

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

NOTICE OF WORK SESSION OF THE EL PASO CITY COUNCIL

February 03, 2025
COUNCIL CHAMBERS, CITY HALL, 300 N. CAMPBELL AND VIRTUALLY
9:05 AM

Teleconference phone number 1-915-213-4096
Toll free number: 1-833-664-9267
Conference ID: 465-528-596

Notice is hereby given that a Work Session of the City Council of the City of El Paso will be conducted on February 3, 2025 at 9:05 A.M. Members of the public may view the meeting via the following means:

Via the City's website. <http://www.elpasotexas.gov/videos>
Via television on City15,
YouTube: <https://www.youtube.com/user/cityofelpasotx/videos>

In compliance with the requirement that the City provide two-way communication for members of the public, members of the public may communicate with Council regarding agenda items by calling the following number:

1-915-213-4096 or Toll free number: 1-833-664-9267

At the prompt please enter the corresponding Conference ID: 465-528-596#

The public is strongly encouraged to sign up to speak on items on this agenda before the start of this meeting on the following link:

<https://app.smartsheet.com/b/form/7086be5f4ed44a239290caa6185d0bdb>

A quorum of City Council must participate in the meeting.

AGENDA

1. Presentation and discussion on the Procurement Sourcing Policy as amended and restated as of May 9, 2023.

[25-165](#)

All Districts

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092

- 2. Presentation and discussion on the City Council’s Legislative Role. [25-168](#)

All Districts

City Attorney’s Office, Karla M. Nieman, (915) 212-0033

- 3. Update on FY21 RAISE Grant - Downtown I-10 Deck Plaza Feasibility Study and discussion and action to direct the City Manager to conduct an analysis of local, state, and federal funding sources that could help fund the design and construction of the Deck Plaza. [25-169](#)

District 8

Capital Improvement Department, Joaquin Rodriguez, (915) 212-0065
City Manager’s Office, Omar Martinez, (915) 479-0341

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

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

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

Discussion and action on the following:

- EX1.** Discussion on potential economic development opportunities in the City of El Paso. HQ#25-4246 (551.087) [25-170](#)

Economic and International Development, Karina Bragalla, (915) 212-0094

- EX2.** Michael R. Aguirre, et al v. City of El Paso, Texas; Cause No. 2017DCV2260 (551.071) [25-171](#)

City Attorney’s Office, Carlos Gomez Baca Jr., (915) 212-0033

- EX3.** Ariel Perez, et. al v. Bowling Enterprises, LTD, Northtowne Village Joint Venture, and CEA Engineering Group, Inc., 2023DCV2046; HQ# 426 (551.071) [25-172](#)
City Attorney's Office, Matt Marquez, (915) 212-0033
- EX4.** El Paso Zoological Society, a Texas nonprofit corporation v. City of El Paso, a Texas Municipal Corporation; Cause No. 2024DCV2545 (551.071) [25-173](#)
City Attorney's Office, Miguel A. Talamantes Guzman, (915) 212-0033
- EX5.** Discussion on the United States Office of Management and Budget's "Temporary Pause of Agency Grant, Loan and other Financial Assistance Programs" Memorandum; M-25-13; Executive Office of the President. (551.071) [25-189](#)
City Attorney's Office, Mayra A. Stanton, (915) 212-0033
- EX6.** Application of El Paso Electric Company to Change Rates - PUC#57568; HQ#UTILITY-60 (551.071) [25-174](#)
City Attorney's Office, Matt Marquez, (915) 212-0033
- EX7.** Employment, evaluation process and duties for City Council appointed employees, City Manager, City Attorney, and Chief Internal Auditor (551.071) (551.074) [25-175](#)
Outside Counsel, Lea Ream, (210) 349-6484

ADJOURN

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for Regular City Council Meetings. If you need Spanish Interpretation Services, please email CityClerk@elpasotexas.gov by 12:00 p.m. on the Friday before the meeting.

Si usted necesita servicios de interpretación en español, favor de enviar un correo electrónico a CityClerk@elpasotexas.gov a mas tardar a las 12:00 p.m. del viernes previo a la fecha de la junta.

ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET THURSDAY PRIOR TO THE MEETING AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov/>



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 25-165, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Presentation and discussion on the Procurement Sourcing Policy as amended and restated as of May 9, 2023.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**



DEPARTMENT: Purchasing & Strategic Sourcing
AGENDA DATE: February 3, 2025
PUBLIC HEARING DATE: N/A
CONTACT PERSON NAME: K. Nicole Cote, Managing Director **PHONE NUMBER** (915)212-1092
DISTRICT(S) AFFECTED: All
STRATEGIC GOAL: Goal 6 Set the Standard for Sound Governance and Fiscal Management
SUBGOAL: 6.7 - Deliver effective and efficient processes to maximize value in obtaining goods and services.

SUBJECT:

Presentation and discussion on the Procurement Sourcing Policy as amended and restated as of May 9, 2023.

BACKGROUND / DISCUSSION:

The City Approved a Policy Statement 1984. Then City Council approved on April 17, 2018 Procurement and Sourcing Policy for the City of El Paso. For the Policies adopted in 2018, a consultant was hired to review the procurement policies and procedures to ensure that the City was following existing Federal, State, and local laws. In addition, the City requested that the consultant identify best practices. 13 best practices were identified in the third party and all recommendations were incorporated. The Amended and Restated Policy Statement has been updated to reflect best practices and adherence to applicable Federal, State and Local Laws and practices.

COMMUNITY AND STAKEHOLDER OUTREACH:

Training is provided monthly for internal and external stakeholders.

SELECTION SUMMARY:

N/A

CONTRACT VARIANCE:

N/A

PROTEST

N/A

PRIOR COUNCIL ACTION:

Then City Council approved on May 9, 2023 the Amended and Restated Procurement and Sourcing Policy for the City of El Paso.

AMOUNT AND SOURCE OF FUNDING:

N/A

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

Report any contributions or donations to City Council of an accumulated total of \$500 or more. Report the name of the elected official and the amount.

NAME	AMOUNT (\$)
N/A	

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



K. Nicole Cote, Managing Director



CITY OF EL PASO

Purchasing & Strategic Sourcing

February 3, 2025

Agenda

- Overview
- Procurement & Sourcing Policy
 - Roles & Responsibilities
 - Procurement Process
 - Example: Best Value Bid Procurement
- Cone of Silence
- Cooperative Contracts
 - EP Marketplace
- Supplier Resources
- Upcoming Initiatives

Overview

Purchasing & Strategic Sourcing

Core Functions and Responsibilities



Purchasing & Supply Chain Management

Centralized
Capital and non-capital
Formal/Informal Procurements: Construction and Goods and Services
Consulting and Advanced Procurement Planning Services



Contract Administration

Training and Technical Assistance
Vendor Performance Management System
Wage Theft Ordinance



Outreach, Workshops & Expos

Winning Wednesday
Cooperative Purchasing Expo



Vendor Management

Vendor Management & Profile Management
Contract Repository
Innovation
EP Marketplace
Electronic Commerce
PeopleSoft Purchasing Training and
Troubleshooting



Supplier Resources

Hire El Paso First - Local Bid Preference Ordinance
Vendor Outreach and Workshops
Supply El Paso



Governing Regulations

- 2 Code of Federal Regulations 200
- Texas Government Code, Chapter 271. Purchasing and Contracting Authority of Municipalities, Counties, and Certain Other Local Governments
- Texas Government Code, Chapter 252. Purchasing and Contracting Authority of Municipalities, Counties, and Certain Other Local Governments.
- Texas Government Code, Chapter 2254. Professional and Consulting Services
- Texas Government Code, Chapter 791. Interlocal Cooperative Purchasing Program
- Texas Government Code, Chapter 2269. Contracting and Delivery Procedures for Construction Projects

Governing Regulations

- Resolution – Budget/Cooperative Purchases
- Resolution - Medical Benefits for Evaluation Criteria
- Resolution - Procurement & Sourcing Policy
- Resolution – Delegation of Authority for Alternative Procurement Methods
- Resolution – Delegation of Authority for Rejecting Bids and Proposals
- Ordinance No. 018370 – Wage Theft
- Ordinance No. 018169 – Hire El Paso Local Preference
- Ordinance No. 016529 - Indebtedness
- Ordinance No. 016300 - Lobbying

Procurement & Sourcing Policy

Amended and Restated
as of
May 9, 2023

Roles and Responsibilities

Procurement & Sourcing Policy

Section 2 – Procurement Authority & Responsibilities

2.2.1 The Mayor

Under the authority of the Council, the Mayor shall sign all lawful acts of the Council, such as ordinances, resolutions, conveyances, grant agreements, plats, contracts and bonds. The Council may, by ordinance, provide that additional designated officials may sign such acts of Council on behalf of the Mayor as provided by law.

2.2.2 City Council

Approval of the City Council is required for contracts and contract modifications that alone, or in the aggregate, **total an amount in excess of (\$50,000)**. In addition to the above, only City Council has the authority to terminate formal contracts in accordance with the terms of such contracts and enter agreements relating to resolution of any contract dispute.

Procurement & Sourcing Policy

Section 2 – Procurement Authority & Responsibilities

2.2.3 The City Manager

The City Manager shall have the authority to execute intergovernmental agreements, as delineated within Ordinance 16015, contracts, purchase orders and/or modifications up to fifty thousand dollars (\$50,000) without City Council approval.

Procurement & Sourcing Policy

Section 2 – Procurement Authority & Responsibilities

2.2.4 The Purchasing Director

The Purchasing Director shall serve as the Chief Procurement and Contracting Officer and is authorized to execute intergovernmental agreements, contracts, purchase orders and/or modifications in accordance with the authority delegated by the City Manager. The Purchasing Director may also sign contracts/agreements for the acquisition of any city goods and services in an amount of \$5,000.01 to \$50,000 per annum, or an aggregate of \$100,000 on a multi-year contract. All single purchases equal to or greater than \$50,000 must be approved by City Council upon review by the City Manager. The Purchasing Director can issue purchase orders in an amount greater than \$50,000 if approved by City Council. The City Council herein delegates the authority to the Purchasing Director to exercise options of contracts wherein the initial term was approved by City Council.

Procurement Process

User Department's Responsibilities: Scope of Work

User Departments must develop well written SOW's.

Provide sufficient information for suppliers to determine:

- Whether the solicitation aligns with their business.
- If it is profitable for them and worth the effort to respond to a solicitation

Procurement Methodologies

Informal > 50K

Formal < 50K

- Low Bid
- Best Value Bid
- Request for Proposal
- Request for Qualifications
- Competitive Sealed Proposal
- Design-Build
- Construction Manager-at-Risk
- Public Private Partnership
- Cooperative Contracts

Best Value Bid Procurement

Best Value Bid Procurement

The Best Value Bid procurement method seeks to award based on the bidder offering the best value bid. It is **not** based solely on price but includes evaluation factors.

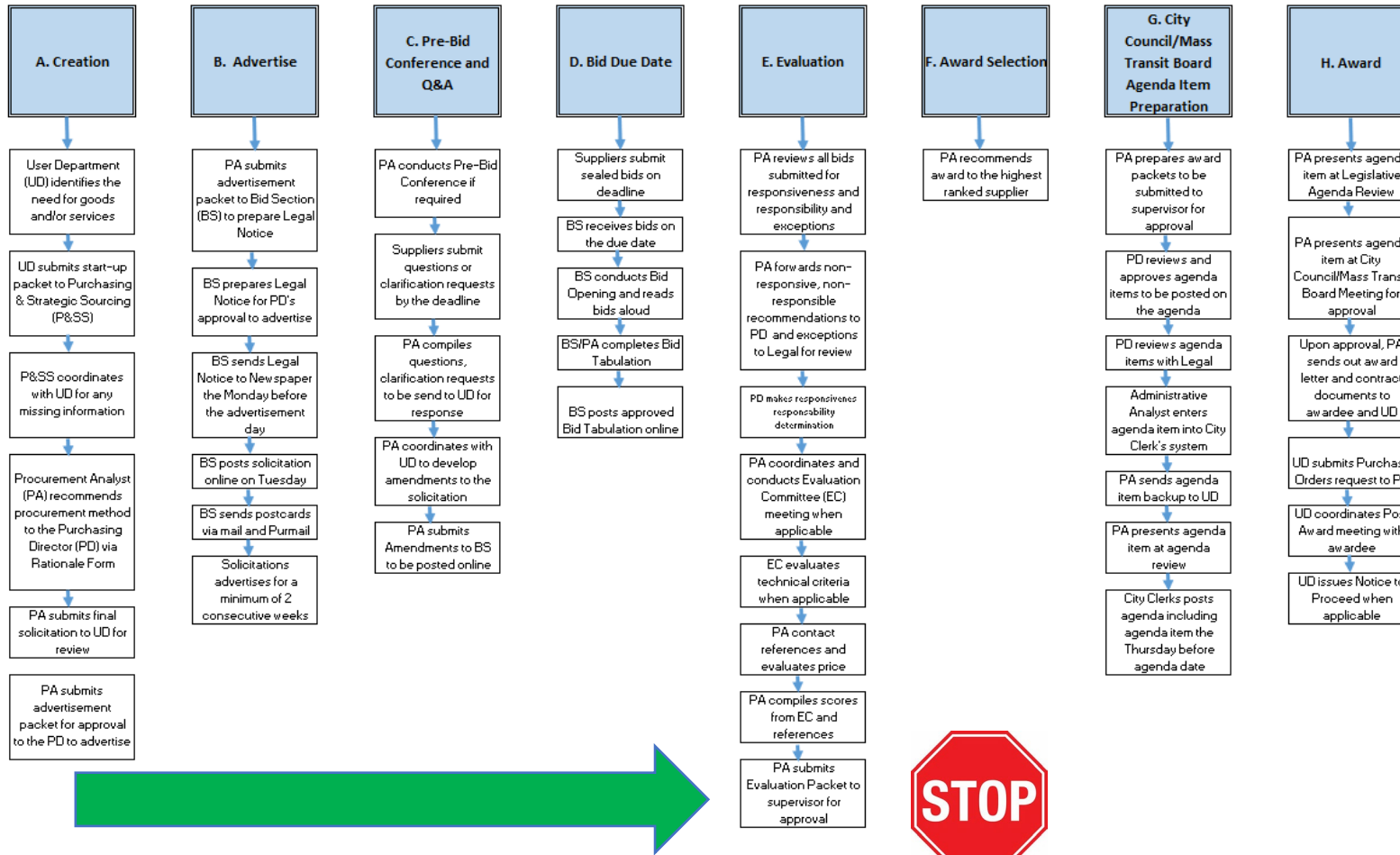
The is method is typically used for the following projects:

- ❖ Janitorial
- ❖ Security Guards
- ❖ Ground Maintenance
- ❖ Services related to repair and maintenance

Governing Regulations:

- ❖ Texas Government Code, Chapter 252. Purchasing and Contracting Authority of Municipalities, Counties, and Certain Other Local Governments.
- ❖ Resolution - Medical Benefits for Evaluation Criteria
- ❖ Ordinance No. 016529 - Indebtedness
- ❖ Ordinance No. 016300 - Lobbying
- ❖ Ordinance No. 018370– Wage Theft
- ❖ Title VI
- ❖ 2 CFR 200

Best Value – Workflow



Cone of Silence



Cone of Silence Policy

The City's Cone of Silence/Anti Lobbying Policy was adopted to ensure a **fair** and **competitive bidding** environment *by preventing* communication or lobbying between City officials, employees, or representatives and parties involved in the procurement process that could create an unfair advantage to any party with respect to the award of a City contract.

Cone of Silence Policy

The City's Cone of Silence/Anti-Lobbying Policy *prohibits any communication or lobbying activities with City officials, employees and/or its consultants or contractors* on matters of a solicitation from its advertisement through the date said item is posted on the forthcoming City Council agenda.

Lobbyist Policy

Ordinance #016448

The City Council declares that the operation of responsible democratic government **requires** that the fullest opportunity be afforded to the people to petition their government for the redress of grievances and to express freely to any city officials their opinions on pending municipal questions and on current issues; and that to preserve and maintain the integrity of the governmental decision-making process in the city, it is necessary that the identity, expenditures, and activities of certain persons who engage in efforts to influence a city official on matters within their official jurisdictions, *either by direct communication to the official, or by solicitation of others to engage in such efforts, be regulated and be publicly and regularly disclosed.*

Procurement & Sourcing Policy

Section 15 – Conflict Resolution

15.1 Protest/Dispute

Only a vendor who has actually submitted a response to a solicitation may appeal an award decision. Failure to follow the requirements of the protest procedures established by the City of El Paso and included in all solicitations, shall constitute a waiver of all protest rights. Protest must be made after the Council agenda has been posted and by 5 p.m. the day before the Council meeting in which the award will be made.

Cooperative Contracts

What is a Cooperative contract?

An agreement between a local, state, regional, or federal government and businesses to obtain advantages of volume purchasing including administrative savings.



City Council approved cooperative programs:

1. State of Texas Department of Information Resources (DIR)
2. Harris County Department of Education Cooperative
3. Houston-Galveston Area Council (HGAC)
4. ESC Region 19 Cooperative Purchasing Program
5. Tarrant County Cooperative Purchasing Program
6. Texas Association of School Boards (TASB Buy Board)
7. Texas Procurement and Support Services (TPASS)

City Council approved cooperative programs:

8. The Cooperative Purchasing Network (TCPN/National IPA)
9. Texas Multiple Award Schedule (TXMAS)
10. Omnia Partners
11. U.S. General Services Administration (GSA)
12. Technology Bidding and Purchasing Program (PEPPM)
13. ESC Region 8 (TIPS) Cooperative Purchasing Program
14. Division of Purchases and Supply (DPS), a business unit of the Department of General Services for the Commonwealth of Virginia

What is EP MarketPlace?

- Online shopping system similar to an Amazon store using approved cooperative contracts
- Comparative shopping experience to cross search vendor pricing for off-the-shelf items
- Available to all city employees to shop, request quotes and create carts
- EP MarketPlace does not have a minimum or maximum threshold
- Expedite the purchase of goods and services

EP MarketPlace Layout

The screenshot shows the EP MarketPlace website for the City of El Paso. The layout includes a top navigation bar with a search bar (A), a left sidebar with a category list (B), a main content area with a 'New Suppliers' grid (C) and a 'Popular Suppliers' row, and a top right area with user account information and a shopping cart icon (D).

- A. Off-the-Shelf Catalog Search
- B. Categories
- C. Popular Suppliers
- D. Shopping Cart

<https://shop.equallevel.com/elpaso/login>



Supplier Resources









- Online Bidding System
- Hire El Paso First
- Supply El Paso

Online Bidding System- Ion Wave

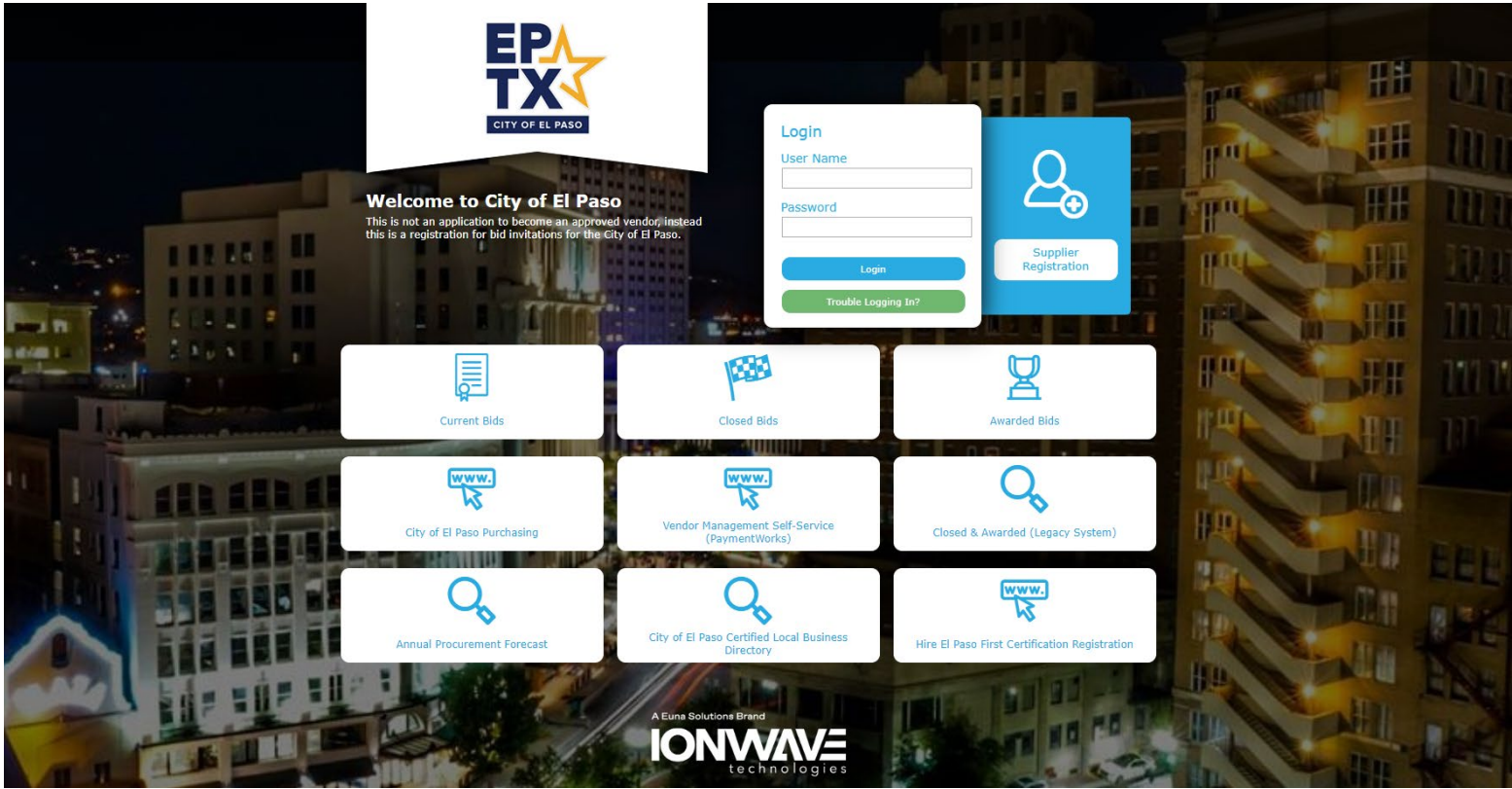
An online bidding system is a web-based system that provides the ability for suppliers to respond to all RF(X)s to submit their bids, proposals, statements of qualifications electronically through a secure portal.

Total number of registered vendors: 3,256

Agencies Available for Registration

Agency ▲
<input type="text"/>
 Allied States Cooperative by ESC 19, TX
 Canutillo ISD, TX
 Clint ISD, TX
 El Paso County, TX
 El Paso ISD, TX
 El Paso Water, TX
 University of Texas at El Paso
 Ysleta ISD, TX

Online Bidding System- Ion Wave



Landing Page <https://elpasotexas.ionwave.net/Login.aspx>

QR Code

Purchasing & Strategic Sourcing

Scan To Register & View Bidding Opportunities



O: 915-212-0043

VendorManagement@elpasotexas.gov

www.elpasotexas.gov/purchasing

Hire El Paso First Local Preference Background

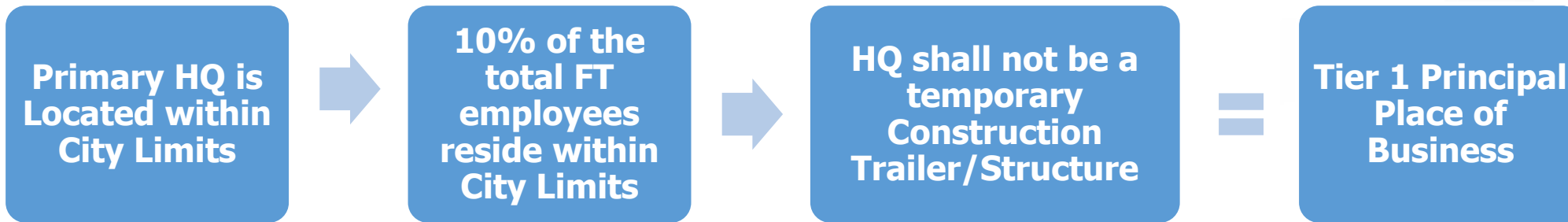
The El Paso City Council recognizes that the foundation of a **strong local economy** are programs to **encourage businesses to locate within the local area** of the City of El Paso and to hire El Paso residents as employees for those business.

On June 17, 2011, the **Texas Legislature amended Texas Local Government Code Sections 271.905 and 271.9051** to allow for the City's **consideration of location of a bidder's principal place of business when awarding certain contracts.**

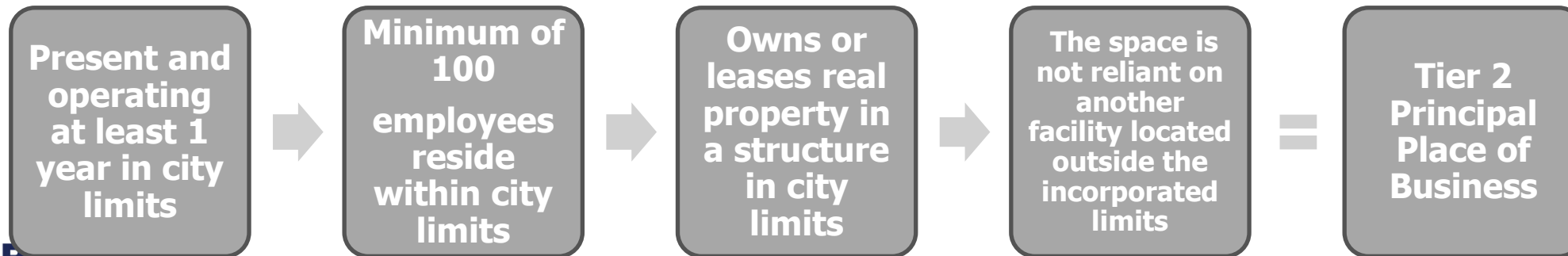
With this amendment and in the interest of economic development opportunities for the City of El Paso, the City's Purchasing & Strategic Sourcing Department has implemented a local business purchasing preference policy in order to infuse additional dollars into the local economy.

Qualifications

Tier 1 Principal place of business:



Tier 2 Principal place of business:



Hire El Paso First Applies to:

1. Low Bid Procurements:

- Construction contracts in an amount less than \$100,000.
- Contracts for personal property or services in an amount of less than \$500,000.
- Contracts for personal property or services in an amount equal to or greater than \$500,000.

2. Alternative Procurement Methods:

- Competitive Sealed Proposal
- Design-Build
- Construction Manger-at- Risk
- Public-Private Partnership

Hire El Paso First DOES NOT Apply:

- Any contract in which the federal government participates in the form of a grant or loan, or where the City acts as a conduit for federal money.
- Purchases made through a purchasing cooperative program.
- The purchase of telecommunications services or information services, as those terms are defined by 47 U.S.C. and in accordance with Local Government Code section 271.9051.
- Professional Service Contracts Under Chapter 2254 of the Texas Government Code.

Supply El Paso

- Supply El Paso is market-making initiative to help local businesses compete for contracts and grow
- El Paso can serve as a national model for fostering local enterprise growth through effective procurement, focusing on key sectors like defense, energy and manufacturing

Partners



Local Spend

			FY 2024
Local	\$	232,161,499	
Non-local	\$	195,654,428	
Total Dollars Spent	\$	427,815,927	

Upcoming Initiatives

- 12th Annual Cooperative Expo – April 1-2, 2025
- Supply El Paso Board Commitment
- Revisions to Medical Benefits for Evaluation Criteria
- Revisions to Hire El Paso First



MISSION



Deliver exceptional services to support a high quality of life and place for our community.

VISION



Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government.



VALUES

Integrity, **R**espect, **E**xcellence,
Accountability, **P**eople



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 25-168, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

City Attorney's Office, Karla M. Nieman, (915) 212-0033

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Presentation and discussion on the City Council's Legislative Role.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**



DEPARTMENT: City Attorney's Office

AGENDA DATE: 2/3/25

PUBLIC HEARING DATE:

CONTACT PERSON NAME: Kristen L. Hamilton-Karam

PHONE NUMBER: 915-212-0033

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL:

6 Set the standard for sound governance and fiscal management

SUBGOAL:

6.10 Enhance the quality of decision making with legal representation and support; 6.11 Provide efficient and effective services to tax payers

SUBJECT:

Presentation and discussion on City Council's Legislative Role

BACKGROUND / DISCUSSION:

As part of the onboarding process or new City Council Members, the City Attorney's Office is providing this training to review the legislative role of Council as found in City Charter article 3.

COMMUNITY AND STAKEHOLDER OUTREACH:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

N/A

NAME	AMOUNT (\$)

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

 _____

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)



CITY OF EL PASO

Council's Legislative Function

Council Onboarding 2025

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

What is the Legislative role of City Council?

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

Key Functions: City Charter Article 3

- 3.1 The Council shall have legislative powers, and the power and duty to select, direct, and regularly evaluate the City Manager, as well as such other and specific powers and duties as may be provided by law or this Charter. Each Representative shall have the discretion and sole authority to appoint and remove a legislative aide.
- 3.5 D. Voting. No action of the Council, except as otherwise provided in this Charter, shall be valid or binding unless adopted by the affirmative vote of a majority of the members present and voting.

City Council's Role

City Charter Article 3

- **Creating Laws through Ordinances**
- **Setting Policy through Resolutions**
- **Approving the budget**
- **Representation**

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

Understanding the Separation of Powers

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

City Council

Legislative body
Charter article 3

City Manager

Administrative Function
Charter Article 5

Mayor

Member of Council
Presiding officer
Head of ceremonial items
Charter Articles 3 and 4

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

Avoiding Overreach

Each role is designed to ensure a system of checks and balances.

Effective Governance

Respecting boundaries leads to more efficient and transparent decision-making.

Professionalism and Trust

Clear roles help foster a productive and professional working relationship.

Effective Collaboration with the City Manager

- **Majority of a quorum:** City Charter 3.5(C)
 - Members place items on agenda: **City Code 2.06.110**
 - Request Council to support a measure
 - No work from staff prior to meeting

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

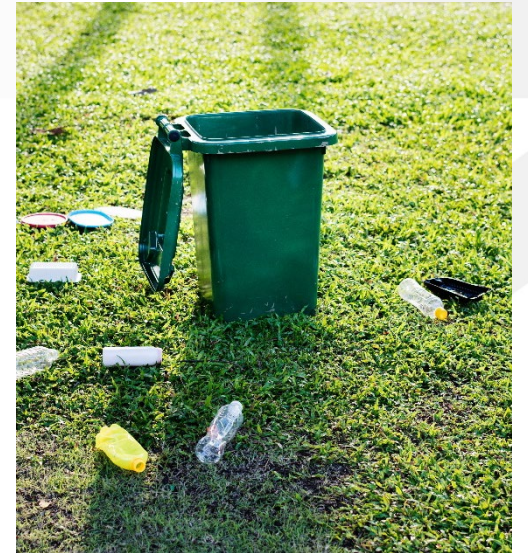
REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

Scenario #1

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

Scenario : James, a resident, calls his Rep. to report a broken trash can lid at their house. James is frustrated that it keeps getting rained into.



Scenario #2

- Rep. Bliss receives repeated calls about various issues a constituent has with a neighbor including having Christmas lights on into the summer, a barking dog, driving too fast over a speed bump, etc.



Procedure

1. Acknowledge and document
2. Notify City Manager and learn City's relevant process
3. Communicate process to constituent
4. Follow up with City Manager

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

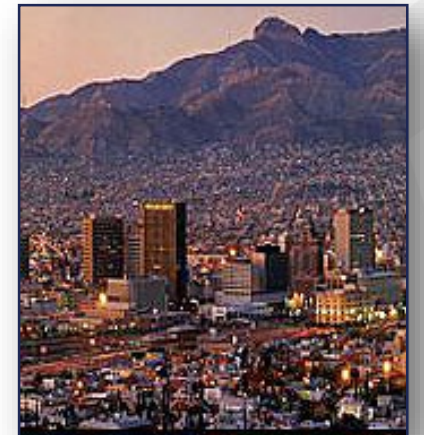
Scenario #2

A Real-World Example

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

Scenario: Council Members receive a recommendation from a City advisory board to consider increasing the parkland dedication requirements. Through City Manager's Council Request (CR) process, Rep. Adams learns that the City Code requires a standard dedication or fee.



Procedure

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

1. Discuss with the City Manager
2. If the Rep. believes a change is necessary, place on Council agenda to discuss with full Council in a quorum
3. Provide direction to City Manager through a majority vote

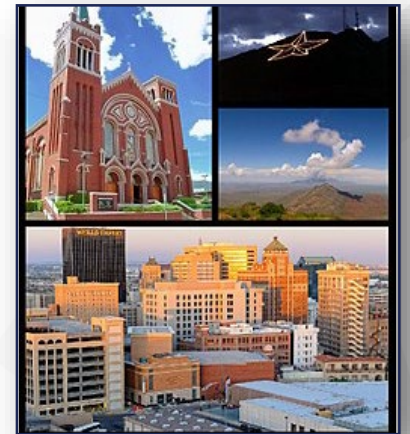
Scenario #3

A Real-World Example

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

Scenario : Representative Bernard receives a call from a friend who is a reporter after she received a response to an ORR. She is asking for a statement on the Animal Service Department's response to an incident with a stray dog.



Procedure

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

1. Refer to the City Manager and City's Public Information Officer
2. Learn City's process relevant
3. Communicate process to reporter; recommend general statements

Principle

By addressing the requests through the established processes, the council ensures:

1. Transparency,
2. Consistency, and
3. Effectiveness in resolving the issue

This approach fosters trust and demonstrates the City's commitment to serving its constituents.

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

Key Takeaways

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

- **Legislative Roles:** Focus on lawmaking, policy direction and budget oversight through the decision-making process at City Council meetings.
- **Respect Boundaries:** Understand the division of responsibilities between the council, mayor and city manager.

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

Questions & Discussion

Article V CITY MANAGER.

Section 5.1 APPOINTMENT; QUALIFICATIONS; COMPENSATION.

The City Council by a majority vote of its total membership shall appoint a City Manager and fix the Manager's compensation. The City Manager shall be appointed solely on the basis of executive and administrative qualifications. The Manager need not be a resident of the City at the time of appointment but shall establish residence in the City within sixty days after the date of appointment.

Section 5.2 POWERS AND DUTIES.

The City Manager shall be the chief administrative officer of the City, responsible to the Council for the administration of all City affairs placed in the Manager's charge by or under this Charter. The City Manager shall:

1. Take all personnel actions regarding employees except as provided by law or in this Charter. The City Manager may authorize the Deputy City Managers and department directors to exercise these powers with respect to their subordinates;
2. Direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter or by law;
3. Attend all City Council meetings. The City Manager shall have the right to take part in discussion but shall not vote;
4. See that all laws, provisions of this Charter and acts of the City Council, subject to enforcement by the City Manager or by employees subject to the Manager's direction and supervision, are faithfully executed;
5. Prepare and submit the annual budget and capital program to the City Council;
6. Submit to the City Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year;
7. Make such other reports as the City Council may require concerning the operations of City departments, offices and agencies subject to the City Manager's direction and supervision;
8. Keep the City Council fully advised as to the financial condition and future needs of the City;
9. Make recommendations to the City Council concerning the affairs of the City;
10. Provide support to the offices of the Mayor and the Representatives; and
11. Perform such other duties as are specified in this Charter or may be required by the City Council.

Section 5.3 REMOVAL.

The City Manager may be removed by a resolution approved by the majority of the total membership of the City Council, with or without cause.

Section 5.4 ACTING CITY MANAGER.

By letter filed with the City Clerk, the City Manager shall designate a City employee to exercise the powers and perform the duties of City Manager during the Manager's temporary absence or disability. The City Council may revoke such designation at any time and appoint another employee of the City to serve until the City Manager returns.

Section 5.5 INTERFERENCE WITH PERSONNEL OR ADMINISTRATION.

Except for the purposes of investigations under Section 3.8 and inquiries, the members of the Council shall deal with City employees who are subject to the direction and supervision of the City

Manager solely through the City Manager, and neither the Council nor any of its members shall give orders to any such employee, either publicly or privately. Neither the Council nor any of its members shall in any manner control or demand the appointment or removal of any City employee whom the City Manager is empowered to appoint, but the Council may express its views and fully

and freely discuss with the City Manager anything pertaining to appointment and removal of such employees.

2.06.110 - Placement of items on the agenda by city council members.

Members of city council may place items on the agenda for meetings of the city council as follows:

Special city council meetings/legislative review committees. City council representatives may place items on any agenda for a special city council meeting/legislative review committee called in accordance with Section 3.5A of the El Paso City Charter by notifying the mayor, city manager and city clerk prior to the posting of the agenda for the respective special city council meeting/legislative review committee.

City Council Reporting and Appointments. City council representatives may place matters relating to appointments to boards and commissions, financial reporting, campaign contributions, donations received, gifts, or any other reporting requirements arising from the charter, state law or applicable law on any city council agenda by providing notice to the city clerk by 12:00 p.m. on the Wednesday before the city council meeting to be held on the following Tuesday.

City Council Presentations. City council representatives may place items on the city council agenda to allow for presentations by the respective city council member on any city council Agenda by providing notice to the city clerk by 12:00 p.m. on the Wednesday before the city council meeting to be held on the following Tuesday. The city council presentations shall not require input or work by members of city staff and the only action to be requested by the respective council member shall be approval of resolutions in support of a measure, request for a subsequent agenda item, or a request for additional work from staff; if approved by a majority of city council.

Request for Action. City council representatives may place items on the city council agenda. The deadline for submission to the city clerk is Wednesday at 12:00 p.m. the week before a Tuesday city council meeting. Upon receipt of a submittal from a city council member, the clerk will schedule the item for the next Tuesday city council meeting following the submittal. The item shall not be removed from the agenda without the consent of the member who made the submittal.

Agenda Items Placed by Mayor. The Mayor may place items on any agenda of the city council in accordance with the terms of the city charter and applicable state law.

Adequate Back-up For Agenda Items. All submissions from city council representatives and the mayor must be accompanied by adequate back-up to provide the council members, public and city staff with sufficient information to ascertain the details of the topic and action that will be requested. The city clerk will not post an item on the agenda if the request for submission is not accompanied by a fully completed "agenda summary" in the form provided by the city clerk. The agenda summary shall be the minimum amount of back-up acceptable.

(Ord. No. 18746, §§ 1, 2, 11-28-2017)

Article III THE CITY COUNCIL

Section 3.1 CREATION; COMPOSITION; POWERS AND DUTIES.

There shall be a City Council consisting of District Representatives and the Mayor. The Council shall have legislative powers, and the power and duty to select, direct, and regularly evaluate the City Manager, as well as such other and specific powers and duties as may be provided by law or this Charter. Each Representative shall have the discretion and sole authority to appoint and remove a legislative aide.

Section 3.2 SALARIES.

Prior to September 1, 2019, the annual base salary of the District Representatives shall be set at twenty-nine thousand dollars, and the annual base salary of the Mayor shall be set at forty-five thousand dollars.

Commencing on September 1, 2019, the annual base salary of the District Representatives shall be set at the amount equal to the 2017 El Paso County area median household income as established by the United States Department of Housing and Urban Development or successor agency (\$45,300), and the annual base salary of the Mayor shall be set at one and one-half this amount (\$67,950). Thereafter, on September 1, the base salaries will be revised annually and be set according to the above formula based on the prior fiscal year median income for El Paso County.

Section 3.3 PROHIBITIONS.

A. Other Public Employment. No Council member may hold any other compensated public office or public employment, and no former Council member shall hold any compensated City position until one year has elapsed following the expiration of the term for which that member was elected to the Council.

B. Nepotism. No person shall be appointed as City Manager or to any City board or commission who, at the time of appointment, is related in the first or second degree of consanguinity or in the first or second degree of affinity to a member of the Council. The words “consanguinity” and “affinity” are, in popular usage, often referred to, respectively, as “blood” and “marriage.”

C. “Lame Duck” Elected Officers Not to Make Appointments. From the date of any City general election until inauguration of those elected, neither the Mayor nor the City Council shall make any appointment of a City Manager, or any appointments to any standing or special public boards, commissions or committees of the City, except when in conflict with State law or when due process rights of employees or citizens would be compromised.

Section 3.4 DETERMINATION OF ELECTIONS AND QUALIFICATIONS.

Except as provided in Article II, Section 2.1 C, the Council shall be the judge of the election and qualifications of its members and of other elected City officials and of the grounds for removal from office and for that purpose shall have the power to subpoena witnesses, administer oaths, and require the production of evidence. An officer, including a Representative or the Mayor, charged with conduct constituting grounds for removal from office shall be entitled to

a public hearing, and notice shall be published in one or more newspapers of general, daily circulation in the city at least one week in advance of the hearing. Decisions made by the Council under this section shall be subject to review by the courts.

Section 3.5 CITY COUNCIL PROCEDURES AND RULES.

A. Meetings. Regular meetings of the Council shall be held in Council chambers no less than once every other week at such times as may be prescribed by resolution, except that Council may reschedule meetings by resolution to allow for City holidays, but must have no less than two regular meetings per month. The Mayor may cancel a meeting if necessary due to a Federal, State or Local declared emergency. Special meetings and informal work sessions of the Council shall be called by the Mayor or a majority of the entire Council by giving written notice to the City Clerk. All meetings of the Council and of any committees thereof shall be held as permitted by the Texas Open Meetings Act.

B. Parliamentary Procedure. At the beginning of each term the Council shall adopt rules of order, and should the Council fail to do this, then Roberts Rules of Order, Revised, shall control until such time as the Council adopts some other rules of order. In any event, copies of rules of order employed by the Council shall be available, in the office of the City Clerk, for examination by interested persons. The Mayor, with the advice and consent of the Representatives, shall designate a Municipal Parliamentarian and Alternate Municipal Parliamentarians, but no members of the Council may hold those offices. The Council must keep minutes of its open proceedings, and these shall be a public record. It shall also have power to compel the attendance of absent members and, by the favorable vote of a majority of the entire Council, may expel a member from a Council meeting for disorderly conduct or serious violation of its rules and may order that member to be physically removed from the meeting.

C. Quorum. Except as otherwise provided in this Charter, a quorum to do business shall consist in more than one-half of the number of members of the Council, including the Mayor; provided, however, that a lesser number may adjourn until a specific time and compel the attendance of absent members, in the manner prescribed by ordinance.

D. Voting. No action of the Council, except as otherwise provided in this Charter, shall be valid or binding unless adopted by the affirmative vote of a majority of the members present and voting. Ordinances or resolutions that impose taxes, grant franchises or leases, or authorize conveyances shall not be valid unless adopted by a majority of the entire Council.

E. Veto. Ordinances and resolutions finally adopted by the Council shall be filed in the office of the City Clerk and signed by the Mayor before they take effect. If the Mayor vetoes the ordinance or resolution, reasons shall be set forth by the Mayor in writing, and the ordinance or resolution with those reasons shall be returned to the Council. However, the Mayor shall not have any veto power over any City Council action which removes the City Manager or the City Attorney. To override the Mayor's veto, three fourths of all of the Representatives must vote in favor of the returned ordinance or resolution, in which event the adopted ordinance or resolution shall become law. If the Mayor shall either fail to approve or object in writing to any adopted ordinance or resolution within five days after it has been filed with the City Clerk,

exclusive of the day of filing, it shall become law.

Section 3.6 LEGISLATIVE COMMITTEES.

A. The Representatives may resolve themselves into committees, both standing and special, when this is convenient for the conduct of legislative business, including the investigative powers described in Section 3.8. Rules governing the organization and procedures of these committees shall be made by the Council, and the Mayor shall have no power to veto any of those rules except upon grounds of illegality.

B. The Council shall establish a Financial Oversight and Audit Committee “FOAC” for the purpose of providing legislative oversight of the function of the Internal Auditor, to review the financial policies of the City, and to formulate recommendations for the City Council regarding City finances and other matters referred by the City Council or City Manager. The FOAC shall be comprised of four members of the City Council, the Chief Internal Auditor, and the City Manager or designee and shall meet when needed, at least quarterly.

Section 3.7 APPOINTMENTS.

A. **Appointment and Removal of the City Attorney.** The City Council by a majority vote of its total membership shall appoint a City Attorney and fix the City Attorney’s compensation. The City Attorney shall be appointed solely on the basis of legal experience and qualifications. The City Attorney may be removed by a resolution approved by a majority vote of the total membership of the City Council. Assistant City Attorneys shall be appointed by, and will report to and work at the direction and under the supervision of the City Attorney.

B. **Boards and Commissions.** Except where otherwise provided in this Charter, or by the laws of Texas, or of the United States, appointments to and removals from standing or special public boards, commissions or committees of the City shall be made by the Council. The Council is required to ensure that appointments are distributed uniformly among Representatives.

Section 3.8 INVESTIGATIVE POWERS.

The Council shall have the express power to inquire into the official conduct of any department, officer or employee of the City, and for that purpose shall have the power to administer oaths, subpoena witnesses, and compel the production of evidence material to the inquiry. The Council shall provide by ordinance penalties for contempt in failing or refusing to obey any such subpoena or to produce any such evidence, and shall have the power to punish any such contempt in the manner provided by such ordinance. The Council must respect the dignity, rights and liberties of all persons in exercising these investigative powers. These investigative powers shall not extend to those matters covered under Civil Service nor shall this power be used to pursue criminal matters, other than those over which the Council has legislative power.

Section 3.9 ORDINANCES IN GENERAL.

A. **Form and Introduction.** Ordinances and resolutions shall be introduced at Council meetings only in written form; but amendments to ordinances and resolutions may be made orally at the same meetings. No ordinance shall concern more than one subject, and that shall be expressed clearly in the title. The enacting clause of all ordinances shall read: “Be it ordained by the City Council of the City of El Paso.” Any ordinance which repeals or amends an existing

ordinance or other part of the City Code shall summarize the ordinance, sections or subsections to be repealed or amended.

B. Legislative Procedure. Except as provided in Section 3.13, an ordinance may be introduced by any Council member at any meeting of the Council. A proposed ordinance must be filed with the City Clerk in sufficient time for inclusion on the agenda for the Council meeting at which it is to be introduced. Upon such filing the City Clerk shall distribute copies to each member of the Council and to the City Manager. No ordinance shall be adopted finally except at a regular open meeting of the Council following notice, publication, and a public hearing. The notice shall contain:

1. The proposed ordinance or a brief summary thereof;
2. The places where copies of it have been filed and the times when they are available for public examination; and
3. The time and place for the public hearing. The notice shall be published by any contemporary means of information sharing, including but not limited to publication in a newspaper of general circulation in the City or placement on a website at least five days prior to the public hearing. The hearing may be held by a designated Council committee or the Council separately or in connection with any Council meeting and may be adjourned to a specified time. All interested persons present shall have an opportunity to be heard. As soon as practicable after adoption of any ordinance, the City Clerk shall publish it again, with notice of its adoption, in abstract form, by any contemporary means of information sharing. These abstracts must state, at a minimum, the purpose of the ordinance and, where penal, the penalty provided. In any event, the publication must be written so as to be understood by an average person.

C. Actions Requiring Ordinances. The Council may exercise the following powers by ordinance only:

1. Authorize the conveyance of any City real property;
2. Adopt or amend any administrative code and establish, abolish, alter or combine any City departments, so long as such action is not in conflict with this Charter;
3. Amend, extend, or repeal any ordinance previously adopted;
4. Prescribe a fine or penalty or establish any rule or regulation for the violation of which a fine or other penalty is imposed;
5. Adopt Civil Service Rules.

Section 3.10 EMERGENCY ORDINANCES.

A. Limitation. To meet a public emergency affecting life, health, property, or the public peace, the Council may adopt one or more emergency ordinances, but such ordinances may not levy taxes, grant, renew or extend a franchise, authorize a conveyance of real property, or authorize the borrowing of money.

B. Procedures. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it may be introduced on one-hour public notice, and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted

with or without amendment or rejected at the meeting at which it is introduced, but the unanimous vote of the Council members present shall be required for adoption.

C. Adoption, Re-enactment, Repeal. After its adoption the ordinance shall be published and printed as prescribed for other adopted ordinances. It shall become effective upon adoption or at such later time as the ordinance may specify. Every emergency ordinance shall stand repealed automatically as of the 31st day following the date on which it was adopted, but this shall not prevent the re-enactment of the ordinance, in the manner specified in this section, if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance, in the same manner specified in this section for adoption of emergency ordinances.

Section 3.11 INITIATIVE.

Whenever a number of registered voters equal to at least five percent of the voters who voted in the last general City election sign a petition setting forth the precise content of an ordinance desired by the signers, the Council must place that ordinance on the agenda of a Council meeting to be held within thirty working days of the receipt, by the City Clerk, of the petition bearing the authenticated names and addresses of the petitioners. Such an item shall be treated by the Council exactly as any other proposed ordinance.

Should an ordinance proposed by such petition not be enacted by the Council, or should it be enacted in an amended form, a second petition, signed by a number of registered voters equal to at least five percent of the voters who voted in the last general City election, may be submitted to the City Clerk and that official shall have twenty working days in which to authenticate the signatures and thereafter must place the repropoed ordinance on the ballot at the next general election specified in State law, if the proposal received the favorable vote of a majority of those voting in that election it shall thereupon become a City ordinance.

The Council is not obliged to consider the same ordinance initiated by petition, or one that is substantially the same, more often than once in two years.

Section 3.11A REFERENDUM.

A referendum election may be called by the City Council when a collective bargaining agreement between the City and an employee organization so provides.

Section 3.12 RESOLUTIONS.

The Council may act by resolution in all cases unless an ordinance is required by this Charter.

Section 3.13 CODES OF TECHNICAL REGULATIONS.

A. The Council may adopt any standard code of technical regulations by referring to that code in an adopting ordinance.

B. The procedure and requirements governing such an adopting ordinance shall be as prescribed for ordinances generally except that:

1. The requirements of Section 3.9A and B of this Charter, for distribution and filing of copies of the ordinance, shall be construed to include copies of the code of technical regulations as well as of the adopting ordinance;

2. A copy of each adopting code of technical regulations as well as of the adopting ordinance shall be authenticated and recorded by the City Clerk pursuant to Section 3.14A of this Charter; and,
3. Copies of any adopted code of technical regulations shall be made available in the office of the City Clerk for examination by interested persons.

Section 3.14 AUTHENTICATION AND RECORDING; CODIFICATION; PRINTING.

A. All ordinances and resolutions of the Council shall be authenticated by the City Clerk and recorded in an indexed public record.

B. The Council shall provide for the preparation of a general codification of this Charter and its amendments, and of those ordinances selected by the Council. This codification shall be known and officially cited as the **El Paso City Code**. Copies of the Code shall be furnished to City officers and placed in libraries and public offices within the El Paso City limits, for free public reference.

Section 3.15 CONSERVATION.

The Council must, in consultation with the Public Service Board, and within two years following the adoption of this Charter, enact and maintain a comprehensive plan for the conservation of water and other natural resources. The plan shall take into consideration the impact on natural resources resulting from any governmental action, including, but not limited to, land use, zoning regulations, building code requirements, and development and operation of public facilities. The City shall continue to implement the plan by using such means as the Council makes available to acquire, conserve and preserve natural resources for future generations.

Section 3.16 BORDER RELATIONS.

The Council must, within one year following the adoption of this Charter, provide for the duties, appointment, structure, terms of office and filling of vacancies on a standing Committee on Border Relations, comprised of El Paso citizens.

The Committee on Border Relations shall propose, promote and, from time to time, revise a program to enhance relations with Ciudad Juarez and with the border area in proximity to El Paso.

Section 3.17 ANNEXATION OF TERRITORY.

The Council may, by ordinance, fix or extend the boundaries of the City and may also, by ordinance, annex or exchange territory adjoining or abutting upon the territory of the City. The territory so annexed shall, in all respects and for all purposes, be part of the City. In no event shall an annexation ordinance be passed without notice, published in accordance with state law, to the residents of the City and of the territory to be annexed, nor without a meeting of the Council at which proponents and opponents of the annexations must be given ample opportunity to express their views.

Section 3.18 LEASE; FRANCHISE; AND CONVEYANCE.

The right of control, ownership and use of streets, alleys, parks and public places of the City is declared to be inalienable except as provided by ordinance passed by the Council and except for uses of less than thirty days which may have a separate approval process as established by ordinance.

Any ordinance providing for the conveyance, lease, or grant of a franchise regarding the property of the City shall provide for payment to the City of a reasonable fee as consideration for that conveyance, lease, or franchise. In addition, any ordinance providing for the lease or franchise shall provide that:

1. At the termination of the lease or franchise, the property involved, together with any improvements thereto, made or erected during the term of the lease or franchise, shall (either without further compensation or upon payment of a fair valuation therefore as determined by the terms of the ordinance), become the property of the City; and
2. Every lease or franchise may be revoked by the City if necessary to secure efficiency of public service at a reasonable rate, or to assure that the property is maintained in good order throughout the life of the grant.

Section 3.19 PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES IN RESIDENTIAL SECTIONS OF THE CITY.

The sale of beer and liquor is hereby prohibited in residential areas of the City.

Section 3.20 ETHICS AND ACCOUNTABILITY.

A. Ethics Review Commission. The Council shall, by ordinance, establish an independent ethics review commission to administer and enforce the ethics section of the City Code. To the extent permitted by Texas law, the Council shall authorize the commission to issue advisory opinions, conduct investigations, request witness testimony and production of evidence, and make determinations on whether a violation has occurred, and issue decisions and appropriate sanctions. The commission shall have the power to enforce its decisions by assessing civil fines and other sanctions as authorized by ordinance. The Council shall provide sufficient resources to the commission to enable it to perform the duties assigned to it under the Charter and City Code.

B. Internal Audit Function.

1. The Council shall establish and create an internal audit function to ensure that appropriate internal audits will be performed in accordance with professionally recognized auditing standards of the operations of all City departments, offices, agencies and programs.
2. The function shall be staffed by a Chief Internal Auditor and such other appropriate positions as are authorized by the Council who shall report to the Chief Internal Auditor.
3. Consistent with the provisions of this Charter, the Council shall by ordinance or resolution provide for the powers and duties of the Chief Internal Auditor as needed for the performance of the function.
4. The Financial Oversight and Audit Committee shall maintain legislative oversight over the internal audit function as provided in Section 3.6 B.
5. On and after the effective date of this amendment, the Chief Internal Auditor shall be appointed and removed by, and report to the Council. The Chairman of the Financial

Oversight and Audit Committee shall maintain operational oversight over the internal audit function. The City Manager shall be responsible for the implementation of any audit recommendations for changes to City administrative procedures and operations as requested by the Council.

Article IV THE MAYOR.

Section 4.1 POWERS OF THE MAYOR.

A. The Mayor shall be recognized as head of the City government for all ceremonial purposes and by the governor for purposes of military law but shall have no administrative duties except as may be specifically provided in this Charter.

B. The Mayor shall be a member of and preside over the City Council, having the power to propose legislation; represent the City in intra-governmental and intergovernmental relationships; appoint with the consent of the Council the members of citizen advisory boards and commissions; make appointments and perform duties pursuant to federal and state law; present an annual state of the City message, break tie votes, veto legislation except for any City Council action which removes the City Manager or the City Attorney, convene the Council in special session and perform other duties specified by the Council.

Section 4.2 DUTIES OF THE MAYOR.

A. Under the authority of the Council, the Mayor shall sign all lawful acts of the Council, such as ordinances, resolutions, conveyances, grant agreements, plats, contracts and bonds. The Council may by ordinance provide that additional designated officials may sign such acts of Council on behalf of the Mayor, as provided by law.

B. The Mayor shall have the sole authority to appoint and remove the Mayor's Executive Secretary and Executive Assistant(s).

Section 4.3 MAYOR PRO TEMPORE.

A. At the first meeting upon the start of new terms of office following each general election, the Council shall elect from among the Representatives a Mayor Pro Tempore, who shall hold that office for a two year term. Should the office of Mayor Pro Tempore become vacant, the Council shall elect a new Mayor Pro Tempore.

B. During the absence or disability of the Mayor, the Mayor Pro Tempore shall act as Mayor, but shall vote as a Representative, and shall have no veto power.

C. In the event of the absence of both the Mayor and Mayor Pro Tempore, the Council shall elect an alternate Mayor Pro Tempore to serve until the return of the Mayor or Mayor Pro Tempore.



File #: 25-169, Version: 3

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

District 8

Capital Improvement Department, Joaquin Rodriguez, (915) 212-0065
City Manager's Office, Omar Martinez, (915) 479-0341

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Update on FY21 RAISE Grant - Downtown I-10 Deck Plaza Feasibility Study and discussion and action to direct the City Manager to conduct an analysis of local, state, and federal funding sources that could help fund the design and construction of the Deck Plaza.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Capital Improvements

AGENDA DATE: 2/3/25

PUBLIC HEARING DATE:

CONTACT PERSON NAME: Joaquin Rodriguez, AICP (915)-212-0065
Omar Martinez (915)-479-0341

DISTRICT(S) AFFECTED: 8

STRATEGIC GOAL: #7 Enhance and Sustain EL Paso's Infrastructure Network

SUBGOAL:

SUBJECT: Update on FY21 RAISE Grant – Downtown I-10 Deck Plaza Feasibility Study and discussion and action to direct the City Manager to conduct an analysis of local, state, and federal funding sources that could help fund the design and construction of the Deck Plaza.

Clerk Dept. Rev.2.20241204

BACKGROUND / DISCUSS

The City of El Paso Capital Improvement Department (CID) in partnership with the Paso Del Norte Foundation is in the final stages of completing a Feasibility Study for the I-10 Downtown Deck Plaza project. The City of El Paso submitted a grant application to the Fiscal Year 2023 RCP program for the I-10 Deck Plaza Design Project. The application was scored "Highly Recommended" by FHWA reviewers but was not selected for funding. The El Paso MPO requested to work with the City of El Paso to resubmit the application for Fiscal Year 2024. The Fiscal Year 2024 RCP grant application was also not selected.

The Deck Plaza is expected require a combination of local, state, and federal resources for design, construction and operations. The ratios of funding will be significantly impacted by the current timeline for I-10 downtown reconstruction, which is expected to begin in 2026.

COMMUNITY AND STAKEHOLDER OUTREACH:

In February - April of 2023, the City of El Paso and consultant Stantec conducted three community stakeholder meetings

In July, 2024 City of El Paso held a public meeting with over 120 attendees

PRIOR COUNCIL ACTION:

The City of El Paso received a \$900,000 grant from the FHWA Fiscal Year 2021 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program matched by \$421,785 from the Paso del Norte Community Foundation for the I-10 Deck Plaza Feasibility Study.

On September 24, 2024, City Council approved a local match of \$750,000 from TIRZ 5 for the El Paso MPO application.

On November 22, 2024, the City Council approved a professional services contract for the Deck Plaza Feasibility Study Urban Planning and Engineering Services project.

AMOUNT AND SOURCE OF FUNDING:

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

NAME	AMOUNT (\$)

DEPARTMENT HEAD:



Joaquin Rodriguez, AICP

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Clerk Dept. Rev.2.20241204



Downtown Deck Plaza Feasibility Study Update

February 2025

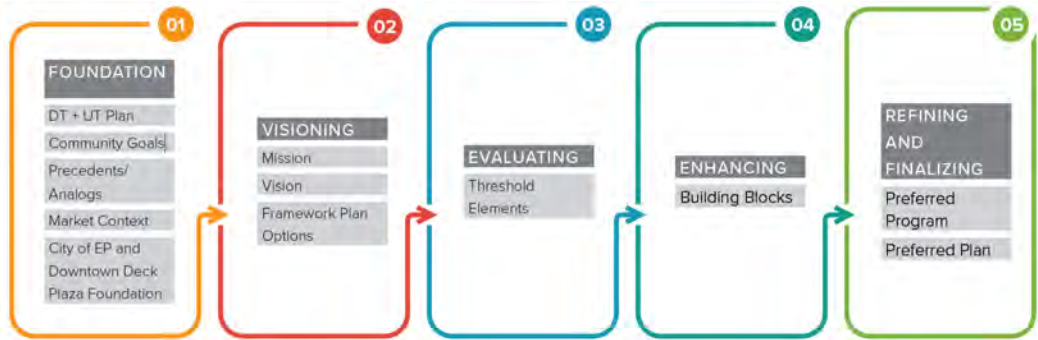
Project History

- Council Approved Grant Application – April 13, 2021
- Council Awarded Consultant Contract – Nov 22, 2022
 - Stantec Prime Consultant with Consor and Mend assisting w/ public engagement
 - Phase 1 – Feasibility
 - Phase 2 – Schematic Design
 - \$1,331,785
 - \$900,000 Federal
 - \$431,785 EPCF
- May 3rd 2023 - paused consultant work due to delays in FHWA agreement
- Jan 2024 – Stantec Resumes Phase 1



Public Engagement Summary

- Mend Public Engagement Jan-Feb 2023
 - 20 1-on-1 Interviews w/ stakeholders, neighborhood associations, business owners, residents, non-profits
- Stantec Public Meetings
 - 3 Community Advisory Committee Meetings
 - Feb 27-Mar 1, April 17-20
 - <https://www.downtowndeckplaza.org/project-library>
- Final Public Open House – July 11th
 - 120+ Attendees



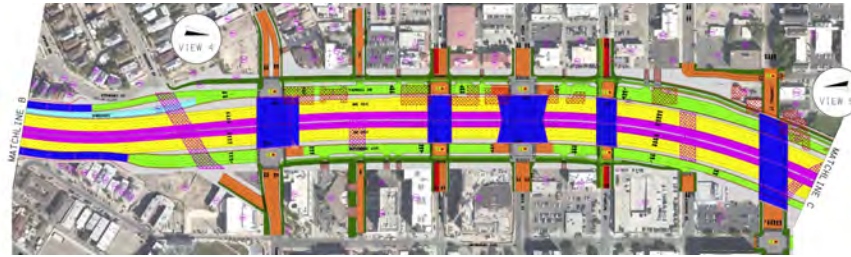
Public Engagement Feedback

- **Amenity Selection:** The community's input directly influenced the selection of amenities, ensuring they reflect the needs and preferences of the users.
- **Programming Activities:** Feedback helped shape a diverse range of programming activities that cater to various interests and demographics.
- **Design Adjustments:** Suggestions from stakeholders led to design adjustments that improved accessibility and usability.
- **Enhanced Community Trust:** The transparent and inclusive engagement process fostered trust and strengthened relationships between the community and project team.
- **Informed Decision-Making:** The collected data and feedback provided a solid foundation for informed decision-making throughout the planning and implementation phases
- **Broad support for Deck Plaza in concept**
- **Primary Concerns:** Who Pays? Displacement? Why here? Why Downtown?



TXDOT Coordination

- Deck Concept originated from TXDOT Reimagine I-10 Corridor Study
- March 15, 2022 City adopts resolution to request that the I-10 project include street elements that are compatible with downtown, retain North South Connectivity and structurally support a future deck.
- January 11, 2023 City submits comments for Public Scoping Meeting #1
 - Consistent with previously adopted resolution
- Feb 2023-Present – Monthly coordination with TXDOT team
 - Engineering coordination for Downtown 10, not deck specific
- TXDOT Unofficial Preferred Alternative is Alt I
 - NEPA is still incomplete
 - Alt I involves significant ROW acquisition through downtown
- 90% Schematic received 4-23-24



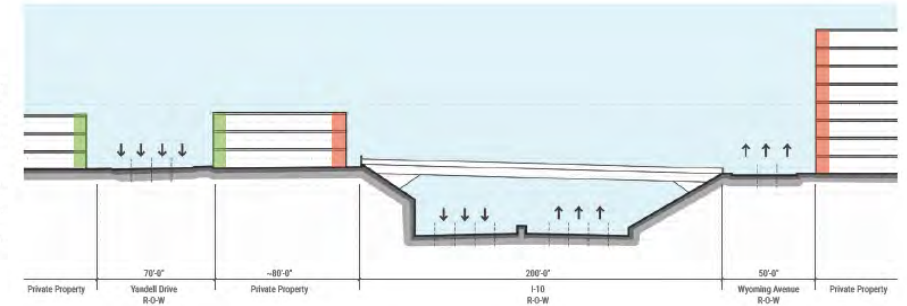
VIEW 4: LOOKING NORTHEAST AT DOWNTOWN

TXDOT Design Concerns

- Connectivity of Bike Ped facilities
 - Requested Realignment of proposed cycle track to deck side
- Opportunity for development of structures on solid ground
 - Request to Maintain current alignment of Yandell to North ROW, avoid creating the no man's land.
- Kansas St Overpass Reintroduced
 - Maintain existing street grid
- Remove U-turns
 - Enhance safety and connectivity

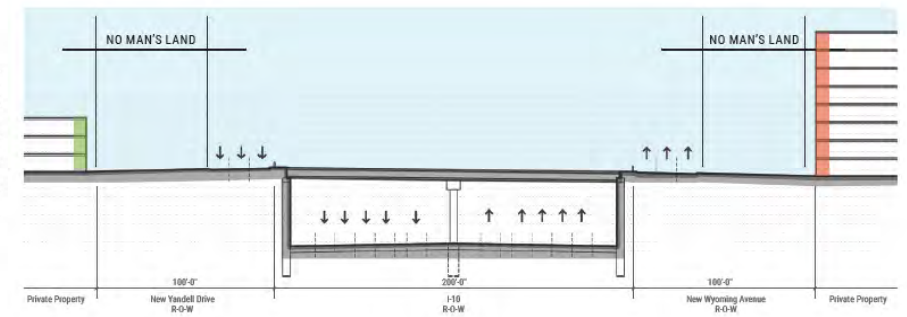
I-10 Today:

Backs of buildings face the I-10 corridor and create a hostile environment for cyclists and pedestrians. The proposed plan must identify ways to reverse this relationship

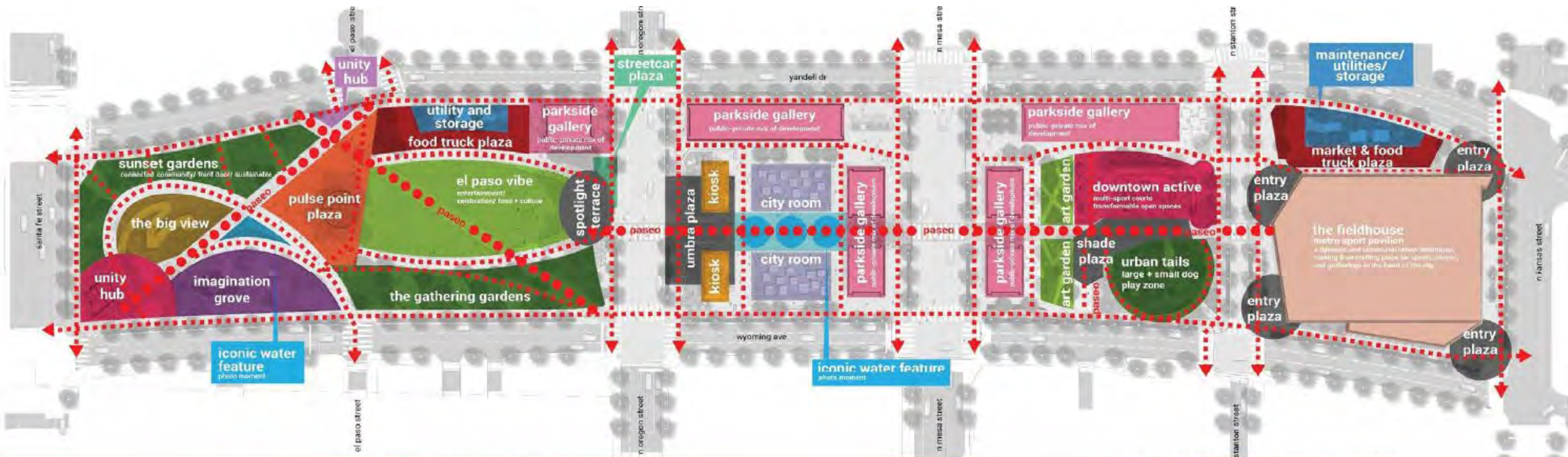


TxDOT Alt. I

The reconfiguration of highway trench and surface streets leaves "leftover" land, isolated, unmanaged, and not of a size to support deck activity.



Community Informed Programming



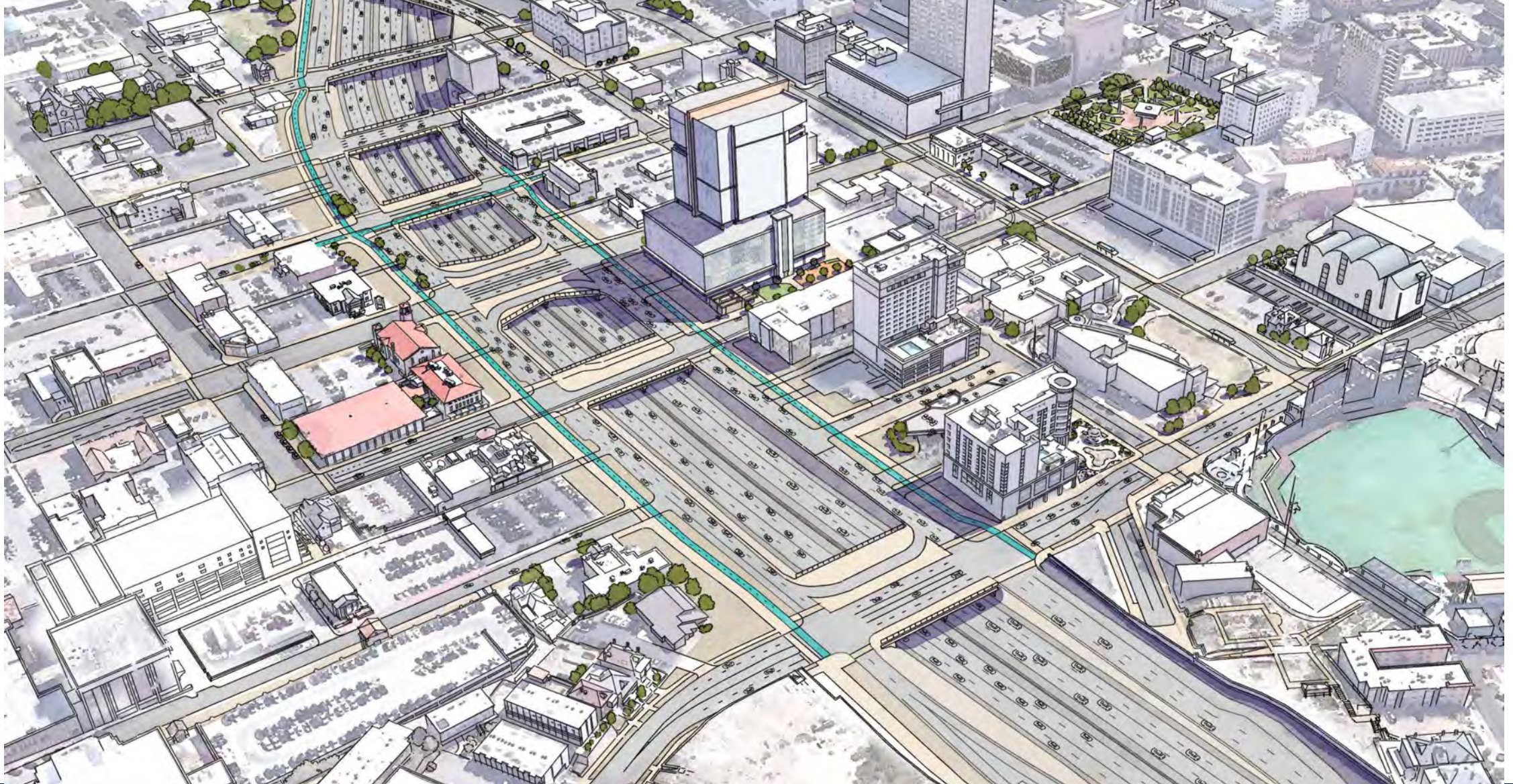
PHASE I (Sante Fe' to Mesa Streets)

PHASE II (Mesa to Kansas Streets)

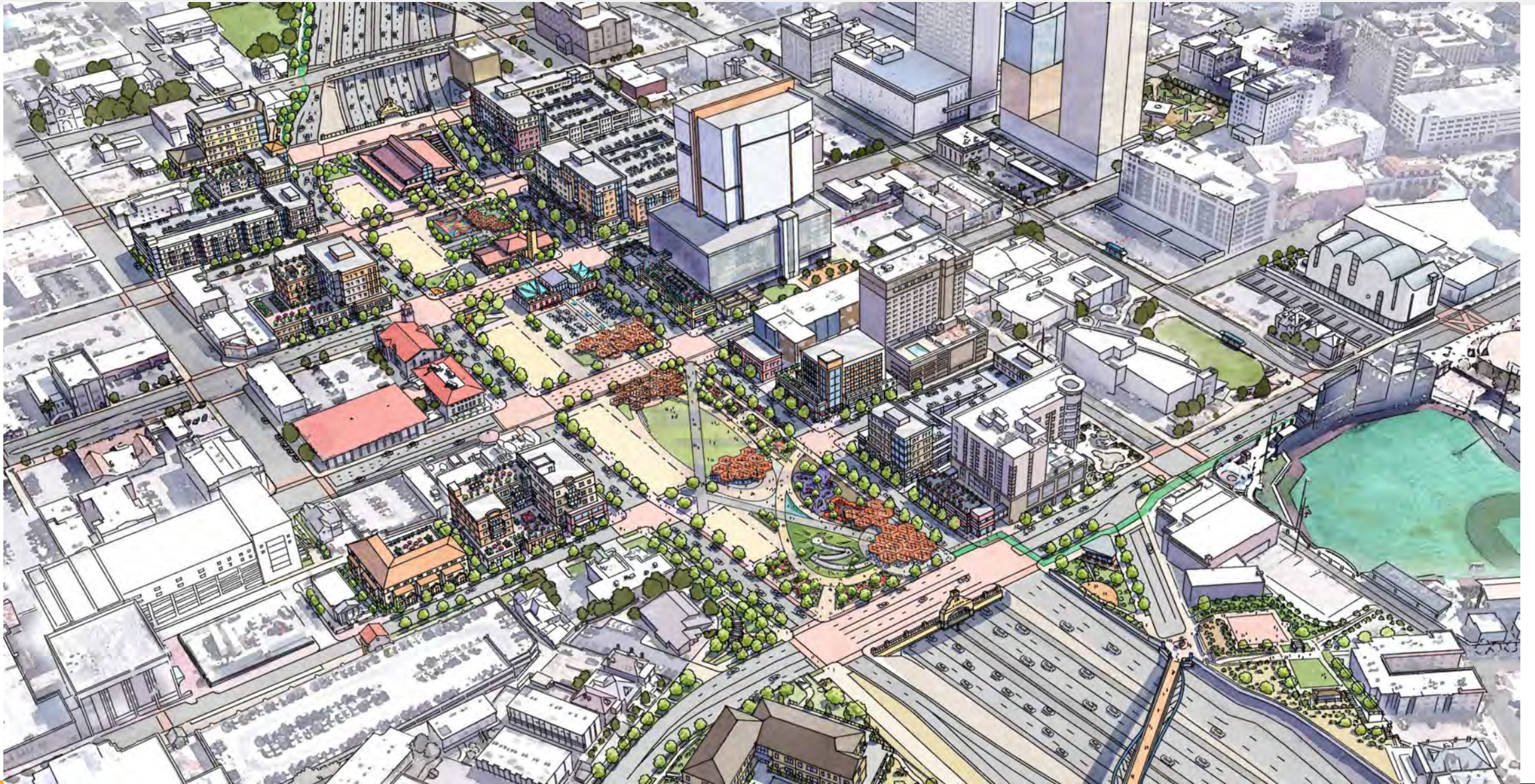
Community Informed Concept



TXDOT Alternative I without Deck Plaza

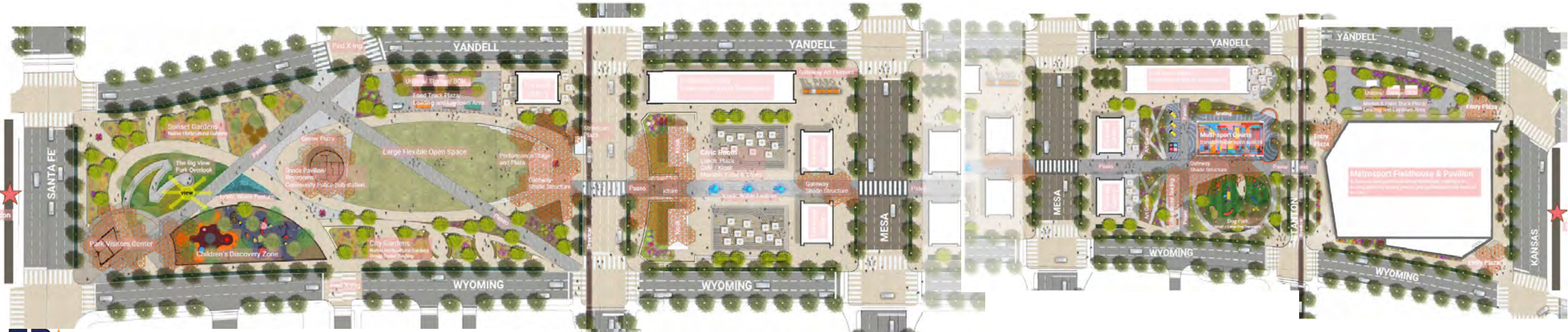


TXDOT Alternative I with Deck Plaza



Potential for Phasing

- Phase 1
 - Santa Fe to Mesa
 - Prioritizes the large programmable area between Santa Fe and Oregon
- Phase 2
 - Mesa to Kansas
- Amenities can be phased, structure is more difficult to phase.



Expected Cost of Construction

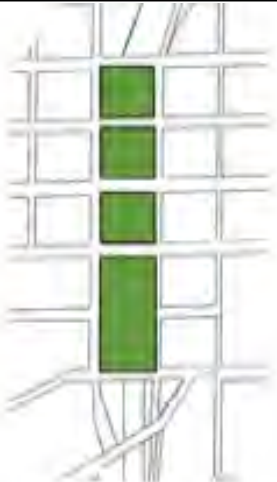
- **Phase 1 - \$106,224,635.63**
 - Santa Fe to Oregon
 - 147,285 sq ft - Event Space
 - **\$71,013,603 w/o PPP Buildings**
 - Oregon to Mesa
 - 70,300 sq ft - Multicultural Forum
 - **\$35,211,032 w/o PPP Buildings**
- **Phase 2 – \$101,441,947.51**
 - Mesa to Stanton
 - 76,743 sq ft - Backyard Games
 - **\$39,366,655 w/o PPP Buildings**
 - Stanton to Kansas
 - 77,800 sq ft - Shaded Recreation
 - **\$85,782,792 (2027)**
- **Total - 207,666,583.1**



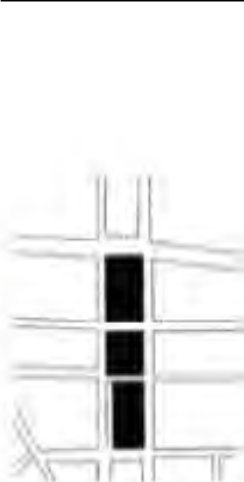
Precedent Costs of other Decks

- The estimated cost of **\$24.3 million (Yr. 2027) per acre** for a freeway lid park in El Paso aligns with the financial expectations for such projects. These costs reflect the complex engineering, extensive amenities, and high-quality programs characteristic of world-class parks, which serve not only local communities but also have regional significance.

<p>El Paso Deck Plaza: Size: 8.5 acres \$24.3M/ acre (2027)</p>	<p>Klyde Warren Park: Opened: 2012 Construction cost: \$110M Size: 5.2 acres \$21.15M/ acre (2012) \$26.07M/ acre (est. 2027)</p>	<p>Frankie Pace Park: Opened: 2023 Construction cost: \$32M Size: approx. 3 Acres \$10.66M/ acre (2022) \$11.56M/ acre (est. 2027)</p>	<p>Central 70 Cover Park: Opened: 2022 Construction cost: \$125M Size: 4 acres \$31.25M/ acre (2020) \$34.56M/ acre (est. 2027)</p>	<p>Southern Gateway Park: Under Construction est. opening 2026 Construction cost: est. \$112M Size: 2.8 acres (phase I) \$40M/ acre</p>	<p>Margaret T. Hance Park: Opened: April 1992 Size: 32 acres Construction cost: \$100M (1992) \$237.56M (est. 2027) \$7.42M/ acre (est. 2027)</p>
--	--	---	--	--	--



El Paso Deck Plaza
El Paso, Texas



Klyde Warren Park
Dallas, Texas



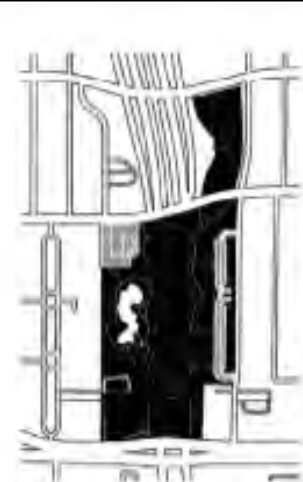
Frankie Pace Park
Pittsburgh, Pennsylvania



Central 70 Cover Park
Denver, Colorado



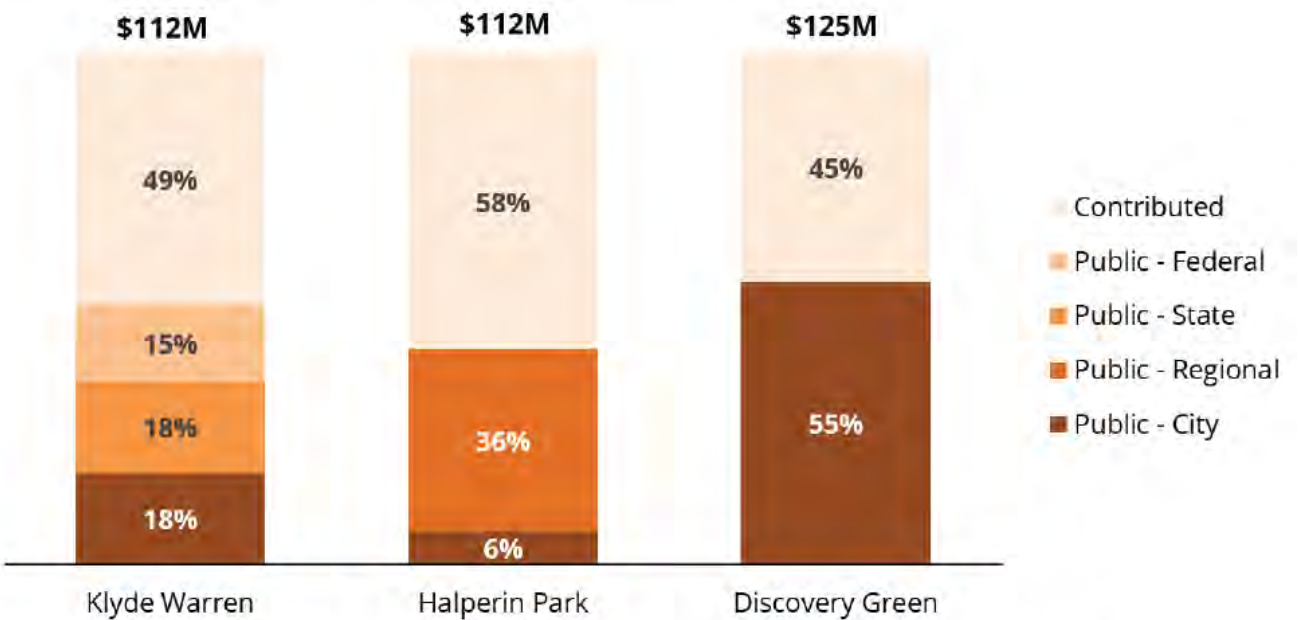
Southern Gateway Park - PH1
Dallas, Texas



Margaret T. Hance Park
Phoenix, Arizona

Precedent Funding Splits

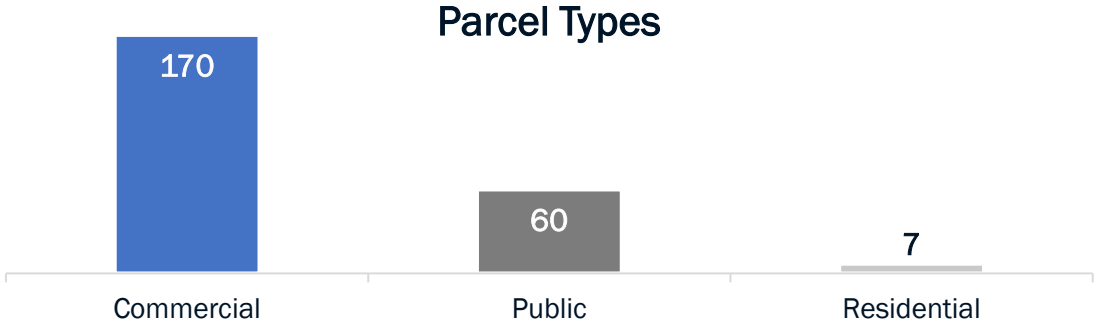
- Other Deck Plaza/Park efforts have relied heavily on a combination of State, Federal and Philanthropic contributions for both construction and operations.



Source: HR&A Advisors, Inc.; Discovery Green Conservancy Form 990 (2022); Woodall Rogers Park Foundation 990 (2022); <https://www.southerngatewaypark.org/fast-facts>
 Figure-86 : Precedent TX Parks Capital Funding Stack

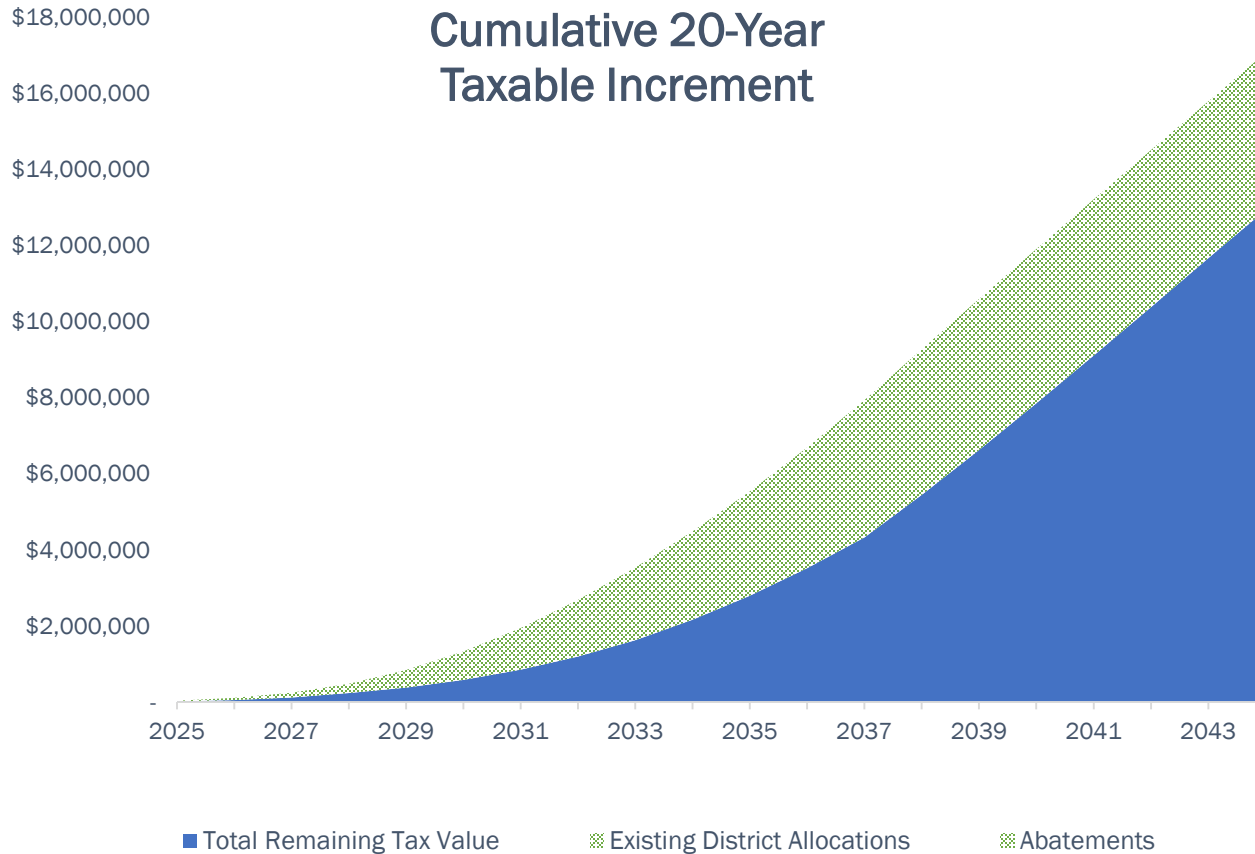
Value Capture Potential

- Parcels within a 0.25-mile radius of the proposed park show potential for inclusion in an expanded or new TIRZ
- This boundary is based on the assumptions that these parcels are close enough to the park that they will see a premium to their baseline value appreciation around the time of the park's development.
- 237 parcels existing parcels with a \$295 million assessed value in the 2023- 2024 tax year. These parcels are mostly commercial parcels, with a significant share of publicly-owned parcels as well.



Value Capture Potential

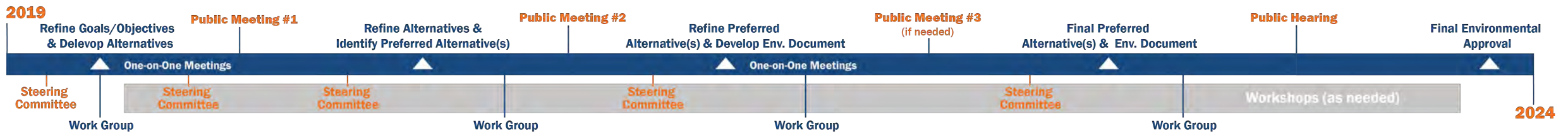
- Value Capture Potential with city and county participation for 100% contribution to an expanded Downtown TIRZ.
- Assumes some increment necessary to incentivize future growth.
- Value capture shows potential to bolster operations costs, not a viable source of funds for capital construction.



Type	NPV	Share
Tax Abatements	\$2.3M	13%
Existing TIRZ-5 Commitments	\$1.8M	11%
Remaining Tax Increment	\$12.9M	76%
Total Increment	\$17.1M	

TXDOT Downtown 10 Timeline

- Alignment with Downtown 10 Timeline is critical:
 - Minimize future costs associated with re-work of Downtown 10 project activities.
 - Minimize future construction related traffic disruptions.
- TXDOT expects draft EIS summer FY25



Priority Next Steps for Deck Plaza

- Identify funding for **design** in the short term.
- Collaborate with regional partners on developing **funding strategies** and supporting grant writing.
- Develop and explore **formal** partnerships and commitments for funding future funding, including:
 - Philanthropy
 - Public-private partnerships
 - Local public agency funding
 - Other public financing options
 - State grants and riders
 - Federal grants
 - Congressionally-Directed Spending



Recommended Action

Direct the City Manager to conduct an analysis of local, state, and federal funding sources that could help fund the design and construction of the Deck Plaza.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 25-170, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Economic and International Development, Karina Brasgalla, (915) 212-0094

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion on potential economic development opportunities in the City of El Paso. HQ#25-4246 (551.087)



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 25-171, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

City Attorney's Office, Carlos Gomez Baca Jr., (915) 212-0033

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Michael R. Aguirre, et al v. City of El Paso, Texas; Cause No. 2017DCV2260 (551.071)



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 25-172, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

City Attorney's Office, Matt Marquez, (915) 212-0033

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Ariel Perez, et. al v. Bowling Enterprises, LTD, Northtowne Village Joint Venture, and CEA Engineering Group, Inc., 2023DCV2046; HQ# 426 (551.071)



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 25-173, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

City Attorney's Office, Miguel A. Talamantes Guzman, (915) 212-0033

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

El Paso Zoological Society, a Texas nonprofit corporation v. City of El Paso, a Texas Municipal Corporation;
Cause No. 2024DCV2545 (551.071)



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 25-189, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

City Attorney's Office, Mayra A. Stanton, (915) 212-0033

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion on the United States Office of Management and Budget's "Temporary Pause of Agency Grant, Loan and other Financial Assistance Programs" Memorandum; M-25-13; Executive Office of the President. (551.071)



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 25-174, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

City Attorney's Office, Matt Marquez, (915) 212-0033

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Application of El Paso Electric Company to Change Rates - PUC#57568; HQ#UTILITY-60 (551.071)



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 25-175, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Outside Counsel, Lea Ream, (210) 349-6484

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Employment, evaluation process and duties for City Council appointed employees, City Manager, City Attorney, and Chief Internal Auditor (551.071) (551.074)