

RENARD U. JOHNSON
MAYOR

DIONNE MACK
CITY MANAGER



CITY COUNCIL
ALEJANDRA CHÁVEZ, DISTRICT 1
JOSH ACEVEDO, DISTRICT 2
DEANNA MALDONADO-ROCHA, DISTRICT 3
CYNTHIA BOYAR TREJO, DISTRICT 4
IVAN NIÑO, DISTRICT 5
ART FIERRO, DISTRICT 6
LILY LIMÓN, DISTRICT 7
CHRIS CANALES, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

January 7, 2025
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 9:02 a.m. Mayor Renard Johnson was present and presiding and the following Council Members answered roll call: Alejandra Chávez, Josh Acevedo, Deanna Maldonado-Rocha, Cynthia Boyar Trejo, Ivan Niño, Art Fierro, Lily Limón, and Chris Canales.

INVOCATION BY EL PASO POLICE SENIOR CHAPLAIN DAVID MAYFIELD

PLEDGE OF ALLEGIANCE

REGULAR AGENDA AGENDA – OTHER BUSINESS:

MEMBERS OF THE CITY COUNCIL

1. Discussion and action on the election of Mayor Pro Tempore and Alternate Mayor Pro Tempore.

Motion made by Representative Niño, seconded by Representative Acevedo, and unanimously carried to **ELECT** Alejandra Chávez as Mayor Pro Tempore and Art Fierro as Alternate Mayor Pro Tempore.

AYES: Representatives Chávez, Acevedo, Rocha, Trejo, Niño, Fierro, Limón, and Canales
NAYS: None

2. **RESOLUTION ADOPTING THE
RULES OF ORDER FOR THE EL PASO CITY COUNCIL
REVISED, AS EFFECTIVE JANUARY 7TH, 2025.**

SECTION 1. PURPOSE OF RESOLUTION

This Resolution is adopted pursuant to Section 3.5.B of the Charter of the City of El Paso as a procedural guide for the benefit of the City Council and for the general information of the public. These rules shall apply to regular, special and work session meetings at which action

is to be taken, but shall not apply to meetings for committees of the City Council or to informational gatherings of the Council.

SECTION 2. RULES OF ORDER

Robert's Rules of Order Revised shall govern the procedures of Council unless they are in conflict with these rules.

SECTION 3. EFFECT OF FAILURE TO FOLLOW THESE RULES

No action of the Council that is otherwise legal shall be invalidated merely by reason of the failure of the Council or City staff to follow these Rules of Order, unless the majority of the Council agrees that such action shall be invalidated.

SECTION 4. STANDING

No one other than a member of the City Council shall have standing to assert before the Council that any action taken by the Council is invalid by reason of the Council's failure to comply with these Rules of Order.

SECTION 5. SUSPENSION OF RULES

These rules may be suspended temporarily by a majority of the Council members present and voting, except as they pertain to a quorum, or to the majority required for any motion, or to other matters pre-empted by laws other than those Rules of Order.

SECTION 6. PRESIDING OFFICER

The Mayor shall preside at all meetings of the City Council, but if for any reason he is absent from the City, sick or unable to act, then the Mayor Pro Tempore shall preside at such meetings and at such times shall exercise all of the powers and discharge the duties of the Mayor, except that the Mayor Pro Tempore shall vote as a Representative. In the absence or inability of both the Mayor and the Mayor Pro Tempore, the Alternate Mayor Pro Tempore shall preside and shall vote as a Representative. Upon the arrival of the Mayor, the Mayor Pro Tempore or the Alternate Mayor Pro Tempore, the acting chairman shall immediately relinquish the chair upon the conclusion of the business immediately pending before the Council.

The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council, and shall state questions coming before the Council as necessary for clarity, and shall announce the decision of the Council on all subjects. The Presiding Officer shall disable the microphone at the podium when he determines that the speaker has violated council rules of order.

SECTION 7. QUESTIONS OF ORDER

All questions of order shall be decided by the presiding officer with the right of appeal from his or her decision to the Council that is present, the majority of whom, present and voting, may override the decision.

SECTION 8. VOTING

The electronic voting system shall be utilized for the casting of the roll call votes of the Council in Council Chambers except as otherwise provided herein. The City Clerk shall call for an electronic vote and each Representative shall, without undue delay, cast his or her vote on the electronic voting system. When all votes have been cast, the City Clerk will review, announce and display the results of the voting, and staff will capture the display on the digital recording of the meeting or fully read the results into the record. In the event of a tie vote, the City Clerk will announce the results and call for the Mayor's vote before displaying the results. Any error in voting or any discrepancy between the display of the votes and the City Clerk's announcement of the results shall be corrected prior to the time that the Council proceeds to consider the next agenda item.

