street. Property Owner: HCA Health Systems of Texas, Independent Mortgage Company, and El Paso Electric Company. PZST17-00013

.....
13.7. An Ordinance Granting Special Permit No. PZST17-00013, to allow for a parking reduction on the property described as Lots 1 to 15 & closed alley and adjacent street, Block 91, Alexander Addition, City of El Paso, El Paso County, Texas, 1800 Oregon; Lots 1 to 20 & Closed Alley, Block 90, Alexander Addition, 1801 Oregon Street, City of El Paso, El Paso County, Texas; Lots 16 to 20, Block 91, Alexander Addition, 101 Rim Road, City of El Paso, El Paso County, Texas; Lots 11 to 20, Block 77, Alexander Addition, 1700 Oregon Street, City of El Paso, El Paso County, Texas; Lots 4 to 8 and the north 18 feet of Lot 3 and the south Subject Property: 1800 Oregon Street, 1801 Oregon Street, 101 Rim Road, 1700 Oregon Street. Property Owner: HCA Health Systems of Texas, Independent Mortgage Company, El Paso Electric Company. PZST17-00013

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13.8. An Ordinance Granting Special Permit No. PZST17-00013, to allow for off-street parking serving another property in accordance with Section 20.10.410 on the property described as Lots 1 to 10, Block 78, Alexander Addition, 1711 Oregon Street, City of El Paso, El Paso County, Texas; Lots 11 to 20, Block 46, Alexander Addition, 1500 Oregon Street, City of El Paso, El Paso County, Texas; Lots 9 to 12, Block 70, and Lots 9 to 12, Block 80, and the adjoining alley and a portion of vacated Los Angeles Street, Alexander Addition, SW corner of El Paso & Rim Road, City of El Paso, El Paso County, Texas; Lots 9 to 12 Block 81, Alexander Addition, SE corner of Randolph and Rim Road, City of El Paso, El Paso County, Texas, Lots 1 to 8 and a portion of the adjoining alley, Block 79, Alexander Addition, 1717 El Paso & 201 Schuster Ave., City of El Paso, El Paso County, Texas, pursuant to Section 20.10.410 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1711 Oregon Street, 1500 Oregon Street, the SW corner of El Paso & Rim Road, the SE corner of Randolph and Rim Road, 1717 El Paso Street & 201 Schuster Ave. Property Owner: HCA Health Systems of Texas, Independent Mortgage Company, and El Paso Electric Company. PZST17-00013
.....

- 13.9. *Motion made, seconded, and unanimously carried **POSTPONE TWO WEEKS** an Ordinance changing the zoning of the following parcels: Parcel 1: A portion of Tract 7L5, Block 30, Ysleta Grant, 101 Fresno Drive, City of El Paso, El Paso county, Texas, from R-3 (Residential) to C-1 (Commercial); and , Parcel 2: A portion of Tract 7L5, Block 30, Ysleta Grant, 101 Fresno Drive, City of El Paso, El Paso County, Texas, from R-3 (Residential) to R-5 (Residential), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 101 Fresno Drive, Property Owner: NV Global, LLC. PZRZ18-00043

- 13.10. An Ordinance Amending Title 12 (Vehicles And Traffic) Chapter 12.04 (General Provisions And Definitions); and Title 12 (Vehicles And Traffic), Chapter 12.80 (Miscellaneous Traffic Regulations), Section 12.80.090 (Driving On Sidewalks), of the El Paso City Code to allow for the use of motor assisted scooters on sidewalks. The Penalty is as provided in Chapter 12.84 of the El Paso City Code.

- 13.11. Ordinance Amending Title 15 (Public Services), Chapter 15.08 (Street Rentals) Of The El Paso City Code To Create A New Section 15.08.150 (Shared Mobility Devices) to regulate Shared Mobility Devices within the Public Right Of Way and Amending Title 15 (Public Services). The Penalty is as provided in Section 15.08.150 of the El Paso City Code as Amended.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

14.1. **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 a contract between the City of El Paso ("City") and Wells Fargo Bank, N.A. to provide depository services to the City, for a five (5) year term from the effective date, for a total estimated award of \$1,400,000.00 which will be offset by revenue. 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.

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

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

NAYS: None

ABSENT: Representative Noe

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

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

1. Basic Title Search Reports

That the list of qualified title services providers compiled from Solicitation 2018-1629R as listed below is hereby approved for the Basic Title Search Reports services for the fixed fee listed, to be provided for a term of (3) years; the approval is to include one (1)

option to extend the contract for two (2) years and that the City Manager or Designee is authorized to assign work to the secondary and tertiary providers if the Primary Provider is not available to provide services.

Primary Provider: Lone Star Title Company of El Paso, Inc.- Fee: \$250.00

Secondary Provider: WestStar Bank Holding Company, Inc., DBA WestStar Title, LLC - Fee: \$138.00

Tertiary Provider: Stewart Title Company - Fee: \$1,000.00

2. Title and Closing Services for Projects Involving Property Acquisition Services

That the list of qualified title services providers compiled from Solicitation 2018-1629R as listed below to provide Title and Closing Services for projects involving Property Acquisition Services is hereby approved and that City Manager or his designee is authorized to select the title services provider for real estate projects from the rotating list pursuant to rotation process established in Solicitation 2018-1629R. All associated fees will be negotiated at the time of title services are requested. Said List shall remain in effect from November 27, 2018 through November 26, 2021, this approval is to include one (1) option to extend the contract for two (2) years

1. Steward Title Company
2. Lone Star Tile Company of El Paso Inc.
3. West Star Bank Holding Company, Inc., DBA WestStar Title, LLC

Representative Annello commented.

Ms. Claudia Garcia, Interim Assistant Director for Purchasing and Strategic Sources, commented.

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

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

NAYS: None

ABSENT: Representative Noe

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

- 15.1.** Motion made by Alternate Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation No. 2018-1247 (Preformed Street Markings) to Ennis-Flint, Inc., for an initial three (3) year term in the estimated amount of \$624,336.60. The award is to include a two (2) year optional amount of \$416,224.40 for a total five (5) year award of \$1,040,561.00. Preformed Street Markings materials are essential in order to provide the public with safe roadways, bike lanes, and cross walks.

Contract Variance:

The difference in cost, based on the comparison to the previous contract, is as follows: A decrease of \$106,073.40 over the three (3) year initial term, 14.52% decrease compared to previous contract due to decrease in unit prices.

Department: Streets and Maintenance
 Award to: Ennis-Flint, Inc.
 Greensboro, NC.
 Item(s): 1 to 18
 Initial Term: 3 years
 Option to Extend: 2 years
 Annual Estimated Award: \$208,112.20
 Initial Term Estimated Award: \$624,336.60 (3 years)
 Total Estimated Award: \$1,040,561.00 (5 years)
 Account No.: 532-532030-32020-1000-P3254
 Funding Source: Streets and Maintenance General Fund
 Districts: All

This is a low bid, unit price contract.

The Purchasing and Strategic Sourcing Department and Streets and Maintenance Department recommend award as indicated to Ennis-Flint, Inc., the lowest responsive, responsible bidder. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

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

NAYS: None

ABSENT: Representative Noe

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- 15.2.** Motion made by Representative Rivera, seconded by Alternate Mayor Pro Tempore Ordaz Perez, and unanimously carried to **AWARD** Solicitation 2018-1673 Princeton Way, Tulane Drive, Valley View Drive, Street and Drainage Improvements to Jordan Foster Construction, LLC for an estimated total award of \$4,527,041.00. The project includes the full reconstruction of Princeton from Tulane to Greggerson, Tulane from Fresno to Greggerson, and Valley View from Yarbrough to Greggerson. The project will provide new asphalt roadway, curb and gutter, parkways with landscaping, sidewalks, and safety lighting. El Paso Water is funding new water and sanitary sewer main lines.

