

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

JULY 30, 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 9:01 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Brian Kennedy, Josh Acevedo, Joe Molinar, Isabel Salcido, and Chris Canales. Late arrivals: Casandra Hernandez and Henry Rivera at 9:05 a.m. and Art Fierro at 9:12 a.m.

INVOCATION BY EL PASO POLICE CHAPLAIN ROBERT HEMPHILL, JR. PH.D.

PLEDGE OF ALLEGIANCE

Daisy Girl Scouts Troop 64114
Analucia Vargas
Teagan Lee
Mia Arias
Lina Cosgrove
Bree Cosgrove
Orlyola Tantchou
Orlybella Tantchou
Ariel Wyatt

MAYOR'S PROCLAMATIONS

Gastroschisis Awareness Day
David L. Carrasco Job Corps Month
Giovanna Zubia Day
John Purvis Day
Professional Engineers Day

NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Kennedy, seconded by Representative Salcido, 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 July 16, 2024, the Agenda Review Meeting of July 15, 2024, and the Work Session of July 15, 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, or designee, be authorized to sign an Overhead Electrical Easement to accommodate an electrical transmission line to provide electrical power to property in the vicinity of the El Paso International Airport, said easement more particularly described as:

A portion of Lot 2, Block 2, Butterfield Trail Aviation Park Unit Two Replat “C” as recorded in Document No. 20200101637, El Paso County Plat Records.

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- 4. ***RESOLUTION**

WHEREAS, the City of El Paso, as recipient of a grant of authority from the U.S. Foreign Trade Zones Board, is authorized to establish, operate, and maintain Foreign Trade Zone No. 68; and

WHEREAS, the City of El Paso, by and through its Department of Aviation, established, owns, operates, and maintains Foreign Trade Zone No. 68 in order to expedite and encourage foreign commerce in the El Paso region; and

WHEREAS, the City of El Paso desires to submit a minor boundary modification/subzone expansion application to the U.S. Foreign Trade Zones Board to modify the boundaries of Foreign Trade Zone No. 68 to include a new site which will be used for distribution and production operations.; and

WHEREAS, the City of El Paso desires the minor boundary modification/subzone expansion be subject to the activation limit under the traditional site framework,

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

That the Director of the Aviation or designee be authorized to submit a minor boundary modification/subzone expansion application, including all supporting documents and coordination with taxing entities for letters of support, to the U.S. Foreign Trade Zones Board, which will modify the boundaries of Foreign Trade Zone No. 68 to include the following:

1601 N. Fabens Road, Fabens, El Paso County, Texas 79838, Subdivision L University lands;

and to perform all other actions necessary to effectuate this boundary modification.

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

WHEREAS, under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement taskforces and agencies for economic motor vehicle theft, including catalytic converter theft; and

WHEREAS, this grant program will assist this jurisdiction to combat catalytic converter theft; and

WHEREAS, the El Paso City Council designated the City Manager or his designee as the City's authorized official.

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

1. THAT, the El Paso City Council authorizes the submission of a grant application to the Motor Vehicle Crime Prevention Authority for the City of El Paso Police Department project identified as "Senate Bill 224 Catalytic Converter Grant FY24" to provide financial assistance to the City of El Paso.
2. THAT, the City of El Paso shall provide all matching funds for said grant if applicable.
3. THAT, the El Paso Police Department Auto Theft Task Force Lieutenant Ricardo Porras or designee is designated as the Program Director.
4. THAT, the City of El Paso agrees that in the event of loss or misuse of the MVCPA grant funds, the City Of El Paso assures that the grant funds will be returned in full to MVCPA.
5. THAT, the City of El Paso's Chief Financial Officer Robert Cortinas, or designee, is designated as the Financial Officer for this grant.

6. BE IT FURTHER RESOLVED THAT, the City Manager or designee is authorized to sign any related paperwork, including but not limited to, the actual grant contract, the authorization of budget transfers, and/or revisions to the operation plan, as well as any grant amendments, corrections, or extensions of the grant agreement which increase, decrease, or de-obligate program funds, provided that no additional City funds are required.

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

WHEREAS, by way of a Resolution on April 12, 2005, City Council adopted the 2014-2024 Public Art Master Plan dated October 28, 2014, as the primary guideline in determining and appropriating expenditures from the public art fund; and

WHEREAS, under the provisions of the City Code Chapter 2.40 (Department of Museums and Cultural Affairs) Section 2.40.70 (Art in Municipal Places) and Section 2.40.80 (Administration of the Public Art Program and Establishment of the Public Art Committee) the City of El Paso provided for art in municipal places, established a means of funding acquisition or commissioning of art for municipal places and established that the Public Art committee and the Museums and Cultural Affairs Advisory Board shall submit an annual Public Art Plan to the City Council; and

WHEREAS, the Museums and Cultural Affairs Department would like to Amend the 2024 Public Art Plan ("Amended Plan") attached hereto as Exhibit "A" to add a project to the Community Progress bonds and

WHEREAS, the 2024 Public Art Plan was approved by Council on February 13, 2024

WHEREAS, the City Council may accept or reject any portion of this Plan; and

WHEREAS, the City Council determines that the Plan is reasonable and appropriately adopted and that said Plan serves the public purpose of enhancing the quality of life of the citizens of El Paso through the development of fine arts and cultural properties and by encouraging the integration of art in the architecture of municipal structures.

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

1. That the Amended 2024 Public Art Plan, attached hereto, be and is hereby officially adopted.
2. That 2024 Plan includes current art projects in progress and new projects to be initiated in Fiscal Year 2024 and on, and describes the planned location, proposed budget, timetable, and artist selection process for each project, and contains updates on public art projects in progress.
3. That adoption of the Plan is fully funded through 2010, 2011, 2012, 2013, 2017, 2018. And 2019 Certificates of Obligation; the 2012 Infrastructure and Quality of Life Bonds; the 2019 Public Safety Bonds; and the 2022 Community Progress Bonds.
4. That the City Manager or a designee is authorized to enter into contracts and amendments to contracts to carry out the Amended Plan as described in Exhibit "A"**. If an artist identified in the Plan is unable or unwilling to finalize a contract with the City, then the City Manager is

authorized to execute a contract and contract amendments with a new artist as selected by the Museum and Cultural Affairs Department approved by the Public Art Committee.

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

7.

***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 an Agreement for Professional Services by and between the City of El Paso and Via Partnership, a Missouri, USA, Foreign Limited Liability Partnership (LLP), for the development of a ten-year Public Art Master Plan for the Museums and Cultural Affairs Department and Public Art Program, for a total contract amount not to exceed \$100,000.00 and a term of one year. Further, that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for the execution of the Agreement.

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

8.

***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 Possession and Use Agreement for Transportation Purposes with Additional Payment of independent Consideration, with the State of Texas, acting by and through the Texas Department of Transportation, (the "State"), granting to the State the right to possession and use of City property for purposes of constructing a portion of State Highway 178 in exchange for payment to the City in the amount of \$3,000.00. The property subject to this Agreement is described as 0.0208 acre (908 square feet) of land located in the Nellie D. Mundy Survey Number 241, in northwest El Paso. This Agreement is entered into pending the final sale of said property to the State of Texas for the construction of a portion of Highway 178.

9.

***R E S O L U T I O N**

WHEREAS, on April 23, 2024, the City and Air Methods, LLC, entered into an agreement titled Air Medical Services and Support Agreement for medically necessary air transport service; and

WHEREAS, on June 11, 2024, Section 5.8 Base Sites was amended to extend the period for a lease agreement to be executed; and

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

1. That the City Manager be authorized, on behalf of the City of El Paso, to sign a Building Lease by and between the City of El Paso and Air Methods, LLC, a Delaware limited liability company, for the Aviation and Clinical Crew Base Site located at 12230 Pine Springs for a term of five years.

2. That the City Manager be authorized to make subsequent nonmaterial amendments to the Lease Agreement after review by the City Attorney.

10.

***R E S O L U T I O N**

WHEREAS, on April 23, 2024, the City and Air Methods, LLC, entered into an agreement titled Air Medical Services and Support Agreement for medically necessary air transport service; and

WHEREAS, on June 11, 2024, Section 5.8 Base Sites was amended to extend the period for a lease agreement to be executed; and

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

1. That the City Manager be authorized, on behalf of the City of El Paso, to sign a Ground Lease by and between the City of El Paso and Air Methods, LLC, a Delaware limited liability company, for the Aviation and Clinical Crew Base Site located at 12230 Pine Springs for a term of five years.
2. That the City Manager be authorized to make subsequent nonmaterial amendments to the Lease Agreement after review by the City Attorney.

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11. *RESOLUTION

WHEREAS, Section 26.04 of the Texas Property Tax Code, as amended, provides that an officer or employee designated (the “Designated Officer or Employee”) by the governing body of a taxing unit shall calculate the no-new-revenue tax rate and the voter-approval tax rate, shall submit the rate calculation forms, and by August 7 or as soon thereafter as practicable shall submit the tax rates to the governing body; and

WHEREAS, the City Council finds that designating the Tax Assessor-Collector or their designee as the Designated Officer or Employee for the City will enable the City of El Paso to comply with Section 26.04 of the Texas Property Tax Code, as amended.

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

That the City Council of the City of El Paso hereby designates the Tax Assessor-Collector or their designee as the individual authorized to calculate the no-new-revenue tax rate, the voter approval tax rate, and other truth-in-taxation requirements for the City as the “Designated Officer or Employee” pursuant to Section 26.04 of the Texas Property Tax Code, as amended.

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

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12. *RESOLUTION

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

That the Mayor is authorized to sign an Interlocal Agreement by and between the City of El Paso (“City”) and the El Paso Metropolitan Planning Organization (“EPMPO”) whereby the City shall pay an amount not to exceed \$150,000.00 towards the EPMPO’s local participation costs of an International Border Crossings System-wide Analysis (“Project”) as adopted in the EPMPO “Regional Mobility Strategy 2050 Metropolitan Transportation Plan” and “Regional Mobility Strategy FY2023-2026 Transportation Improvement Program”, designed to identify and develop a regional crossings system that is more efficient and better suited to meet the needs of the City of El Paso and the region. The total cost of the Project is \$2,107,000.00, with allocations of federal, state, and local participation costs.