The requirements under this section for the use of the electronic voting system shall be automatically suspended under the following circumstances and for the duration as announced by the City Clerk: (a) upon the announcement of the City Clerk that the electronic voting system is not working properly; (b) for votes on procedural matters including motions to recess and to take an agenda item out of order, and votes by acclamation; (c) when the Council is voting on more than one agenda item simultaneously; and (d) when more than one vote will be taken pertaining to an agenda item and in such instance, the City Clerk shall announce which vote shall be taken by use of the electronic voting system and which vote(s) shall be taken only by voice vote.

In the event that the use of the electronic voting system is suspended or the system is otherwise not available, the City Clerk shall call the roll beginning with the Representative seated furthest to the Mayor's right and continuing in that order. Each Representative shall audibly indicate his or her vote.

Records of all roll call votes shall be incorporated in the Minutes of the meeting.

SECTION 9. RECORDED DEBATE

A Representative may request, through the presiding officer, to have an abstract of his or her statement on any subject under consideration by the Council entered in the Minutes or to attach any document referenced during a Council meeting to the Minutes. The recording secretary may be directed by the presiding officer to enter in the Minutes a synopsis of the discussion on any question coming before the Council.

SECTION 10. ORDER OF PRECEDENCE OF MOTIONS

The order of procedure of motions is set forth in Exhibit "A" attached hereto and fully incorporated by reference.

SECTION 11. MOTION TO RECONSIDER

A motion to reconsider any action taken by the Council may be made at any time prior to adjournment of the same meeting at which such action was taken.

SECTION 12. OBTAINING THE FLOOR

Every person desiring to speak shall address the presiding officer, and when recognized by the presiding officer, shall address only the question under consideration. There will not be a time limit to the time allowed for each Representative to have the floor, and the Presiding officer has discretion to end discussion on an item, or to give the floor to another representative.

SECTION 13. RIGHT OF CITIZENS TO BE HEARD

Public Hearings/Agenda Items:

Any member of the public shall have a reasonable opportunity to be heard at all public hearings of the City Council in regard to any and all matters to be considered at such hearings that are germane and relative to any subject matter of City affairs or business which is within the scope of the authority and legislative functions of the City Council. Provided, however, that the time allowed for each citizen's appearance before City Council will be limited to a fixed number of minutes at the discretion of the presiding officer. Members of the public will usually be granted three (3) minutes to present their position on issues. If a member of the public addresses City Council through a translator into English, he or she will be granted six (6) minutes to present. Time will be kept by the City Clerk. The presiding officer may grant a speaker additional time at his or her discretion.

Public Comment/Non Agenda Items:

A maximum of sixty (60) minutes will be allotted for a public comment portion of each regular City Council meeting. The City Council will designate time to allow members of the public to have a reasonable opportunity to provide comment on items not already posted on the agenda, except that no person shall engage in political advertising contrary to state law. Persons wishing to provide comment during the public comment portion of the City Council agenda must sign up prior to 9:00 a.m. on the day of the City Council meeting either online or by using the sign-in sheet for the public outside of Council Chambers on the day of the Council meeting up until 9:00 a.m. Any person signing up to provide comment during the public comment portion of the agenda must provide their name, address and a short description of the topic(s) of their comment. Members of the public are required to speak on the topic identified upon the sign-in sheet. If the speaker is a lobbyist, he or she must indicate that fact on the audience participation sheet and prior to commencing his/her comments in compliance with the City's Lobbying Ordinance. Members of the public may not grant their time to another nor may they purport to speak for another who is not present at the meeting. If someone would like a document or letter to become a part of the record, they may do so by providing the City Clerk with copies of the document or letter no later than 9:00 a.m. on the morning of the meeting, which will be distributed to the Council. It shall not be necessary to read the letter into the record. Interpretation services are only to be provided by the certified interpreter provided by the City.

A document camera and projection system ("Overhead Projector") is available for use for public comment on posted items and call to the public. Members of the public shall submit any document they wish to present on the Overhead Projector to the City Clerk no later than close of business on the previous City business day before the meeting date. Any document that contains insulting, profane, threatening or abusive language, nudity, or campaign material will be rejected. City Staff will assist members of the public in using the Overhead Projector during the meeting. In order to ensure cyber security, members of the public are prohibited from sending or utilizing presentations in any electronic format, including but not limited to email, and from using a Universal Serial Bus (USB) compact disk (CD) or digital versatile disk (DVD) for public comment and call to the public. A member of the public who wishes to make an electronic presentation may bring printed documents to the City Clerk's office no later than close of business on the previous City business day before the meeting date to be scanned for presentation during the meeting.

To facilitate the receiving of comment from as many citizens as possible who are interested in bringing topics forward to the City Council for comment, a person may sign up to obtain one-time slot to speak or otherwise make a presentation on one or more specified topics during the public comment portion of a City Council meeting. This provision does not restrict any member of the public from signing up to speak on items posted on the regular agenda or to ask questions regarding items posted on the consent agenda.

The time allotted for the public comment portion of the agenda shall be uniformly divided among those who have signed up to obtain a time slot and participate and except as provided below, no speaker will have more than three (3) minutes to speak or otherwise make a presentation, regardless of the number of topics a speaker wishes to address within his or her time slot. At the beginning of the public comment portion of the agenda, the City Clerk will make one announcement as to the amount of time that each person has to provide comment. The City Clerk will call each person signed up to make comment to the podium in the order that they signed up to speak and will keep time. Each topic brought forward will be for comment from the speaker and may not be deliberated by the members of Council nor rebutted or debated by members of the public. Any member of the City Council may propose that the topic

commented on be posted by staff on a future Council meeting agenda for the Council's discussion and action.

The presiding officer at his or her discretion may grant a speaker one (1) additional minute to wrap up his or her comments regardless of whether the allotted sixty (60) minutes will otherwise be taken up by the others making comment.

Members of the public wishing to ask a question regarding an item posted on the consent agenda or to speak regarding an item posted on the regular agenda must sign up prior to 9:00 a.m. on the day of the City Council meeting. The City Clerk shall make available the sign-in sheet for the public outside of Council Chambers on the day of the Council meeting up until 9:00 a.m. or online prior to 9:00 a.m. Persons may sign up to address multiple items, however this does not mean it is permissible to "mark all" or to sign up for every item "just in case" they wish to speak when the discussion on an item takes place. If a member of the public wishes to speak regarding an item, but did not sign up by 9:00 am, he or she may notify the City Clerk at any time prior to the call to vote on the item.

Members of the public who do not desire to speak but want to register support or opposition to an item on the agenda may do so by indicating their position on the audience participation form. The City Clerk will notify the Council of the number of position statements received and the tally when the agenda item is announced.

At the time that the consent agenda is taken up for consideration, the City Clerk shall advise the Mayor Pro Tempore whether persons in the audience have signed up to ask a question regarding an item posted on the consent agenda. The Mayor Pro Tempore shall have the floor and may ask the City Clerk to call those individuals up to the podium to hear their questions. At that time, the City Clerk will announce the agenda item number and call the person to the podium. The Mayor Pro Tempore may request the City Manager to respond to the questions raised by the members of the public. In his or her discretion, the Mayor Pro Tem may move the consent agenda item to the regular agenda for continued discussion and action by the City Council.

Members of Council may move to overrule the determinations by the Mayor Pro Tempore under this section by a simple majority vote of the Council members present and voting.

No person may speak a second time except by permission of the presiding officer, and further, no person shall be heard a second time until all persons desiring to speak once have been given the opportunity to do so.

Personal attacks are not permitted. Members of the public should address their questions to the Council, not to the staff. Council may in turn ask staff to provide input.

Members of the public may be asked to leave or be removed from Council Chambers if it is determined that they are disruptive to the meeting. Such determination will be made by the presiding officer. Members of Council may move to overrule such determination by the presiding officer subject to a simple majority vote of Council, present and voting.

SECTION 14. CALLING AND ORDER OF AGENDA ITEMS

Executive Session will be scheduled at the end of the meeting or other such time as determined by the Council. The Invocation and Pledge of Allegiance will take place no sooner than 9:00 a.m. Thereafter, the proceedings will take place as specified on the Attached **Exhibit "B"*****.

Items accepting or acknowledging donations to the City will be taken prior to consideration of the consent agenda. Items removed from the consent agenda by the Mayor Pro Tempore or

at the request of other Council members will be considered at the time when items for the related department are being considered or as otherwise requested by the Mayor Pro Tempore. The introduction of ordinances will be considered first on the regular agenda, followed by the procurement items posted on the regular agenda by the Financial Services and/or Engineering and Construction Management departments, and any reports or updates from the City's Committees, Boards and Commissions.

Notwithstanding the above provisions, the City Manager shall direct the placement of all matters relating to the City Council's adoption of the annual City budget and associated matters relating to the start of each new fiscal year and the adoption of the tax levy on one or more agendas so as to meet all required statutory and charter deadlines.

At the time that each agenda item is to be considered by the City Council, the City Clerk will announce all agenda items by number and a brief statement as to the nature of the item when appropriate. In the case of a revision, the City Clerk or staff shall read the item into the record, as appropriate.

SECTION 15. PARLIAMENTARIAN

The City Clerk and the Deputy City Clerk are confirmed to serve as Parliamentarian and Alternate Parliamentarian, respectively.

SECTION 16. USE OF ELECTRONIC DEVICES

Electronic devices within Council chambers shall be used in accordance with all established City practices and procedures and as directed by Information Technology Department staff providing support services during a meeting. City staff, other than the dignitary protection officers, and members of the public shall turn off the signals of all pagers, cellular telephones and other devices capable of making an audible signal and shall not make or take any telephone calls while in Council chambers once a Council meeting has been called to order.

Members of the City Council shall not use any electronic devices other than the desk top computers provided by the City of El Paso located at their seats during any City Council meeting or City Council work sessions. The use of communication devices of any kind, including but not limited to: hand-held portable communication devices, cellphones, computers, tablets, laptops, watches, etc. is expressly prohibited during City Council meetings and shall not be allowed in the room during closed sessions unless they are being used to aid in executive session presentations.

If the City Council member needs to take a telephone call, respond to a text message, etc. during a meeting, he or she must excuse themselves from the dais or room where the closed session is taking place to engage in that communication.

The use of the desktop computers during City Council shall be limited to voting, viewing presentations, research to aid the council member and communication via email to staff. During meetings, City Council members shall not text, tweet, blog, post on Facebook, Instagram or use any other social media platform.

SECTION 17. TIME AND LOCATION OF MEETINGS

The Mayor and Council may by action of Council approved by a majority of Council, reschedule the time and place of any City Council meeting in accordance with the requirements of the Texas Open Meetings Act.

**Exhibits available at the City Clerk's Office.

Representative Canales commented.

Motion made by Alternate Mayor Pro Tempore Fierro, seconded by Representative Rocha, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Chávez, Acevedo, Rocha, Trejo, Niño, Fierro, Limón and Canales
NAYS: None

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NOTICE TO THE PUBLIC

Motion made by Representative Acevedo, seconded by Representative Canales, 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 Chávez, Acevedo, Rocha, Trejo, Niño, Fierro, Limón, and Canales
NAYS: None

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CONSENT AGENDA – APPROVAL OF MINUTES:

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

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3. *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes of the Regular City Council Meeting of December 17, 2024, the Work Session of December 16, 2024, and the Agenda Review Meeting of December 16, 2024.

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CONSENT AGENDA – REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

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4. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMEBERS

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

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CONSENT AGENDA – RESOLUTIONS:

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Goal 3: Promote the Visual Image of El Paso

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5. That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment A)

Representative Canales commented.

1ST MOTION

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

2ND AND FINAL MOTION

Motion made by Representative Limón, seconded by Representative Fierro, and unanimously carried to **POSTPONE TWO WEEKS** the Solid Waste liens listed below:

Address	Owner of Record	Amount	District
5125 SIERRA MADRE DR	DUARTE DAVID R & ZAPATA MARTHA A	\$535.50	2

8120 LEO ST	RAMIREZ EVERARDO	\$565.00	2
8311 MOUNT SCOTT DR	PESAE ISMAEL	\$451.50	2
5008 ANCHORAGE AVE	GONZALEZ DAVID R & ANGIE	\$565.00	4
5100 YVETTE AVE	BOWEN CLOYD F SR	\$362.50	4
14844 HARRY FLOURNOY AVE	DIAZ LUIS JR & VEGA JESSICA M	\$382.00	5
301 SERENO	SAWYER CHRISTOPHER & ANDREA	\$366.00	7
8770 ROSEWAY DR	CERVANTES MARIA	\$443.00	7
8784 BUENA PARK DR	MEDINA JUAN A & MARTHA G	\$490.00	7

AYES: Representatives Chávez, Acevedo, Rocha, Trejo, Niño, Fierro, Limón, and Canales
 NAYS: None

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CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS:

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

6. *Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds greater than \$2,500 listed below:
1. Rosalinda Duran, in the amount of \$3,546.00, made an overpayment on November 6, 2024 of 2024 taxes. (Geo. #P324-999-0090-4500)
 2. CoreLogic, in the amount of \$4,356.51, made an overpayment on November 30, 2023, of 2023 taxes. (Geo. # V887-999-0050-0750)

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CONSENT AGENDA –NOTICE OF CAMPAIGN CONTRIBUTIONS:

Goal 5: Promote Transparent and Consistent Communication Amongst All Members of the Community

7. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Representative Alejandra Chávez in the amounts of \$1,000 from Douglas Schwartz, \$1,000 from Brent Harris, and \$2,500 from Raymond & Kathy Palacios.

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CONSENT AGENDA – BIDS:

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

8. *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Managing Director of Purchasing & Strategic Sourcing to issue Purchase Order(s) to increase contract 2019-869 Grounds Maintenance-City Facilities to Delta Unlimited, LLC dba Delta Pest Control & Lawn Service. This change order will increase referenced contract by \$190,147.00 for a total Estimated amount not to exceed \$1,232,150.00. This change order will provide additional capacity for the duration of the contract and while a replacement contract is awarded.

Department:	Streets and Maintenance
Award to:	Delta Unlimited, LLC dba Delta Pest Control & Lawn Service
City & State:	El Paso, TX
Current Contract Estimated Amount:	\$1,042,003.00
Change Order Award:	\$190,147.00
Total estimated Amount not to Exceed:	\$1,232,150.00
Account(s):	532-1000-522260-31040-P3120
Funding Source(s):	General Fund
District(s):	All

This was a Best Value Bid Award – unit price contract.

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 The Regular City Council meeting was **RECESSED** at 9:50 a.m.

The Regular City Council meeting was **RECONVENED** at 12:00 p.m.

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CALL TO THE PUBLIC – PUBLIC COMMENT:

Ms. Elizabeth Crawford, citizen, commented.

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REGULAR AGENDA – FIRST READING OF ORDINANCES:

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 Motion made by Representative Acevedo, seconded by Representative Fierro, and unanimously carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

AYES: Representatives Chávez, Acevedo, Rocha, Trejo, Niño, Fierro, Limón and Canales
 NAYS: None

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

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 9. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 Schedules), Section 2.88.200 (Schedule XVII-Restrictions on Parking in Residential Districts), Subsection Zone O: No Parking Any Time, Tow Away Zone, of the El Paso City Code, to add Item 2: 3720 E. San Antonio Ave. to 3828 E. San Antonio Ave., south side only; to add Item 3: Gateway Blvd. South from E. San Antonio Ave. to Findley Ave., west side only; to add Item 4: 3700 Findley Ave. to 3821 Findley Ave., north side only; to add Item 5: 3808 Findley Ave. to 3816 Findley Ave., south side only; to add Item 6: Alley Between E. San Antonio Ave. and Findley Ave., from Stevens St. to E. San Antonio Ave., both sides; to add Item 7: S. Stevens St. from Findley Ave. to the alley of Findley Ave., east side only; to add Item 8: S. Latta St. from E. San Antonio Ave. to Findley Ave., both sides; the penalty being provided In Chapter 12.88 of the El Paso City Code.

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PUBLIC HEARING WILL BE HELD ON JANUARY 22, 2025

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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

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 10. Motion made by Representative Acevedo, seconded by Representative Limón, and unanimously carried to **APPROVE** the removal of award of Task Order 2 under Solicitation

2023-0397 in support of the Wainwright Park Phase II project to Keystone GC LLC in an estimated award of \$721,242.31. Project's scope of work complete the park to include zip line playground equipment, landscaping, resurface of existing basketball court, and new metal canopy.

Representatives Acevedo and Canales commented.

Ms. Yvette Hernandez, City Engineer commented.

AYES: Representatives Chávez, Acevedo, Rocha, Trejo, Niño, Fierro, Limón, and Canales
NAYS: None

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REGULAR AGENDA – EMERGENCY ORDINANCES:
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Goal 2: Set the Standard for a Safe and Secure City
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11. ORDINANCE 019703
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**AN EMERGENCY ORDINANCE EXTENDING EMERGENCY ORDINANCE NO. 019333
AUTHORIZING THE CITY MANAGER TO ASSIGN PERSONNEL AND RESOURCES TO
ASSIST IN ADDRESSING THE HUMANITARIAN AND PUBLIC SAFETY CRISIS
RESULTING FROM A MASS MIGRATION THROUGH EL PASO**

WHEREAS, on May 23, 2022, the Mayor and City Council of the City of El Paso (the “City”) passed an Emergency Ordinance No. 019333 “Authorizing the City Manager to Assign Personnel and Resources to Assist in Addressing the Humanitarian and Public Safety Crisis Resulting from a Mass Migration through the City of El Paso”; and

WHEREAS, the City finds that the expenditure of public funds for staff to coordinate resources and supplies, serve as shelter surge staff and transport migrants released in the City of El Paso accomplishes a valid public purpose of protecting public infrastructure, and protecting the health, safety and welfare of the citizens of El Paso; and

WHEREAS, in response to potential street releases and partly pursuant to Emergency Ordinance No. 019333, the El Paso City-County Office of Emergency Management (“OEM”) reallocated COVID-19 Operations staff to assist as migrant shelter surge staff and created a job specification, for general disaster operations to include humanitarian relief duties to hire and assign staff to assist with NGO capacity; and

WHEREAS, in the Fall of 2022, at least partly pursuant to the authority contained in Emergency Ordinance No. 019333, the City expended significant resources to create and staff a Welcome Center to assist with transportation assistance, providing long-distance charter services and over 39,000 meals to over 19,300 migrants through October 20, 2022; and

WHEREAS, the Director of Aviation has the authority, as granted by the El Paso City Council, to manage the day-to-day operations of the El Paso International Airport (“EPIA”) and to ensure that those operations are conducted in compliance with the rules and regulations regarding airports under Title 14 of the Code of Federal Regulations, Chapter 22 of the Texas Transportation Code, and Title 14 of the El Paso City Code, as well as federal, state, and local health and safety regulations to ensure the health, safety, and welfare of all occupants and travelers making use of EPIA facilities; and

WHEREAS, from time to time during the migration waves, EPIA in recent past, has become saturated with migrants awaiting air travel and has needed to take measures to preserve the health and safety of its customers, employees and the public, as well as measures to secure its facilities as the demand for air travel increases exponentially; and

WHEREAS, the City of El Paso is home to four international ports of entry between Texas and Mexico; and

WHEREAS, at times during the pendency of Emergency Ordinance No. 019333, border officials have barricaded and closed down the Paso del Norte bridge due to a breach of public safety involving hundreds of migrants present on the bridge attributed to rumors about the relaxation of immigration restrictions circulated on social media sites, which has caused significant delays at the international ports-of-entry involving trade; and

WHEREAS, the encampment of large groups of migrants on City rights of way, parks and other City property at one point led to street closures and cessation of the streetcar service and reassignment of City staff required to ensure safety and sanitary conditions in that area; and

WHEREAS, in order to protect the health of persons in the municipality, the City Council wishes to continue to assist the local non-governmental organizations (“NGOs”) with surge staff, coordination of resources and supplies, and transportation in light of the continued high number of community releases; and

WHEREAS, the Biden administration ended the COVID-19 public health emergency on May 11, 2023 ending all use of Title 42 as a mechanism to control the border; and

WHEREAS, at that time and subsequent to that time, tens of thousands of migrants from Latin America and around the world gathered at or near the U.S.- Mexico border in hopes that President Biden would ease immigration restrictions that will make it easier to enter the United States; and

WHEREAS, the El Paso sector of U.S. Customs and Border Patrol (“CBP”) had 256,102 land border encounters and over 180,581 community releases in the federal fiscal year 2024; and

WHEREAS, for federal fiscal year 2025, the Southwest had 101,138 migrant encounters; and

WHEREAS, when the CBP Central Processing Center is over capacity and the NGO space is unavailable, that is when the potential for street releases arises; and

WHEREAS, the release of mass groups of people without access to potable water, food, or shelter exposes the migrants and El Paso residents to the origination and spread of potential and actual disease; and

WHEREAS, there are significant public safety and security concerns related to the waves of migration, including but not limited to the risk of injury or loss of life with migrants in El Paso streets with little or no resources on days that reach hot or cold temperatures and the inherent risks that come with increased demand on local shelters; and

WHEREAS, for these reasons, the City is faced with the imminent threat of widespread injury or loss of life resulting from a surge in transient migrants traveling to the region; and

WHEREAS, there is the potential for loss of property for both residents and migrants due to those who would take financial advantage of these waves of migrants; and

WHEREAS, the White House issued a proclamation, effective June 5, 2024, limiting asylum eligibility, and increasing the consequences for crossing the southern border without authorization; and

WHEREAS, the El Paso City Charter Section 3.10, allows for the adoption of one or more emergency ordinances to meet a public emergency affecting life, health, property, or the public peace; and

WHEREAS, Section 121.003 of the Texas Health & Safety Code states that a municipality may enforce any law that is reasonably necessary to protect public health; and

WHEREAS, Section 122.006 of the Texas Health & Safety Code provides home-rule municipalities express authority to adopt rules to protect the health of persons in the municipality, including quarantine rules to protect the residents against communicable disease; and

WHEREAS, this Ordinance shall remain in effect until otherwise terminated, re-enacted, superseded by a conflicting ordinance, El Paso Local Health Authority Ordinance, state or federal law, or repealed automatically as of the 31st day following the date on which it was adopted unless re-enacted pursuant to City Charter Section 3.10; and

WHEREAS, this document reflects the authority of the City of El Paso's Office of Emergency Management in the handling of the local mass migration and is separate and apart from any authority possessed by any other jurisdiction on migrant issues.

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

1. That the Emergency Ordinance No. 019333 passed and adopted by the City Council of the City of El Paso on May 23, 2022 is hereby re-enacted and shall continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by City Council, whichever is sooner.
2. This ordinance is adopted as an emergency measure with the unanimous vote of the City Council Representatives present and the consent of the Mayor and pursuant to City Charter Section 3.10.

Representative Limón commented.

Mr. Mario D'Agostino, Deputy City Manager, commented.

Motion made by Alternate Mayor Pro Tempore Fierro, seconded by Representative Niño, and unanimously carried that the Ordinance be **ADOPTED**.

AYES: Representatives Chávez, Acevedo, Rocha, Trejo, Niño, Fierro, Limón and Canales

NAYS: None

Mayor Johnson consented to the adoption of the Emergency Ordinance.

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REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:
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Goal 2: Set the Standard for a Safe and Secure City

12.

ORDINANCE 019704

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.52 (FIRE PREVENTION CODE), SECTION 9.52.030.5 (SECTION 105.5 REQUIRED OPERATIONAL PERMITS), SUBSECTION 105.5.56.1 (DEFINITIONS) TO ADD DEFINITION OF "FIRE RESPONSE EXPENSE"; SECTION 9.52.030.5 (SECTION 105.5 REQUIRED OPERATIONAL PERMITS), SUBSECTION 105.5.56.6 (PERMIT REQUIREMENTS) TO ADD BIENNIAL INSPECTIONS; SECTION 9.52.030.5 (SECTION 105.5 REQUIRED OPERATIONAL PERMITS), SUBSECTION 105.5.56.7 (STORAGE) TO AMEND THE HEIGHT LIMIT OF COMBUSTIBLE MATERIALS PER UNIT; SECTION 9.52.030.5 (SECTION 105.5 REQUIRED OPERATIONAL PERMITS) TO ADD SUBSECTION 105.5.56.10 (RESPONSE EXPENSES) TO ADD RESPONSE EXPENSES FOR PERMIT HOLDERS STEMMING FROM FIRE EVENTS, THE PENALTY AS PROVIDED IN SECTION 9.52.030.17 OF THE EL PASO CITY CODE.**

Representatives Acevedo, Fierro, and Canales commented.

The following City staff members commented:

- Fire Chief Jonathan Killings
- Ms. Dionne Mack, City Manager

Motion duly made by Representative Canales, seconded by Representative Limón, 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 Chávez, Acevedo, Rocha, Trejo, Niño, Fierro, Limón and Canales
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**.

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

13.

ORDINANCE 019705

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 (STOPPING, STANDING AND PARKING GENERALLY), SECTION 12.44.280 (RESTRICTIONS ON PARKING IN RESIDENTIAL PARKING DISTRICTS) OF THE EL PASO CITY CODE TO PERFORM THE FOLLOWING: AMEND PARAGRAPH A (POLICY) TO ADD "RECREATIONAL AND ENTERTAINMENT" FOR RESIDENTIAL USES; TO DELETE "TO PRESERVE THE VALUE OF THE PROPERTY IN THOSE DISTRICTS"; AMEND PARAGRAPH B (DEFINITIONS) TO ADD "APPLICANT"; AMEND "LIGHT DENSITY RESIDENTIAL DISTRICT"; AMEND "RESIDENT"; AMEND "RESIDENTIAL PROPERTY"; ADD TO PARAGRAPH C (CREATION OF RESIDENTIAL PARKING DISTRICTS) SUBPARAGRAPH 2 (CRITERIA) ITEM H "OR MEDIUM" AFTER LIGHT; TO DELETE PARAGRAPH G (PARKING PERMITS) SUBPARAGRAPH 4 (LIMITATIONS ON THE ISSUANCE OF PARKING PERMITS) ITEM D; AND TO ADD PARAGRAPH G (PARKING PERMITS) SUBPARAGRAPH 4 (LIMITATIONS ON THE ISSUANCE OF PARKING PERMITS) ITEM D. THE PENALTY AS PROVIDED IN 12.84.010 OF THE EL PASO CITY CODE.**

Mayor Johnson and Representatives Acevedo, and Canales commented.

The following City staff members commented:

- Mr. Richard Bristol, Streets and Maintenance Director
- Mr. Jose Hernandez, Streets and Maintenance Traffic Engineer
- Ms. Karla Nieman, City Attorney
- Ms. Dionne Mack, City Manager

Motion duly made by Alternate Mayor Pro Tempore Fierro, seconded by Representative Niño, 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 Chávez, Acevedo, Rocha, Trejo, Niño, Fierro, Limón and Canales

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**.

.....
REGULAR AGENDA – OTHER BUSINESS:
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Goal 7: Enhance and Sustain El Paso’s Infrastructure Network
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14. RESOLUTION
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WHEREAS, the City of El Paso issued a 2012-2013 Certificate of Obligation in the amount of \$221,012,305.19 for street reconstruction (“Certificate of Obligation”); and

WHEREAS, \$797,632.00 of the Certificate of Obligation was identified for use on the Phillipy Court reconstruction; and

WHEREAS, subsequently, Phillipy Court failed to qualify as a city street eligible for reconstruction pursuant to the Certificate of Obligation program; and

WHEREAS, City staff recommends the proposed Phillipy Court reconstruction be deprogrammed from the 2012-2013 Certificate of Obligation program; and

WHEREAS, City staff recommends funding, in the amount of \$160,000.00 as identified on Exhibit “A”, intended for reconstruction of Phillipy Court be reprogrammed for use on the “Mexican American Cultural Center”, as shown on Exhibit “A”; and

WHEREAS, City staff recommends funding, in the amount in the amount of \$637,632.00 as identified on Exhibit “A”, intended for reconstruction of Phillipy Court be reprogrammed for use on the “MCAD Art Museum HVAC Replacement”, as shown on Exhibit “A”; and

WHEREAS, City staff further recommends a budget transfer, in the amount of \$113,238.00 from project savings as identified on Exhibit “A”, from Unprogrammed Project Balances created from projects savings identified within the 2012-2013 & 2017 Certificate of Obligations for use on the “MCAD Art Museum HVAC Replacement”, as shown on Exhibit “A”.

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

THAT the City Manager, or designee, be authorized to deprogram the proposed Phillipy Court reconstruction;

THAT the City Manager, or designee, be authorized to make necessary budget transfers and execute any and all necessary documents to reprogram the funding from the deprogrammed Phillipy Court reconstruction in the amount of \$160,000.00, for use on the “Mexican American Cultural Center” and, to reprogram the remaining funding from the deprogrammed Phillipy Court reconstruction in the amount of \$637,632.00, for use on the “MCAD Art Museum HVAC Replacement”, as identified on Exhibit “A”;

THAT the City Manager, or designee, be authorized to make necessary budget transfers and execute any and all necessary documents to transfer funding from the Unprogrammed Project Balances in the amount of \$113,238.00, for use on the “MCAD Art Museum HVAC Replacement”, as identified on Exhibit “A”.

Exhibit A		
Project	Budget	Recommended Action
MACC	\$160,000.00	Deprogram Phillipy Recon and reallocate funds to MACC and MCAD Art Museum HVAC
MCAD Art Museum HVAC	\$637,632.00	
Total Recommended Transfer		\$797,632.00
Project	Budget	Recommended Action
MCAD Art Museum HVAC	\$113,238.00	Transfer funding from the Unprogrammed Project Balances for the use of MCAD Art Museum HVAC
Total Recommended Transfer		

Representative Limón commented.

The following City staff members commented:

- Ms. Yvette Hernandez, City Engineer
- Mr. Ben Fyffe, Museums and Cultural Affairs Managing Director

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

AYES: Representatives Chávez, Acevedo, Rocha, Trejo, Niño, Fierro, Limón, and Canales
 NAYS: None

15.

RESOLUTION

That the City Manager, or designee, is authorized to effectuate the purchase and closing of a 1.1720-acre parcel of property legally described as a portion of Tract 1, Section 32, Block 80, Township 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, in the City

of El Paso, El Paso County Texas including any and all improvements located on the Property for \$612,612 dollars.

Further, the City Manager or designee is authorized to: (1) execute a Contract of Sale with JPMorgan Chase Bank, National Association, Successor by Merger to Chase Bank of Texas, National Association, Trustee of the Wilma Donohue Moleen Foundation, (2) sign any and all documents related and/or necessary to effectuate the purchase and closing of the property, (3) exercise all rights and obligations as provided in the Contract of Sale, (4) sign any documents necessary to effectuate any rights or obligations in relation to the purchase and closing of the property, (5) sign any contract amendments provided that such amendments do not increase the purchase price, and (6) use the MPO Match funds and effectuate any budget transfers necessary to ensure the funds are obligated and fully expended in accordance with the funding requirements.

Motion made by Representative Trejo, seconded by Representative Chávez, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Chávez, Acevedo, Rocha, Trejo, Niño, Fierro, Limón, and Canales
NAYS: None

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Motion made by Representative Acevedo, seconded by Representative Canales, and unanimously carried to **ADJOURN** this meeting at 12:04 p.m.

AYES: Representatives Chávez, Acevedo, Rocha, Trejo, Niño, Fierro, Limón, and Canales
NAYS: None

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk