

Oscar Leeser  
Mayor

Cary Westin  
Interim City Manager



CITY COUNCIL  
Brian Kennedy, District 1  
Alexsandra Anello, 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

**\*\*\* REVISED \*\*\***

## **AGENDA FOR THE REGULAR COUNCIL MEETING**

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**January 03, 2024  
COUNCIL CHAMBERS, CITY HALL, 300 N. CAMPBELL AND VIRTUALLY  
9:00 AM**

**Teleconference phone number: 1-915-213-4096  
Toll free number: 1-833-664-9267  
Conference ID: 941-073-775#**

Notice is hereby given that a Regular Meeting of the City Council of the City of El Paso will be conducted on January 3, 2024 at 9:00 A.M. Members of the public may view the meeting via the following means:

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

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

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

**At the prompt please enter Conference ID: 941-073-775#**

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

**For Call to the Public:**

**<https://app.smartsheet.com/b/form/dfad29e838da41fd86052bb264abd397>**

**To Speak on Agenda Items:**

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

**The following member(s) of City Council will be present via video conference:**

**Representative Cassandra Hernandez**

A quorum of City Council must participate in the meeting.

**ROLL CALL**

**INVOCATION BY EL PASO POLICE SENIOR CHAPLAIN DAVID MAYFIELD**

**PLEDGE OF ALLEGIANCE**

**MAYOR'S PROCLAMATIONS**

Crime Stoppers Month

Dr. Martin Luther King, Jr. Day

El Paso Police Department K-9 Unit Day

**RECOGNITIONS BY MAYOR**

Mayor's Distinguished Award

Bruce Reichman

**NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

**CONSENT AGENDA - APPROVAL OF MINUTES:**

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

1. Approval of the Minutes of the Regular City Council Meetings of December 5, 2023 and December 12, 2023, and the Special City Council Meeting of December 18, 2023.

[24-30](#)

**All Districts**

City Clerk's Office, Laura D. Prine, (915) 212-0049

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

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS

[24-31](#)

**CONSENT AGENDA - RESOLUTIONS:**

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

3. A Resolution authorizing the City Manager to sign a Chapter 380 Economic Development Program Agreement (“Agreement”) by and between CITY OF EL PASO (“City”) and PEDRO MORALES & FRANCISCA MORALES (“Applicant”) in support of an infill development project located at 7833 Mount Latona Dr., El Paso, Texas 79904. The Agreement requires the Applicant to make a minimum investment of \$90,000.00. Over the term of the Agreement, the City shall provide economic incentives not to exceed \$5,211.94 in the form of a Real Property Tax Rebate, a Construction Materials Sales Tax Rebate, and a Building Construction Fee Rebate.

[24-05](#)

**District 2**

Economic and International Development, Jessica Torres, (915) 212-1699  
Economic and International Development, Karina Bragalla, (915) 212-1570

4. A Resolution that the City Manager or designee, be authorized to sign an Agreement for Professional Services by and between the City of El Paso and Kronberg Wall Architects LLC for a project known as “Title 18 - Building Code Amendments”, for an amount not to exceed two hundred forty thousand, five hundred and no/100 dollars (\$240,500.00); and that the City Engineer without further authorization from the City Council and in a form approved by the City Attorney, increase the total payment identified for all basic services and reimbursable performed pursuant to this Agreement in the amount not to exceed fifty thousand (\$50,000.00) if such services are necessary for the proper execution of the Project and the increased amounts are within the appropriate budget identified for the identified Project. In addition, the City Manager, or designee, is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of the agreement for Professional Services. In addition, the City Manager, or designee, is authorized to increase the contract amount up to \$50,000 and sign any amendments to the agreement.

[24-38](#)

**All Districts**

Capital Improvement Department, Yvette Hernandez, (915) 212-1860

5. A Resolution that the City Manager, or designee, be authorized to sign a First Amendment to the Crosswinds Entertainment District Lease by and between the City of El Paso (“Lessor”) and Anzures & Son, LLC (“Lessee”) to delay the Rent Commencement an additional twelve (12) months and to provide credit for six (6) months of rent and credit for \$3,265.79 for a single month’s rent as a result of \$25,405.37 of In-Kind Services performed by Lessee.

[24-45](#)

**District 3**

Airport, Sam Rodriguez, (915) 212-7301

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

6. That the Planning and Inspection Liens on the attachment posted with this agenda be approved. (See Attachment A) [23-1614](#)

**Districts 2, 7, 8**

Planning and Inspections, Tony De La Cruz, (915) 212-1589

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

7. That the Mayor is hereby authorized to sign an Interlocal Agreement between the City of El Paso (the “City”) and the Ysleta Independent School District (the “District”), to set out to enhance the quantity and quality of recreational and athletic facility uses available to the residents of the City, at no cost to the City through the shared use of public indoor and outdoor athletic and recreational facilities, owned by each entity. In addition, the City Manager or designee is hereby authorized to execute any necessary documents to carry out the agreement. [23-1635](#)

**All Districts**

Parks and Recreation, Pablo Caballero, (915) 212-8018

**CONSENT AGENDA - SPECIAL RE-APPOINTMENTS:**

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

8. A Resolution that the City of El Paso re-appoint Jackie York as a regular appointee to the Central Appraisal District Board of Directors. [24-85](#)

Members of the City Council, Mayor Oscar Leeser, (915) 212-0021

9. A Resolution that the City of El Paso re-appoint Tanny Berg as a regular appointee to the Central Appraisal District Board of Directors. [24-86](#)

Members of the City Council, Mayor Oscar Leeser, (915) 212-0021

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

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

10. Representative Joe Molinar to the City of El Paso Employees Retirement Trust Board of Trustees by Mayor Oscar Leeser. [24-32](#)

Members of the City Council, Mayor Oscar Leeser, (915) 212-0021

11. Representative Art Fierro to the City of El Paso Employees Retirement Trust [24-33](#)

Board of Trustees by Mayor Oscar Leeser.

Members of the City Council, Mayor Oscar Leeser, (915) 212-0021

### **CONSENT AGENDA - NOTICE FOR NOTATION:**

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

12. Accept the donation of \$500 from Galileo Church in Fort Worth, Texas to go toward the production and distribution of gender-neutral bathroom signs through LGBTQIA+ organizations of El Paso, such as Mountain Star Pride and Stonewall Democrats of El Paso, and in doing so is in alignment with the City of El Paso's ordinance, Chapter 5.19, on gender-neutral signage for single-user restrooms, which goes into effect on January 1, 2024. [24-87](#)

**All Districts**

Members of the City Council, Representative Cassandra Hernandez, (915) 212-0003

### **REGULAR AGENDA - MEMBERS OF THE CITY COUNCIL**

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

13. Discussion and action to direct staff to review the position of the El Paso Civil Service Commission Recorder and return with recommendations. [24-77](#)

**All Districts**

Members of the City Council, Representative Brian Kennedy, (915) 212-0001

14. Presentation and discussion regarding the El Paso Water budget workshop - FY 2024-2025 Budget Overview; FY 2024-2025 Stormwater operating and Capital Improvement Budget; FY 2024-2025 Water, Wastewater and Reclaimed Water Operating and Capital Improvement Budget; Proposed Rules and Regulation Changes, including rate and fee adjustments. [24-84](#)

**All Districts**

Members of the City Council, Mayor Oscar Leeser, (915) 212-1021

### **REGULAR AGENDA - OPERATIONAL FOCUS UPDATES**

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

15. Climate and Sustainability Management Update. [24-23](#)

**All Districts**

Climate and Sustainability, Nicole Ferrini, (915) 212-1659

**REGULAR AGENDA - OTHER BUSINESS, BIDS, CONTRACTS, PROCUREMENTS:**

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

16. Discussion and action to authorize the City Manager to sign and enter into a subrecipient agreement with Workforce Solutions Borderplex to assist with the Climate Fellowship program and workforce development analysis as a key deliverable under the Environmental Protection Agency's (EPA) Climate Pollution Reduction Grant (CPRG) Program. [24-25](#)

**All Districts**

Climate and Sustainability, Nicole Ferrini (915) 212-1659

17. Discussion and action to approve a Resolution to authorize the City Manager to enter into a non-binding memorandum of understanding (MOU) with all members of the Leadership Steering Committee relating to the Environmental Protection Agency's (EPA) Climate Pollution Reduction Grant (CPRG) program. [24-28](#)

**All Districts**

Climate and Sustainability, Nicole Ferrini, (915) 212-1659

18. The linkage to the Strategic Plan is subsection: 8.4 Reduce operational energy consumption. [24-83](#)

**Award Summary:**

Discussion and action on the award of Solicitation 2023-0670R Climate Action Plan to AECOM Technical Services, Inc., for a four (4) year term for an estimated amount of \$1,239,235.00. The contract will allow for the development of the city's first formalized Climate Action Plan (CAP).

**Contract Variance:**

No contract variance, new contract

Department:	Community & Human Development
Award to:	AECOM Technical Services, Inc.
City & State:	Chicago, IL
Initial Term:	4 Years
Option Term:	N/A
Total Contract Time:	4 Years
Annual Estimated Award:	\$309,808.75
Initial Term Estimated Award:	\$1,239,235.00
Option Term Estimated Award:	N/A
Total Estimated Award:	\$1,239,235.00
Accounts:	190 - 4825 - 29130 - 522270 - PCP23CLIMATEPLN
Funding Sources:	471 - 2465 - 71004 - 522150 - G7124CPRG Community Progress Bond 2022 EPA-CPRG Grant
District(s):	ALL

**Contract Variance:**

No contract variance, new contract.

This was a Request for Proposals Procurement - service contract.

The Purchasing & Strategic Sourcing Department and the Community & Human Development departments recommend award as indicated to AECOM Technical Services, Inc. the highest ranked bidder/offeror(s) based on the evaluation factors established in the evaluation criteria for this procurement. Additionally, it is requested that the City Attorney's Office review and that the City Manager or designee be authorized to execute any related contract documents and agreements necessary to effectuate this award.

**All Districts**

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092  
Community and Human Development, Nicole Ferrini, (915) 212-1659

**CALL TO THE PUBLIC – PUBLIC COMMENT:**

**Call to the Public will begin at 12:00 p.m. Requests to speak must be received by 9:00 a.m. on the date of the meeting. Sixty minutes in total will be devoted for Call to the Public. This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

**Members of the public may communicate with Council during public comment, and regarding agenda items by calling 1-915-213-4096 or toll free number 1-833-664-9267 at the prompt please enter the following Conference ID: 941-073-775#**

**A sign-up form is available on line for those who wish to sign up in advance of the meeting at: <https://app.smartsheet.com/b/form/dfad29e838da41fd86052bb264abd397>**

**REGULAR AGENDA - FIRST READING OF ORDINANCES:**

**INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the first reading of ordinances. Public comments are invited at the date of the scheduled public hearing.**

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 300 N. Campbell, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

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

19. An Ordinance amending Ordinance No. 016528 to modify requirements for membership on the Board of Directors of the Tax Increment Reinvestment Zone Number Five, City of El Paso, Texas. [24-04](#)
- District 8**  
Economic and International Development, Karina Brascgalla, (915) 212-1570  
Economic and International Development, Elizabeth Triggs, (915) 212-0094
- PUBLIC HEARING WILL BE HELD ON JANUARY 17, 2024**
20. An Ordinance of the City Council of the City of El Paso, Texas, approving amendment number twenty-three to the Project and Financing Plan for Tax Increment Reinvestment Zone Number Five, City of El Paso, Texas, amending the plan to update the projected tax increment reinvestment zone revenue and establishing project cost categories. [24-07](#)
- District 8**  
Economic and International Development, Karina Brascgalla, (915) 212-1570  
Economic and International Development, Elizabeth Triggs, (915) 212-0094
- PUBLIC HEARING WILL BE HELD ON JANUARY 17, 2024**
21. An Ordinance authorizing the City Manager to sign a Purchase and Sale Agreement, a Deed and any other documents necessary to convey approximately 7.006 acres of land legally described as out of a portion of Tracts 3A and 5A, now known as Tracts 3A3 and 5A1, Block 7, Ysleta Grant, City of El Paso, El Paso County, Texas. [24-42](#)
- District 7**  
El Paso Water, Alex Vidales, (915) 594-5636
- PUBLIC HEARING WILL BE HELD ON JANUARY 17, 2024**
22. An Ordinance authorizing the City Manager to sign a Purchase and Sale Agreement, a Deed and any other documents necessary to convey approximately 0.11 acres of land legally described as the North 40 feet of Lots 12 to 16, Map No. 3, Block 99, Bassett's Addition, City of El Paso, El Paso County, Texas. [24-43](#)
- District 8**  
El Paso Water, Alex Vidales, (915) 594-5636
- PUBLIC HEARING WILL BE HELD ON JANUARY 17, 2024**
23. An Ordinance authorizing the City Manager to sign a Purchase and Sale Agreement, a Deed and any other documents necessary to convey approximately 0.025 acres of land legally described as Lot 25, Block 3, Colonia Miramonte Addition Unit One, City of El Paso, El Paso County, Texas. [24-44](#)
- District 1**  
El Paso Water, Alex Vidales, (915) 594-5636
- PUBLIC HEARING WILL BE HELD ON JANUARY 17, 2024**



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

24. An Ordinance granting Special Permit No. PZST23-00013, to allow for an adult day care center on the property described as a portion of Block 52, Government Hill Addition, 4115 Trowbridge Drive, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.260 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.

[24-27](#)

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

Subject Property: 4115 Trowbridge Drive  
Applicant: Jireh Shiloh, LLC, PZST23-00013

**District 2**

Planning and Inspections, Philip F. Etiwe, (915) 212-1553  
Planning and Inspections, Saul J. G. Pina, (915) 212-1612

**PUBLIC HEARING WILL BE HELD ON JANUARY 30, 2024**

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

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

25. The linkage to the Strategic Plan is subsection: 1.4: Grow the core business of air transportation.

[24-34](#)

**Award Summary:**

Discussion and action of the award of Solicitation 2023-0424 Electric Cart Operator to Goodwill Industries of El Paso Inc. for an initial term of three (3) years for an estimated amount of \$352,800.00. The award also includes a two (2) year option for an estimated amount of \$235,200.00. The total contract time is for five (5) years for a total estimated amount of \$588,000.00. This contract will provide courtesy passenger shuttle service for passengers with limited mobility, those traveling with small children or any passenger that may need assistance to and from their gate.

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An increase of \$68,175.00 for the initial term, which represents a 23.95% due to additional hours added and an increase in the billable rate.

Department:	El Paso International Airport
Award to:	Goodwill Industries of El Paso Inc.
City & State:	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option Term:	2 Years

Total Contract Time:	5 Years
Annual Estimated Award:	\$117,600.00
Initial Term Estimated Award:	\$352,800.00
Option Term Estimated Award:	\$235,200.00
Total Estimated Award	\$588,000.00
Account(s)	562 - 3000 - 62070 - 522150
Funding Source(s):	Airport Operating Fund
District(s):	All

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

The Purchasing & Strategic Sourcing and El Paso International Airport Departments recommend award as indicated to Goodwill Industries of El Paso Inc. the sole highest ranked offeror based on the evaluation factors established in the evaluation criteria for this procurement.

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

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

**All Districts**

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092  
 Airport, Sam Rodriguez, (915) 212-1845

**REGULAR AGENDA – EMERGENCY ORDINANCES:**

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

- 26. Discussion and action on an Emergency Ordinance extending Emergency Ordinance No. 019333 authorizing the City Manager to assign personnel and resources to assist in addressing the humanitarian and public safety crisis resulting from a mass migration through El Paso. [24-19](#)

**All Districts**

City Manager's Office, Mario M. D'Agostino, (915) 212-1069

- 27. Discussion and action on an Emergency Ordinance extending Emergency Ordinance No. 019485 due to a humanitarian, security, and economic crisis resulting from a mass migration through El Paso. [24-20](#)

**All Districts**

City Manager's Office, Mario M. D'Agostino, (915) 212-1069

**REGULAR AGENDA - OTHER BUSINESS:**

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

28. Discussion and action that the City Manager be authorized to sign a two year On-Call Agreement for Professional Services to perform mechanical & electrical services on a task order basis by and between the City of El Paso and each of the following two (2) consultants:

[23-1633](#)

1. Bath Group, LLC
2. Cardina Consulting, LLC

Each On-Call Agreement will be for an amount not to exceed Three Hundred Thousand and No/00 Dollars (\$300,000.00), and each agreement will include authorization for the City Engineer to approve additional Basic Services and Reimbursables for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) and authorization for the City Engineer to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if the identified services are necessary for proper execution of identified project and if the increased amounts are within the appropriate budget identified for a project. In addition, the City Manager, or designee, is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of each On-Call Agreement.

**All Districts**

Capital Improvement Department, Yvette Hernandez, (915) 212-0065

29. Discussion and action that the City Manager be authorized to sign a two-year On-Call Agreement for Professional Services to perform Municipal Solid Waste Engineering Services on a task basis by and between the City of El Paso and each of the following three (3) consultants: Burns & McDonnell Engineering Company, Inc., Parkhill, Smith & Cooper, Inc, and Stearns, Conrad and Schmidt Consulting Engineers, Inc. Each On Call Agreement will be for an amount not to exceed \$400,000.

[24-39](#)

**All Districts**

Capital Improvement Department, Yvette Hernandez, (915) 212-1860

**EXECUTIVE SESSION**

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

- |                 |  |
|-----------------|--|
| Section 551.071 | CONSULTATION WITH ATTORNEY                                 |
| Section 551.072 | DELIBERATION REGARDING REAL PROPERTY                       |
| Section 551.073 | DELIBERATION REGARDING PROSPECTIVE GIFTS                   |
| Section 551.074 | PERSONNEL MATTERS  |
| Section 551.076 | DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS |

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS  
Section 551.089 DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS; CLOSED MEETING

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

**Discussion and action on the following:**

- EX1.** Kasco Ventures, Inc. v. City of El Paso; Cause No. 2021DCV1165. Matter No. 21-1003-1154 (551.071) [24-40](#)  
City Attorney's Office, Evan D. Reed, (915) 212-0033
- EX2.** Status of Contractor's Bankruptcy on City Contracts. HQ 23-578 (551.071) [24-41](#)  
City Attorney's Office, Roberta Brito, (915) 212-0033
- EX3.** Texas Legislative Special Session 88(4) Senate Bill 4 related to illegal entry or presence in this state (551.071). [24-88](#)  
**All Districts**  
City Attorney's Office, Kristen Hamilton-Karam, (915) 212-0033

**ADJOURN**

**NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. If you need Spanish Interpreter Services, you must email [CityClerk@elpasotexas.gov](mailto:CityClerk@elpasotexas.gov) at least 120 hours in advance of the meeting.

Posted this 21st of December at 2:10 PM by Adrian Martinez.