Department: Capital Improvement
 Award to: Jordan Foster Construction, LLC
 El Paso, TX
 Item(s): All
 Initial Term: 330 Consecutive Calendar Days
 Base Bid I: \$ 671,077.00
 Base Bid II: \$ 950,749.00
 Base Bid III: \$1,938,262.00
 Base Bid IV: \$ 482,598.00
 Base Bid V: \$ 484,355.00
 Total Estimated Award: \$4,527,041.00
 Account No.: 190-4740-28900-580270-PCP17ST004
 Funding Source: 2013 Street Infrastructure
 District: 7

This is a Competitive Seal Proposal, unit price contract.

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

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

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

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

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

NAYS: None

ABSENT: Representative Noe

16. MANAGEMENT UPDATES

16.1. Update on the purchase of body worn cameras for the Police Department's Crisis Intervention Team and DWI Task Force.

Police Assistant Chief Patrick Maloney presented a PowerPoint presentation (copy on file in the City Clerk's office).

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

Mr. Tommy Gonzalez, City Manager, commented.

16.2. *Motion made, seconded, and unanimously carried to **MOVE THE ITEM TO THE FOREFRONT OF THE AGENDA.**

Streets and Maintenance Department Update to include Eucalyptus, Piedras (North and South) and Mesa Traffic Management.

Mr. Rudy Pino, Engineering Division Manager, presented a PowerPoint presentation (copy on file in the City Clerk's office).

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

Mr. Tommy Gonzalez, City Manager, commented.

The following members of the public commented;

1. Ms. Cemelli de Aztlan
2. Ms. Hilda Garcia Villegas

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- 16.3.** Update on convention development efforts, expansion of the department and secured convention activity for future years.

Mr. Cary Westin, Deputy City Manager for Economic Development and Tourism, briefed council on an upcoming convention.

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CALL TO THE PUBLIC – PUBLIC COMMENT

1. Mr. Pierre Andre Euzarraga
 2. Ms. Wally Cech
-

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

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- 17. Goal 2: Set the Standard for a Safe and Secure City**
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- 17.1. ORDINANCE 018876**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 10 (PUBLIC PEACE, MORALS AND WELFARE) CHAPTER 10.24 (MISCELLANEOUS OFFENSES), ADDING PART H TO SECTION 10.24.040 OF THE EL PASO CITY CODE, PROVIDING OFFENDERS AN OPTION TO REQUEST AN EXEMPTION FROM THE TERMS OF THIS CHAPTER ON SEX OFFENDERS' RESIDENCY THAT PROHIBIT CERTAIN SEX OFFENDERS FROM RESIDING WITHIN 1,000 FEET OF WHERE CHILDREN COMMONLY GATHER.**

Police Assistant Chief Patrick Maloney presented a PowerPoint presentation (copy on file in the City Clerk's office)

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

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

Motion duly made by Alternate Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, that the Ordinance be **ADOPTED**.

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

NAYS: Representative Svarzbein

ABSENT: Representative Noe

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

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- 18. Goal 3: Promote the Visual Image of El Paso**
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- 18.1. ORDINANCE 018877**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 42, S.A & M.G RAILWAY COMPANY SURVEY NO. 267, 235 HILLVIEW AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-2 (APARTMENT) AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

Motion duly made by Alternate Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, that the Ordinance be **ADOPTED**.

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

NAYS: None

ABSENT: Representative Noe

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

18.2. ITEMS 18.2, 18.3 AND 18.4 WERE TAKEN TOGETHER

ORDINANCE 018878

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PERMIT NO. PZST18-00010, TO ALLOW FOR A BALLROOM ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 1, BLOCK 1, YARBROUGH VILLAGE, 550 YARBROUGH RD., AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.240 OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

18.3. ORDINANCE 018879

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, BLOCK 1, YARBROUGH VILLAGE, 550 YARBROUGH RD., AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1/SC (COMMERCIAL/SPECIAL CONTRACT) TO C2 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 550 YARBROUGH RD. OWNER: RIVER OAKS PROPERTIES LTD. PZRZ18-00032.**

18.4. ORDINANCE 018880

The City Clerk read an Ordinance entitled: **AN ORDINANCE RELEASING ALL CONDITIONS PLACED ON PROPERTY BY ORDINANCE NO. 7422, DATED MARCH 2, 1982 WHICH CHANGED THE ZONING OF A PORTION OF LOT 1, BLOCK 1, YARBROUGH VILLAGE, 550 YARBROUGH RD., AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY:**

550 YARBROUGH RD. OWNER: RIVER OAKS PROPERTIES LTD. PZCR18-00004 (DISTRICT 7) THIS CASE IS RELATED TO SPECIAL PERMIT (PZST18-00010) & REZONING (PZRZ18-00032).

Representative Annello commented.

Mr. Raul Garcia, Lead Planner, commented.

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

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

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

NAYS: None

ABSENT: Representative Noe

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

18.5.

ORDINANCE 018881

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 14, DORBANDT SUBDIVISION, 171 POLO INN ROAD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO R-4 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 171 POLO INN ROAD. PROPERTY OWNER: CATHOLIC DIOCESE OF EL PASO. PZRZ18-00036**

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

Motion duly made by Alternate Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, that the Ordinance be **ADOPTED**.

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

NAYS: None

ABSENT: Representative Noe

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

18.6.

ORDINANCE 018882

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST17-00036, TO ALLOW FOR A 50 FT. GROUND-MOUNTED PERSONAL WIRELESS SERVICE FACILITY ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 3, BLOCK 12, EAST GLEN, 11109 SAM SNEAD DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.455 OF**

THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 11109 SAM SNEAD DRIVE. PROPERTY OWNER: PIK Y. CHIU. PZST17-00036

Mr. Allen Potter, citizen, commented.

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

Motion duly made by Alternate Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, that the Ordinance be **ADOPTED**.

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

NAYS: None

ABSENT: Representative Noe

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

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18.7.

ORDINANCE 018883

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF CITY RIGHT-OF-WAY OVER RADFORD STREET AND CAPLES CIRCLE OF BLOCK 103, AUSTIN TERRACE, THIRD SUPPLEMENTARY MAP AS AMENDED OF THE GOVERNMENT HILL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS. SUBJECT PROPERTY: NORTH OF TROWBRIDGE AND EAST OF RADFORD; APPLICANT: CAROLINA JUAREZ SUET17-00002**

Motion duly made by Alternate Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, that the Ordinance be **ADOPTED**.

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

NAYS: None

ABSENT: Representative Noe

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

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REGULAR AGENDA - OTHER BUSINESS

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

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19.1.

R E S O L U T I O N

WHEREAS, the City Council of the City of El Paso ("City") has previously passed Ordinance No. 017116 on May 26, 2009, electing to participate in the Texas Enterprise Zone Program; and

WHEREAS, the local incentives offered under this Resolution are the same on this date as were outlined in Ordinance No. 017116; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code ("Act"), Tenet Hospitals Limited (Providence Memorial Hospital) has applied to the City for designation as an enterprise zone project; and

WHEREAS, the Office of the Governor Economic Development and Tourism ("EDC") through the Economic Development Bank ("Bank") will consider Tenet Hospitals Limited (Providence Memorial Hospital) as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the city and to provide employment to residents of enterprise zones, veterans and to other economically disadvantaged individuals; and

WHEREAS, the City finds that Tenet Hospitals Limited (Providence Memorial Hospital) meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. Tenet Hospitals Limited (Providence Memorial Hospital) is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located inside an enterprise zone and at least twenty-five percent (25%) of the business' new employees will be residents of an enterprise zone, economically disadvantaged individuals or veterans; and
2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and
3. The designation of Tenet Hospitals Limited (Providence Memorial Hospital) as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

WHEREAS, the City finds that Tenet Hospitals Limited (Providence Memorial Hospital) meets the criteria for tax relief and other incentives adopted by the City and nominates Tenet Hospitals Limited (Providence Memorial Hospital) for enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, the City finds that it is in the best interest of the City to nominate Tenet Hospitals Limited (Providence Memorial Hospital) as an enterprise project pursuant to the Act.

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

1. That Tenet Hospitals Limited (Providence Memorial Hospital) is a "qualified business" as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of

the Act;

2. That the enterprise zone project shall take effect on the date of designation of the enterprise project by the agency and terminate five years after date of designation; and

3. That the City Manager or her designee be authorized to sign any and all documents required by EDC to complete the nomination process.

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

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

NAYS: None

ABSENT: Representative Noe

19.2.

RESOLUTION

WHEREAS, the Economic and International Development Department is a department of the City of El Paso;

WHEREAS, the El Paso Community Foundation is a 501 (c) (3) non-profit corporation located in the City of El Paso, established as a permanent endowment for the long term benefit of the El Paso region, far West Texas, Southern New Mexico and Northern Chihuahua, Mexico; and

WHEREAS, the parties wish to enter into an agreement to establish a cooperative relationship for the betterment of the Borderplex region; and

WHEREAS, the agreement serves the City's strategic goal of promoting the visual image of the City of El Paso.

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

1. That the City Manager be authorized to sign an Agreement Regarding Mutual Cooperation (the "Agreement") with the El Paso Community Foundation.
2. That the City Manager be authorized to accept any donations made from the El Paso Community Foundation and execute any requirements of the donation including agreements, and amendments to such agreements.
3. That the City Manager be authorized to sign amendments to the Agreement provided that such amendments do not obligate the City to any financial responsibility.
4. That the City Manager be authorized to delegate the authority under this Resolution.

Ms. Jessica Herrera, Economic and International Development Director, presented a PowerPoint presentation (copy on file in the City Clerk's office).

Mayor Margo and Representatives Annello and Hernandez commented.

Mr. Tommy Gonzalez, City Manager, commented.

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

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

NAYS: None

ABSENT: Representative Noe

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

20.1. RESOLUTION

A RESOLUTION approving and authorizing publication of notice of intention to issue certificates of obligation.

THE STATE OF TEXAS §

§

CITY OF EL PASO §

WHEREAS, the City Council of the City of El Paso, Texas (the "City"), has determined that certificates of obligation should be issued under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, as amended, for the purpose of paying contractual obligations to be incurred for (i) the construction of public works, (ii) the purchase of materials, supplies, equipment, machinery, land, and rights-of-way for authorized needs and purposes and (iii) for professional services, all as specified below; and

WHEREAS, prior to the issuance of such certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the certificates are to be issued and (iv) the manner in which the City Council proposes to pay the certificates;

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

SECTION 1: The City Clerk is hereby authorized and directed to cause notice to be published of the City Council's intention to issue certificates of obligation, in one or more series, in a principal amount not to exceed \$100,000,000 for the purpose of paying contractual obligations to be incurred for (i) the construction of public works, to wit: (a) constructing, resurfacing and improving various streets, roads, bridges,

overpasses, thoroughfares, sidewalks, pathways and related municipal facilities within the City including lane markings, street drainage, street lights, ADA accessibility, traffic signals, signal system synchronization, loop detectors, transit tunnel reconstruction, lighting, signage, streetscaping and landscaping related hereto and the acquisition of any necessary rights-of-way and/or land in connection therewith;(b) designing, constructing and equipping a municipal police parking garage facility and the acquisition of any necessary rights-of-way and/or land in connection therewith; (c) constructing, improving, and equipping municipal park, recreational and aquatic facilities, including pools, aquatic centers, spray parks and public restrooms, library, museums, cultural centers, and the acquisition of any necessary rights-of-way and/or land in connection therewith; (d) renovating, improving and equipping of existing City buildings and facilities, including rehabilitation and ADA improvements and information technology improvements to include fiber optic connectivity, (e) fire station improvements and (f) constructing, acquiring and improving municipally owned public art projects, including the acquisition of any necessary rights-of-way and/or land in connection therewith; (ii) the purchase of materials, supplies, equipment and machinery, to wit: (a) the purchase and installation of information technology equipment, including hardware, software, network and Wi-Fi and (b) the purchase of motor vehicles for the following departments, to wit: public safety, health, parks, information technology, streets and maintenance, capital improvement, and planning and inspection and (iii) professional services rendered in connection with (a) such projects and purposes and (b) a future land use masterplan and street pavement condition study, such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's water and sewer system. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: The City Clerk shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

SECTION 3: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 4: This Resolution shall be in force and effect from and after its passage on the date shown below.

APPROVED AND ADOPTED this November 27, 2018.

Mayor Margo commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Mr. Robert Cortinas, Chief Financial Officer

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

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

NAYS: Representative Svarzbein

ABSENT: Representative Noe

EXECUTIVE SESSION

Motion made by Alternate Mayor Pro Tempore Ordaz Perez, seconded by Representative Svarzbein, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 10:55 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss any of the following:

ABSENT: Representative Noe

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATIONS REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS
Section 551.089	DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS, CLOSED MEETING

Motion made by Alternate Mayor Pro Tempore Ordaz Perez, seconded by Representative Annello, and unanimously carried to adjourn the Executive Session at 11:56 a.m. and **RECONVENE** the meeting of the City Council, during which time the following motions were made.

ABSENT: Representative Noe

EX1. Motion made by Alternate Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, and unanimously carried that outside counsel for the City of El Paso, in consultation with the City Attorney, be authorized settlement authority to resolve the case entitled *Norma Villareal vs. The City of El Paso, Texas*; Cause No. 2016DCV0576. The City Attorney, through outside counsel for the City of El Paso, is authorized to negotiate a settlement agreement and sign all documents necessary to effectuate this authority under Matter No. 16-1052-473, as recommended by the City Attorney.

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

NAYS: None

ABSENT: Representative Noe

EX2. Motion made by Alternate Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, and unanimously carried that the City Attorney is authorized to retain the law firm of Kemp Smith, as outside counsel, to defend the City's

various interests in the bankruptcy proceeding of William D. Abraham, filed under Petition Number 18-30184.

This Motion is intended to grant broad authority to the City Attorney to take all action necessary to address these matters, including, but not limited to, initiating appellate proceedings, if any, and to protect the City's authority to enforce its general police powers.

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

NAYS: None

ABSENT: Representative Noe

- EX3.** Motion made by Alternate Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, and unanimously carried that the City Attorney's Office be authorized to deny the claim of HECTOR CARRETO, in Matter Number 18-1050-3145, in its entirety.

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

NAYS: None

ABSENT: Representative Noe

- EX4.** Max Grossman v. City Clerk Laura D. Prine and Mayor Dee Margo, City Representative Peter Svarzbein, City Representative Michiel R. Noe, City Representative Sam Morgan, City Representative Cassandra Hernandez-Brown, City Representative Henry Rivera, City Representative Claudia Ordaz Perez, and City Representative Cissy Lizarraga; 171st District Court No. 2018DCV2172; Matter No. 18-1019-204 (551.071)

NO ACTION was taken on this item.

- EX5.** Ex Parte: City of El Paso; Third Court of Appeals; Travis County, TX #03-17-00566-CV; Matter No. 17-1001-171.002 (551.071)

NO ACTION was taken on this item.

- EX6.** Max Grossman v. City of El Paso; 384th District Court; #2017DCV2528; Matter No. 17-1001-171.001 (551.071)

NO ACTION was taken on this item.

- EX7.** Max Grossman v. Mark Wolfe, Executive Director, Texas Historical Commission and City of El Paso (Defendant and Intervenor); 261st District Court; Travis County; Cause No. D-1-GN-18-006433; Matter No. 18-1001-224 (551.071)

NO ACTION was taken on this item.

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The City Council Meeting was **RECESSED** at 12:08 p.m.

The City Council Meeting was **RECONVENED** at 12:09 p.m.

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ADJOURN

Motion made by Alternate Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, and unanimously carried to **ADJOURN** this meeting at 12:09 p.m.

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

NAYS: None

ABSENT: Representative Noe

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk