OSCAR LEESER MAYOR

DIONNE MACK
CITY MANAGER



CITY COUNCIL

BRIAN KENNEDY, DISTRICT 1
JOSH ACEVEDO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3

JOE MOLINAR, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
ART FIERRO, DISTRICT 6
HENRY RIVERA, DISTRICT 7

CHRIS CANALES, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

OCTOBER 22, 2024 COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY 9:00 AM

ROLL CALL

The City Council of the City of El Paso met on the above time and date. Meeting was called to order at 9:06 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Brian Kennedy, Josh Acevedo, Cassandra Hernandez, Isabel Salcido, Henry Rivera, and Chris Canales. Late arrival: Art Fierro at 9:07 a.m. Absent: Joe Molinar Early departure: Brian Kennedy at 12:26 p.m.

INVOCATION BY EL PASO POLICE CHAPLAIN JOSEPH MARATTA

PLEDGE OF ALLEGIANCE

IDEA Rio Vista Public School at the invitation of City Representative Cassandra Hernandez

Akeila Montalvo
Carolina Garcia
Madison Felix
Marion Garcia
Seth Elizalde
Jaydan Canales
Grecia Diaz
America Diaz
Alijah Holguin

MAYOR'S PROCLAMATIONS

LGBTQIA+ History Month

National Health Education Week

National El Paso Marathon Runners Day

Employment Opportunities for People with Disabilities Month

Leon Metz Travel the Pass Day

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RECOGNITIONS BY MAYOR

Mayor's Distinguished Award

Dr. Louis Alpern

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NOTICE TO THE PUBLIC

*Motion made by Mayor Pro Tempore Kennedy, 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 Kennedy, Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales NAYS: None ABSENT: Representative Molinar CONSENT AGENDA – APPROVAL OF MINUTES: Goal 6: Set the Standard for Sound Governance and Fiscal Management *Motion made, seconded, and unanimously carried to APPROVE the Minutes of the Regular City Council Meeting of October 8, 2024, the Agenda Review Meeting of October 7, 2024, and the Work Session of October 7, 2024. CONSENT AGENDA – REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS: 2. *Motion made, seconded, and unanimously carried to **EXCUSE** Representative Joe Molinar from the Regular City Council Meeting of October 22, 2024. CONSENT AGENDA – RESOLUTIONS: Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments

*RESOLUTION

3.

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

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WHEREAS, City Code Subsection 12.56.020(F) permits the International Bridges Director to make recommendations to City Council for exceptions to the days and times when parking meter fees shall apply; and

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

WHEREAS, the International Bridges Director recommends parking meter fees North of I-10, including but not limited to the Uptown Parking Benefit District, be waived solely and exclusively on November 23, 2024, for the event known as WinterFest; and

WHEREAS, the International Bridges Director does not recommend that parking meter

fees in the downtown area be waived on November 23, 2024; and

WHEREAS, the City Council encourages the community to park at parking meters North of I-10, including but not limited to the Uptown Parking Benefit District, and encourages the community to utilize the El Paso Streetcar to travel to WinterFest on November 23, 2024.

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

THAT the City Council, in accordance with the provisions of City Code Subsection 12.056.020(F)(1), hereby exempts the regularly designated parking meter fees to the North of I-10, to include, but not be limited to the Uptown Parking Benefit District, on November 23, 2024, for WinterFest which constitutes a special downtown event.

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

4. RESOLUTION

WHEREAS, the City of El Paso ("City") contracts for the various goods and services as needed by the City and its various departments; and

WHEREAS, said contracts are regulated by various statutory requirements, governmental policies, and administrative processes to assure the proper expenditure of the City's financial resources; and

WHEREAS, the City Council of the City of El Paso ("City Council") established the Purchasing and Strategic Sourcing Department ("Purchasing") and Purchasing Director position via Ordinance 018067; and

WHEREAS, the City Council has mandated that procurement activities must be undertaken in an efficient, ethical, impartial, transparent, and professional manner; and

WHEREAS, during various phases of the procurement cycle for goods and services circumstances may arise in which a solicitation may need to be cancelled in order to assure the aforementioned City Council priorities are adhered to; and

WHEREAS, the City Council desires to delegate its authority to cancel a solicitation as part of an active solicitation for goods and services to the Purchasing Director.

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

That the City Council hereby delegates its authority to cancel an active solicitation for goods and services to the Purchasing Director of the City of El Paso's Purchasing and Strategic Sourcing Department.

That Cancellation or Rejection Notices will contain the following minimum information:

- 1. City Department Name, business address and contract name; and
- 2. City of El Paso solicitation number; and
- 3. Reason(s) for Cancellation

That the Purchasing Director will provide notice to the City Council of solicitations canceled under this delegation of authority, for notation, via posting to the next available Regular City Council meeting agenda.

Mayor Leeser and Representatives Acevedo, Fierro, Rivera, and Canales commented.

1ST MOTION

*Motion made, seconded, and unanimously carried to MOVE the item to the REGULAR AGENDA.

2ND MOTION

Motion made by Representative Canales, seconded by Representative Acevedo, and unanimously carried to AMEND the Resolution by replacing the last sentence to read "That the Purchasing Director will provide notice to the City Council of solicitations canceled under this delegation of authority, for notation, via posting to the next available Regular City Council meeting agenda".

AYES: Representatives Kennedy, Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

ABSENT: Representative Molinar

3RD MOTION

Motion made by Representative Fierro, seconded by Representative Rivera, and unanimously carried to APPROVE the Resolution AS AMENDED.

AYES: Representatives Kennedy, Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

ABSENT: Representative Molinar

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

..... 5. *RESOLUTION

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

THAT the City Manager be authorized to sign a Consent to Assignment to assign an On- Call Agreement, Contract No. 2021-0804R (professional civil engineering services), from DEC – El Paso, LLC to Gannett Fleming, Inc.

6.

*RESOLUTION

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

THAT the City Manager be authorized to sign a Consent to Assignment to assign an Agreement for Professional Services, Contract No. 2023-0380 (Engineering and Design Services – Vista Del Sol, Pebble Hills Blvd. Reconstruction-Resurfacing), from DEC – El Paso. LLC to Gannett Fleming, Inc.

7.

*RESOLUTION

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

THAT the City Manager be authorized to sign a Consent to Assignment to assign an On-Call Agreement, Contract No. 2023-0450 (professional civil engineering services), from DEC - El Paso, LLC to Gannett Fleming, Inc.

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8.	*RESOLUTION
	BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:
	That the Mayor be authorized to sign an Interlocal Agreement between the City of E Paso and Village of Vinton, Texas, for the period of September 1, 2024, through August 31 2025 for the provision of public health and environmental services by the City of El Paso to Village of Vinton, for which Village of Vinton shall pay to the City of El Paso an annual amoun of THIRTYTHOUSAND FIFTY-TWO DOLLARS AND NO/100 (\$30,052.00)
9.	*RESOLUTION
	BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:
	That the Mayor be authorized to sign an Interlocal Agreement between the City of E Paso and City of Socorro, Texas, for the period of September 1, 2024, through August 31 2025 for the provision of public health and environmental services by the City of El Paso to City of Socorro, for which City of Socorro shall pay to the City of El Paso an annual amount of THREE HUNDRED NINETY-THOUSAND FIVE HUNDRED EIGHTY-EIGHT DOLLARS AND NO/100 (\$390,588.00)
10.	*RESOLUTION
	BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:
	That the Mayor be authorized to sign an Interlocal Agreement between the City of E Paso and City of San Elizario, Texas, for the period of September 1, 2024, through August 31 2025 for the provision of public health and environmental services by the City of El Paso to City of San Elizario, for which City of San Elizario shall pay to the City of El Paso an annual amount of ONE HUNDRED THIRTEEN THOUSAND THREE HUNDRED FORTY-SIX DOLLARS AND NO/100 (\$113,346.00)
11.	*RESOLUTION
	BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:
	That the Mayor be authorized to sign an Interlocal Agreement between the City of E Paso (the "City") and City of San Elizario, Texas ("City of San Elizario"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the City of San Elizario and for which the City of San Elizario shall pay to the City of El Paso ONE HUNDRED TEN AND NO/100 DOLLARS (\$110.00) and

Paso (the "City") and City of San Elizario, Texas ("City of San Elizario"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the City of San Elizario and for which the City of San Elizario shall pay to the City of El Paso ONE HUNDRED TEN AND NO/100 DOLLARS (\$110.00) and a daily handling fee of TWENTY-SEVEN AND NO/100 DOLLARS (\$27.00) for each dog or cat retrieved and an impound fee of SIXTY AND NO/100 DOLLARS (\$60.00) and a daily handling fee of THIRTY-THREE AND NO/100 DOLLARS (\$33.00), for any animal other than a dog or cat, such as but not limited to livestock, pig, or chicken ("Other Animal"), and EIGHTY-FIVE AND NO/100 DOLLARS (\$85.00) and a daily handling fee of THIRTYTHREE and NO/100 DOLLARS (\$33.00) for any horse retrieved from the City of San Elizario or by residents of the City of San Elizario, with the possibility for automatic renewal at the rates set forth in Schedule C to the City's Budget Resolution for the applicable fiscal year.

12. *RESOLUTION

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and City of Socorro, Texas ("Socorro"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the Socorro and for which the Socorro shall pay to the City of El Paso ONE HUNDRED TEN AND NO/100 DOLLARS (\$110.00) and a daily handling fee of TWENTY-SEVEN AND NO/100 DOLLARS (\$27.00) for each dog or cat retrieved and an impound fee of SIXTY AND NO/100 DOLLARS (\$60.00) and a daily handling fee of THIRTY-THREE AND NO/100 DOLLARS (\$33.00) for any animal other than a dog or cat, such as but not limited to livestock, pig, or chicken ("Other Animal"), and EIGHTY-FIVE AND NO/100 DOLLARS (\$85.00) and a daily handling fee of THIRTY-THREE and NO/100 DOLLARS (\$33.00) for any horse retrieved from the City of Socorro or by residents of the City of Socorro, in addition to the impound fee of \$110.00 per unowned animal retrieved from the City of Socorro and delivered to the Shelter by the City of Socorro and a daily quarantine fee of TWENTY-SEVEN AND NO/100 DOLLARS (\$27.00) for any unowned animal retrieved from the City of Socorro and delivered to the Shelter either by the City of Socorro that is suspected of having rabies, is pending a bite investigation, or is pending an animal cruelty investigation, with the possibility for automatic renewal at the rates set forth in Schedule C to the City's Budget Resolution for the applicable fiscal year.

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and Village of Vinton, Texas ("Village of Vinton"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the Village of Vinton and for which the Village of Vinton shall pay to the City of El Paso ONE HUNDRED TEN AND NO/100 DOLLARS (\$110.00) and a daily handling fee of TWENTY SEVEN AND NO/100 DOLLARS (\$27.00) for each dog or cat retrieved and an impound fee of SIXTY AND NO/100 DOLLARS (\$60.00) and a daily handling fee of THIRTY-THREE AND NO/100 DOLLARS (\$33.00), for any animal other than a dog or cat, such as but not limited to livestock, pig, or chicken ("Other Animal"), and EIGHTY-FIVE AND NO/100 DOLLARS (\$85.00) and a daily handling fee of THIRTY-THREE and NO/100 DOLLARS (\$33.00) for any horse retrieved from the Village of Vinton or by residents of the Village of Vinton, with the possibility for automatic renewal at the rates set forth in Schedule C to the City's Budget Resolution for the applicable fiscal year.

CONSENT AGENDA – BOARD RE-APPOINTMENTS: Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments			
Goal	8: Nurture and Promote a Healthy, Sustainable Community		
 15.	*RESOLUTION		

WHEREAS, the Housing Finance Corporation Act, Chapter 394 Local Government Code authorizes the creation of a Housing Finance Corporation; and

WHEREAS, the City of El Paso has approved the incorporation of the El Paso Housing Finance Corporation pursuant to the Housing Finance Corporations Act, which incorporation took place in 1979; and

WHEREAS, the Articles of Incorporation and the Articles of Amendment of the El Paso Housing Finance Corporation provide for appointment of members of the Board of Directors to be appointed by written resolution of the governing body of the City of El Paso, Texas.

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

Emma Acosta is re-appointed to the Board of Directors of the El Paso Housing Finance Corporation to fill the term that ends November 26, 2030.

16. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Luis Miranda to the Regional Renewable Energy Advisory Council by Mayor Oscar Leeser.

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CONSENT AGENDA – BOARD APPOINTMENTS:

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

- 17. *Motion made, seconded, and unanimously carried to APPOINT Suzanne Dipp to the Tax Increment Reinvestment Zone Number 5 by Mayor Oscar Leeser.
- 18. *Motion made, seconded, and unanimously carried to APPOINT Gilbert Izquierdo to the Tax Increment Reinvestment Zone Number 5 by Mayor Oscar Leeser.

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Goal 3: Promote the Visual Image of El Paso

19. *Motion made, seconded, and unanimously carried to **APPOINT** Isabel Montoya to the Open Space Advisory Board by Representative Henry Rivera, District 7.

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

20. *Motion made, seconded, and unanimously carried to APPOINT Elsa Borrego to the Civil Service Commission by Mayor Oscar Leeser.

Goal 8: Nurture and Promote a Healthy, Sustainable Community

Goal of Nulture and Fromote a Healthy, Sustamable Community

- **21.** *Motion made, seconded, and unanimously carried to **APPOINT** Jose M. Limón to the AmeriCorps Seniors Advisory Council by Mayor Oscar Leeser.
- *Motion made, seconded, and unanimously carried to **APPOINT** Andy Vargas to the Regional Renewable Energy Advisory Council by Representative Cassandra Hernandez, District 3.
- **23.** *Motion made, seconded, and unanimously carried to **APPOINT** Dr. Raquel Ellis to the Animal Shelter Advisory Committee by Mayor Oscar Leeser.

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24. *Motion made, seconded, and unanimously carried to **DELETE** the appointment of Marco Cordova to the Fair Housing Task Force by Representative Cassandra Hernandez, District 3, as an alternate member. CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS: Goal 6: Set the Standard for Sound Governance and Fiscal Management 25. *Motion made, seconded, and unanimously carried to APPROVE the tax refunds greater than \$2.500 listed below: 1. Summit Electric Supply, in the amount of \$4,652.57 made an overpayment on January 17, 2024 of 2023 taxes. (Geo. #E378-999-0080-8300) 2. Escrow Inc, in the amount of \$4,615.53 made an overpayment on January 31, 2024 of 2023 taxes. (Geo. # S533-000-0080-2890) CONSENT AGENDA -NOTICE OF CAMPAIGN CONTRIBUTIONS: Goal 6: Set the Standard for Sound Governance and Fiscal Management *Motion made, seconded, and unanimously carried to **APPROVE** the notation of the Special 26. Projects, Discretionary fund expenditures, and P-Card Transactions for the period of August 21, 2024 - September 20, 2024 for Mayor, City Council Representatives, City Attorney's Office, City Manager's Office and staff. CONSENT AGENDA -NOTICE OF CAMPAIGN CONTRIBUTIONS: Goal 5: Promote Transparent and Consistent Communication Amongst All Members of the Community *Motion made, seconded, and unanimously carried to NOTE pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Representative Joe Molinar in the amount of \$5,000.00 from the Texas Realtors Political Action Committee (TREPAC). 28. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Mayor Pro Tempore Brian Kennedy in the amounts of \$1,000 from Maria Teran, \$2,500 from El Paso Association of Firefighters Political Action Committee, \$3,000 from Stanley Jobe, \$500 from Jose Fong, and \$500 from Dennis and Donna Neesen. 29. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Representative Josh Acevedo in the amounts of \$500 from John Panahi, \$250 from Stan J. Sloan, \$1,000 from Cesar Blanco, \$500 from Glen R. Morris, \$1,000 from Stanley P. Jobe, \$100 from Gabriel & Soledad Aragon, \$500 from Jack T. Chapman, \$1,000 from The El Paso Association of Fire Fighters Local 51, Inc. Political Action Committee, \$1000 from El Paso Municipal Police Officers (Political Action Committee Fund), \$200 from El Paso Sheriff's Officers Association Political Action Committee, \$5,000 from TREPAC-Texas Realtors Political Action Committee, and \$500 from John Panahi.

	CONSENT AGENDA - BIDS:
38.	*Motion made, seconded, and unanimously carried to AUTHORIZE the City Manager to sign an Agreement for Professional Services by and between the City of El Paso and Weaver for a total contract amount not to exceed \$128,000.00 and a term of one year. Further, that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for the execution of the Agreement.
Goal	6: Set the Standard for Sound Governance and Fiscal Management
	CONSENT AGENDA - REQUEST FOR PROPOSALS:
37.	*Motion made, seconded, and unanimously carried to NOTE pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Ivan Niño, Candidate for District 5, in the amounts of \$5,000.00 from the Texas Realtors Political Action Committee, \$1,000.00 from the El Paso Association of Firefighters Local 51 Political Action Committee, and \$200.00 from the El Paso Sheriff's Officers Association Political Action Committee.
36.	*Motion made, seconded, and unanimously carried to NOTE pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Sam Armijo, Candidate for District 1, in the amount of \$500.00 from the West El Paso Republican Women.
35.	*Motion made, seconded, and unanimously carried to NOTE pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Lily Limon, Candidate for District 7, in the amounts of \$500 from Oscar Leeser, \$500 from Lorenzo Medina, \$500 from Enrique Escobar, \$500 from Joe Pickett, and \$3,000 from Lawrence A. Romero.
34.	*Motion made, seconded, and unanimously carried to NOTE pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Tamara Davis, candidate for District 5, in the amounts of \$100 from Victoria Anthony, \$250 from Davida Manor, \$50 from Josh Swizzle, \$100 from Vanessa Dickens, \$25 from Jonathan Ward, and \$25 from Wade.
33.	*Motion made, seconded, and unanimously carried to NOTE pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Alejandra Chavez, Candidate for District 1, in the amounts of \$500 from David Osborn; \$500 from Cliff Eisenberg; and \$2,500 from Kathy and Raymond Palacios.
32.	*Motion made, seconded, and unanimously carried to NOTE pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Kenneth Bell, Candidate for District 3, in the amount of \$3,000 loan to self.
31.	*Motion made, seconded, and unanimously carried to NOTE pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Amanda Cunningham, Candidate for District 5, in the amounts of \$25 from Athomas Palmer, \$20 from Breana Davis, \$50 from Aquella Rone, \$50 from Antonia Mayhew, \$100 from Keyshun Kittles-Joner, \$103 from Clarissa Correa, \$100 from Lorie Franklin, and \$500 from Russell Cunningham.
30.	the City Code, receipt of campaign contributions by Jesus Romero, Candidate for District 3, in the amounts of \$800.00 from Jesus Romero as a personal loan to campaign, and \$100 from Elena Mata DBA Rodeo Realty.

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

39. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2024-0478 Citywide Backflow Inspections to Joanne Robles dba RRS Testing for an initial term of three (3) years for an estimated amount of \$62,610.00. The award also includes a two (2) year option for an estimated amount of \$41,740.00. The total contract time is for five (5) years for a total estimated amount of \$104,350.00. This contract will allow for inspections, maintenance and repair of backflow preventers in city owned facilities to insure maximum reliability.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$19,440.00 for the initial term, which represents a 45.03% increase due to items and quantities added to the scope of work.

Department: Streets and Maintenance

Award to: Joanne Robles dba RRS Testing

City & State: Wilson, Texas

Item(s): ΑII Initial Term: 3 Years Option Term: 2 Years Total Contract Time: 5 Years Annual Estimated Award: \$20,870.00 Initial Term Estimated Award: \$62,610.00 Option Term Estimated Award: \$41,740.00 Total Estimated Award: \$104,350.00

Account(s) 532-1000-31040-522260-P3120

Funding Source(s): General Fund

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance departments recommend award as indicated to Joanne Robles dba RRS Testing the lowest responsive and responsible bidder, and that EP Integrated Fire Systems & Concepts, LLC be deemed non-responsive due to submitting the incorrect bid form.

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.

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

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

	GULAR AGENDA – MEMBERS OF THE CITY COUNCIL:				
	Goal 2: Set the Standard for a Safe and Secure City				
40.	RESOLUTION				

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

THAT City Council declares the expenditure of District 7 discretionary funds, in an amount not to exceed \$34,000 for traffic safety improvements on Castner Drive, serves the municipal purpose of enhancing and sustaining the community's transportation network.

Further, that the City Manager, or designee, be authorized to effectuate any budget transfers and execute any contracts and/or related documents necessary to ensure that the funds are properly expended for the municipal purpose.

Representative Rivera commented.

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

AYES: Representatives Acevedo, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Kennedy and Hernandez

ABSENT: Representative Molinar

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41. RESOLUTION

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

That the City Council declares that the expenditure of District 7 discretionary funds, in an amount not to exceed \$10,000.00, to purchase 2 Speed Feedback Signs to be installed within District 7, this expenditure serves the municipal purpose of slowing traffic, to improve safety for pedestrians and bicyclists, and reduces the need for constant police enforcement by providing immediate speed feedback for drivers.

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

AYES: Representatives Kennedy, Acevedo, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Molinar

42. RESOLUTION

WHEREAS, the Office of District 3 has hosted several community initiatives throughout the years to strengthen relationships between the public and its local government and to increase community togetherness and well-being; and

WHEREAS, August 26, 2022, the Office of District 3, along with the Parks and Recreation Department hosted a Movies in the Park event, where a free movie and snacks were provided to the community; and

WHEREAS, the 2022 event had such overwhelming attendance by families, the Office of District 3 recognized that there is a clear demand for these types of neighborhood gatherings, and this year, District 3 plans to partner again with the Ralph Cloud Neighborhood Association and Eastwood Neighborhood Association to have two movie events at City parks in District 3; and

WHEREAS, the Office of District 3 will use discretionary funds to fund the Movies in the Park events and expenses to include but not limited to promotion, resident outreach, movies, and movie playing equipment, additional park lighting, and refreshments; and

WHEREAS, "Trunk or Treat" Halloween events co-hosted by the Office of District 3 are a holiday tradition and continue to include a sensory-friendly "Trunk-or-Treat" Halloween event in partnership with the Parks and Recreation Department, El Paso Public Library, and the Office of Justice of the Peace Josh Herrera; and

WHEREAS, the Office of District 3 wishes to host this event to create an inclusive and safe Halloween experience for all including those with sensory sensitivities, food allergies and/or disabilities; and

WHEREAS, District 3 Representative, Cassandra Hernandez, desires to contribute discretionary funds in an amount not to exceed \$2,600.00 for permitted activities associated with hosting an inclusive and safe Movies in the Park and Halloween experience; and

WHEREAS, the City Council finds that the expenditure of District 3 discretionary funds in an amount not to exceed \$2,600.00 to be used towards an inclusive and sensory-friendly, Trunk or-Treat Halloween event and Movies in the Park in District 3, serves a municipal purpose by setting the standard for a safe and secure city, enhancing El Paso's quality of life, promoting transparent and consistent communication among all members of the community, and nurturing and promoting a healthy and sustainable community; and

WHEREAS, the Office of District 3 will use discretionary funds to inform constituents residing in District 3 with an annual report to promote transparency, consistent communication, and inclusion, District 3 will also host a special event with the District 3 Neighborhood Associations; and

WHEREAS, the City Council finds that the expenditure of District 3 discretionary funds in an amount not to exceed \$4,000.00 to be used towards the Neighborhood Association special event and annual report which serves a municipal purpose by promoting transparent and consistent communication among all members of the community, and nurturing and promoting a healthy and sustainable community; and

WHEREAS, the Office of District 3 will use discretionary funds in an amount not to exceed \$5,000.00 to improve streets lights in District 3 to improve the visual impression, invest and beautify the street infrastructure to protect the safety of the community; and

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

THAT the City Council declares the expenditure of District 3 discretionary funds in an amount not to exceed \$11,600.00 to be used towards an inclusive and sensory friendly, Trunk-or-Treat Halloween event in District 3, Movies in the Park events, enhancing street lights in District 3, providing updates to all residents residing in District 3 and hosting an special event for District 3 Neighborhood Associations serves a municipal purpose by setting the standard for a safe and secure city, enhancing El Paso's quality of life, promoting transparent and consistent communication among all members of the community, and nurturing and promoting a healthy and sustainable community.

THAT the City Manager, or designee, be authorized to effectuate any budget transfers and execute any contracts and/or related documents necessary to ensure that the funds are properly expended to carry out the purpose of this resolution.

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

AYES: Representatives Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Kennedy

ABSENT: Representative Molinar

43. ITEM: Discussion and action to direct the City Manager and City Attorney to research,

43. ITEM: Discussion and action to direct the City Manager and City Attorney to research, benchmark, and make recommendations regarding the portions of the State Statute that governs the Firemen and Policemen's Pension Fund, Tex. Rev. Civ. Stat. Article 6243b that involve the City and provide information on all recommendations to the Firemen and Policemen Fund.

Mayor Leeser and Representatives Kennedy and Hernandez commented.

The following members of the public commented:

- 1. Mr. Tyler Grossman
- 2. Mr. Sean Shelton
- 3. Mr. Paul Thompson

1ST MOTION

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

2ND AND FINAL MOTION

Motion made by Mayor Pro Tempore Kennedy, seconded by Representative Fierro, and unanimously carried to **DIRECT** the City Manager and City Attorney to research, benchmark, and make recommendations regarding the portions of the State Statute that governs the Firemen and Policemen's Pension Fund, Tex. Rev. Civ. Stat. Article 6243b that involve the City and provide information on all recommendations to the Firemen and Policemen Fund.

AYES: Representatives Kennedy, Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

ABSENT: Representative Molinar

44. ITEM: Discussion and action regarding the September 12, 2024, and October 11, 2024, El Paso Firemen and Policemen Fund Second-Tier Plan Cost-of-Living Adjustment correspondence submitted to the City Manager.

Ms. Kristen Hamilton, Deputy City Attorney, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representatives Kennedy, Acevedo, Hernandez, Fierro, Rivera, and Canales commented.

Ms. Karla Nieman, City Attorney, commented.

The following members of the public commented:

- 1. Mr. Tyler Grossman
- 2. Mr. Samson Rivera

- 3. Mr. Sean Shelton
- 4. Mr. Paul Thompson
- 5. Mr. Jay Nicholson
- 6. Mr. Timothy Burns

1ST MOTION

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

2ND MOTION

Motion made by Mayor Pro Tempore Kennedy, seconded by Representative Canales, and unanimously carried to WAIVE the attorney-client privilege to allow the City Attorney's Office to present the presentation shared with City Council in executive session.

AYES: Representatives Kennedy, Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

ABSENT: Representative Molinar

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Kennedy, seconded by Representative Rivera, and unanimously carried to POSTPONE THREE WEEKS discussion and action regarding the September 12, 2024, and October 11, 2024, El Paso Firemen and Policemen Fund Second-Tier Plan Cost-of-Living Adjustment correspondence submitted to the City Manager.

AYES: Representatives Kennedy, Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

ABSENT: Representative Molinar

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

Environments

.....

45.

RESOLUTION

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

That the City Council authorizes the expenditure of District 8 discretionary funds in an amount not to exceed THREE THOUSAND AND 00/100 DOLLARS (\$3,000.00) towards the costs of equipment rental, movie license fees, permits, staff time and other related items necessary for the support of the 2025 "Movies in the Park" event, a series of movie nights in parks located within District 8, and declares that this expenditure serves the municipal purpose of providing recreational and cultural activities to the residents of and visitors to the City of El Paso, which benefits the community and instills community pride; and

That the City Manager is authorized to accept donations for sponsorship of the event, to negotiate and sign contracts as approved by the City Attorney, and to appropriate and ensure that the funds are properly expended for the municipal purpose.

Motion made by Representative Canales, seconded by Representative Fierro, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Kennedy, Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

ABSENT: Representative Molinar

46. RESOLUTION

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

That the City Council declares that the expenditure of District 7 discretionary funds, in an amount not to exceed \$28,777.00, to assist with the installation of new floor tiles at the Pavo Real Senior Center, serves the municipal purpose of enhancing the quality of life of the citizens of El Paso through promoting community recreation, and by fostering community pride and encouraging civic engagement; and

Further, that the City Manager, or designee, be authorized to effectuate any budget transfers and execute any contracts and/or related documents necessary to ensure that the funds are properly expended for the municipal purpose.

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

AYES: Representatives Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Kennedy

ABSENT: Representative Molinar

47. RESOLUTION

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

THAT City Council declares the expenditure of District 7 discretionary funds, in an amount not to exceed \$34,000.00 for an ADA accessible ramp at Pavo Real Senior Center, serves the municipal purpose of enhancing the quality of life of the citizens of El Paso through promoting community recreation, and by fostering community pride and encouraging civic engagement; and

THAT City Council declares the expenditure of District 7 discretionary funds, in an amount not to exceed \$3,000 for three (3) televisions to be utilized at Pavo Real Senior Center, serves the municipal purpose of enhancing the quality of life of the citizens of El Paso through promoting community recreation and encouraging civic engagement; and

Further, that the City Manager, or designee, be authorized to effectuate any budget transfers and execute any contracts and/or related documents necessary to ensure that the funds are properly expended for the municipal purpose.

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

AYES: Representatives Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Kennedy

ABSENT: Representative Molinar

48. *Motion made, seconded, and unanimously carried to **DELETE** the discussion and action to accept a grant in the amount of \$2,000.00 from Marathon Petroleum Company for two Fall Festivals in District 2.

49. RESOLUTION

WHEREAS, the Office of District 3 has hosted several community initiatives throughout the last eight years to strengthen relationships between the public and their local government and to increase community togetherness and well-being; and

WHEREAS, in the last four years, the Office of District 3, along with the Parks and Recreation Department have hosted Movies in the Park events and Halloween Carnivals to offer free movies, snacks, and low sensory items to the community; and

WHEREAS, the events have had such overwhelming attendance of families, that the Office of District 3 recognized that there is a clear demand for these types of neighborhood gatherings, and this year, District 3 plans to partner again with the Parks and Recreation Department to have a Halloween "Trunk or Treat" Carnival at Eastwood Park on October 30, 2024; and

WHEREAS, Office of District 3 will use private donations to fund the Halloween "Trunk or Treat" Carnival event with the expenses to include but not limited to promotion, resident outreach, candies, chocolates low -sensory items, and additional park lighting; and

WHEREAS, El Paso Disposal intends to contribute to the community by providing a \$1,000 donation for the low-sensory portion of the event and \$1,000 for the open-to-the-public section of the carnival.

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

THAT the City Council accept the donation in the amount of \$2,000.00 from El Paso Disposal to pay for permitted activities for Halloween as it serves a municipal purpose by setting the standard for a safe and secure city, promoting the visual image of El Paso, enhancing El Paso's quality of life, promoting transparent and consistent communication among all members of the community, and nurturing and promoting a healthy and sustainable community.

THAT the City Council authorizes the expenditure of the funds as described above.

THAT the City Manager is authorized to effectuate any budget transfers necessary to ensure that the funds are properly expended for such purpose and is authorized to execute any related agreements, amendments to such agreements, and documents necessary to carry out the purpose of this resolution.

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

AYES: Representatives Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Kennedy

ABSENT: Representative Molinar

50. RESOLUTION

WHEREAS, the Office of District 3 ("District 3") has hosted several community initiatives throughout the last eight years to strengthen relationships between the public and their local government and to increase community togetherness and well-being; and

WHEREAS, in the last four years, District 3, along with the City of El Paso's Parks and Recreation Department ("Parks and Recreation") hosted a Movies in the Park events and Halloween carnivals to offer free movies, snacks, low sensory items to the community; and

WHEREAS, the events have such an overwhelming attendance of families, that District 3 recognized that there is a clear demand for these types of neighborhood gatherings, and this year, District 3 plans to partner again with Parks and Recreation to hold the Halloween "Trunk or Treat" Carnival at the Eastwood Park on October 30, 2024; and

WHEREAS, El Paso Electric Company seeks to support the community by making a \$1,000.00 donation to the City of El Paso for the Halloween "Trunk or Treat" Carnival; and

WHEREAS, District 3 will use private donations as discretionary funds to support the Halloween "Trunk or Treat" Carnival event and related expenses to include but not limited to promotion, resident outreach, and Halloween costumes.

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

That the City Council accept the donation in the amount of \$1,000.00 from El Paso Electric Company to pay for permitted activities for the Halloween "Trunk or Treat" Carnival; and

That the City Council declares the expenditure of District 3 discretionary funds in an amount not to exceed \$1,000.00, to fund the Halloween "Trunk or Treat" Carnival and related expenses to include but no limited to promotion, resident outreach, and Halloween costumes, serves a municipal purpose by setting the standard for a safe and secure city, promoting the visual image of El Paso, enhancing El Paso's quality of life, promoting transparent and consistent communication among all members of the community, and nurturing and promoting a healthy and sustainable community; and

Furthermore, that the City Manager, or designee, be authorized to effectuate any budget transfers and execute any contracts and/or related documents necessary to ensure that the funds are properly expended for the municipal purpose listed herein.

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

AYES: Representatives Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Kennedy

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ABSENT: Representative Molinar

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

51. ITEM: Discussion and action to direct the City Manager and City Attorney to review the Agenda Summary Form used for council and agenda review items and provide recommendations to the council in 30 days on potential revisions to the form, to include the addition of a section for community and stakeholder outreach.

Mayor Leeser and Representatives Kennedy, Acevedo, Salcido, Fierro, and Canales commented.

Ms. Dionne Mack, City Manager, commented.

Motion made by Representative Acevedo, seconded by Representative Salcido, and carried to **DIRECT** the City Manager and City Attorney to review the Agenda Summary Form used for council and agenda review items and provide recommendations to the council in 30 days on potential revisions to the form, to include the addition of a section for community and stakeholder outreach.

AYES: Representatives Acevedo, Salcido, Rivera, and Canales

NAYS: Representatives Kennedy and Fierro

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Molinar

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52. ITEM: Discussion and action to direct the City Manager and City Attorney to cancel the existing contract with Baker Tilly US, LLP.

Representatives Acevedo, Salcido, Fierro, Rivera, and Canales commented.

The following City staff members commented:

- Ms. Mary Wiggins, Chief Human Resources Officer
- Ms. Kristen Hamilton-Karam, Deputy City Attorney
- Ms. Dionne Mack, City Manager

Motion made by Representative Acevedo, seconded by Representative Salcido, to **DIRECT** the City Manager and City Attorney to cancel the existing contract with Baker Tilly US, LLP.

AYES: Representatives Acevedo and Salcido

NAYS: Representatives Kennedy, Fierro, Rivera, and Canales NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Molinar

THE MOTION FAILED.

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Goal 8: Nurture and Promote a Healthy, Sustainable Community

53. ITEMS 53 AND 54 WERE TAKEN TOGETHER

ITEM: Discussion and action that the City of El Paso supports the application by UTEP and a coalition of Community Based Organizations (CBOs) including Project Regeneracion, Los Exes de la Bowie, La Mujer Obrera, St. Francis Neighborhood Association, Barrio Lincoln Park Association, Corbin-Sambrano Neighborhood Association, Glenwood Water Association, Val Verde Vecinos Neighborhood Association, the Colonia of Montana Vista, Texas Tech University, Amanecer People's Project, Eco El Paso, Texas A&M AgriLife Extension-El Paso, La Semilla Food Center, and Houston in Action - El Paso to the U.S. Environmental Protection Agency (EPA) Fiscal Year 2024 Community Change grant program for Track I in the amount of \$20,000,000.00. The application does not require any matching funds from the City.

54. ITEM: Discussion and action that the City of El Paso supports the application by Texas Tech University and a coalition of Community Based Organizations (CBOs) including Project Regeneracion, Los Exes de la Bowie, La Mujer Obrera, St. Francis Neighborhood Association,

Barrio Lincoln Park Association, Corbin-Sambrano Neighborhood Association, Glenwood Water Association, Val Verde Vecinos Neighborhood Association, the Colonia of Montana Vista, UTEP, Amanecer People's Project, Eco El Paso, Texas A&M AgriLife Extension-El Paso, La Semilla Food Center, and Houston in Action - El Paso to the U.S. Environmental Protection Agency (EPA) Fiscal Year 2024 Community Change grant program for Track II in the amount of up to \$3,000,000.00. The application does not require any matching funds from the City.

Ms. Veronica Carbajal, citizen, commented.

Motion made by Representative Canales, seconded by Representative Fierro, and unanimously carried to **SUPPORT** the applications.

AYES: Representatives Acevedo, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Kennedy, Hernandez, and Salcido

ABSENT: Representative Molinar

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CALL TO THE PUBLIC – PUBLIC COMMENT:

The following members of the public commented:

- 1. Ms. Elizabeth Crawford
- 2. Mr. Ron Comeau
- 3. Mr. Jerry Hanson

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REGULAR AGENDA – FIRST READING OF ORDINANCES:

Motion made by Representative Rivera, seconded by Representative Fierro, 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 Acevedo, Hernandez, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Kennedy and Salcido

ABSENT: Representative Molinar

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Goal 3: Promote the Visual Image of El Paso

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55. An Ordinance amending the Future Land Use Map (FLUM) contained in "Plan El Paso" for the properties legally described as Tracts 20A, 20A2, 20B, 21 and 22A, Block 2, Ysleta Grant, City of El Paso, El Paso County, Texas, from O-3, Agriculture to G-7 Industrial.

Subject Property: 300 Nevarez and 546 Inglewood Applicant: RE Foundation, LLC. PLCP24-00004

56. An Ordinance changing the zoning of Tracts 20A, 20A2, 20B, 21 and 22A, Block 2, Ysleta Grant, 300 Nevarez and 546 Inglewood, City of El Paso, El Paso County, Texas, from R-F (Ranch-Farm) to C-4 (Commercial) and imposing conditions. 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: 300 Nevarez and 546 Inglewood Applicant: RE Foundation, LLC. PZRZ24-00004

57. An Ordinance amending the Future Land Use Map (FLUM) contained in "Plan El Paso" for the properties legally described as Tract 16-A, Block 2, Ysleta Grant, City of El Paso, El Paso county, Texas, from O-3, Agriculture to G-7 Industrial.

Subject Property: 445 Inglewood

Applicant: Valley Cold Storage and Transportation. PLCP24-00005

58. An Ordinance changing the zoning of Tract 16-A, Block 2, Ysleta Grant, 445 Inglewood, City of El Paso, El Paso County, Texas, from R-F (Ranch-Farm) to C-4 (Commercial). 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: 445 Inglewood

Applicant: Valley Cold Storage and Transportation. PZRZ24-00023

59. An Ordinance amending condition No. 1 and releasing conditions No. 3 and No.4 placed on property by Ordinance No. 019219 which changed the zoning of Lot 1, Block 1, Inglewood Subdivision, 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 condition release 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: 551 Inglewood

Applicant: Inglewood Properties, LLC, PZCR24-00002

60. An Ordinance releasing all conditions placed on property by Ordinance No. 019343 which changed the zoning of Tracts 2, 2B, and 3D, Block 2, Ysleta Grant, 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 condition release 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: 1000 Inglewood

Applicant: BRE Development, LLC, PZCR24-00003

61. An Ordinance changing the zoning of the property described as being the East 1/2 of Lot 5 and All of Lot 6, Block 67, Second Supplemental Map of Franklin Heights Addition, 1110 E. Rio Grande Avenue, City of El Paso, El Paso County, Texas from A-2 (Apartment) to S-D (Special Development), pursuant to Section 20.04.360, imposing a condition, and approving a detailed site development plan pursuant to Section 20.04.150 and 20.10.360 of the El Paso City Code to allow for a business office as permitted in the S-D (Special Development) zone district. 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: 1110 Rio Grande Ave. Applicant: Ernesto Vazquez, PZRZ23-00009

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

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62. An Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title and interest to Hector Perez II, of the following and described parcel:

Tract 1, J A Friedenbloom, Survey 130, Abstract 2732, an Addition to the City of El Paso, El Paso County, Texas.

In accordance with Section 34.05 (h) of the Tax Code. Section 34.05 (h) permits the City to sell a property for the total amount of the judgment and the sale of the property does not require the consent of each taxing entity entitled to receive proceeds from the sale.

PUBLIC HEARING WILL BE HELD ON NOVEMBER 12, 2024 FOR ITEMS 55 THROUGH 62

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

63. Motion made by Representative Fierro, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation 2024-0557 El Paso International Airport (EPIA) Five Node Intersection Remediation - Stage 1 to Jordan Foster Construction, LLC for a total estimated amount of \$22,367,117.50. This project consists of rehabilitating a portion of the airfield that the Federal Aviation Administration runway and safety action team identified as a "hotspot" located near the commercial service apron at the intersection of several taxiways creating a five-node intersection.

Department: Capital Improvement and El Paso International Airport

Award to: Jordan Foster Construction, LLC

City & State: El Paso, TX

Items: Base Bid I, Additive Alternate 1, and Additive Alternate 2

Contract Term: 475 Consecutive Days

Base Bid I: \$14,951,350.00

Additive Alternate 1: \$4,704,005.00

Additive Alternate 2: \$2,711,762.50

Total Estimated Award: \$22,367,117.50

Accounts: 562-3010-580270-62335-G62A204001

562-3080-580270-62335-G62A204001

Funding Sources: \$20,130,405.75 - Federal Aviation Administration FY24

Airport Improvement Plan Discretionary Funds

\$2,236,711.75 - Airport Enterprise

District: All

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing, El Paso International Airport, and Capital Improvement Departments recommend award as indicated to Jordan Foster Construction, LLC the lowest responsive and responsible bidder.

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

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

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

AYES: Representatives Acevedo, Hernandez, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Kennedy and Salcido

ABSENT: Representative Molinar

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

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64. Motion made by Representative Fierro, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation No. 2024-0076 Security Guard Services - Zoo to TriCorps Security, Inc., for a term of three (3) years for an estimated amount of \$1,459,800.00. This contract will allow the Zoo to maintain its facilities safe for the public and employees.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$202,140.00 for the annual term, which represents a 16.07% increase due to the increase in hourly rate.

Department: Zoo

Award to: TriCorps Security, Inc. City & State: Oklahoma City, OK

Item(s):AllInitial Term:3 YearsOption Terms:NATotal Contract Time:3 YearsTotal Annual Estimated Award:\$486,600.00Total Initial Term Estimated Award:\$1,459,800.00

Total Option Term Estimated Award: NA

Total Estimated Award: \$1,459,800.00

Account(s) 452 - 3400 - 52130 - 522120 - P5234

Funding Source(s): Zoo Operations

District(s):

This was a Best Value Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and Zoo Department recommend award as indicated to TriCorps Security, Inc., the highest ranked bidder based on the evaluation factors established in the evaluation criteria for this procurement and to deem Carl Wayne Govan dba Texas Crime Prevention & Investigation non-responsive due to failure to submit the required bid form.

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.

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

AYES: Representatives Acevedo, Hernandez, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Kennedy and Salcido

ABSENT: Representative Molinar

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65. Motion made by Representative Rivera, seconded by Representative Canales, and unanimously carried to **AWARD** Solicitation 2024-0525 Fire Station 22 Renovations to Medlock Commercial Contractors, LLC for a total estimated amount of \$2,612,471.00. This project consists of renovating Fire Station No. 22 to include partial building demolition, interior demolition, and a new addition to comply with new fire station standards.

Department: Capital Improvement

Award to: Medlock Commercial Contractors, LLC

City & State: El Paso, TX Item: Base Proposal I

Contract Term: 227 Consecutive Calendar Days

Base Proposal I: \$2,612,471.00 Total Estimated Award: \$2,612,471.00

Account: 190-4820-29090-580270- PCP23FS22RENOV8

Funding Source: Public Safety Bond

District: 8

This was a Competitive Sealed Proposal Procurement, lump sum contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Medlock Commercial Contractors, LLC the highest ranked offeror based on the evaluation factors established in the evaluation criteria for this procurement.

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.

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 Acevedo, Hernandez, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Kennedy and Salcido

ABSENT: Representative Molinar

66. Motion made by Representative Fierro, seconded by Representative Canales, and unanimously carried to **AWARD** Solicitation 2025-0015 Police Motorcycles to Jimenez Motorsports, LLC for a one-time purchase for an estimated amount of \$567,970.02. This contract will allow the Police Department to purchase patrol motorcycles for highway traffic enforcement.

Contract Variance:

The difference based in comparison to the previous contract is as follows: A decrease of \$1,198,040.58 for the initial term, which represents a 67.84% decrease. The decrease is due to the removal of communication instruments from the previous contract.

Department: Police Department

Award to: Jimenez Motorsports, LLC

City & State: San Antonio, Texas

Item(s):

Initial Term: One-Time Purchase

Option Term: NA

Total Contract Time: One-Time Purchase

Annual Estimated Award: \$567,970.02 Initial Term Estimated Award: \$567,970.02

Option Term Estimated Award: N/A

Total Estimated Award: \$567,970.02

Account(s): 321-4930-21000-580290-PIF23PDCAP

Funding Source(s): Heavy Equipment.

District(s):

Non-competitive unit price contract under Procurement Sourcing Policy Section 9.1.8.1 (2): If a contract cannot be awarded after two competitive procurements/selection process. The requirement can be fulfilled by a non-competitive award.

The Purchasing & Strategic Sourcing Department and Police Department recommend award as indicated to Jimenez Motorsports, LLC under the exemption listed above.

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.

AYES: Representatives Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Kennedy

ABSENT: Representative Molinar

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

67. Motion made by Representative Rivera, seconded by Representative Fierro, and unanimously carried to AWARD Solicitation 2024-0669 Thermoplastic Striping (Re-Bid) to Pavement Marking, LLC dba PMI Pavement Marking, LLC for an initial term of seven hundred thirty (730) consecutive calendar days for an estimated amount of \$834,000.00. The award also includes a seven hundred thirty (730) consecutive calendar days option for an estimated amount of \$834,000.00. The total contract time is for one thousand four hundred sixty (1,460) consecutive calendar days for a total estimated amount of \$1,668,000.00. This project will consist of ondemand application of thermoplastic striping and markings on City owned right-of-way.

Departments: Capital Improvement and Streets and

Maintenance

Award to: Pavement Marking, LLC dba PMI Pavement

Marking, LLC

City & State: Phoenix, AZ

Item(s):

Initial Term: 730 Consecutive Calendar Days
Option Terms: 730 Consecutive Calendar Days
Total Contract Time: 1,460 Consecutive Calendar Days

Initial Term Estimated Award: \$834,000.00
Option Term Estimated Award: \$834,000.00
Total Estimated Award: \$1,668,000.00

Account(s): 532-1000-32020-522270-P3254

Funding Source(s): General Fund

District(s):

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing, Capital Improvement and Streets and Maintenance Departments recommend award as indicated to Pavement Marking, LLC dba PMI Pavement Marking, LLC the sole lowest responsive and responsible bidder.

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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 Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Kennedy

ABSENT: Representative Molinar

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:

Goal 3: Promote the Visual Image of El Paso

68. *Motion made, seconded, and unanimously carried to **DELETE** the public hearing of an Ordinance amending Title 20 (Zoning), Chapter 20.20 (Historic Landmark Preservation). The penalty is as provided in Chapter 20.24 of the El Paso City Code.

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69. ORDINANCE 019677

The City Clerk read an Ordinance entitled: AN ORDINANCE GRANTING TO RIVER ELMS, LLC A NON-EXCLUSIVE FRANCHISE FOR WASTE CONTAINERS ON SIDEWALKS AND OTHER CITY PROPERTY.

Representative Acevedo commented.

Ms. Dionne Mack, City Manager, commented.

Motion duly made by Representative Fierro, seconded by Representative Canales, 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 Acevedo, Salcido, Fierro, Rivera, and Canales

NAYS: Representative Hernandez

NOT PRESENT FOR THE VOTE: Representative Kennedy

ABSENT: Representative Molinar

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

REGULAR AGENDA – OTHER BUSINESS: Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development 70. RESOLUTION

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

That the Director of Aviation be authorized to sign and submit a grant application and related documentation to the Federal Aviation Administration (FAA) and be designated the official representative of the City of El Paso to act in connection with the application process for the Airport Zero Emissions Vehicle and Infrastructure Pilot (ZEV) grant program.

That upon approval and issuance of such grant by the FAA, the City Manager, or designee, be authorized to accept and sign the grant agreement, any related grant modifications, and other necessary documents when the form and substance of those documents have been reviewed and approved by the City Attorney's Office, and that such authorization will include the ability to accept and sign multiple agreements and documents, as the FAA grant may be issued in various disbursements;

That the City Manager, or designee, be authorized to approve and sign any budget transfers needed to establish appropriations in connection with this grant.

The total grant amount shall include a federal estimated share of \$1,500,000.00 and an estimated match of \$150,000.00 to be paid for with Airport Enterprise Funds, totaling \$1,650,000.00 for the FY 2025 Electric Fleet and Charging Infrastructure Project.

Motion made by Representative Fierro, seconded by Representative Canales, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Kennedy

ABSENT: Representative Molinar

71. RESOLUTION

WHEREAS, on March 11, 2021, the federal government enacted the American Rescue Plan Act ("ARP A"), which established the Coronavirus State Fiscal Relief Fund & Coronavirus Local Fiscal Relief Fund ("CSLFRF") and appropriated \$150 billion to the Fund to be used to

address the economic fallout caused by the COVID-19 pandemic; and

WHEREAS, the City is a recipient of \$154,365,135 under the ARPA funding grant; and

WHEREAS on May 9th, 2022 the City Council appropriated ARP A funds to be used by the City in accordance with the requirements stipulated by the CSLFRF, ARP A and federal guidelines; and

WHEREAS, the City desires to enter into a Subrecipient Agreement with Borderplex Community Capital, Inc. ("BCC"), a 50l(c)(3) non-profit organization, whereby BCC will administer ARPA Act funds to establish the *BCC Interest Buy Down Program* which is designed to provide small businesses affected by the COVID-19 pandemic with comprehensive support and access to affordable capital at a reduced interest rate to 2%; and

WHEREAS, the City's expenditure under this Agreement is, in the reasonable judgement of the City Council, a necessary expenditure incurred due to the public health emergency with respect to COVID-19, and which was not accounted for in the budget most recently approved as of the date of enactment of this section for the City; and

WHEREAS, the City's expenditure under this Subrecipient Agreement is related to the provision of grants to reimburse small businesses for the costs of business interruptions caused by required COVID-19 closures.

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

That the City Manager be authorized to execute a Subrecipient Agreement by and between the City of El Paso and Borderplex Community Capital, Inc. ("BCC"), providing \$200,000 to BCC to administer ARPA Act funds to establish the *BCC Interest Buy Down Program* which is designed to provide small businesses affected by the COVID-19 pandemic with comprehensive support and access to affordable capital at a reduced interest rate to 2%.

Mayor Leeser and Representative Canales commented.

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

AYES: Representatives Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Kennedy

ABSENT: Representative Molinar

72. RESOLUTION

WHEREAS, by the City of El Paso Ordinance No. 016528, adopted December 19, 2006, the City Council created Tax Increment Reinvestment Zone Number Five, City of El Paso, Texas (the "TIRZ 5"), establishing the boundaries of the Zone as described therein, pursuant to the provisions of the Tax Increment Financing Act, Chapter 311, Texas Tax Code (as amended, the "Act"); and later amended by Ordinances No. 016803 and 016804 on December 18, 2007, by Ordinance No. 017821 on July 17, 2012, and by Ordinance No.

018049 on July 30, 2013; and

WHEREAS, the City Council identified that 100% of the City of El Paso's ("City") portion of the property tax increment collected on real property located within this Zone would be contributed to the TIRZ's 5 Tax Increment Financing Fund (the "TIF Fund"); and

WHEREAS, on July 12, 2024, the City Council adopted a Project and Financing Plan for TIRZ 5 (the "Plan"), as required by Section 311.011(a) of the Act which identifies eligible project costs of the TIF Fund; and

WHEREAS, Section 311.010(b) of the Act allows the use of revenue in the TIF Fund to pay any project costs that benefit the reinvestment zone, including economic development grants; and

WHEREAS, the TIRZ 5 Board held a public hearing on September 4, 2024 and recommended approval of the funding request; and

WHEREAS, Borderplex Community Capital ("BCC") is a mission-driven nonprofit Community Development Financial Institution ("CDFI") established in 2020 to address disparities in access to capital for underserved entrepreneurs in El Paso County and Far West Texas; and

WHEREAS, BCC provides low-interest loans and critical financial support to nonprofits and small businesses; and

WHEREAS, BCC will establish the revolving loan program, the *Frontera Future Fund*, which offers small business loans of up to \$100,000 with a maximum interest rate of 18% to businesses within the TIRZ 5; and

WHEREAS, the revolving loan program may empower small businesses to launch, grow, or stabilize their operations; and

WHEREAS, as businesses repay their loans, the funds will be continuously reinvested to create a sustainable source of capital for future entrepreneurs.

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

That the City Manager be authorized to sign a Chapter 380 Economic Development Program Agreement ("Agreement") by and between the CITY OF EL PASO (the "City") and BORDERPLEX COMMUNITY CAPITAL, INC. (the "Applicant"), a 501(c)(3) nonprofit organization, to provide \$500,000 incentive to the Applicant to establish the Revolving Loan Program, the "Frontera Future Fund," which will provide access to small businesses within the City's Tax Increment Reinvestment Zone No. 5 ("TIRZ 5"). Additionally, the City will provide continued support through an annual contribution of \$250,000, with the goal of reaching a total investment of \$1,500,000 by year 2028.

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

AYES: Representatives Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Kennedy

ABSENT: Representative Molinar

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73. RESOLUTION

WHEREAS, on March 11, 2021, the federal government enacted the American Rescue

Plan Act ("ARPA"), which established the Coronavirus State Fiscal Relief Fund & Coronavirus Local Fiscal Relief Fund ("CSLFRF") and appropriated \$150 billion to the Fund to be used to address the economic fallout caused by the COVID-19 pandemic; and

WHEREAS, the City of El Paso ("City") is a recipient of \$154,365,135 under the ARPA funding grant; and

WHEREAS, on May 9th, 2022 the City Council appropriated ARPA funds to be used by the City in accordance with the requirements stipulated by the CSLFRF, ARPA and federal guidelines; and

WHEREAS, the City desires to enter into a Subrecipient Agreement with Junior Achievement of the Desert Southwest, Inc. ("JA"), a nonprofit organization, whereby JA will administer ARPA Act funds to institute the *Workforce Development Pathways for Opportunity Youth Program* which is designed to empower opportunity youth aged 16-25 with essential workforce skills, coaching, and direct connections to potential employment opportunities; and

WHEREAS, the City's expenditure under this Agreement is, in the reasonable judgement of the City Council, a necessary expenditure incurred due to the public health emergency with respect to COVID-19, and which was not accounted for in the budget most recently approved as of the date of enactment of this section for the City; and

WHEREAS, the City's expenditure under this Subrecipient Agreement is related to the provision of grants to reimburse small businesses for the costs of business interruptions caused by required COVID-19 closures.

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

That the City Manager be authorized to execute a Subrecipient Agreement by and between the City of El Paso and Junior Achievement of the Desert Southwest, Inc. ("JA"), providing \$100,000 to, JA to administer ARPA Act funds to establish the *Workforce Development Pathways for Opportunity Youth Program* which is designed to empower opportunity youth aged 16-25 with essential workforce skills, coaching, and direct connections to potential employment opportunities.

The following members of the public commented:

- 1. Ms. Bianca Delilah Cervantes
- 2. Ms. Lupe Mares

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

AYES: Representatives Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Kennedy

ABSENT: Representative Molinar

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74. RESOLUTION

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

THAT \$1,000,000.00 be allocated to the U.S. Economic Development Administration (EDA) Fiscal Year 2024 Build to Scale (B2S) Program for the El Paso Technology Infrastructure Cooperative (Project) from the Impact Fund and the funds are available, committed to the project, and unencumbered; and

THAT the City of El Paso City Council authorizes participation in the application process through the Business One-Stop Shop (BOSS) program; and

THAT the City Manager or designee is authorized to establish future funding sources and make any budget transfers necessary for the City's continued participation in the Project; and

THAT the City Manager or designee be authorized to execute all documents required to effectuate the City's participation in the Project.

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

AYES: Representatives Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Kennedy

ABSENT: Representative Molinar

Motion made by Representative Rivera, seconded by Representative Hernandez, and unanimously carried to **ADJOURN** this meeting at 12:45 p.m.

AYES: Representatives Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Kennedy

ABSENT: Representative Molinar

APPROVED AS TO CONTENT:

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Laura D. Prine, City Clerk