

**DEE MARGO**  
MAYOR

**TOMMY GONZALEZ**  
CITY MANAGER



**CITY COUNCIL**

PETER SVARZBEIN, DISTRICT 1  
ALEXSANDRA ANNELLO, DISTRICT 2  
CASSANDRA HERNANDEZ, DISTRICT 3

SAM MORGAN, DISTRICT 4  
ISABEL SALCIDO, DISTRICT 5  
CLAUDIA ORDAZ PEREZ, DISTRICT 6  
HENRY RIVERA, DISTRICT 7  
CISSY LIZARRAGA, DISTRICT 8

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**MINUTES FOR REGULAR COUNCIL MEETING**

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**December 10, 2019**  
**COUNCIL CHAMBERS, CITY HALL**  
**9:00 AM**

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**ROLL CALL**

The City Council met in regular session at the above place and date. Meeting was called to order at 9:10 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Anello, Cassandra Hernandez, Sam Morgan, Isabel Salcido, Claudia Ordaz Perez, Henry Rivera, and Cissy Lizarraga. 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.

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

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**PLEDGE OF ALLEGIANCE**

**Students of Green Elementary at the invitation of Representative Svarzbein,  
District 1**

**Jesus Castro**  
**Jaylynn De La Riva**  
**Vinicio Forti**  
**Jose Jimenez**  
**Emiliano Martinez**  
**Samantha Martinez**  
**Eduardo Mendoza**  
**Ezra Ordonez**  
**Madison Reyes**  
**Max Saenz**

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**MAYOR'S PROCLAMATIONS**

- 1. Westside Regional Command Explorers 2018-2019  
Grand Champions Day**

**2. Bill of Rights Day**

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**RECOGNITIONS BY MAYOR**  
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**NOTICE TO THE PUBLIC**

Motion made by 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, Annello, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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**CONSENT AGENDA - APPROVAL OF MINUTES:**  
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**1. Goal 6: Set the Standard for Sound Governance and Fiscal Management**

- 1.1. \*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes of the Regular City Council Meeting of November 26, 2019 and the Agenda Review of November 25, 2019.

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

**NO ACTION** was taken on this item.

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

3.1. **\*RESOLUTION**

**WHEREAS**, Sister Cities International has selected the City of El Paso and Ciudad Juarez as the host cities for the Mexico-U.S. Sister Cities Summit (the "Summit") to take place February 26, 2020 through February 28, 2020; and

**WHEREAS**, the Summit is designed to strengthen sister city relationships in key countries; and

**WHEREAS**, the Summit will connect mayors, municipal officials, business leaders, academics, civic leaders, and citizens from both Mexico and the United States; and

**WHEREAS**, the City of El Paso recognizes the importance of the Summit in

promoting peace and mutual respect through people and community-to-community connection.

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

That the City Manager is hereby authorized to take all action necessary for the planning, coordination, and execution of the Mexico-U.S. Sister Cities Summit to be held in El Paso, Texas on February 26 -28, 2020, including, but not limited to, utilizing City resources and staff; retaining additional consultants or experts; fundraising; and accepting in-kind services.

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

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**4.1. \*RESOLUTION**

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

That the City Manager be authorized to sign a Mutual Aid Agreement between the City of El Paso and US Army Garrison, Ft. Bliss, acting on behalf of the Secretary of the Army in accordance with Section 1856a, Title 42, United States Code, to secure for each the benefits of mutual aid in fire prevention, training activities, response to incidents involving weapons of mass destruction, hazardous materials, medical emergencies, the protection of life and property from fire, and firefighting.

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**4.2. \*RESOLUTION**

**WHEREAS**, the City of El Paso (the City) is eligible to apply to for the Texas Office of the Governor’s FY2020 Border Zone Fire Departments Grant which will provide funding for the City’s Fire Water Rescue Response Team.

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

1. That the City Manager or designee is authorized to submit the FY2020 Border Zone Fire Departments (BZFD) grant application for the project entitled, “Sustainment of Water Rescue Response” through the Texas Office of the Governor and all related paperwork, including but not limited to, authorization of budget transfers, and/or revisions to the operation plan, and to reject, amend, correct, extend and/or terminate the grant, in the amount of \$249,838.00, for the period from March 1, 2020 through August 31, 2020, for the City of El Paso Fire Department Water Rescue Group to purchase necessary equipment intended to sustain and enhance current response capabilities locally and regionally to water rescue incidents on the border; and
2. That in the event of loss or misuse of the Office of the Governor’s grant funds, the City of El Paso assures that the funds will be returned to the Office of the Governor in full.

**5. Goal 3: Promote the Visual Image of El Paso**

**5.1. \*RESOLUTION**

**WHEREAS**, GFA Limited Partnership, a Texas Limited Partnership, (“GFA”) and the City of El Paso, Texas (“City”), desire to enter into a Development Agreement to dedicate a Park Site (“Exhibit “A”) to the City for use as a public park; and

**WHEREAS**, GFA is the owner of a parcel of land containing 4.77 acres, more or less, being a portion of Lot 8, Gateway Estates, El Paso County Texas, and being more particularly described by the metes and bounds described at Exhibit “A”; and

**WHEREAS**, Title 19 (Subdivisions) of the El Paso City Code allows a developer to request that an off-site dedication of parkland be accepted within the corporate limits or within the areas designated within the path of annexation in the city’s extraterritorial jurisdiction; and

**WHEREAS**, the Park Site qualifies under the Subdivision Code as an off-site park dedication and is located within Park Zone E-10 and the Gateway Estates Phase III Land Study; and

**WHEREAS**, once the Park Site is dedicated to the City, the GFA is required to develop the Park Site within two years of the approval of the Development Agreement by the El Paso City Council; and

**WHEREAS**, the City has negotiated with the GFA for the specific improvements for the Park Site and wishes to accept the dedication of land as a park; and

**WHEREAS**, the El Paso City Plan Commission, on June 13, 2019, recommended approval of the off-site dedication of the Park Site.

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

That the City Manager be authorized to sign the Development Agreement between the City and GFA for the Park Site located on a parcel of land containing 4.77 acres, more or less being a portion of Lot 8, Gateway Estates, El Paso County Texas, and being more particularly described by the metes and bounds described at Exhibit “A”.

**CONSENT AGENDA - BOARD RE-APPOINTMENTS:**

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

**6.1.** \*Motion made, seconded, and unanimously carried to **RE-APPOINT** Beatriz Castorena-Mata to the City Accessibility Advisory Committee by Representative Isabel Salcido, District 5.

**CONSENT AGENDA - BOARD APPOINTMENTS:**

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**7. Goal 3: Promote the Visual Image of El Paso**  
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7.1. \*Motion made, seconded, and unanimously carried to **APPOINT** Janet Fortune to the Zoning Board of Adjustment, as a regular member, by Representative Cissy Lizarraga, District 8.

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**8. Goal 4: Enhance El Paso’s Quality of Life through Recreational, Cultural and Educational Environments**  
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8.1. \*Motion made, seconded, and unanimously carried to **APPOINT** Robert Bigney to the Parks and Recreation Advisory Board by Representative Cissy Lizarraga, District 8.

8.2. \*Motion made, seconded, and unanimously carried to **APPOINT** Romaree Herbert to the Parks and Recreation Advisory Board by Mayor Dee Margo.

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**9. Goal 7: Enhance and Sustain El Paso’s Infrastructure Network**  
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9.1. \*Motion made, seconded, and unanimously carried to **APPOINT** Scott Kendall to the Construction Board of Appeals by Representative Cissy Lizarraga, District 8.

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**CALL TO THE PUBLIC – PUBLIC COMMENT**  
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The following members of the public commented:

1. Mr. Joseph Valenzuela
2. Ms. Vona Van Cleef
3. Ms. Sharon Miles-Bonart
4. Ms. Ashley Heidebrecht
5. Mr. Brian Sieve
6. Ms. Aurolyn Luykx
7. Mr. Jose Gaston Barriga
8. Mr. Steven Strumer
9. Mr. Anthony Vasquez

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**REGULAR AGENDA - FIRST READING OF ORDINANCES**  
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Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

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

NAYS: None

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**10. Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development:**  
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10.1. An Ordinance amending Title 14 (Aircraft and Airports) of the El Paso City Code in its

entirety to delete certain sections, delete weight limitations, make corrections to references to chapters, add procedures for issuance and denials of permits for the distribution of literature and solicitation of donations under section 14.16.110, add new provisions for third party service agencies, clarify procedures for the issuance and denials of off-airport rental car business permits under Chapter 14.16, clarify appeal procedures for the denial, suspension, or revocation of an off-airport rental car business permit under Chapter 14.16, provide for the charging of fees throughout Title 14, make modifications to the penalty section, and minor corrections and minor references throughout Title 14. The penalty is as provided in Sections 14.04.040, 14.08.120, 14.16.021, 14.16.110, 14.16.163, 14.16.314, and 14.16.405 of the El Paso City Code.

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

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**11.1.** An Ordinance granting Special Permit No. PZST19-00009, to allow for a ballroom on the property described as a portion of Lot 2, Block 1, Aguirre Subdivision Unit 2, 6456 Doniphan Drive, 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: 6456 Doniphan Drive. Property Owner: Rio Bravo Investments, LLC. PZST19-00009.

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**11.2.** An Ordinance granting Special Permit no. PZST19-00002: to allow for Off Street Parking (Serving Another Property) in an R-5 (Residential) district on the property legally described as Lots 31 and 32, Block 101, East El Paso Addition, City of El Paso, El Paso, Texas; and to allow a 100% parking reduction on the property legally described as a Portion of Lot 5 and all of Lots 6 to 8, Block 101, East El Paso Addition, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. The proposed special permit meets the intent of the Future Land Use designation for the property and is in accordance with Plan El Paso, the City's Comprehensive Plan. Subject Property: 3000 Douglas and 3011 Pershing. Owner: Hector Barragan and 3011 Pershing LLC PZST19-00002.

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**11.3.** An Ordinance changing the zoning of the following real property known as: Parcel 1: Lots 3 and 4, Block 8, Rocket Warehouse Park Unit Two, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-4 (Commercial) and P-R1 (Planned Residential) TO A-3 (Apartment); AND, Parcel 2: A portion of Section 31, Block 80, TSP 1, Texas and Pacific Railroad Company Surveys and a portion of Lot 1, Block 1, Rocket Warehouse Park Unit Three CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM A-M (Apartment/Mobile Home Park), C-4 (Commercial) and P-R1 (Planned Residential) TO A-3 (Apartment); AND, Parcel 3: A portion of Lot 1, Block 1, Rocket Warehouse Park Unit Three, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM P-R1 (Planned Residential) TO A-3 (Apartment); the penalty is as provided for in Chapter 20.24 of the El Paso City Code. The proposed rezoning meets the intent of the Future Land Use designation for the property and is in accordance with Plan El Paso, the City's Comprehensive Plan. Subject Property: 10405 Dyer Street. Property Owner: Textape Inc. PZRZ19-00021

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

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**12.1.** An Ordinance amending Title 15 (Public Services), Chapter 15.12 (Water and Sewer

System) of the El Paso City Code by adding Section 15.12.015 (Utility Franchise Fee) in order for the grant of a franchise to the Water and Sewer Utility managed by the Public Service Board for the operation and maintenance of the Water and Sewer Utility System and the assessment of a franchise fee of 2.75 percent of total operating revenues of the El Paso Water Utilities Public Service Board.

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

The City Council Meeting was **RECONVENED** at 10:20 a.m.

**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS**

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

**13.1.** Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Svarzbein, and unanimously carried to **APPROVE** the list of qualified vendors compiled from Solicitation 2020-166 as listed below for the Automotive Fuel – Unleaded for the discount or markup listed using the Oil Price Information Service (OPIS) rate as base for a term of three (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 vendors if the primary provider is not available to provide services.

Contract Variance:

For this comparison the assumption is that the Primary Vendor is the only supplier. The difference in cost, based on the mark-up/discount comparison from previous contract, is as follows: an increase per full load of \$0.0604 per gallon, 17.51% increase; a decrease per half load of \$0.0081 per gallon, 8.7% decrease and per small load a decrease of \$0.0003, 0.2% decrease.

Department:		Streets and Maintenance
Award to:	Primary Vendor	Rio Valley Biofuels, LLC Anthony, NM
Item(s):		All Full Load      OPIS+0.0090 Half Load      OPIS+0.0850 Small Load    OPIS+0.1500
Option:		2 years
Award to:	Secondary Vendor	Brewer Oil Co. Artesia, NM
Item(s):		All Full Load      OPIS – 0.04 Half Load      OPIS+0.05 Small Load    OPS+0.1
Option:		2 years
Award to:	Tertiary Vendor	James River Solutions, LLC Ashland, VA

Items:	All
	Full Load      OPIS – 0.052
	Half Load      OPIS+0.095
	Small Load    OPIS+0.155
Option:	2 years
Annual Estimated Award:	\$ 2,800,000.00
Initial Term Estimated Award:	\$ 8,400,000.00 (3 years)
Total Estimated Award:	\$14,000,000.00 (5 years)
Account No.:	532 – 37020 - 531240 – 3600 – P3701
Funding Source:	Internal Service Fund – Fuel Inventory Purchases
Districts:	All

This is a Best Value, unit price contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to Primary Vendor: Rio Valley BioFuels, LLC., Secondary Vendor: Brewer Oil Co and Tertiary Vendor: James River Solutions, LLC the bidders offering the best value bids and that the incomplete bid submitted by Flullidity, LLC is rejected.

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

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

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**13.2.** Motion made by Representative Rivera, seconded by Mayor Pro Tempore Ordaz Perez, and unanimously carried to **AWARD** Solicitation 2020-056 Pellicano, Railroad & Cotton Roadway Lighting and Landscape Improvements to BLACK STALLION CONTRACTORS INC. for an estimated total award of \$7,767,386.72. The project scope of work consists of providing Roadway Lighting and Median Landscaping on Pellicano Drive, from Vista Del Oro Drive to Loop 375; providing Roadway Lighting and Median Landscaping on Railroad Drive, from McCombs Street to Loop 375; and providing Roadway Lighting and Parkway Landscaping on Cotton Street, from San Antonio Avenue to Texas Avenue and from Missouri Avenue to Murchison Drive. The work shall consist of placing a fully functional Roadway Lighting System and providing a complete Landscape System.

Department:	Capital Improvement
Award to:	BLACK STALLION CONTRACTORS INC. El Paso, TX
Items:	Base Bid I and Additive Alternate 1
Initial Term:	480 Consecutive Calendar Days
Base Bid I:	\$7,109,664.69
Additive Alternate 1:	\$ 657,722.03
Total Estimated Award:	\$7,767,386.72
Account No.:	190-4745-38290-580270-PCP19ST018
Funding Source:	2019 Capital Plan CO

Districts: 1, 2, 4,6,7,8

This is a Low bid, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to BLACK STALLION CONTRACTORS INC., the lowest responsive, responsible bidder.

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

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

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

Representative Ordaz Perez commented.

Mr. Sam Rodriguez, City Engineer, commented.

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

NAYS: None

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- 13.3. Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation No. 2019-869 Grounds Maintenance-City Facilities to Delta Unlimited, LLC dba Delta Pest Control & Lawn Service for an initial term estimated award of \$591,432.00. The award is to include a two (2) year optional amount of \$394,288.00 for a total five (5) year award of \$985,720.00. This contract will provide exterior grounds maintenance of City facilities.

Contract Variance:

The difference in cost, based on comparison to the previous contract is as follows: An increase of \$67,509.00 over the three (3) year initial term of the contract, a 12.88 % increase due to an increase in number of required services per year.

Department:	Streets & Maintenance
Award to:	Delta Unlimited, LLC dba Delta Pest Control & Lawn Service
	El Paso, TX
Items:	All
Initial Term:	3 years
Option to Extend:	2 years
Annual Estimated Award:	\$197,144.00

Initial Term Estimated Award: \$591,432.00 (3 years)  
Total Estimated Award: \$985,720.00 (5 Years)  
Account No.: 532 – 2305 – 31040 – P3120 - 522060  
Funding Source: Environmental Fee Fund – Building Facilities  
Maintenance Contracts  
Districts: All

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing Department and Streets & Maintenance Department recommend award to Delta Unlimited, Inc. dba Delta Pest Control & Lawn Service, bidder offering the best value bid. In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

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

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

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

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**14.1. ORDINANCE 019005**

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The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST18-00008, TO ALLOW FOR A 74' GROUND-MOUNTED PERSONAL WIRELESS SERVICE FACILITY ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 1, BLOCK 58, VISTA HILLS UNIT 17, 12000 MONTWOOD, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.455 OF THE EL PASO CITY CODE AND IMPOSING A CONDITION. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. THE PROPOSED SPECIAL PERMIT MEETS THE INTENT OF THE FUTURE LAND USE DESIGNATION FOR THE PROPERTY AND IS IN ACCORDANCE WITH PLAN EL PASO, THE CITY'S COMPREHENSIVE PLAN. SUBJECT PROPERTY: 12000 MONTWOOD. OWNER: BOARD OF TRUSTEES OF THE SOCORRO INDEPENDENT SCHOOL DISTRICT OF EL PASO PZST18-00008**

Representatives Annello and Hernandez commented.

Mr. Raul Garcia, Planning Project Manager, commented.

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

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

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

NAYS: Representatives Annelo and Hernandez

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

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**14.2. ORDINANCE 019006**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTION 28, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH-FARM) TO R-MU (RESIDENTIAL MIXED USE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. PZRZ19-00014.**

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

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

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

NAYS: None

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

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**REGULAR AGENDA - OTHER BUSINESS**

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

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**15.1. RESOLUTION**

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

**WHEREAS**, nearly 120,000 migrants entered the United States through El Paso in the 2019 fiscal year; and

**WHEREAS**, throughout 2019, the City Council of El Paso found that in order to protect the public health, safety and welfare of migrants and City residents alike, the City Manager should be granted broad authority to take all action necessary to commit, direct, and assign necessary personnel and resources to provide humanitarian relief to migrants released into the El Paso Community; and

**WHEREAS**, the authority granted by the El Paso City Council to the City Manager to address the ongoing needs of arriving migrants is set to expire on December 31, 2019; and

**WHEREAS**, the law relating to the Migrant Protection Protocol (“MPP” or “Remain-in-Mexico” policy) remains unsettled and the circumstances relating to the

arrival of migrants remains volatile; and

**WHEREAS**, there exists a need for the City of El Paso to be able and ready to provide humanitarian support to the migrants that continue to come through El Paso's borders; and

**WHEREAS**, the City of El Paso applied for and is awaiting to receive federal reimbursement for its provision of humanitarian assistance to migrants along the southern border.

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

- (1) That the City Manager be granted broad authority until December 31, 2020, to take all action necessary to commit, direct, and assign necessary personnel and resources, including financial resources, to provide humanitarian relief to migrants released by federal authorities into the El Paso community; and
- (2) That the City Manager and/or designee continue to provide quarterly reports to the City Council regarding the provision of relief to migrants and the associated costs to tax payers.

Mayor Margo and Representatives Svarzbein, Annello, and Ordaz Perez commented.

The following City staff members commented:

1. Fire Chief Mario D'Agostino
2. Ms. Karla Nieman, City Attorney
3. Mr. Tommy Gonzalez, City Manger

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

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

NAYS: None

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**16. Goal 3: Promote the Visual Image of El Paso**

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

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

Representatives Svarzbein, Annello, Ordaz Perez, Rivera, and Lizarraga commented.

The following City staff members commented:

1. Mr. Cary Westin, Senior Deputy City Manager for Economic Development and Tourism
2. Mr. Tommy Gonzalez, City Manger
3. Ms. Elizabeth Triggs, Economic and International Development Assistant Director
4. Mr. Phillip Etiwe, Planning and Inspections Director

The following members of the public commented:

1. Ms. Judy Ackerman
2. Ms. Sharon Miles-Bonart
3. Mr. Rick Bonart
4. Mr. Joe Molinar
5. Ms. Marilyn Guida
6. Ms. Sylvia Searfoss
7. Ms. Mary Gordoux
8. Ms. Blanca Gadney Moss
9. Mr. Scott Cutler, Frontera Land Alliance President

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

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

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

Motion made by Representative Svarzbein, seconded by Representative Annelo, and unanimously carried to **POSTPONE** item ten weeks.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

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

**17.1. Presentation and discussion on Municipalization of El Paso Electric.**

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

Mayor Margo and Representatives Svarzbein, Annelo, Hernandez, and Ordaz Perez commented.

The following City staff members commented:

1. Ms. Karla Nieman, City Attorney
2. Mr. Tommy Gonzalez City Manager

The following members of the public commented:

1. Mr. Joshua Simmons
2. Mr. Adrian Ordonez Jasso

3. Ms. Ana Reza
4. Mr. Joseph Valenzuela
5. Ms. Claudia Reyes
6. Mr. Ricardo Carpenter
7. Ms. Cynthia Pina
8. Ms. Crystal Enoch
9. Ms. Myrna Ortiz
10. Mr. Daniel Perez
11. Mr. Larry Gainor
12. Mr. Anthony Hart
13. Ms. Mary Gordoux
14. Ms. Dawn Vigil
15. Mr. Rick Bonart
16. Mr. Walter Guerrero
17. Mr. Jon Barela
18. Ms. Aimee Saldivar
19. Ms. Priscilla Munoz
20. Ms. Nitashanta Hagans
21. Mr. Yasser Murga
22. Mr. Anthony Ramos
23. Mr. Andrew Torres
24. Ms. Alejandra Chavira
25. Mr. Freddy Klayel
26. Mr. Kenton Martin
27. Mr. Felipe Salazar
28. Ms. Marilyn Guida
29. Mr. Erick Stoltz-Reyes
30. Ms. Sylvia Searfoss
31. Mr. Jesus Gonzalez
32. Mr. David C. Stout
33. Ms. Kristy Seanez
34. Ms. Destiny Garcia
35. Mr. Nicholas Vasquez
36. Mr. Dominic Chacon
37. Ms. Blanca Gadney Moss
38. Mr. Howard Pearlmutter
39. Ms. Debbie Zuloaga

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

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

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

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera to retire into Executive Session. **THE MOTION FAILS.**

AYES: Representatives Ordaz Perez, Rivera, and Lizarraga

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

#### **3<sup>RD</sup> MOTION**

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative

Rivera, and unanimously carried to **TABLE** the item to conduct Call to the Public.

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

NAYS: None

#### **4<sup>TH</sup> AND FINAL MOTION**

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Annello, and unanimously carried to **TAKE THE ITEM FROM THE TABLE** and continue discussion.

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

NAYS: None

**NO ACTION** was taken on this item.

17.2.

### **RESOLUTION**

**WHEREAS**, on November 25, 2005, the City of El Paso (the “**City**”) adopted a Debt Management Policy that set forth the parameters for issuing new debt as well as managing the outstanding debt portfolio, identifies the types and amounts of permissible debt and ensures that the City maintains a solid bond rating in order to minimize borrowing costs and preserving access to credit; and

**WHEREAS**, the City has reviewed its debt management policy at least bi-annually in accordance with the provisions of the Policy requiring Council review; and

**WHEREAS**, the City last reviewed and amended the City’s Debt Management Policy on February 20, 2018; and

**WHEREAS**, the City now desires to further amend the City’s Debt Management Policy for Fiscal Year 2020 to amend Section 12, Debt Service Tax Rate to establish the necessary debt service tax rate up to a maximum amount of forty cents (40¢) per 100 valuation.

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

That the City hereby adopts the amended and restated City of El Paso Debt Management Policy for FY2020 Debt Management Policy which is attached hereto as **Exhibit A** and incorporated herein by reference, which amends the Debt Service Tax Rate from thirty five (35¢) to forty cents (40¢).

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

Representatives Hernandez and Rivera commented.

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

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

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

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**18.1.** Presentation and update on the rollout plan for the approved Public Safety Bond.

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

Mayor Margo and Representatives Svarzbein, Annello, and Ordaz Perez commented.

The following City staff members commented:

1. Fire Chief Mario D'Agostino
2. Mr. Tommy Gonzalez, City Manager

**NO ACTION** was taken on this item.

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**19. MAYOR AND COUNCIL**

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**19.1.** Discussion and action for City Council to approve a Resolution to establish a 2019 Public Safety Bond Overview Advisory Committee (PSBOAC).

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

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Dionne Mack, Deputy City Manager
3. Ms. Karla Nieman, City Attorney
4. Ms. Sol Cortez, Senior Assistant City Attorney
5. Fire Chief Mario D'Agostino
6. Mr. Ben Fyffe, Museums and Cultural Affairs Assistant Director

Mr. Paul Thompson, President elect for Union Local 51 commented.

Mr. Arnulfo Hernandez, citizen, commented.

Motion made by Representative Hernandez, seconded by Representative Annello, and carried to **APPROVE** a Resolution to establish a 2019 Public Safety Bond Overview Advisory Committee (PSBOAC).

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

**THE MOTION FAILED** with Mayor Margo breaking the tie.

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## 20. MANAGEMENT UPDATES

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### 20.1. Presentation and update on the operations of the Neighborhood Water Parks

Ms. Ana McCranie, Events and Programming Coordinator, presented a PowerPoint presentation, copy on file in the City Clerk's Office.

Representative Svarzbein commented.

Mr. Tommy Gonzalez, City Manager, commented.

**NO ACTION** was taken on this item.

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## EXECUTIVE SESSION

Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 4:01 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss the following items:

Section 551.071           CONSULTATION WITH ATTORNEY  
Section 551.087           DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

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

NAYS: None

Motion made by Representative Hernandez, seconded by Representative Ordaz Perez, and unanimously carried to adjourn the Executive Session at 6:58 p.m. and **RECONVENE** the meeting of the City Council during which time motions were made.

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

NAYS: None

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### 17.1. Presentation and discussion on Municipalization of El Paso Electric.

**NO ACTION** was taken on this item.

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### EX1. Public Utility Commission of Texas Docket No. 49849, Joint Report and Application of El Paso Electric Company, Sun Jupiter Holdings LLC, and IIF US Holding 2 LP for Regulatory Approvals under PURA §§ 14.101, 39.262, and 39.915; Matter: 19-1008-126

Mayor Pro Tempore Ordaz Perez and Representatives Svarzbein, Hernandez, Morgan, Rivera, and Lizarraga commented.

Ms. Karla Nieman, City Attorney, commented.

Mr. Norman Gordon, outside counsel commented.

The following members of the public commented on items EX1. and EX2.

1. Mr. Adrian Ordonez- Jasso
2. Mr. Joseph Valenzuela
3. Ms. Priscilla Munoz
4. Ms. Susan Austin
5. Mr. Arnulfo Hernandez
6. Mr. Miguel Hernandez
7. Mr. Dominic Chacon
8. Mr. Howard Pearlmuter

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

Motion made by Representative Annello, seconded by Representative Svarzbein and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional time to speaker.

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

Motion made by Representative Svarzbein, seconded by Representative Annello, and carried to **DIRECT** staff to make a formal request for a 30-day extension from the Public Utility Commission.

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

NAYS: Representative Morgan

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**EX2.** El Paso Electric Company Franchise; Matter: 19-1008-132 & 19-1008-126.001

The following members of the public commented:

**NO ACTION** was taken on this item.

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**ADJOURN**

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Hernandez, and unanimously carried to **ADJOURN** this meeting at 7:08 p.m.

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

NAYS: None

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APPROVED AS TO CONTENT:

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Laura D. Prine, City Clerk