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CONSENT AGENDA – BOARD RE-APPOINTMENTS:
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Goal 3: Promote the Visual Image of El Paso
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13. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Sal Masoud to the City Plan Commission by Representative Brian Kennedy, District 1.
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CONSENT AGENDA – BOARD APPOINTMENTS:
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Goal 4: Enhance El Paso’s Quality of Life through Recreational, Cultural and Educational Environments
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14. *Motion made, seconded, and unanimously carried to **APPOINT** Jose Luis Salas to the Museums and Cultural Affairs Advisory Board by Representative Henry Rivera, District 7.
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Goal 8: Nurture and Promote a Healthy, Sustainable Community
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15. *Motion made, seconded, and unanimously carried to **APPOINT** Elias Montoya to the Regional Renewable Energy Advisory Council, as non-voting member, by Nicole Ferrini, Climate & Sustainability Officer.
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16. *Motion made, seconded, and unanimously carried to **APPOINT** Deanna Maldonado Rocha as a regular member to the Fair Housing Task Force by Representative Cassandra Hernandez, District 3.
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17. *Motion made, seconded, and unanimously carried to **APPOINT** Mathew Marquez as a regular member to the Fair Housing Task Force by Representative Art Fierro, District 6.
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CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS:
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Goal 5: Promote Transparent and Consistent Communication Amongst All Members of the Community
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18. *Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds greater than \$2,500.00 listed below:
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1. Diagnostic Outpatient Imaging, in the amount of \$11,374.88 made an overpayment on January 31, 2024 of 2023 tax. The corrected amount from the July 2, 2024 City Council agenda. (Geo. #19PP-999-8745-0050)
 2. Ocotillo Management LLC, in the amount of \$2,867.56 made an overpayment on January 31, 2024 of 2023 taxes. (Geo. # B202-999-0330-3400)
 3. MT Carmel Funeral Homes, in the amount of \$12,551.28 made an overpayment on December 30, 2021 of 2021. (Geo. # G510-999-0020-0600)
 4. HD Capital Partners LLC, in the total amount of \$3,385.10 made an overpayment on December 20, 2023 of 2023 taxes. (Geo. # M130-999-0050-1100)
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19. RESOLUTION
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WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, MBM FARMS LLC ("Taxpayer") has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on April 9, 2021 in the amount of \$75.93 (Seventy-Five and 93/100 Dollars) for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2020 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that MBM FARMS LLC, showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2020 taxes and the tax refund in the amount of \$75.93 (Seventy-Five and 93/100 Dollars) is approved.

***R E S O L U T I O N**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, MBM FARMS LLC ("Taxpayer") has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on April 9, 2021 in the amount of \$10.87 (Ten and 87/100 Dollars) for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2020 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that MBM FARMS LLC, showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2020 taxes and the tax refund in the amount of \$10.87 (Ten and 87/100 Dollars) is approved.

***R E S O L U T I O N**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, MBM FARMS LLC ("Taxpayer") has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on April 9, 2021 in the amount of \$29.82 (Twenty-Nine and 82/100 Dollars) for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2020 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that MBM FARMS LLC, showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2020 taxes and the tax refund in the amount of \$29.82 (Twenty-Nine and 82/100 Dollars) is approved.

CONSENT AGENDA –NOTICE FOR NOTATION:

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

- 20. *Motion made, seconded, and unanimously carried to **ACCEPT** the generous grant of \$20,000 from Marathon Petroleum Refinery for the Ability Fellows Program. The program is a paid fellowship initiative that addresses the barriers young adults with disabilities encounter when seeking job opportunities in the City of El Paso. This generous donation will offer hands-on experience, professional development, and civic engagement skills in the city’s workforce from August to December 2024. The program was developed in collaboration with local organizations aiming to promote workforce development and inclusivity.

Further, we thank Marathon Petroleum Refinery for their continued support to workforce development and for supporting persons with all abilities

CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS:

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

- 21. *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 \$1000 from Alonso Hernandez, \$5000 from Christina Stover, \$5000 from Guillermina Chavez, \$25 from Lorenza Lujan, \$2500 from Mark Hernandez, \$5000 from Raquel Hernandez, \$4000 from Raymond Alvarado, \$2500 from Ricardo Chavez, \$4000 from Rosa Alvarado, \$3500 from Ryan Kieffe, \$5000 from Stephen Hernandez, \$2500 from Sylvia Hernandez, and \$5000 from Zenia Hernandez.

- 22. *Motion made, seconded, and carried to **NOTE** pursuant to Section 2.92.080 of the City Code, receipt of campaign contribution by Representative Josh Acevedo in the amount of \$1,000.00 from Daniel Anchondo.

23. *Motion made, seconded, and carried to **NOTE** pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Cynthia Trejo in the amount of \$1,000 from The Law Office of Steve Ortega, PLLC.

CONSENT AGENDA – REQUEST FOR PROPOAL:

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

24. *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Managing Director of Purchasing & Strategic Sourcing to decrease Contract 2020-224R Travel Demand Model. This will be a change order to decrease the award by \$75,000.00 for a total amount not to exceed \$635,000.00. This deductive change order is due to a discount provided while exercising the optional year of this contract.

Department:	Capital Improvement
Award to:	Replica, Inc.
City & State:	Leawood, KS
Current Contract Estimated Amount:	\$710,000.00
Change Order Amount:	-\$ 75,000.00
Total estimated Amount not to Exceed:	\$635,000.00
Account(s):	190-4746-38290-580270-PCP20PLANDOCS
Funding Source(s):	2020 Capital Improvement Plan
District(s):	All

This was a Request for Proposals - Service Contract.

Mr. Derek Russell, Lead Procurement and Contract Analyst, commented.

Ms. Lisa Turner, citizen, commented.

REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL:

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

25. **RESOLUTION**

WHEREAS, The Texas Tribune, a nonpartisan, nonprofit media organization, hosts an annual conference known as The Texas Tribune Festival, which is “a multi-day celebration of big, bold ideas about politics and public policy, featuring conversations with the leaders and influencers making the news,” and brings together politicians, policymakers, citizens, and journalists to connect on current issues; and

WHEREAS, the 14th annual Texas Tribune Festival will take place in Austin, Texas from September 5 through September 7, 2024 (“Festival”); and

WHEREAS, City Council representative for District 6 recommends the allocation of up to \$3,500.00 from District 6’s discretionary funds to fund the attendance and participation of the District 6 office to the Festival; 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 an amount not to exceed \$3,500.00, to fund the attendance and participation in the 14th annual Texas Tribune Festival for the office of District 6, 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; and

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Kennedy

Goal 8: Nurture and Promote a Healthy, Sustainable Community

- 26. ITEM:** Discussion and action to direct the City Manager to take the steps necessary to opt into healthcare coverage of gender-affirming care for City of El Paso employees; and, in advance of implementation, to conduct a review including benchmarking of coverage provided by peer cities and other local government entities, analysis of typical claims, and development of potential coverage options to be presented to the City Council within 60 days.

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

The following members of the public commented:

1. Ms. Andi Tiscareno
2. Ms. Brandon "Brooke" Merrit
3. Ms. Amber Perez
4. Ms. Lorena Edwards
5. Ms. Lisa Turner

Motion made by Representative Canales, seconded by Representative Hernandez, and carried to **DIRECT** the City Manager to take the steps necessary to opt into healthcare coverage of gender-affirming care for City of El Paso employees; and, in advance of implementation, to conduct a review including benchmarking of coverage provided by peer cities and other local government entities, analysis of typical claims, and development of potential coverage options to be presented to the City Council within 60 days.

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

NAYS: Representative Molinar

CALL TO THE PUBLIC – PUBLIC COMMENT:

The following members of the public commented:

1. Ms. Elizabeth Crawford
2. Mr. Steven Strumer
3. Mr. Ron Comeau

REGULAR AGENDA – FIRST READING OF ORDINANCES:

Goal 3: Promote the Visual Image of El Paso

- 27.** An Ordinance granting to Valu Advertising, LLC a non-exclusive franchise for waste containers on sidewalks and other city property.

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

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

NAYS: Representative Hernandez

PUBLIC HEARING WILL BE HELD ON AUGUST 13, 2024

- 28.** An Ordinance amending the following provisions of El Paso City Code Title 20 (Zoning), Chapter 14 (Off-Street Parking, Loading and Storage Standards), Article I (Vehicular Parking), Section 050 (Parking Requirements and Standards) and Section 070 (Parking Reductions). The penalty is as provided in Chapter 20.24 of the El Paso City Code.

Representative Canales commented.

Ms. Dionne Mack, Deputy City Manager for Quality of Life, commented.

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

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

NAYS: None

PUBLIC HEARING WILL BE HELD ON AUGUST 27, 2024

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

- 29.** An Ordinance ordering a Special Election to be held in the City of El Paso, Texas to determine whether to revoke the City's authority to issue bonds for the Multipurpose Performing Arts and Entertainment Facility voted at the City's November 6, 2012 Election; making provision for the conduct of the election; and resolving other matters incident and related to such election

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

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

NAYS: Representatives Acevedo, Hernandez, and Salcido

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PUBLIC HEARING WILL BE HELD ON AUGUST 13, 2024
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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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30. RESOLUTION
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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager is authorized to sign a Street Improvement and Maintenance Agreement (“Agreement”) by and between the City of El Paso (“City”) and The Rim Area Neighborhood Association, Inc. (“Association”) for the design, installation, and maintenance of right-of-way and landscaping improvements for traffic calming on Hague Road between Stanton Street and Rim Road. Pursuant to the Agreement, the Association shall pay 100% of the cost for the City to design and install the right-of-way and landscape improvements, for an estimated cost of \$184,450.00. The Association further agrees to maintain the completed landscaping improvements at the Association’s sole expense and the City agrees to maintain the completed right-of-way improvements at the City’s sole expense.

Representative Canales commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Fierro

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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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31. RESOLUTION
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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign Contract No. 2024-0412R Auditing Services - Grants for the Office of the Comptroller between the City of El Paso ("City") and Forvis Mazars, LLP for auditing services for the City of El Paso for a five (5) year term from the effective date, for an estimated, aggregated total cost of \$1,738,550; and that service provider is to be paid based on the services performed.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Fierro

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32. RESOLUTION
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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign Contract No. 2024-0244R Cybersecurity Audits for the Internal Audit Department between the City of El Paso ("City") and Global Solutions Group, Inc., for cybersecurity audit services for the Internal Audit Department for an initial three year term in an estimated total cost of \$600,000; and two, one-year options in an estimated total cost of \$400,000; for a total of five years, in an aggregated, estimated amount of \$1,000,000; and that service provider is to be paid based on the services performed.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Fierro

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

- 33.** Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **AWARD** Solicitation 2024-0124 Job Order Contracting and Facilities Construction to Noble General Contractors, LLC, Veliz Company, LLC dba Veliz Construction, Amstar, Inc., Jordan Foster Construction, LLC, and Mirador Enterprises, Inc. for an initial term of Two (2) years and three (3), one (1) year options. The length of each contract including the initial term plus options is five (5) years for an estimated total aggregate of \$40,000,000.00. The award of the contracts will allow to perform maintenance, repair, alteration, renovation, remediation, or minor construction for City of El Paso facilities using the Job Order contract method.

Department: Streets and Maintenance

Award to: Noble General Contractors, LLC
City & State: El Paso, TX
Initial Term: Two (2) Years
Option Terms: Three (3) - One (1) Year Terms

Award to: Veliz Company, LLC dba Veliz Construction
City & State: El Paso, TX
Initial Term: Two (2) Years
Option Terms: Three (3) - One (1) Year Terms

Award to: Amstar, Inc.
City & State: San Antonio, TX
Initial Term: Two (2) Years
Option Terms: Three (3) - One (1) Year Terms

Award to: Jordan Foster Construction, LLC
City & State: El Paso, TX
Initial Term: Two (2) Years
Option Terms: Three (3) - One (1) Year Terms

Award to: Mirador Enterprises, Inc.
City & State: El Paso, TX

Initial Term:	Two (2) Years
Option Terms:	Three (3) - One (1) Year Terms
Total Estimated Award:	\$40,000,000.00
Account(s):	Various
Funding Source(s):	General Capital - City Wide Facilities
District(s):	All

This was a Competitive Sealed Proposal Procurement price book (RS Means) requirements contract.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance Department recommend award as indicated to Noble General Contractors, LLC, Veliz Company, LLC dba Veliz Construction, Amstar, Inc., Jordan Foster Construction, LLC, and Mirador Enterprises, Inc. the highest ranked offerors 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.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Fierro

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

Goal 3: Promote the Visual Image of El Paso

.....
34. ORDINANCE 019656

The City Clerk read an ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE LICENSE TO EPT MONTECILLO I-10 DEVELOPMENT, LLC TO PERMIT THE CONSTRUCTION, INSTALLATION, MAINTENANCE, USE, AND REPAIR OF A SURFACE ENCROACHMENT FOR TWO (2) ART SCULPTURES AND ANCILLARY ITEMS OVER CITY RIGHT-OF-WAY AT THE ROUNDABOUT INTERSECTION LOCATED AT VIN RAMBLA DRIVE AND VIN RODA DRIVE, ADDITIONALLY, THIS ORDINANCE ENCOMPASSES THE PLACEMENT OF TWENTY THREE (23) WAYFINDING SIGNS AND NINE (9) ELECTRIC METERS AT VARIOUS LOCATIONS WITHIN THE MONTECILLO DEVELOPMENT; SETTING THE LICENSE TERM FOR A TERM OF TEN YEARS (10) WITH ONE (1) RENEWABLE TEN (10) YEAR TERM.**

Representative Acevedo commented.

Mr. Philip Etiwe, Planning and Inspections Director, commented.

Motion duly made by Representative Salcido, 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, Hernandez, Molinar, Salcido, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Fierro

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
.....

35. ORDINANCE 019657

The City Clerk read an ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM (TAX RESALE) DEED CONVEYING ALL RIGHT, TITLE AND INTEREST TO IGNACIO VILLANUEVA MACIAS, TO THE FOLLOWING AND DESCRIBED PARCEL:**

TRACT 11, (.48 ACRE), BLOCK 44, SAN ELIZARIO, EL PASO COUNTY, TEXAS.

IN ACCORDANCE WITH SECTION 34.05 (H) OF THE TAX CODE. SECTION 34.05 (H) PERMITS THE CITY TO SELL A PROPERTY FOR THE TOTAL AMOUNT OF THE JUDGMENT AND THE SALE OF THE PROPERTY DOES NOT REQUIRE THE CONSENT OF EACH TAXING ENTITY ENTITLED TO RECEIVE PROCEEDS FROM THE SALE.

Motion duly made by Alternate Mayor Pro Tempore Molinar, 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, Molinar, Salcido, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez and Fierro

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

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

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

36. ITEMS 36 THROUGH 38 WERE TAKEN TOGETHER

R E S O L U T I O N

WHEREAS, on January 31, 2023, the City of El Paso and the Better Business Bureau Foundation El Paso ("BBB"), a 501(c)(3) non-profit organization, entered into a Subrecipient

Agreement to administer ARPA Act funds to implement the EPBusiness Strong and the Buy El Paso Program and implement the El Paso Small Business Rewards Program ("Agreement"); and

WHEREAS, the Agreement may be amended from time to time under the provisions of Section 7.13 of the Agreement; and

WHEREAS, the parties desire to amend to the Agreement to revise: the funding amount and increase it by \$140,000, the Scope of Work listed as Attachment "A,"*** and the Budget listed as Attachment "B."***

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

That the City Manager be authorized to execute a First Amendment to that certain Subrecipient Agreement dated January 31, 2023 by and between the City of El Paso and the Better Business Bureau Foundation El Paso ("BBB"), a 501(c)(3) non-profit organization, to revise the funding amount and increase it by \$140,000, the Scope of Work listed as Attachment "A,"*** and the Budget listed as Attachment "B."***

***Attachments to the Resolution available in the City Clerk's Office.

Ms. Klarissa Mijares, Economic Development Business Services Coordinator, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representatives Hernandez, Salcido, and Canales commented.

Ms. Karina Brasgalla, Economic and International Development Interim Director, commented.

The following members of the public commented:

1. Ms. Marybeth Stevens, El Paso Better Business Bureau President
2. Ms. Lisa Turner

.....
37.

R E S O L U T I O N

WHEREAS, on March 11, 2021, the federal government enacted the American Rescue Plan Act ("ARP A"), which established the Coronavirus State Fiscal Relief Fund & Coronavirus Local Fiscal Relief Fund ("CSLFRF") and appropriated \$150 billion to the Fund to be used to address the economic fallout caused by the COVID-19 pandemic; and

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

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

WHEREAS, the City desires to enter into a Subrecipient Agreement with **LIFTFUND INC. ("LiftFund")**, a Texas non-profit organization, whereby LiftFund will administer ARPA Act funds for the continuation of the *Interest Buy-Down Program* to small businesses affected by the COVID-19 pandemic; and

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

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

The following LiftFund Representatives commented:

1. Ms. Liliane Spenle, Director of Compliance and Grant Administration
2. Mr. Enrique Aragon, East Texas Sr. Business Development Officer

38.

R E S O L U T I O N

WHEREAS, on January 31, 2023, the City of El Paso and Project Vida, Inc. ("Project Vida"), a Texas nonprofit corporation, entered into a Subrecipient Agreement to administer ARP A Act funds to provide Microenterprise Technical Assistance to entities affected by the COVID-19 pandemic. ("Agreement"); and

WHEREAS, the Agreement may be amended from time to time under the provisions of Section 7.13 of the Agreement; and

WHEREAS, the parties desire to amend to the Agreement to revise: the funding amount and increase it by \$200,000, the Scope of Work listed as Attachment "A,"*** and the Budget listed as Attachment "B."***

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

That the City Manager be authorized to execute a First Amendment to that certain Subrecipient Agreement dated January 31, 2023 by and between the City of El Paso and the Project Vida Inc. ("Project Vida"), a Texas non-profit corporation, to revise the funding amount and increase it by \$200,000, the Scope of Work listed as Attachment "A,"*** and the Budget listed as Attachment "B."***

***Attachments to the Resolution available in the City Clerk's Office.

Ms. Sonia Olvera, Project Vida representative, commented.

1ST MOTION

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

2ND AND FINAL MOTION

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

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

NAYS: None

RESOLUTION

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

That the City Manager be authorized to execute a First Amendment of the Chapter 380 Economic Development Program Agreement dated May 6, 2014 by and between the **CITY OF EL PASO, TEXAS**, a home-rule municipality of El Paso County, Texas and **TENET HOSPITALS LIMITED** (hereinafter referred to as "TENET"), a Texas limited partnership, duly acting herein by and through its general partner, to revise the full-time definition, in exchange for a reduced Grant Period and total aggregate Grant amount.

Ms. Alejandra Fuentes, Contract Compliance Coordinator, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

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

Ms. Karina Brasgalla, Economic and International Development Interim Director, commented.

1ST MOTION

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

2ND AND FINAL MOTION

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

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

NAYS: None

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

- 40. *Motion made, seconded, and unanimously carried to **DELETE** discussion and action that City Council approve a Task Order in the amount of \$443,865.47 to International Eagle Enterprises Inc. for the construction of Palomino Laramie Intersection Drainage Improvements.

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

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF EL PASO, TEXAS, CALLING FOR THE 2024 GENERAL ELECTION IN THE CITY OF EL PASO, TO BE HELD ON NOVEMBER 5, 2024, TO FILL THE EXPIRED TERMS OF THE MAYOR, FOUR DISTRICT REPRESENTATIVES NOS 2, 3, 4 AND 7 AND FIVE MUNICIPAL COURT JUDGES COURT NOS. 1, 2, 3, 4, 5, AND THE JUDGE OF THE MUNICIPAL COURT OF APPEALS; AND CALLING FOR A SPECIAL ELECTION IN THE CITY OF EL PASO, TO BE HELD NOVEMBER 5, 2024, TO FILL A CITY COUNCIL VACANCY IN THE OFFICE OF REPRESENTATIVE FOR DISTRICT NO. 1, AND MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND AUTHORIZING A CONTRACT WITH EL PASO COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT.

WHEREAS, pursuant to the Texas Election Code, as amended, and the City of El Paso Charter, an election will be held on Tuesday, November 5, 2024, in the City of El Paso, Texas for the purpose of electing the following officers of the City of El Paso: the Mayor, four District Representatives from Single-Member District Nos. 2, 3, 4 and 7, and the Judges of the Municipal Court Nos. 1, 2, 3, 4 and 5, and the Judge of the El Paso Municipal Court of Appeals; and

WHEREAS, effective July 11, 2024, a vacancy occurred in the office of City Council Representative for District 1 following Representative Brian Kennedy's announcement to run for a different office of honor, trust or profit; and

WHEREAS, the Constitution of the State of Texas provides that a special election shall be held to fill a vacancy on the first authorized uniform election date occurring on or after the 46th day after the election is ordered, and allows for an exception to the uniform date requirement if none is available within the required timeframe; and

WHEREAS, November 5, 2024 is the date for the first authorized uniform election date occurring after the 46th day after the election is ordered.

WHEREAS, the City Council has determined that the holding of the special election to fill the unexpired term of City Council Representative for District No. 1 on November 5, 2024, is in conformity with applicable laws and is in the best interest of the citizens of El Paso.

WHEREAS, by this Resolution, it is the intention of the El Paso City Council to adopt all requirements of this election order in accordance with state law, and to authorize a contract with El Paso County for election services.

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

SECTION 1 - OFFICIAL POSITIONS TO BE FILLED

A general election of the City of El Paso is hereby called to elect the Mayor; one City Council Representative for, respectively, District Nos. 2, 3, 4 and 7; one Municipal Judge for, respectively, Municipal Court Nos. 1, 2, 3, 4 and 5, and one Municipal Court of Appeals Judge. Such election shall take place on the November 5, 2024, uniform election day.

The City Council of the City of El Paso, Texas, does hereby declare a vacancy in the position of City Council Representative, District No. 1, and orders a special election for the City of El Paso, Texas, to be held on November 5, 2024, uniform election day, for the purpose of electing a City Council Representative to serve for the unexpired term of District No. 1.

Such election shall be held in the manner and form prescribed by the laws of the State of Texas. At such election all qualified voters of the City shall be permitted to vote at said election, and shall vote at the polling place designated for the election precinct in which they reside. The candidate receiving a majority of the votes cast for each position shall be declared elected to such office.

Such election shall be held at the precincts and the polling places designated in Exhibit "A" ** or such other locations as may be designated prior to the election by the El Paso County Elections Administrator or City Clerk, attached hereto and made a part hereof for all purposes, and said polling places shall open at 7 a.m. and remain open until 7 p.m. on the day of the election or as prescribed by law.

SECTION 2 - ELECTION SERVICES CONTRACT WITH COUNTY

The City Manager is hereby authorized to execute the necessary contract(s) and agreements, joint or otherwise, with the El Paso County Elections Administrator, or any other public entity, for the purpose of having El Paso County furnish all or any portion of the election services and equipment needed by the City Clerk to conduct the election. The contract document and election services provided therein shall conform to Chapter 31, Subchapter D, of the Texas Election Code and all other applicable statutes and laws.

The election services contract with the County shall provide (a) the type of electronic voting equipment to be used for early voting by personal appearance and on election day, (b) notification and training for election judges and clerks, (c) an estimate and final payment terms for the election services provided, (d) agreements for early voting equipment and voting machine rental, and (e) other procedures necessary to conduct the election.

SECTION 3 - EARLY VOTING CLERK

Lisa Wise, El Paso County Elections Administrator, 500 E. San Antonio, Suite 314, El Paso, Texas, 79901, is hereby appointed as Early Voting Clerk. Applications for ballot by mail must be received no later than the close of business on Friday, October 25, 2024, sent to this address.

SECTION 4 - EARLY VOTING

Early voting by personal appearance shall be conducted at the El Paso County Courthouse, located at 500 E. San Antonio, El Paso, Texas 79901. In addition, early voting may also occur at such branch early voting polling places as are designated herein or otherwise designated by the El Paso County Elections Administrator and posted at City Hall by the City Clerk. The locations and hours for early voting by personal appearance shall be authorized for such election as set forth in Exhibit "A."**

In addition, mobile voting stations may be authorized and used for early voting at publicly owned buildings in the City as established by the El Paso County Elections Administrator. The City Clerk is authorized to make corrections or revisions to the list of these mobile stations, including the respective hours for early voting by personal appearance at these stations. The City Clerk is further authorized to make corrections or revisions to the list of early voting stations as set forth above, including the respective hours for early voting by personal appearance at these stations, and revise and correct all election notices regarding the early voting locations and the mobile voting stations, and the dates and times for such voting.

For purposes of processing ballots cast in early voting, the election officers for the Early Voting Ballot Board shall be appointed and designated in accordance with the provisions of the election agreement with El Paso County.

SECTION 5 - FILING FOR PLACE ON BALLOT

Applications for candidacy to the expired offices of the Mayor; one City Council Representative for, respectively, District Nos. 2, 3, 4 and 7; one Municipal Judge for, respectively, Municipal Court Nos. 1, 2, 3, 4 and 5, and one Municipal Court of Appeals Judge. set forth in Section 1 shall be made to the City Clerk of the City of El Paso beginning on July 20, 2024 and ending on August 19, 2024, in the manner and form as prescribed by law.

Applications for candidacy to the vacant office the City Council Representative, District No. 1, set forth in Section 1 shall be made to the City Clerk of the City of El Paso beginning upon approval by City Council of this resolution and ending on September 4, 2024, at 5 p.m., in the manner and form as prescribed by law.

The names of eligible and qualified candidates for such offices shall be placed on the ballots for such election by the City Clerk at the time and in the manner prescribed by law.

SECTION 6 – VOTING MACHINES AND ELECTION RESULTS

Voting machines used for the conduct of the election, shall be procured, maintained, operated, sealed and the votes therefrom tabulated pursuant to procedures established and authorized by the laws of the State of Texas.

The results of the election shall be certified, canvassed, and returned in the form and manner prescribed by law.

SECTION 7 – NOTICE OF ELECTION

The notice of the election hereby ordered and called shall be promulgated, published and posted in keeping with the state and local laws. A substantial copy of this resolution shall serve as proper notice of said election.

The City Clerk shall give notice of such election by posting a notice of such election in English and Spanish in the Office of the City/Municipal Clerk as provided by law and by publishing a copy of said notice in both English and Spanish in a newspaper in the City as required by law.

The City Clerk shall deliver notice of this election to the county clerk and voter registrar of El Paso County, as required by law.

SECTION 8 - RUNOFF ELECTION

Any runoff election required for the election of the named official City positions, following the general election of November 5, 2024, shall be held on December 14, 2024, a date that is permitted by and in accordance with Section 2.025 Election Code of the State of Texas. Such election, if any, shall be called by the City Council. Early voting dates and sites will be identified if such runoff election shall be held.

SECTION 9 - COMPLIANCE WITH APPLICABLE LAWS

The City Manager and the City Clerk, in consultation with the City Attorney, are hereby authorized and directed to take all actions necessary to comply with the provisions of federal and state law in carrying out and conducting the election, whether or not expressly authorized herein.

**Exhibit available in the City Clerk's Office.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

RESOLUTION

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

WHEREAS, Section 6 of the FY2024 Budget Resolution authorizes the City Manager or designee to make budget transfers between departments and/or non-enterprise funds or reprogram funds within an enterprise department, not to exceed \$100,000, to the extent permitted by law and budget transfers between departments and/or non-enterprise department funds exceeding \$100,000 requiring City Council approval; and

WHEREAS, the Capital Improvement Department requires a budget transfer in excess of \$100,000, which in accordance with Section 6 of the FY2024 Budget Resolution, requires City Council approval.

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

THAT, the City Manager, or designee, be authorized to effectuate the listed budget transfers, attached to this Resolution as Exhibit A, for the Capital Improvement Department and Animal Services Department in support of El Paso Animal Service’s relocation to 5625 Confetti Drive (Morehead); for the Museum and Cultural Affairs Division in support of project needs associated with the Mexican American Cultural Center; and for the El Paso Police Department’s purchase of minor capital equipment.

Exhibit A
CAPITAL IMPROVEMENT PROGRAM (CIP)
BUDGET TRANSFER REQUEST
FY 2024

BT Number	Justification	Fund	Project	Amount	Project	Amount	Funding Source
2024-0809	Transfer for the Capital Improvement Department and Animal Services Department in support of El Paso Animal Service’s relocation to 5625 Confetti Drive (Morehead)	4740, 4741, 4743, 4745	Decrease: PCPBALANCE	\$ 521,925.35	Increase: PCP20ANMLHOUSIN	\$ 521,925.35	2013 Street Infrastructure, CO 2017 Issue, CO Issue FY18, 2019 Capital Plan
2024-0863	Transfer funds to project PMACC2400 for updated MACC needs	1000, 4930	Decrease:	\$ 295,722.21	Increase: PMACC2400	\$ 295,722.21	General Fund
2024-0874	Transfer funds to project PIF24PDCAPRO for Police Department minor capital equipment	1000, 4930	Decrease:	\$ 1,001,000	Increase: PIF24PDCAPRO	\$ 1,001,000	General Fund

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

AYES: Representatives Kennedy, Acevedo, Molinar, Salcido, Fierro, Rivera, and Canales
 NAYS: None
 NOT PRESENT FOR THE VOTE: Representative Hernandez

Goal 8: Nurture and Promote a Healthy, Sustainable Community

43. Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Fierro, and unanimously carried to **AWARD** Task Order 14V-1 for Solicitation 2021-0811, Animal Services Kennels and HVAC Improvements to Veliz Company, LLC for a total estimated award of \$7,280,403.51.

Mayor Leeser and Representative Canales commented.

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

NAYS: None
NOT PRESENT FOR THE VOTE: Representative Hernandez

44.

RESOLUTION

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

That the City Manager be authorized to sign an Agreement for Professional Services by and between the CITY OF EL PASO and WRIGHT & DALBIN ARCHITECTS, INC, a Texas Company, for a project known as "Architect & Engineering Services for the Construction of the Doniphan Citizen Collection Station" for an amount not to exceed \$413,671.00; that the City Engineer be authorized to approve additional Basic Services and Reimbursables for an amount not to exceed \$50,000.00 and to approve Additional Services for an amount not to exceed \$50,000.00 if such services are necessary for the proper execution of the project and the increased amounts are within the appropriate budgets of the project for a total amount of \$513,671.00; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for the execution of the Agreement.

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

AYES: Representatives Kennedy, Acevedo, Molinar, Salcido, Fierro, Rivera, and Canales
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Hernandez

EXECUTIVE SESSION

Motion made by Representative Salcido, seconded by Representative Canales, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 11:18 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss the following items:

Section 551.071 CONSULTATION WITH ATTORNEY

AYES: Representatives Kennedy, Acevedo, Molinar, Salcido, Fierro, Rivera and Canales
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Hernandez

Representative Hernandez joined the executive session at 11:58 a.m.

Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **ADJOURN** the Executive Session at 12:09 p.m. and **RECONVENE** the meeting of the City Council at which time a motion was made.

AYES: Representatives Kennedy, Acevedo, Salcido, Rivera, and Canales
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Hernandez, Molinar, and Fierro

EX1. Revocation and defeasance of general obligation bonds related to the 2012 bond election for the downtown multipurpose performing arts and entertainment facility. HQ#3170 (551.071)

1ST MOTION

Motion made by Mayor Pro Tempore Kennedy, seconded by Representative Molinar, and carried that the ballot language related to item 29 on today's, July 30, 2024 agenda shall read as follows: **TO CANCEL THE CITY'S AUTHORITY TO ISSUE THE REMAINING \$128,455,636 IN GENERAL OBLIGATION BONDS FOR THE MULTIPURPOSE PERFORMING ARTS AND ENTERTAINMENT FACILITY TO BE LOCATED IN DOWNTOWN EL PASO WHICH WAS APPROVED BY THE VOTERS IN THE CITY'S NOVEMBER 6, 2012 ELECTION, RESULTING IN THE REVOCATION OF THE BONDS.**

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

NAYS: Representatives Acevedo and Salcido

NOT PRESENT FOR THE VOTE: Representative Hernandez

2ND MOTION

Motion made, seconded, and unanimously carried to **RECONSIDER** the item.

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Kennedy, seconded by Representative Molinar, and carried that the ballot language related to item 29 on today's, July 30, 2024 agenda shall read as follows: **TO CANCEL THE CITY'S AUTHORITY TO ISSUE THE REMAINING \$128,455,636 IN GENERAL OBLIGATION BONDS FOR THE MULTIPURPOSE PERFORMING ARTS AND ENTERTAINMENT FACILITY TO BE LOCATED IN DOWNTOWN EL PASO WHICH WAS APPROVED BY THE VOTERS IN THE CITY'S NOVEMBER 6, 2012 ELECTION, RESULTING IN THE REVOCATION OF THE BONDS.**

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

NAYS: Representatives Acevedo, Hernandez, and Salcido

.....

<u>ADJOURN</u>

.....

Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Hernandez, and unanimously carried to **ADJOURN** this meeting at 12:25 p.m.

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

NAYS: None

.....
APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk