

OSCAR LEESER
MAYOR

CARY WESTIN
INTERIM CITY MANAGER



CITY COUNCIL
BRIAN KENNEDY, DISTRICT 1
JOSH ACEVEDO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
JOE MOLINAR, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
ART FIERRO, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CHRIS CANALES, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

MAY 7, 2024
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY
9:00 AM

ROLL CALL

The City Council of the City of El Paso met on the above time and date. Meeting was called to order at 9:02 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Brian Kennedy, Josh Acevedo, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Art Fierro, Henry Rivera, and Chris Canales.

INVOCATION BY EL PASO POLICE CHAPLAIN AND SUN VALLEY BAPTIST PASTOR DENNIS COFFMAN

PLEDGE OF ALLEGIANCE

Ramona STEM Academy

Daniela Arroyo
Victoria Arroyo
Betty Ila Brown
Dianna Jhonaitys Carrera Rosario
Angel Gabriel Cordova
Laila Sophia De La Torre
Eleanor Rose Estrada
Ximena Herrera
Esteban Carmelo Ibarra
Madelyn Grace Kieffe
Fernanda Martinez
Ariadne Montes-Rangel
Christian Ivan Nieto
Alonso Edwin Ortiz Zapata
Liam Tomas Perez
Violeta Alicia Perez Gaytan
John Joe Powers IV
Fernanda Liliana Ramos
Victoria Alessandra Rodriguez-Velasquez
Mia Guadalupe Samaniego Madrigal

MAYOR'S PROCLAMATIONS

Mental Health Awareness Month

Internal Audit Awareness Month

National Police Week - El Paso Police Officers Memorial Day

Community Development Block Grant Month

Walk, Bike and Roll to School Day

Foster Care Awareness Month

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The Regular City Council meeting was **RECESSED** at 9:05 a.m. to recognize Mayor Leaser’s birthday.

The Regular City Council meeting was **RECONVENED** at 9:14 a.m.

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NOTICE TO THE PUBLIC

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

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, Fierro, Rivera 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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1. *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes of the Regular City Council Meeting of April 9, 2024, the Regular City Council Meeting of April 23, 2024, the Agenda Review Meeting of April 22, 2024, and the Work Session of April 22, 2024.

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CONSENT AGENDA – REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

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2. **REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS**

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

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CONSENT AGENDA – RESOLUTIONS:

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

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3. ***RESOLUTION**

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

THAT the City Manager be authorized to sign a Standstill Extension Agreement between the City of El Paso; the U.S. General Services Administration (“GSA”); the El Paso

Infrastructure Collaborative, LLC (“EPIC”); and the Jose and Carmen Silva Family Limited Partnership (“Silva FLP”), preserving the terms and conditions of the existing lease and sublease agreements between the parties regarding the properties adjacent to the Stanton International Bridge (the “Stanton DCL Properties”); and extending the Standstill Agreement previously entered into by the parties for a period ending upon the earlier of the GSA’s acquisition of Stanton DCL Properties or May 18, 2025.

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Goal 3: Promote the Visual Image of El Paso
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4.

***RESOLUTION**

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, JOHN H. SCHMIDT, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the PLANNING AND INSPECTIONS DEPARTMENT, under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building secure until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Planning and Inspections Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

8722 N. Gateway Blvd., El Paso, Texas 79904 more particularly described as 5 Del Norte Acres N 53 Ft of W 130 Ft of 4 (6890 Sq. Ft.) Lot, City of El Paso, El Paso County, Texas, PID #D36199900504400

to be \$3,920.00, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 5TH day of FEBRUARY, 2024, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount THREE-THOUSAND NINE-HUNDRED TWENTY AND 00/100 DOLLARS (\$3,920.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk’s office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, LABIBI JOSEPHINE MORAD, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the PLANNING AND INSPECTIONS DEPARTMENT, under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building secure until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Planning and Inspections Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

2227 Magoffin Ave., El Paso, Texas 79901 more particularly described as Lots Thirty (30), Thirty-One (31) and Thirty-Two (32) in Block Thirty-Four (34) of the BASSETT ADDITION to City of El Paso, El Paso County, Texas, PID #B20299903409600

to be \$8,490.75, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 8TH day of JANUARY, 2024, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount EIGHT-THOUSAND FOUR-HUNDRED NINETY AND 75/100 DOLLARS (\$8,490.75) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments
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5.

***RESOLUTION**

WHEREAS, under the provisions of Chapter 213 of the Texas Local Governmental Code, the City of El Paso may prepare plans, policies or strategies as required; and

WHEREAS, a primary objective of the Plan is to identify, prioritize and provide park and recreational infrastructure and services desired by the citizens of El Paso; and

WHEREAS, City Council officially adopted the 2012-2022 updated Parks and Recreation Master Plan for the City of El Paso, Texas ("the Plan") on September 16, 2014.

WHEREAS, the Plan complies with Texas Parks and Wildlife Department master plan guidelines, which require parks and recreation needs to be prioritized and addressed in an action plan format; and

WHEREAS, the City Council, had previously determined that the Plan is reasonable and appropriately adopted under Chapter 213 of the Texas Local Government Code.

WHEREAS, the City Council of the City of El Paso recognizes the need to update and amend the Parks and Recreation Master Plan (“the Plan”) to include the City’s Mission Statement and extend the Plan for an additional twelve (12) months to allow additional time to adopt a new Master Plan.

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

THAT the 2012-2022 updated Parks and Recreation Master Plan for the City of El Paso, Texas (“the Plan”), attached hereto**, is hereby officially adopted with the following amendments:

1. The City’s Mission Statement is to be added
2. The Plan is extended for an additional twelve (12) months to allow additional time to adopt a new Plan.

**Plan available at the City Clerk’s Office.

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

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and City of San Elizario, Texas, for the period of September 1, 2023, through August 31, 2024 for the provision of public health and environmental services by the City of El Paso to City of San Elizario, for which City of San Elizario shall pay to the City of El Paso an annual amount of ONE HUNDRED THREE THOUSAND TWENTY-NINE DOLLARS AND NO/100 (\$103,029.00)

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7. *RESOLUTION

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and Village of Vinton, Texas, for the period of September 1, 2023, through August 31, 2024 for the provision of public health and environmental services by the City of El Paso to Village of Vinton, for which Village of Vinton shall pay to the City of El Paso an annual amount of TWENTY-SEVEN THOUSAND FIVE HUNDRED TWO DOLLARS AND NO/100 (\$27,502.00).

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8. *RESOLUTION

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and City of Anthony, Texas, for the period of September 1, 2023, through August 31, 2024 for the provision of public health and environmental services by the City of El Paso to City of Anthony, for which City of Anthony shall pay to the City of El Paso an annual amount of THIRTY-EIGHT THOUSAND SEVEN HUNDRED FIFTY-FOUR DOLLARS AND NO/100 (\$38,754.00)

9.

***RESOLUTION**

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and Town of Horizon City, Texas, for the period of September 1, 2023, through August 31, 2024 for the provision of public health and environmental services by the City of El Paso to Town of Horizon City, for which Town of Horizon City shall pay to the City of El Paso an annual amount of TWO HUNDRED THREE THOUSAND NINE HUNDRED FORTY-ONE DOLLARS AND NO/100 (\$203,941.00)

10.

***RESOLUTION**

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and Town of Clint, Texas, for the period of September 1, 2023, through August 31, 2024 for the provision of public health and environmental services by the City of El Paso to Town of Clint, for which Town of Clint shall pay to the City of El Paso an annual amount of NINE THOUSAND ONE HUNDRED FIFTEEN DOLLARS AND NO/100 (\$9,115.00)

CONSENT AGENDA – BOARD APPOINTMENTS:

Goal 3: Promote the Visual Image of El Paso

11. *Motion made, seconded, and unanimously carried to **APPOINT** Elizabeth Thurmond-Bengtson to the Zoning Board of Adjustment as a Regular Member by Mayor Oscar Leeser.

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

12. *Motion made, seconded, and unanimously carried to **APPOINT** Luis Terrazas to the Parks and Recreation Advisory Board by Representative Isabel Salcido, District 5.

CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS:

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

13. *Motion made, seconded, and carried to **NOTE** pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Representative Cassandra Hernandez in the amounts of \$500 from Scott Lynch and \$1,000 from Raul Hernandez.

CONSENT AGENDA – REQUEST TO ISSUE PURCHASE ORDERS:

Goal 8: Nurture and Promote a Healthy, Sustainable Community

14. *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Managing Director of Purchasing & Strategic Sourcing to issue Purchase Order(s) to increase contract 2022-0850 Veterinary Medical Supplies (Re-Bid III) to Manuel Talamantes, III dba El Paso Veterinary Supply. This change order will increase referenced contract by \$271,288.87 for a total estimated amount not to exceed \$1,436,572.99. This change order will consider manufacturer's price increases due to the volatility of the pharmaceutical market.

Contract Variance:
Not Applicable

Department:	Animal Services
Award to:	Manuel Talamantes, III dba El Paso Veterinary Supply
City & State:	El Paso, TX
Current Contract Estimated Amount:	\$1,165,284.12
Change Order Award:	\$271,288.87
Total estimated Amount not to Exceed:	\$1,436,572.99
Account(s):	225 - 2580 - 25120 - 531120
Funding Source(s):	Animal Services Fund
District(s):	All

This was a Low Bid Award - unit price contract.

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

REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL:

Goal 3: Promote the Visual Image of El Paso

15. RESOLUTION

WHEREAS, Correctional Officers are trained law enforcement professionals dedicated to maintaining safe and secure correctional facilities and ensuring public safety; and

WHEREAS, the duties of Correctional Officers include the supervision, care, and rehabilitation of inmates who have been convicted of a crime and are sentenced to serve time in a local, State, or Federal facility; and

WHEREAS, there are hundreds of correctional officers at each of the four correctional facilities in El Paso County to include the Rogelio Sanchez State Jail, El Paso County Detention Facility, El Paso County Jail Annex, and the Federal Bureau of Prisons: FCI La Tuna; and

WHEREAS, Correctional Officers meet the challenges of their profession with commitment, integrity, and courage as the environments in which Correctional Officers provide their knowledge and skills is one that can pose potential risk to their personal safety, yet, they persevere to meet the high standards of their profession.

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

Recognizes Correctional Officers for their service and for their exceptional performance of duties under difficult circumstances and declares the second week in May as "Correctional Officers Week."

Representative Hernandez read the resolution into the record.

Ms. Teresa Martinez, Rogelio Sanchez State Jail Senior Warden, commented.

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

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

NAYS: None

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Goal 4: Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments
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16.

R E S O L U T I O N

WHEREAS, Matthew Robert Tanner has dedicated copious hours of his time to the students of William D. Slider Middle School; and

WHEREAS, Matthew generously donated a remarkable 435 hours of his time last school year, demonstrating a commitment to supporting the school and its students; and

WHEREAS, building upon his prior dedication Matthew has already contributed 100 volunteer hours this school year and counting, further promoting the learning environment at William D. Slider Middle School; and

WHEREAS, Matthew's selfless contributions have undoubtedly had a positive impact on the lives of countless students and faculty members; and

WHEREAS, through his commitment, Matthew has demonstrated how volunteering can strengthen the bonds between individuals and create a more vibrant and resilient community.

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

That the City of El Paso proudly expresses its gratitude for Matthew Robert Tanner's exceptional volunteer service and wishes him all the best in his future endeavors.

Representative Fierro read the resolution into the record.

Mr. Matthew Tanner, honoree, commented.

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

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales
NAYS: None

17.

RESOLUTION

WHEREAS, hunger exists in every community in the nation, affecting one in three children and one in four adults in the El Paso community; and

WHEREAS, for 29 years, the National Association of Letter Carriers, in conjunction with the United States Postal Service, has conducted the Stamp Out Hunger Food Drive on the second Saturday in May; and

WHEREAS, the annual Stamp Out Hunger Food Drive has grown into the nation's largest one-day food drive; and

WHEREAS, since its inception, this food drive has collected approximately 1.9 billion pounds of food for those in need in the United States, collecting over 100,000 pounds of nonperishable food locally per year, providing supplemental food to thousands of families in El Paso; and

WHEREAS, every year, the El Pasoans Fighting Hunger Food Bank joins the National Association of Letter Carriers in their tradition of service to rally the community's generosity in this worthwhile effort to help their neighbors in need.

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

That the City of El Paso recognizes Saturday, May 11, 2024 as "Stamp Out Hunger Day" and challenges the community to beat the 2022 record and make this year's food drive the best and largest one-day food drive in the history of the City of El Paso.

Representative Acevedo read the resolution into the record.

Mayor Leeser commented.

The following members of the public commented:

1. Mr. Sal Rodriguez, President of the Association of Letter Carriers
2. Ms. Susan Goodell, Chief Executive Officer at El Pasoans Fighting Hunger Food Bank
3. Ms. Kelly Tomblin, President and Chief Executive Officer for El Paso Electric

Motion made by Representative Acevedo, seconded by Representative Molinar, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales
NAYS: None

Goal 8: Nurture and Promote a Healthy, Sustainable Community

18.

Older Americans Month 2024

RESOLUTION

WHEREAS, May is Older Americans Month, a time for us to recognize and honor older adults and their immense influence on every facet of American society through their wealth of life experience and wisdom. Older adults guide our younger generations and carry forward abundant cultural and historical knowledge; and

WHEREAS, older adults improve our communities through intergenerational relationships, community service, civic engagement, and many other activities; and

WHEREAS, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

WHEREAS, the Rio Grande Area Agency on Aging, a division of the Rio Grande Council of Governments, alongside community partners such as Texas Health and Human Services- Community Care Services Eligibility, Adult Protective Services, Project Amistad, 2-1-1 TX Rio Grande, Bienvivir All-Inclusive Senior Health, El Paso County Attorney Elder Protection Unit, the Alzheimer’s Association- West Texas Chapter, El Paso County Nutrition Program, Project Bravo and other elder serving entities who together are committed to ensuring older adults have the resources and support needed to stay independent and remain in their communities — reflecting our commitment to respecting and valuing older adults; and

NOW, LET IT BE RESOLVED, that the Mayor and City Council of El Paso, Texas hereby proclaim May 2024 as Older Americans Month. This year's theme, "Powered by Connection," emphasizes the profound impact of meaningful partnerships and social connection that positively influence the well-being and health of older adults in our community. We call upon all residents to join in recognizing the contributions of our older citizens and to promote programs and activities that foster connection, inclusion, and support for older adults.

NOW, THEREFORE LET IT BE RESOLVED, that the Mayor and City Council of El Paso, Texas hereby recognizes the month of May 2024, as the Older American Adults Month in the City of El Paso and honors the accomplishments and contributions made by Older American Adults to our community.

Representative Rivera read the resolution into the record.

Representative Kennedy commented.

The following members of the public commented:

1. Ms. Yvette Lugo, Director for the Rio Grande Area Agency on Aging
2. Ms. Rosemary Castillo, Bienvivir Chief Executive Officer
3. Ms. Kristina Peña, Project Amistad Chief Communications Officer
4. Ms. Rosalva Hernandez, Program Manager for the EP County Senior Meals Program
5. Ms. Annette Gutierrez, Rio Grande Council of Governments Executive Director
6. Ms. Patricia Osmond

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

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

NAYS: None

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

19.

RESOLUTION

WHEREAS the National Association of Latino Elected and Appointed Officials (“NALEO”) is a non-partisan organization that holds an annual conference which includes professional development sessions led by leading subject matter experts designed to enhance policymakers’ governance skills and understanding of critical policy issues; and

WHEREAS the NALEO is holding its 41st Annual Conference in Las Vegas, Nevada from June 18th through June 20th, 2024 (“Conference”); and

WHEREAS Representative Fierro, City Council Representative for District 6, wishes to allocate \$4,000 from District 6’s discretionary funds to fund his attendance at the Conference; and

WHEREAS the City Council finds that the expenditure of District 6 discretionary funds serves a municipal purpose of setting the standard for sound governance and fiscal management, as well as cultivating an environment conducive to strong economic development.

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

THAT the City Council declares that the expenditure of District 6 discretionary funds in the amount of \$4,000.00 to fund Representative Fierro’s attendance at NALEO’s 41st Annual Conference serves a municipal purpose of setting the standard for sound governance and fiscal management and cultivating an environment conducive to strong economic development; and

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

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

Ms. Patricia Osmond, citizen, commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Molinar

REGULAR AGENDA – OPERATIONAL FOCUS UPDATES:

Goal 8: Nurture and Promote a Healthy, Sustainable Community

20. Presentation and discussion on El Paso Animal Services Medical Operations.

Motion made by Representative Acevedo, seconded by Representative Salcido, and unanimously carried to **POSTPONE** the item for **TWO WEEKS**.

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

NAYS: None
NOT PRESENT FOR THE VOTE: Representative Molinar

CALL TO THE PUBLIC – PUBLIC COMMENT:

The following members of the public commented:

1. Ms. Wally Cech
2. Ms. Elizabeth Crawford
3. Mr. Ron Comeau
4. Mr. Arnulfo Hernandez
5. Ms. Patricia Osmond
6. Ms. Lisa Turner

REGULAR AGENDA – FIRST READING OF ORDINANCES:

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Molinar

Goal 3: Promote the Visual Image of El Paso

- 21.** An Ordinance changing the zoning of all of tracts 4C-1 and 4C-1B, Block 52, Ysleta Grant, City of El Paso, El Paso County, Texas from A-2/sc (Apartment/special contract) and A-2/H/sc (Apartment/Historic/special contract) to C-1/sc (Commercial/special contract) and C-1/H/sc (Commercial/Historic/special contract). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

The proposed rezoning meets the intent of the Future Land Use designation for the property and is in accordance with *Plan El Paso*, the City’s Comprehensive Plan.

Subject Property: South of La Morenita Circle and West of Socorro Road
Applicant: B & B Socorro, LLC., PZRZ23-00028

PUBLIC HEARING WILL BE HELD ON JUNE 4, 2024

- 22.** An Ordinance amending Title 5 (Business License and Permit Regulations), Chapter 5.03 (Amplified Sound Permit), Section 5.03.010 (Compliance Required) to remove the Downtown Management District exemption and Section 5.03.020 (Definitions) to amend the definition of residential property of the El Paso City Code; the penalty as provided in 5.03.130 of the El Paso City Code.

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

- 23.** An Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title and interest in real property described as The North 140 ft. of Lot 7, Block 4, Buena Vista Addition, El Paso County, Texas, to the City of El Paso (“City”), in accordance with Section 34.05(h) of the Tax Code.

Offer originated from The El Paso Municipal Drainage Utility, by and through El Paso Water Utilities Public Service Board, a component unit of the City of El Paso, a Texas municipal corporation (“EPWater”).

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24. An Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title and interest in real property described as Tract 2-P-2-B, Block 6, Ascarate Grant, El Paso County, Texas, as described in Volume 2948, Page 1719, Official Records of El Paso County, Texas, to the City of El Paso (“City”), in accordance with Section 34.05(h) of the Tax Code.

Offer originated from The El Paso Municipal Drainage Utility, by and through El Paso Water Utilities Public Service Board, a component unit of the City of El Paso, a Texas municipal corporation (“EPWater”).

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PUBLIC HEARING WILL BE HELD ON MAY 21, 2024 FOR ITEMS 22 THROUGH 24

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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

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25. Motion made by Representative Fierro, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation 2024-0117 Police Uniforms to Bazaar Uniforms and Men’s Store LLC for an initial term of three (3) years for an estimated amount of \$957,000.00. The award also includes a two (2) year option for an estimated amount of \$638,000.00. The total contract time is for five (5) years for a total estimated amount of \$1,595,000.00. This contract will replenish uniforms for the City of El Paso Police Department.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$595,000.00; which represents a 59.50% increase due to increased pricing and the addition of Code Enforcement Unit.

Department:	Police Department
Award to:	Bazaar Uniforms and Men’s Store LLC.
City & State:	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option Term:	2 Years
Total Contract Time:	5 Years
Annual Estimated Award:	\$319,000.00
Initial Term Estimated Award:	\$957,000.00
Option Term Estimated Award:	\$638,000.00
Total Estimated Award	\$1,595,000.00
Account(s)	531200 - 321 - 1000 - 21090
Funding Source(s):	General Fund
District(s):	All Districts

This was a Low Bid Procurement - catalog contract.

The Purchasing & Strategic Sourcing Department and Police Department recommend award as indicated to Bazaar Uniforms and Men’s Store LLC the lowest responsive and responsible bidder.

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Molinar

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- 26.** Motion made by Representative Rivera, seconded by Representative Fierro, and unanimously carried to **AUTHORIZE** the Managing Director of Purchasing & Strategic Sourcing to issue Purchase Order(s) for Solicitation 2024-0275 Maintenance Repair to Life Technologies Corporation the authorized service provider for an initial term of three (3) years for an estimated amount of \$154,187.52. This contract is necessary to uphold the warranty service agreement for the ABI and Quantstudio existing equipment, ensuring optimal operation.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An annual increase of \$7,306.04 which represents 16.57%. This is due to increased prices for services and an extension in the period of service from a one-year term to a three-year term of service.

Department:	Public Health
Award to:	Life Technologies Corporation
City & State:	Carlsbad, CA
Item(s):	All
Initial Term:	3 Years
Option Term:	NA
Total Contract Time:	3 Years
Annual Estimated Award:	\$51,395.84
Initial Term Estimated Award:	\$154,187.52
Option Term Estimated Award:	NA
Total Estimated Award:	\$154,187.52
Account(s):	522150-341-2235-41270-GT412029
Funding Source(s):	COVID-19 Relief Fund
District(s):	All

Non-competitive unit price contract under Texas Government Code, 252.022 (7) a procurement of items that are available from only one source, including (A) items that are available from only one source because of patents, copyrights, secret processes or natural monopolies. The requirement can be fulfilled by a non-competitive award.

The Purchasing & Strategic Sourcing Department and Public Health Department recommend award as indicated to Life Technologies Corporation under the exemption listed above.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Molinar

Goal 8: Nurture and Promote a Healthy, Sustainable Community

27. *Motion made, seconded, and unanimously carried to **DELETE** discussion and action on the award of Solicitation 2024-0285 Janitorial Services to Bella Luna Engineering & Building Maintenance for a term of three (3) year for an estimated amount of \$1,097,507.16. This contract will provide daily janitorial services across multiple clinics and location for the Department of Public Health.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$407,284.56, representing a 59.01% increase due to additional locations and current wage market.

Department:	Public Health
Award to:	Bella Luna Engineering & Building Maintenance
City & State:	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option Term:	N/A
Annual Estimated Award:	\$365,835.72
Total Estimated Award:	\$1,097,507.16
Account (s):	341-1000-41160-522060 341-1000-41130-522060 341-2140-41240-522060-P41A- GT4124GAF 341-2140-41240-522060-P41NE-GT4124GAF 341-2235-41355-522060-PHS13-G21CSLFRF 341-2235-41355-522150-PHS17-G21CSLFRF
Funding Source:	General Fund, Public Health Grants and COVID-19 Relief Fund
District(s):	All

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

The Purchasing & Strategic Sourcing Department and Department of Public Health recommend award as indicated to Bella Luna Engineering & Building Maintenance the highest ranked bidder based on the evaluation factors established in the evaluation criteria for this procurement and to deem Professional Janitorial Service of El Paso dba PJS of El Paso as nonresponsive due to failure to fulfill requirements on the bid form and Amanda Pauline Nyser dba Axiom Enterprise Solutions LLC and Technologies Link Business and Service Corporation as nonresponsive and nonresponsible due to failure of submitting the required surety letter.

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

REGULAR AGENDA – INTRODUCTIONS AND PUBLIC HEARINGS:

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

28. ORDINANCE 019621

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF EL PASO, TEXAS, MUNICIPAL DRAINAGE UTILITY SYSTEM REVENUE REFUNDING BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED**

\$75,200,000 TO REFUND CERTAIN PREVIOUSLY ISSUED OBLIGATIONS OF THE CITY; AND RESOLVING MATTERS WHICH ARE NECESSARY TO EFFECT SUCH ISSUANCE, INCLUDING THE DELEGATION OF MATTERS RELATING TO THE SALE AND ISSUANCE OF THE BONDS TO AN AUTHORIZED CITY OFFICER OR EMPLOYEE WITHIN CERTAIN SPECIFIED PARAMETERS.

Mr. Art Duran, El Paso Water Chief Financial Officer, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser commented.

Ms. Lisa Turner, citizen, commented.

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

NAYS: Representative Hernandez

NOT PRESENT FOR THE VOTE: Representative Salcido

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

29.

ORDINANCE 019622

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF EL PASO, TEXAS, WATER AND SEWER REVENUE REFUNDING BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$40,480,000 TO REFUND CERTAIN PREVIOUSLY ISSUED OBLIGATIONS OF THE CITY FOR DEBT SERVICE SAVINGS; AND RESOLVING MATTERS WHICH ARE NECESSARY TO EFFECT SUCH ISSUANCE, INCLUDING THE DELEGATION OF MATTERS RELATING TO THE SALE AND ISSUANCE OF THE BONDS TO AN AUTHORIZED CITY OFFICER OR EMPLOYEE WITHIN CERTAIN SPECIFIED PARAMETERS.**

Mayor Leeser commented.

Ms. Lisa Turner, citizen, commented.

Motion duly made by Representative Canales, seconded by Representative Rivera, and carried that the Ordinance be **ADOPTED**.

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

AYES: Representatives Kennedy, Fierro, Rivera, and Canales

NAYS: Representative Hernandez

NOT PRESENT FOR THE VOTE: Representatives Acevedo, Molinar, and Salcido

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

ITEMS 30 AND 31 WERE TAKEN TOGETHER

30. ORDINANCE 019623

The City Clerk read an Ordinance entitled: **AN ORDINANCE ESTABLISHING A WATER AND SEWER UTILITY SYSTEM EXTENDABLE COMMERCIAL PAPER PROGRAM AND AUTHORIZING THE ISSUANCE OF PROGRAM OBLIGATIONS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$300,000,000 OUTSTANDING AT ANY ONE TIME, PRESCRIBING THE TERMS, FEATURES AND CHARACTERISTICS OF SUCH OBLIGATIONS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING FOR THE PAYMENT OF THE OBLIGATIONS; RESOLVING OTHER MATTERS RELATED THERETO, INCLUDING APPROVAL OF A DEALER AGREEMENT AND ISSUING AND PAYING AGENT AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

Ms. Lisa Turner, citizen, commented.

31. ORDINANCE 019624

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF EL PASO, TEXAS, WATER AND SEWER REVENUE REFUNDING BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$303,000,000 TO REFUND CERTAIN SYSTEM EXTENDABLE COMMERCIAL PAPER NOTES; AND RESOLVING MATTERS WHICH ARE NECESSARY TO EFFECT SUCH ISSUANCE, INCLUDING THE DELEGATION OF MATTERS RELATING TO THE SALE AND ISSUANCE OF THE BONDS TO AN AUTHORIZED CITY OFFICER OR EMPLOYEE WITHIN CERTAIN SPECIFIED PARAMETERS.**

Ms. Lisa Turner, citizen, commented.

Motion duly made by Representative Fierro, seconded by Representative Canales, and carried that the Ordinances be **ADOPTED**.

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

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

NAYS: Representative Hernandez

NOT PRESENT FOR THE VOTE: Representatives Molinar and Salcido

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

.....
ITEMS 32 AND 33 WERE TAKEN TOGETHER

32. ORDINANCE 019625

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF EL PASO, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2024 FOR DEBT SERVICE SAVINGS IN AN AGGREGATE ORIGINAL PRINCIPAL AMOUNT OF THE BONDS NOT TO EXCEED \$88,050,000; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SUCH BONDS; AND RESOLVING OTHER MATTERS WHICH ARE NECESSARY TO EFFECTUATE SUCH ISSUANCE; INCLUDING THE DELEGATION OF MATTERS**

RELATING TO THE SALE AND ISSUANCE OF SUCH BONDS TO AN AUTHORIZED CITY OFFICIAL WITHIN CERTAIN SPECIFIED PARAMETERS.

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

Mayor Leeser and Representative Canales commented.

Motion duly made by Mayor Pro Tempore Kennedy, seconded by Representative Salcido, 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 Kennedy, Acevedo, Hernandez, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Molinar

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

.....
REGULAR AGENDA – OTHER BUSINESS:
.....

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

- 33. A RESOLUTION** authorizing the defeasance and redemption of certain outstanding obligations of the City; approving and authorizing the execution of an agreement for the deposit of funds in an amount sufficient to defease and redeem such obligations; resolving other matters incident and related thereto; and providing an effective date.

WHEREAS, pursuant to an ordinance passed and adopted by the City Council (the “City Council”) of the City of El Paso, Texas (the “City”), the City has heretofore issued and there are currently outstanding certain obligations more particularly described as follows: “City of El Paso, Texas, General Obligation Refunding Bonds, Taxable Series 2014,” dated January 1, 2014 (the “Bonds”); and

WHEREAS, the Bonds are currently outstanding in the principal amount of \$71,150,000, are scheduled to mature on August 15 in each of the years 2024 through 2027, inclusive, and 2034, and the Bonds maturing on and after August 15, 2024, are subject to redemption on August 15, 2023, or any date thereafter, at the option of the City; and

WHEREAS, in accordance with the provisions of Texas Government Code, Chapter 1207, as amended (“Chapter 1207”), the City is authorized and empowered to deposit funds and/or securities directly with the place of payment for the Bonds, or other authorized depository, and enter into an escrow or similar agreement with such place of payment for the safekeeping, investment, reinvestment, administration, and disbursement of such deposit of funds, and such deposit, when made in accordance with Chapter 1207, shall constitute the making of firm banking and financial arrangements for the discharge and full payment of the Bonds; and

WHEREAS, the City Council of the City finds and determines that it is in the best interest of the City and its residents to defease and redeem the Defeased Bonds (as

hereinafter defined) as herein provided in order to reduce the City's aggregate debt service requirements on such Defeased Bonds;

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

SECTION 1: A portion of the Bonds, in an aggregate principal amount of \$11,820,000, stated to mature on August 15 in each of the years 2027 and 2034 (the "Defeased Bonds"), shall be defeased to their prior redemption date, as set forth in this Section 1. The redemption amount being applied to redeem the Defeased Bonds maturing on August 15, 2034 shall be applied to the mandatory sinking fund redemption amount due on August 15, 2028, for such Defeased Bonds. The City Council hereby authorizes and directs the Mayor or Mayor Pro Tem, City Manager or Interim City Manager, or Chief Financial Officer (each, an "Authorized Official") to transfer lawfully available funds of the City to Computershare Trust Company, N.A., the current paying agent/registrant for the Bonds, as successor-in-trust to Wells Fargo Bank, National Association (the "Paying Agent/Registrar"), in an amount sufficient to pay (i) all interest due and owing on the Defeased Bonds from the time of such deposit through the Defeased Bonds' redemption date, (ii) the principal amount of the Defeased Bonds due and owing at their redemption, and (iii) the associated costs and expenses of such defeasance and redemption. Upon the making of such deposit, the Defeased Bonds will be determined to have been defeased and, as a result, discharged and no longer considered outstanding obligations of the City in accordance with applicable Texas law.

SECTION 2: Each Authorized Official is hereby authorized to enter into a deposit or escrow agreement with the Paying Agent/Registrar (the "Agreement") for the final payment and discharge of the Defeased Bonds on their redemption date, in a form acceptable to the Authorized Official, for and on behalf of the City and as the act and deed of the City Council of the City; and the Agreement as executed by one of such officials shall be deemed the Agreement approved by the City Council of the City. Each Authorized Official is hereby authorized and directed to transfer lawfully available funds to the Paying Agent/Registrar to accomplish the defeasance and redemption of the Defeased Bonds in accordance with the terms of the Agreement.

SECTION 3: The sufficiency of the deposit to the fund established pursuant to the Agreement to accomplish such defeasance and redemption shall be certified to the City by the City's financial advisor, the Paying Agent/Registrar, or another qualified financial institution.

SECTION 4: The Defeased Bonds shall be called for redemption on the redemption date set forth in the Agreement, at the price of par and accrued interest to the date of redemption. The City Clerk or any Authorized Official is hereby authorized and directed to file a copy of this Resolution, together with the suggested form of notice of redemption to be sent to Bondholders, with the Paying Agent/Registrar, in accordance with the redemption provisions applicable to such Defeased Bonds; such suggested form of notice of redemption being attached hereto as **Exhibit A**** and incorporated herein by reference as a part of this Resolution for all purposes.

SECTION 5: Each Authorized Official is authorized to provide certifications or other evidence of adoption of this Resolution and to do any and all things necessary or convenient to effect the defeasance and redemption described herein and otherwise give effect to the intent and purpose hereof, including the execution of the Agreement.

SECTION 6: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 7: Though such parties may be identified, and the entry into a particular form of contract may be authorized herein, the City Council hereby delegates to each Authorized Official the authority to independently select the counterparty to any agreement with the Paying Agent/Registrar or any other contract that is determined by such Authorized Official, the City’s Financial Advisor, or Bond Counsel to be necessary or incidental to carry out the provisions of this Resolution, as long as each of such contracts has a value of less than the amount referenced in Section 2252.908 of the Texas Government Code (collectively, the “Ancillary Contracts”); and, as necessary, to execute the Ancillary Contracts on behalf and as the act and deed of the City Council. The City Council has not participated in the selection of any of the business entities which are counterparties to the Ancillary Contracts.

SECTION 8: If any provision of this Resolution or the application thereof to any person or circumstance shall be held invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 9: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 10: This Resolution shall be in force and effect from and after its passage on the date shown below.

**Exhibit available at the City Clerk’s Office.

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

Mayor Leeser and Representative Canales commented.

Motion made by Mayor Pro Tempore Kennedy, seconded by Representative Salcido, and unanimously carried to **APPROVE** the Resolution.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Molinar

.....
REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:
.....

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

34.

ORDINANCE 019626

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE FOLLOWING PROVISIONS OF THE EL PASO CITY CODE TITLE 15 (PUBLIC SERVICES), CHAPTER 15.22 (WATER AND WASTEWATER IMPACT FEES): SECTION 15.22.060 (LAND USE ASSUMPTIONS AND SERVICE AREA) AND SECTION 15.22.070 (CAPITAL IMPROVEMENT PLAN) TO UPDATE DATES; SECTION 15.22.100 (MAXIMUM FEE AND ACTUAL FEE TO BE ASSESSED) TO UPDATE WATER AND WASTEWATER IMPACT FEE PER SERVICE UNIT; AND APPENDIX B (IMPACT FEE ASSESSMENT SCHEDULES) TO UPDATE THE WATER AND WASTEWATER SCHEDULE.**

**APPENDIX B
IMPACT FEE ASSESSMENT SCHEDULES**

Northeast Service Area

Meter Size	Meter Capacity Ratio	Water*	Wastewater
Less than 1 inch	1.00	\$1,508	\$372
1 inch	1.67	\$2,518	\$622
1½ inch	3.33	\$5,019	\$1,240
2 inch	5.33	\$8,033	\$1,985
3 inch	10.00	\$15,072	\$3,725
4 inch	16.67	\$25,125	\$6,209
6 inch	33.33	\$50,235	\$12,415
8 inch	53.33	\$80,379	\$19,864
10 inch	76.67	\$115,557	\$28,558
12 inch	143.33	\$216,027	\$53,388

** Fees do not apply to water meter or connections made for standby fire protection service.*

Westside Service Area

Meter Size	Meter Capacity Ratio	Water*	Wastewater
Less than 1 inch	1.00	\$844	\$1,187
1 inch	1.67	\$1,409	\$1,981
1½ inch	3.33	\$2,810	\$3,951
2 inch	5.33	\$4,498	\$6,324
3 inch	10.00	\$8,439	\$11,866
4 inch	16.67	\$14,067	\$19,780
6 inch	33.33	\$28,125	\$39,548
8 inch	53.33	\$45,002	\$63,279
10 inch	76.67	\$64,698	\$90,973
12 inch	143.33	\$120,947	\$170,070

** Fees do not apply to water meter or connections made for standby fire protection service.*

Eastside Service Area

Meter Size	Meter Capacity Ratio	Water*	Wastewater
Less than 1 inch	1.00	\$892	\$1,178
1 inch	1.67	\$1,489	\$1,967
1½ inch	3.33	\$2,971	\$3,923
2 inch	5.33	\$4,754	\$6,278
3 inch	10.00	\$8,919	\$11,780
4 inch	16.67	\$14,867	\$19,636
6 inch	33.33	\$29,725	\$39,260
8 inch	53.33	\$47,562	\$62,819
10 inch	76.67	\$68,390	\$90,317

12 inch	143.33	\$127,850	\$168,843
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**Fees do not apply to water meter or connections made for standby fire protection service.*

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

Representative Canales read *It's Time for El Paso to Fairly Fund Growth: Why Increasing Impact Fees is Essential for a Sustainable Future* into the record and requested to add the following articles from El Paso Matters, attached to the minutes as Appendix A.

- *Who should pay for new development in El Paso?* dated February 25, 2024,
- *El Paso Water Service in new neighborhoods could cost \$1 billion over 10 years, who should shoulder the cost?* dated April 30, 2024.

The following City staff members commented:

- Mr. Art Duran, El Paso Water Chief Financial Officer
- Mr. Kevin Smith, Planning and inspections Assistant Director
- Ms. Karla Nieman, City Attorney

Mr. Andrew Rheem, Senior Manager at Raftelis and City consultant, commented.

The following members of the public commented:

1. Mr. Raymond Aauto
2. Mr. Scott Lynch
3. Mr. Luis Carlos Perez
4. Mr. Douglas Schwartz
5. Mr. Richard Dayoub
6. Mr. R. Scott Kesner
7. Ms. Courtney McAlister
8. Mr. Kevin Cardoza
9. Ms. Jackie York
10. Mr. James Bombach
11. Mr. Mario Durand
12. Ms. Erika Honesto
13. Mr. Michael Bray
14. Ms. April Martinez
15. Mr. Samuel Schulte
16. Mr. Luis Del Mercado
17. Ms. Destiny Garcia
18. Mr. Kent Harrington
19. Ms. Hennessey Grajeda
20. Mr. Jesus Reyes
21. Ms. Mia Gonzales
22. Mr. Miguel Escoto
23. Mr. Wesley Lawrence
24. Mr. Kenneth Bell
25. Mr. Matthew Rodriguez
26. Ms. Isabel Veronica Chacon
27. Ms. Patricia Osmond
28. Mr. Jose Miguel Reyes
29. Mr. Harry White

- 30. Ms. Mia Romero
- 31. Mr. Don Driscoll
- 32. Ms. Veronica Carbajal
- 33. Mr. Laurence Gibson
- 34. Ms. Lisa Turner
- 35. Ms. Ana Fuentes
- 36. Mr. Carlos Gomez
- 37. Mr. Sal Masoud
- 38. Mr. Sam Brecada
- 39. Ms. Vero Carrillo submitted a statement in support of the item.
- 40. Ms. Carmen Rodriguez submitted a statement in support of the item.
- 41. Ms. Martha Martinez submitted a statement in support of the item.

1ST MOTION

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

2ND AND FINAL MOTION

Motion duly made by Representative Fierro, seconded by Representative Kennedy, and carried that the Ordinance be **ADOPTED** to **INCREASE** the existing impact fees by 28%, see Appendix B.

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 Kennedy, Molinar, Salcido, Fierro, and Rivera
 NAYS: Representatives Acevedo, Hernandez, and Canales

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

35. ITEMS 35 AND 36 WERE TAKEN TOGETHER

ORDINANCE 019627

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 12-B, BLOCK 24, SOCORRO GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO M-1 (LIGHT MANUFACTURING), AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

THE PROPOSED REZONING REQUEST IS BASED ON THE PROPOSED COMPREHENSIVE PLAN AND FUTURE LAND USE MAP (FLUM) AMENDMENT (PLCP24-00001) REQUEST OF PLAN EL PASO, THE CITY'S ADOPTED COMPREHENSIVE PLAN.

36. ORDINANCE 019628

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE FUTURE LAND USE MAP (FLUM) CONTAINED IN "PLAN EL PASO" FOR THE PROPERTIES LEGALLY DESCRIBED AS A PORTION OF TRACT 12-B, BLOCK 24, SOCORRO GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM O-1, PRESERVE TO G-7, INDUSTRIAL AND/OR RAILYARDS.**

Mr. Raul Garcia, Planning and Inspections Program Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

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

Mayor Leeser and Representatives Hernandez and Salcido verbally disclosed they have received campaign contributions from Stanley Jobe.

The following El Paso Water employees commented:

- Mr. Geoffrey Espineli, Engineering Division Manager
- Mr. John Balliew, President and Chief Executive Officer

The following members of the public commented:

1. Mr. Stanley Jobe
2. Mr. David Venegas
3. Mr. John Cordova
4. Mr. Jerry Kurtyka
5. Mr. Jon Rezendes
6. Ms. Sylvia Carreon
7. Mr. John Sproul
8. Mr. Harry White
9. Mr. Kenneth Bell
10. Ms. Veronica Carbajal
11. Mr. Laurence Gibson
12. Mr. Martie Jobe
13. Ms. Peggie Hinkle
14. Ms. Andrea Everett
15. Mr. Joshua Simmons
16. Ms. Adriana Lopez
17. Ms. Kianna Limon
18. Ms. Vero Ann Carrillo submitted a statement in opposition of the item

1ST MOTION

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

2ND AND FINAL MOTION

Motion duly made by Representative Rivera, seconded by Representative Kennedy, and carried that the Ordinances be **ADOPTED**.

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

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

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

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37.

ORDINANCE 019629

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST23-00009, TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN REAR YARD SETBACK AND SIDE STREET YARD SETBACK AND 85% PARKING REDUCTION ON THE PROPERTY DESCRIBED AS A PORTION OF LOTS 14, 15, AND 16, BLOCK 118, SUPPLEMENTAL MAP NO. 1 OF EAST EL PASO ADDITION, 1205 N. COPIA STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

THE PROPOSED SPECIAL PERMIT MEETS THE INTENT OF THE FUTURE LAND USE DESIGNATION FOR THE PROPERTY AND IS IN ACCORDANCE WITH PLAN EL PASO, THE CITY'S COMPREHENSIVE PLAN.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Molinar

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

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38.

ORDINANCE 019630

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE PROPERTY DESCRIBED AS TRACTS 407 AND 408, SUNRISE ACRES #1, 8935 MERCURY STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT), PURSUANT TO SECTION 20.10.360 AND APPROVING A DETAILED SITE DEVELOPMENT PLAN WITH REDUCTION TO SIDE YARD SETBACK PURSUANT TO SECTION 20.04.150 AND 20.10.360 OF THE EL PASO CITY CODE TO ALLOW FOR A SINGLE-FAMILY DWELLING AND A TRIPLEX AS PERMITTED IN THE S-D (SPECIAL DEVELOPMENT) ZONE DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

THE PROPOSED REZONING MEETS THE INTENT OF THE FUTURE LAND USE DESIGNATION FOR THE PROPERTY AND IS IN ACCORDANCE WITH PLAN EL PASO, THE CITY'S COMPREHENSIVE PLAN.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Molinar

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

39.

ORDINANCE 019631

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACTS 63 AND 64, CINECUE PARK SUBDIVISION, 471 FRESNO DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO R-3 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

THE PROPOSED REZONING MEETS THE INTENT OF THE FUTURE LAND USE DESIGNATION FOR THE PROPERTY AND IS IN ACCORDANCE WITH PLAN EL PASO, THE CITY'S COMPREHENSIVE PLAN.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Molinar

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

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

40.

ORDINANCE 019632

The City Clerk read an Ordinance entitled: **AN ORDINANCE APPROVING THE ADOPTION OF AN AD VALOREM PROPERTY TAX EXEMPTION FOR QUALIFIED COMMERCIAL CHILD-CARE FACILITIES AND AMENDING TITLE 3 (REVENUE AND FINANCE) OF THE EL PASO MUNICIPAL CODE, CHAPTER 3.04 (PROPERTY TAXES) BY ADDING SECTION 3.04.042 (EXEMPTION- CHILD-CARE FACILITIES) FOR ENTITIES THAT QUALIFY UNDER THE CURRENT CODE. THIS ORDINANCE SHALL BE EFFECTIVE JANUARY 1, 2024 UPON ADOPTION BY THE CITY COUNCIL OF THE CITY OF EL PASO.**

Mayor Leeser and Representatives Acevedo and Fierro commented.

Mr. Robert Cortinas, Chief Financial Officer, commented.

The following members of the public commented:

1. Ms. Gina Martinez
2. Ms. Jacquelyn Reza
3. Ms. Kelly Tomblin

Motion duly made by Representative Hernandez, seconded by Representative Salcido, 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 Kennedy, Acevedo, Hernandez, Molinar, Salcido, Fierro, Rivera, 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 4: Enhance El Paso’s Quality of Life through Recreational, Cultural and Educational Environments
.....

ITEMS 41, 42, AND 43 WERE TAKEN TOGETHER

41. ORDINANCE 019633

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 16143 RELATING TO FINES, FEES AND PENALTIES IN EFFECT IN THE EL PASO CITY CODE TO ADD AUTHORIZATION FOR A FEE FOR LIBRARY CARDS AND ENHANCED LIBRARY CARDS.**

Motion duly made by Representative Rivera, seconded by Representative Fierro, 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 Kennedy, Acevedo, Hernandez, Molinar, Salcido, Fierro, Rivera, 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:
.....

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

42. RESOLUTION

WHEREAS, on August 15, 2023, pursuant to Section 7.3D of the El Paso City Charter, the City Council approved the FY2024 City budget by resolution (“Budget Resolution”); and

WHEREAS, Section 46 of the FY2024 Budget Resolution states Schedule C sets forth fees and formulas for calculating certain fees that are to be charged by the City for goods and services it provides; and

WHEREAS, the El Paso Library has implemented the Enhanced Library Card program and would like to amend Schedule C to add the Enhanced Library Card fee, add a Replacement fee for the Enhanced Library Card, and add a Kit Replacement Fee, which in accordance with Section 46 of the FY2024 Budget Resolution, require Council approval, and

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

THAT, Schedule C is amended to include the fees for the Enhanced Library Card Fee, the Enhanced Library Card Replacement Fee, and the Kit Replacement Fee as described on Exhibit A attached to this Resolution.

EXHIBIT A

FY 2024 Department Schedule C

DEPARTMENT:	Library
GOAL:	4- Enhance El Paso Quality of Life Through Recreational, Cultural and Educational Environments

Please select all that apply:

<input checked="" type="checkbox"/> New Fee	<input type="checkbox"/> Services no longer provided
<input type="checkbox"/> Fee Enhancement	<input type="checkbox"/> Existing Fee Increased Cost

FY 2024 Line #	Account	Fee Description	FY 2024 Adopted	FY 2025 Requested	New/ Deletion/Increase	Comments
	450567	Enhanced Library Card	\$0.00	\$75.00 per 5 years	New	
	450567	Enhanced Library Card - replacement	\$0.00	\$5.00	New	
	450567	Damaged or missing Kit - Entire item	\$0.00	\$10.00	New	

Fee Changes Description (Mandatory) (Briefly describe the Fee changes and its associated impact - including revenue impact)	Performance Management (Provide a listing of how the successful implementation of this request will be measured)
<p>The Enhanced Library Card fees will be paid by the El Paso County for residents of El Paso County and may be used at other agencies as a secondary ID card.</p> <p>The Enhanced Library Card replacement fee will be paid by the user.</p> <p>The damaged or missing kit replacement fee will allow the Library to replace the item and continue having the use of the kits available to all.</p>	<p>The use of the Enhanced Library card and customer reviews.</p> <p>This will ensure the branches are able to replace the kits as needed and the patrons having accessibility to the kits.</p>

43.

RESOLUTION

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

THAT, the Mayor is hereby authorized to sign the Interlocal Agreement between the City of El Paso (the “City”) and the El Paso County (the “County”). The City has initiated an Enhanced Library Card Project and the City and County desire to expand the jurisdiction that has access to an Enhanced Library Card and library services. The Agreement sets out the County pays the enhanced library card fee for those County residents outside the City of El Paso and sharing the cost of one employee that will be hired for the Enhanced Library Card Project. The term of the Agreement is for five years with the ability to be extended for five additional one year term extensions. In addition, the City Manager or designee is authorized to execute any necessary documents to carry out the agreement.

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

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales
 NAYS: None

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

44.

RESOLUTION

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

That the Mayor be authorized to sign an Agreement between the city of El Paso and the United States Department of Transportation to receive a RAISE Grant for the Ysleta Port of Entry Pedestrian and Site Improvements in the estimated total project cost amount of FOURTEEN MILLION EIGHT HUNDRED THIRTY THOUSAND ONE HUNDRED THIRTY DOLLARS AND NO/100 (\$14,830,130.00) and to authorize the City Manager to make all necessary budget transfers prior to the execution of the project, provided such documents are approved by the City Attorney's office as to form and comply with department policies and procedures.

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

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

NAYS: None

.....
45.

RESOLUTION

WHEREAS, the objectives of the City of El Paso's Sun City Lights Program included enhancing safety and security, placemaking, and promoting inclusivity and accessibility; and

WHEREAS, the objective of the City of El Paso Citywide Wayfinding Project included the standardization of wayfinding monuments throughout the City; and

WHEREAS, the Citywide Wayfinding Project has encountered various obstacles in locating appropriate monument sites including that appropriate sites were not located on City owned property; many sites were best appreciated almost exclusively by vehicular traffic; and it was difficult to achieve significant place-making or community building from the monuments; and

WHEREAS, City staff recommends the remaining Citywide Wayfinding Project funds, in the amount of \$2,740,386.42, be deprogrammed from said Project and be reprogrammed for use in the Sun City Lights Program.

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

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 Citywide Wayfinding Project, in the amount of \$2,740,386.42, for use in the Sun City Lights Program to support ongoing wayfinding and branding efforts at the neighborhood scale; continue placemaking efforts using light installations; continue community-led design for inclusive and accessible installations and improvements; and complete the pending projects identified by Council:

1. District 2: Piedras St. Reconstruction Phase 2: Urban Pocket Park and Art installation;
2. MCA Boundary: Phase 2 improvements: Wayfinding signs, Art Lighting at Raynolds underpass, Art Murals;
3. District 6: Dick Shinaut Park: Improvements and light installations;
4. District 7: Pueblo Viejo Park: Pedestrian Improvements and light installations.

Representative Acevedo commented.

Ms. Daniela Quesada, City Architect, commented.

Ms. Patricia Osmond, citizen, commented.

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

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

NAYS: None

46.

R E S O L U T I O N

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

That the City Manager be authorized to sign a First Amendment to the Subrecipient Agreement (“Agreement”) by and between the City of El Paso, a municipal corporation organized and existing under the laws of the State of Texas (the “CITY”), and FAB LAB EL PASO, a 501(c)(3) Texas non-profit organization (the “Sub-Recipient” or “Contractor”) for the continuation of the Additive Technician Master Badge – 3D Printing Program and the establishment of a Digital Discovery Program and Software Development + AI Integration Learning Pathway Program and increasing the Funding Amount by \$250,011 to a total not to exceed \$550,011.

Ms. Kathy Chen, citizen, commented.

Motion made by Representative Acevedo, seconded by Representative Molinar, and unanimously carried to **APPROVE** the Resolution.

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

NAYS: None

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

47.

R E S O L U T I O N

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

THAT the City Manager is authorized to sign the Guaranteed Maximum Price Amendment to the Standard Form of Agreement by and between the City of El Paso and Dantex General Contractors, Inc. (“Construction Manager”) for construction of 2023-0055R, El Paso Fire Department Special Operations Division Station establishing, among other provisions, the Guaranteed Maximum Price for the project in the amount of \$21,734,150.00; the Construction Manager’s Fee in the amount of \$941,889.00, which is included in the Guaranteed Maximum Price; the time for completion of the project; and liquidated damages amounts.

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

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales
NAYS: None

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

48. ITEM: Presentation and introduction to the 50th year (2024-2025) Annual Action Plan for the following Federal Department of Housing and Urban Development (HUD) Entitlement Grants: Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Housing Opportunities for People with Aids (HOPWA), and Emergency Solutions Grant (ESG) Programs. Following this introduction, a 30-day public comment period will commence, after which the Final Annual Action Plan will be presented to Council for approval.

The following City staff members commented:

- Mr. Abraham Gutierrez, Community and Human Development Assistant Director
- Ms. Karla Nieman, City Attorney

Ms. Patricia Osmond, citizen, commented.

NO ACTION was taken on this item.

.....

<u>ADJOURN</u>

.....

Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Hernandez, and unanimously carried to **ADJOURN** this meeting at 5:22 p.m.

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales
NAYS: None

.....
APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk

APPENDIX A

It's Time for El Paso to Fairly Fund Growth: Why Increasing Impact Fees is Essential for a Sustainable Future

by Chris Canales

In reevaluating El Paso's approach to impact fees, the City Council will confront a pivotal moment in El Paso's trajectory, one with broad implications for our future. The current development landscape exposes an uncomfortable truth: our existing framework for financing growth and infrastructure is both unsustainable and unjust to the general public.

Central to this issue is a fundamental question: who should shoulder the costs of new development on the periphery of our city? For too long, the burden has disproportionately fallen on El Paso households and ratepayers in the core of the city, while developers have reaped the rewards of new construction without bearing their fair share of associated infrastructure costs.

Impact fees, charged *not* to regular ratepayers but to developers, are a vital component of financing growth and infrastructure. Contrary to some misconceptions, increasing impact fees actually decreases the burden on customer bills by ensuring that new development pays for itself.

Throughout El Paso's evolution, the consideration of impact fees has been marked by a gradual acknowledgment of their importance in managing growth and financing essential services. From the late 1980s to the early 2000s, as the city grappled with burgeoning growth and new infrastructure demands, impact fees emerged as a potential solution, and they were ultimately adopted in 2003. Yet, despite growing recognition of their necessity, regular adjustment of the impact fee amounts over the years has been fraught with opposition and pressure from influential developers. As a result, the City Council has declined to adjust the fees since 2009, and even then only at 75% of the calculated fee. There have since followed 15 years of City Council inaction on appropriately adjusting the fees, bringing us to today.

The proposal to recalibrate impact fees is a pragmatic response to fiscal realities and a call for a more equitable and sustainable approach to growth. By shifting the financial responsibility rightfully onto the industry, we ensure that growth pays for itself and that costs are borne by those who benefit. The proposed adjustments to impact fees are not arbitrary – they are meticulously calculated based on the cost of the infrastructure needed to serve new development. Adopting anything less than the full amount would

undermine the integrity of the rate structure and perpetuate the subsidization of urban sprawl at ratepayers' expense.

The City Council failing once again to adjust impact fees would perpetuate the cycle of subsidization, burdening existing residents with the infrastructure demands of new development. I have heard a lot of complaints from constituents about increasing water bills. I want to make it clear – every dollar not collected through impact fees translates to higher future water bills for residents. This hidden cost makes water and wastewater service more expensive for the rest of us.

Contrary to concerns from the development community, impact fees do not stifle economic growth but promote responsible growth. By accurately reflecting the true costs of development, they provide developers with a predictable framework and promote efficient land use. Reevaluating and increasing impact fees to an equitable level is imperative for El Paso's future. It is a matter of fairness, fiscal responsibility, and sustainable urban planning.

Chris Canales has served as City Representative for District 8 on the El Paso City Council since January 2023. He has a degree in Sustainable Development from Columbia University.

GOVERNMENT

Who should pay for new development in El Paso?



by **Diego Mendoza-Moyers**

February 25, 2024



The Desert View neighborhood east of Loop 375 and south of Zaragoza Road continues to expand. (Ramon Bracamontes/El Paso Matters)

A battle is brewing over the question of who should pay for the cost of extending water and sewer services in new El Paso developments.

As housing developments extend further out into the desert along the periphery of El Paso's city limits, El Paso Water executives have figured residents within the city are subsidizing home builders' costs by an

average of \$2 to \$3 on their monthly water bills, CEO John Balliew said in December. That's because El Paso home builders are paying just a fraction of what it actually costs the utility to provide water and sewer services to increasingly outlying neighborhoods, according to consultants hired by El Paso Water.

The utility's consultants said the city's home builders should be paying El Paso Water \$15.6 million extra per year – or thousands of additional dollars per new home they build – to cover the utility's construction costs.

Transferring the costs to home builders, however, could prompt firms to leave El Paso and construct homes outside of the city limits, taking new property tax revenue with them, homebuilding industry advocates argue.

City Council on Monday will hold the first in a series of meetings to debate hiking the so-called “impact fees.”

The impact fees that homebuilders pay to El Paso Water to extend service lines to their new housing developments have remained unchanged since 2009. However, overall construction costs – what El Paso Water must pay to build out water and sewer lines – have increased by about 56% since 2009, according to the financial consulting firm Raftelis, which was hired by El Paso Water.

That imbalance suggests El Paso City Council should increase the impact fees, which will lower the costs on current El Paso Water ratepayers, the consultants said.

“Everything else being equal, (El Paso Water is) issuing less debt with more impact fee revenues,” said Andrew Rheem, a senior manager with Raftelis. “Impact fees and debt are the two kinds of things that offset each other.”

El Paso Water only charges impact fees to firms building homes in three high-growth areas: the West Side, in the area generally surrounding Transmountain Road and Interstate 10; in the Northeast, largely north of Sean Haggerty Drive; and in portions of the Far East Side, east of Joe Battle Boulevard and south of Zaragoza Road.

Across those three areas, El Paso Water identified \$1.25 billion in projects it has to fund and build over the next 10 years to meet water demand from new customers.

El Paso Water and the city, which appoints the board that governs the water utility, are required by state law to re-evaluate impact fees every five years. The last time impact fees came up was in 2019, when City Council declined to increase the fees.

Now, the council will hold meetings over the coming weeks to consider increasing impact fees.

Two city representatives – Cassandra Hernandez of District 3 and Chris Canales of District 8 – told El Paso Matters last week that the current impact fees are unfair and place too much burden on El Paso households instead of on home builders.



Cassandra Hernandez

City Council has a chance to “determine whether development costs continue to be unfairly shouldered by El Pasoans – disproportionately affecting our most vulnerable communities – or shifted appropriately to developers,” Hernandez said. “The evidence is clear. There’s a clear disparity.”

In the West Side, the builders pay a current impact fee of just under \$1,600 per home. Based on the cost of El Paso Water’s construction in that area, home builders should instead be paying the water utility more than \$3,250 per home, the consultants said. In the Northeast, the consultants say the impact fee should increase from under \$1,500 to nearly \$5,700 per home.

The numbers on the East Side are even more stark because El Paso Water still has to spend another \$600 million to complete a major expansion of the Roberto Bustamante Wastewater Treatment Plant. The state’s environmental regulator required El Paso Water to boost treatment capacity at the plant to handle 12 million additional gallons of sewage per day as the East Side continues to expand. And El Paso Water is also building a \$100 million water purification plant that will serve the East Side with drinking water.

Because of those major projects to serve East Side growth, home builders should be paying an impact fee of nearly \$18,000 per home in that part of town, according to Raftelis’ calculation. That would be more than 10 times the \$1,600 fee now in place.

To arrive at those figures, Raftelis consultants took the city’s estimates on how many new homes will be built in each of the three impact fee areas over the next decade. Next, the consultants got estimates from El Paso Water about which projects are needed to provide new water and sewer service and how much those projects cost in each area. The total cost for new-growth projects across the city is \$1.25 billion.

Raftelis divided the project costs in each area by the number of new homes those projects will serve, and then cut the final fee amount in half [to credit home developers](#) for the tax revenue their completed development will eventually produce.

In all, Rafetlis calculated that El Paso Water ratepayers are paying about 88% of the cost of building out water and sewer service to new housing developments. El Paso Water should be collecting \$17.6 million annually in impact fees from home builders, according to Raftelis, compared with impact fee revenue of about \$2 million per year currently.

“Everyone else pays for that development,” said Arturo Duran, El Paso Water’s finance chief.

Canales acknowledged homebuilders may balk at the idea of the City Council increasing their costs by thousands of dollars for every home they construct, especially on the East Side. If the fees had been increased in 2014 or in 2019, this time around the fee increase wouldn’t seem so massive, he said.



Chris Canales

Plus, there’s developable land within the city that already has utilities connected and doesn’t require the extra infrastructure costs of far-flung housing projects. Inner-city developments might be smaller than the current projects that sprawl into the desert, but it’s not City Council’s role to maximize home builders’ profits, Canales said.

Industry advocates want City Council to either keep the impact fees as is or enact only a small increase.

Boosting impact fees “would really damage the city more than anything,” said Ray Aduato, executive vice president of the El Paso Association of Builders.

“People are going to move to where it’s affordable. With high interest rates the way they are right now, and with escalating costs of all kinds, adding more fees is probably not the answer to try and compete with other communities in the southwest,” Aduato said. “And that means locally as well as regionally.”

When the city has considered raising impact fees in the past, home builders have said they’ll dodge the extra expense by instead building houses outside of the city limits and El Paso Water’s service area. That would mean the city loses out on new property tax revenue that the city would otherwise collect from residents living in newly-built homes.

That’s a scary prospect for city leaders who want to lower El Paso homeowners’ costly tax bills by spreading the property tax burden among more homeowners.

“If you drive development outside of the city limits, your taxes are going to go up because now you don’t have any new homes being built,” Mayor Oscar Leeser said. “The builders only build so many homes in a year. So he’s gonna look at it (like) ‘Am I going to build them inside the city limits and take an X amount less for the same house? Or am I going to build it outside the city limits and make more profit?’”

And when someone lives in a home just outside the city limits, they’re not paying city taxes but they’re still using the roads, infrastructure and first responders that are funded by tax dollars paid by residents within the city, Leeser argued.

“I’ve sat in meetings and they’ve threatened to move out of the city limits and build outside the city limits because they’re going to lose revenue,” Leeson said in December. “Before we even bring it to council, I’ll sit down with some of the developers and have the discussion,”

But a major question remains: What effects do impact fees have on growth and new building in El Paso?

“It’s hard to determine: Is this going to have an impact on growth?” Duran said.

Much of the new home construction in the city since 2009 has taken place in areas where home builders must pay impact fees. And an index of housing prices in El Paso going back to 2004 shows [home prices remained stable for years](#) even after impact fees were introduced locally 15 years ago, according to the Texas Real Estate Research Center at Texas A&M University.

Impact fees “certainly may be passed on to homebuyers and effectively incorporated in the price of the home and a mortgage potentially,” said Rheem, the Rafttelis consultant. The amount a home price might rise “ultimately kind of depends on conditions, but it certainly may come into affect the home price.”

The number of new private sector home building permits issued in El Paso County has been on a [downward trend for most of the last two decades](#). In the decade spanning 2013 through 2022 – the most recent year with available data – an average of just more than 3,100 new housing permits were authorized every year in El Paso County.

That was a decline from the prior decade, when El Paso County averaged more than 4,300 new housing permits each year from 2003 through 2012, according to data from the Federal Reserve.

The addition of tens of thousands of new homes in the past decade has not brought additional people. The number of people living in the city limits — about 677,000 in 2022, the most recent year available — is the same as in 2014. El Paso has spread a stagnant population over a larger area.

And home builders already have, to some degree, shifted outside of El Paso’s city limits, even with impact fees in place today that are lower than the fees other major Texas cities charge to provide utilities to home builders’ developments. The city-owned water utility in San Antonio [charges impact fees](#) on most new home developments that range from \$7,100 to \$7,600 per home.



Hundreds of new houses are currently under construction on the far East Side off Loop 375. (Ramon Bracamontes/El Paso Matters)

Between 2020 and 2022 – the most recent year with available data – El Paso County added 2,200 new residents and grew just 0.26%. The population within the city of El Paso declined in that time by a quarter of a percent.

Over that two-year period, the city of Socorro added more than 3,100 people and saw its population grow by 9%. Sunland Park, New Mexico, and Horizon City in eastern El Paso County each added around 600 new residents and experienced population growth of over 3% between 2020 and 2022, according to the U.S. Census.

“Most of the building that we’re doing now is in the outlying areas, the outlying cities that are competing with the city of El Paso to get housing population growth,” Adauto said, emphasizing the decline in new building construction starts in El Paso over the last decade.

However, customers of some of the water utilities outside the city limits – such as the Paseo Del Este Municipal Utility District in far east El Paso County, as well as the Horizon MUD – are subject to a separate property tax that funds their water utility’s projects. And the Lower Valley Water District, another local water

provider, receives all of its water from El Paso Water and had to increase its customers' rates last year in response to a 46% rate hike from El Paso Water.

The water utility across the state line in New Mexico, meanwhile, is still reeling from mismanagement and operator failures that led its director to retire after high-levels of arsenic [contaminated the water in Sunland Park and Santa Teresa](#).

Adauto and other opponents of impact fees argue El Paso Water should sell off some of its roughly 160,000 [acres of land holdings](#) – including around 21,000 acres within El Paso County – to cover the cost of building out infrastructure to home builders' developments. The Public Service Board, which governs El Paso Water, purchased much of the land in the 1950s to gain access to water resources, and the PSB on rare occasions sells off land that's deemed "inexpedient" to the city's water systems.

Since City Council has declined to raise impact fees since establishing them in 2009, El Paso Water in late 2022 made its own attempt to recoup more money from new housing developments. The utility's executives tried to [enact a surcharge on](#) customers living in newly built homes across the three impact fee areas, which didn't require City Council approval. But the Public Service Board, which includes the mayor, shot down the infrastructure surcharge early last year.

"When we had the discussion a while back on the (infrastructure surcharge) ... we determined that your existing customers are subsidizing growth to the extent of about \$2, \$3 a month on their bill," Balliew, El Paso Water's chief executive, said. "That's taking those costs, and applying them to everybody across the city. Instead of just in the area where the growth is going to happen."

Ultimately, leaders at El Paso Water think of the impact fee decision as a philosophical question: Should new growth pay the price of new growth, or should ratepayers broadly share the cost of development in the Borderland?

"At the end of the day, some communities have embraced the idea of impact fees, and El Paso has not," Balliew said. "That's the gist of it."

GOVERNMENT

El Paso Water service in new neighborhoods could cost \$1 billion over 10 years. Who should shoulder the cost?



by [Diego Mendoza-Moyers](#)

April 30, 2024



Homes under construction in the Campo Del Sol housing development in far Northeast El Paso, where homes are priced starting just over \$260,000. (Daniel Perez / El Paso Matters)

On May 7, the El Paso City Council is expected to answer a complicated, fraught question: should developers – and, in essence, new homebuyers – pay for the cost of new growth?

As developments stretch out into the desert along the periphery of the city, El Paso Water ratepayers are increasingly shouldering the cost of [extending water and sewer lines](#) out to new neighborhoods.

Every home and business in the city already pays a couple of extra dollars on their monthly water bill to cover the cost of providing water and sewer service to new housing developments, such as Campo Del Sol in the far Northeast or Enchanted Hills in the Northwest.

Last week, the council by a margin of 4 to 3 advanced an increase in impact fees that would require homebuilders to pay the water utility thousands of dollars more per home they build to offset those costs. The council will cast a final vote next week.

The debate centers on whether homebuilders should pay more for the new infrastructure, a cost they may pass on to new homebuyers in some neighborhoods. Increasing developers' fees may also reduce urban sprawl by encouraging them to build closer to the city's urban core, some argue.

Others see the fees as a tool to keep down costs paid by El Paso Water customers – though utility officials say bills may still increase to renovate aging systems in existing neighborhoods. Spreading smaller increases among all customers and not only the developers could fuel expansion in El Paso, some argue.



A house under construction in the Cimarron housing development in Northwest El Paso. Home builders in the area are required to pay impact fees to help cover the cost of providing water and sewer services to the new area. (Diego Mendoza-Moyers / El Paso Matters)

“We get called all the time, and we get calls about ‘Why do my water rates keep going up? I can’t afford to pay for my water and wastewater services. Why am I paying for development in a new area and subsidizing that?’” Jeff Tepsick, El Paso Water’s assistant finance chief, said to a group of Northeast residents at a recent community meeting. “Every dollar that we raise in impact fees is one less dollar that we have to charge to our ratepayers.”

City Rep. Isabel Salcido was absent for the vote last week, so the likely outcome of the next vote is not clear. Mayor Oscar Leeser, who could cast the tie-breaking vote, has openly said he doesn’t want to increase the fees.

Leeser and other opponents of impact fees argue that doing so may prompt builders to increase new home prices and potentially price out first-time buyers. There’s also a risk that developers will build outside the city limits and El Paso Water’s service area and take with them the new property tax revenue, Leeser said.

“I’ve talked to some of the builders and they said, before they would pay (higher impact fees), they would build outside the city limits,” Leeser said.

Builders have shifted to the edges of the city because “it’s more affordable to build,” Ray Adatao, executive vice president of the El Paso Association of Builders, told the City Council.

“Are you going to have a tax base here, or not? One of the two,” Adatao said.

Where would the impact fees apply?

The fees have remained unchanged since 2009. But the costs El Paso Water must pay to build out water and sewer lines have increased by about 56% since 2009, according to the financial consulting firm Raftelis, which El Paso Water hired.



Ayumi Wheat recently moved into a home on the 11100 block of Ocotillo Court in the Campo del Sol subdivision. (Daniel Perez / El Paso Matters)

El Paso Water only charges impact fees to firms building homes in three high-growth areas: the Westside around Transmountain Road and Interstate 10; the Northeast, mostly north of U.S. Highway 54 around Painted Dunes Golf Course; and portions of the Far Eastside, east of Joe Battle Boulevard and south of Zaragoza Road.

Across those three areas, El Paso Water identified \$1.25 billion in [projects it has to fund and build](#) over the next 10 years to meet water demand from new customers.

El Paso Water and the city are required by state law to re-evaluate impact fees every five years. The City Council declined to increase the fees in 2019.



A lot sits undeveloped within the Cimarron housing development in Northwest El Paso. (Diego Mendoza-Moyers / El Paso Matters)

Plant on Pan American Drive.

The state's environmental regulator required El Paso Water to boost treatment capacity at the plant to handle 51 million gallons of sewage per day – an increase from 39 million gallons per day currently – as the area expands. The water company is also building a \$100 million water purification plant that will serve the Eastside with drinking water.

Because of those projects, homebuilders should be paying nearly \$18,000 per home in that part of town, according to Raftelis' calculation. That's more than 11 times the \$1,600 fee now in place.

To arrive at those figures, consultants considered how many new homes are projected to be built in those areas over the next decade and how much it would cost to provide services to them. That came to \$1.25 billion. The cost for each area was determined and cut in half [to credit home developers](#) for the tax revenue their completed development is projected to produce.

On the Westside, homebuilders pay an impact fee of just under \$1,600 per home. Based on the cost of El Paso Water's construction in that area, they should be paying more than \$3,250 per home, the consultants said.

In the Northeast, the fee should increase from under \$1,500 to nearly \$5,700 per home.

On the Eastside, El Paso Water is spending \$600 million to complete a state-mandated expansion of the Roberto Bustamante Wastewater Treatment

In all, Rafetlis calculated that El Paso Water customers are paying about 88% of the cost of building out water and sewer service to new housing developments. The utility should be collecting \$17.6 million annually in impact fees from homebuilders, according to Raftelis. Impact fee revenue is now at about \$2 million per year.

“The less impact fee revenue that we get, the more debt the utility has to incur in order for us to finance and pay for those projects that are in these areas,” said Art Duran, El Paso Water’s chief financial officer. “So all the ratepayers of El Paso Water would pay for those improvements.”

Regardless of the upcoming vote, Duran said, El Paso Water will continue to raise rates to pay for renovating the city’s aging water and sewer systems and for projects that serve new neighborhoods. Between now and the end of 2026, the utility will spend nearly \$2.3 billion on capital improvement projects, an increase from \$1.3 billion in capital spending from 2021 through 2023.

The utility will spend \$588 million on capital projects this year, over \$805 million next year and \$927 million the year after.

An increase in annual revenue of a few million dollars won’t make a huge dent in the utility’s capital expenses.

El Paso Water CEO John Balliew has previously said that the utility’s ratepayers pay \$2 to \$3 extra on their monthly bills to subsidize the cost of providing service to new developments. Duran said even if City Council raises impact fees to the highest allowable level, it would probably reduce customers’ bills on average by only about \$1 per month in the years ahead.

There’s a lot of uncertainty in that figure. The impact on household water bills would depend on growth actually taking place; on homebuilders paying impact fees to the utility everytime they receive a building permit.

“We’re going to have rate increases regardless of impact fees,” Duran told City Council.



A corner lot off Vista Del Sol Drive east of Joe Battle Boulevard is filled with realtor and new development advertisements and signs. (Cindy Ramirez / El Paso Matters)

Rather than increase impact fees, Eastside city Rep. Art Fierro tried to convince the council to reduce homebuilders' fees to potentially make new homes more affordable.

City Reps. Joe Molinar, who represents the Northeast, and Brian Kennedy on the Westside sided with Fierro. The rest of the City Council shot that down.

“I’m so disappointed to hear members of council ... advocate to pay more money from the ratepayers’ pocket versus development paying for its own development,” District 3 City Rep. Cassandra Hernandez said. “The El Paso ratepayer, for over 15 years, has subsidized almost 100% of the total costs of development – water development – at the fringes of the city.”

Reps. Chris Canales of District 8, Josh Acevedo of District 2 and Henry Rivera of District 7 joined Hernandez in voting in favor of increasing the fees.

“When (homebuilders) are choosing to build in those impact fee zones, that is creating a new demand for infrastructure. And that infrastructure has to be paid for,” Canales said. “I think it’s fair that people who are ... choosing to move to those areas pay for the cost of the infrastructure that will serve them.”



Campo del Sol development in Northeast El Paso (Daniel Perez / El Paso Matters)



Homes under construction in the Campo Del Sol housing development in far Northeast El Paso. (Daniel Perez / El Paso Matters)

Developers and industry advocates argue it’s better if everyone shares in the cost of new development, rather than piling new costs onto homebuilders, and ultimately, onto homebuyers in those areas.

“Right now, everyone is paying part of this, but it’s only a small” amount, Molinar said.

“So my decision is: Are we going to have everybody pay a smaller amount, a little bit bigger (bill), or are we going to incur that cost to the new homebuilder? And they’re going to get sacked with a lot of money,” Molinar said during the community meeting in the Northeast.

Salcido, who was absent from the April 23 vote, declined to comment.

The risk that Leeser emphasizes – that homebuilders will leave El Paso’s city limits if the city raises impact fees – is already taking place to some degree. El Paso’s current impact fees are lower than in other major Texas cities.

The addition of tens of thousands of new homes in the past decade has not brought additional people to El Paso. The number of people living in the city limits — about 677,000 in 2022, the most recent year available — is the same as in 2014. El Paso has spread a stagnant population over a larger area. Outlying communities such as Socorro and Horizon have seen relatively strong population growth in recent years.

Can PSB land sales cover the cost of growth?

Richard Dayoub, a business consultant and lobbyist who’s a former CEO of the El Paso Chamber, has said raising impact fees will stymie growth in El Paso and boost housing costs. Plus, El Paso Water has other means of financing growth, he said.

Opponents of impact fees, including Dayoub and Aduato, regularly argue El Paso Water should sell off some of its roughly 160,000 [acres of land holdings](#) – including around 21,000 acres within El Paso County – to cover the cost of building out infrastructure.

The Public Service Board, whose members are appointed by City Council to govern El Paso Water, purchased much of the land in the 1950s to gain access to water resources, and the PSB on rare occasions sells off land that’s deemed “inexpedient” to the city’s water systems.

“We have not had any discussions regarding our real estate holdings, which are significant,” Dayoub said. Other communities with impact fees in place don’t have big land holdings they can sell to cover the cost of new infrastructure, he said.

“We have not managed those resources equitably or judiciously, in my view, in order to maximize the financial value to the utility, or to use to pay for the infrastructure needed,” Dayoub said.

The bulk of the utility's land holdings within El Paso County are in the Northeast and in the Upper Valley, Balliew, the utility's CEO, said in an interview.

However, the PSB has placed land up for sale at market price, "and nobody has purchased it," Balliew said. "What I think they really want is for us to just have a fire sale. And then somebody will buy (PSB-owned land) for pennies on the dollar."

Urban sprawl's environmental impact

There are climate and environmental factors at play in the impact fee decision, as well. The city of El Paso has been [putting together a plan to counter climate change and improve air quality](#) in the Borderland, with a goal of winning hundreds of millions of dollars from the Environmental Protection Agency to implement it.

One of the plan's biggest elements is reducing the amount of time El Pasoans spend driving. The city's climate chief, Nicole Ferrini, told El Paso Matters that the amount of vehicle miles traveled here "is a driving force behind our emissions" that contribute to high ground-level ozone levels and particulate matter, which are hazardous to breathe.

Some ways to counter that include making it easier to walk places, or lower the cost of developing lots closer to the center of the city. "If you're living in the core and you're working in the core, you drive less," Ferrini said.



The Desert View neighborhood east of Loop 375 and south of Zaragoza Road continues to expand. (Ramon Bracamontes/El Paso Matters)

Lifting impact fees does “in some way promote in-fill development,” Duran said. “If I cannot afford a \$260,000 house in the new area, but I can afford an existing house in Central El Paso, I have an option of, ‘Where do I move?’”

Balliew in late February told City Council it should adopt the lowest increase on the table – a 56% hike that matches inflation since 2009.

That would bring about \$1 million extra per year for El Paso Water – an insignificant amount considering the utility’s \$558 million in capital spending this year, Duran said. That would have essentially no effect on household water bills, at least not in the near-term, he added.

Balliew has acknowledged that the concept of growth paying for growth is controversial in El Paso – the PSB shot down a somewhat [similar surcharge on new housing developments](#) in late 2022. But a small impact fee increase to homebuilders is “relatively painless. And it helps getting us closer along to the point that we need to be,” Balliew said.

Because impact fees have remained unchanged since 2009 while the cost of construction has risen, “the average El Pasoan is subsidizing more and more the cost of growth,” Balliew said. “We need to make an adjustment.”

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