

OSCAR LEESER
MAYOR

DIONNE MACK
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

SEPTEMBER 24, 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, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Art Fierro, Henry Rivera, and Chris Canales. Late arrival: Josh Acevedo at 9:03 a.m. Early departures: Cassandra Hernandez at 12:48 p.m. and Mayor Leeser at 2:40 p.m.

INVOCATION BY THE MINISTRY COORDINATOR FOR THE EL PASO COUNTY SHERIFF'S OFFICE, AND CHAPLAIN EMERITUS FOR THE EL PASO POLICE DEPARTMENT, SAM FARAONE

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

Hispanic Heritage Month

Mental Illness Awareness Week

Archtober Month

Down Syndrome Awareness Month

National Suicide Prevention Month

El Paso Figure Skating Club 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 September 10, 2024, the Regular City Council Meeting of August 20, 2024, the Agenda Review Meeting of September 9, 2024, and the Work Session of September 9, 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**

WHEREAS, the City and the University are local governments as defined in Chapter 791 of the Texas Government Code, and have the authority to enter into Interlocal Cooperation Agreements, and have each entered into an Interlocal Agreement (Interlocal) in the appropriate manner prescribed by law; and

WHEREAS, on September 2, 2022, the Parties were informed of an award from the U.S. Economic Development Administration, a bureau within the U.S. Department of Commerce under award number 08-69-05683; and

WHEREAS, the Parties wish to expand existing interagency cooperation for the development and growth of the Economic Development Administration’s Build to Scale Program; Aerospace and Defense Innovation Network for Manufacturers, as originally established under the Interlocal Agreement executed on February 15, 2022; and

WHEREAS, the City and the University reaffirm that the cooperative agreement to create the Aerospace and Defense Innovation Network for Manufacturers, and further grow it under this Agreement, will support the rapid growth of our small and medium manufacturers; and enhance the innovation and business capabilities of El Paso’s existing manufacturing sector and connect them to the national aerospace and defense value chain; and

WHEREAS, the Parties wish to continue the relationship and obligations as outlined in the Interlocal for an additional year.

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

That the Mayor be authorized to sign an Amendment to the previously executed Interlocal Cooperation Agreement by and between the City of El Paso (“City”), a home rule municipal corporation and The University of Texas at El Paso, a Texas state agency, Texas

public institution of higher education and member institution of The University of Texas System (the "University"), by and through their duly authorized officials, pursuant to the Interlocal Cooperation Act, Section 791.001 et seq., of the Texas Government Code in support of the U.S. Economic Development Administration award 08-69-05683.

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

WHEREAS, Goal 2.4 of the City of El Paso 2024 Strategic Plan is to improve motorist safety and traffic management solutions;

WHEREAS, Strategy 3 of the City of El Paso Vision Zero Action Plan, adopted on June 6, 2023, is to expand the Safe Routes to School Program through actions such as developing a Safe Routes to School Plan; identifying schools with high crash rates within their school zones; and developing long-term improvements;

WHEREAS, Safe Routes to School Programs have been shown to reduce the rate of pedestrian injury by forty-four percent (44%);

WHEREAS, increasing the number of children safely walking and biking to school can reduce traffic congestion and reduce traffic pollution that is linked to asthma, permanent lung deficits, and a higher risk of heart and lung problems in adults;

WHEREAS, Capital Improvement Department staff conducted a public outreach and engagement campaign consisting of stakeholder input sessions, a community open house, online surveys, and a month-long public review period; and

WHEREAS, at its Regular Meeting on September 12, 2023, the El Paso City Council requested the development of a school zone safety strategy; and

WHEREAS, at its Work Session on July 1, 2024, the El Paso City Council reviewed a draft of the "Safe Routes to School Action Plan" and provided input to be included in the final draft of the Plan.

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

1. That the attached "Safe Routes to School Action Plan"*** be adopted as the City of El Paso's official plan for school zone safety;
2. That the City Manager be authorized to implement the "Safe Routes to School Action Plan" in a manner generally consistent with the recommended strategies and policies contained in the Plan and the recommended implementation matrix.
3. That the adoption of the "Safe Routes to School Action Plan" shall not commit the City of El Paso to specific funding levels or implementation strategies but shall provide guidance for the City's vision for school zone safety.

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

Ms. Ana Zendt, Bicycle and Pedestrian Program Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representatives Acevedo and Canales commented.

1ST MOTION

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

2nd and final MOTION

Motion made by Representative 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

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Goal 3: Promote the Visual Image of El Paso
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5. *RESOLUTION

WHEREAS, the Rio Grande Council of Governments (RGCOG) is directed by the Texas Commission on Environmental Quality to administer solid waste grant funds for implementation of the RGCOG adopted regional solid waste management plan; and

WHEREAS, the RGCOG created the Regional Solid Waste Project Allocation COG Managed Program to procure and implement solid waste management projects from local and regional political subdivisions within the State of Texas; and

WHEREAS, City of El Paso in the State of Texas is qualified to apply for grant funds from the Rio Grande Council of Governments FY2025 Regional Solid Waste Project Allocation COG Managed Program under the RGCOG Request for Applications; and

WHEREAS, the Rio Grande Council of Governments' FY2025 Regional Solid Waste Project Allocation COG Managed Program is administered by the Rio Grande Council of Governments, is divided between six Texas counties and can be used to address the disposal of materials from illegal dumping sites; and

WHEREAS, illegal dumping sites, including the illegal dumping of tires, can pose health and safety risks for the citizens of El Paso; and

WHEREAS, The City of El Paso established the Scrap Tire Reimbursement Program to reduce the illegal dumping of tires; and

WHEREAS, The City of El Paso finds it in the best interest of the citizens of El Paso to continue to operate the Scrap Tire Disposal Reimbursement for the year 2025; and

WHEREAS, the City of El Paso wants to apply for grant funds from the FY2025 Regional Solid Waste Project Allocation COG Managed Program in order to defray the costs of operating the Scrap Tires Disposal Reimbursement Program.

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

1. THAT the City Manager or designee is authorized to sign the application and any other documents required to apply for grant funds from the Rio Grande Council of Governments FY2025 Regional Solid Waste Project Allocation COG Managed Program.

2. **THAT** the City Manager or designee is authorized to effectuate any budget transfers, any related agreements, amendments to such agreements, and documents necessary to carry out the intent of this resolution.

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

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

A Resolution authorizing the City's Chief Human Resources Officer or designee to sign the adoption of the 2024 Guidelines for the City Employees Charitable Campaign, designating the United Way of El Paso County as the Local Campaign Manager, and designating the City's Chief Human Resources Officer or designee to act as the liaison to work with the Local Campaign Manager in the administration of the campaign.

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7. ***RESOLUTION**

WHEREAS, pursuant to the City's 2024 calendar year City Council regular meeting schedule, City Council is scheduled to meet on Tuesday, November 5, 2024; and

WHEREAS, City Council desires to waive the requirement in Section 1 of the Standing Work Session Resolution dated June 20, 2023 ("Standing Work Session Resolution"), which provides for Regular City Council meetings on a Wednesday if the Regularly Scheduled meeting falls on the day after a City holiday or other closure; and

WHEREAS, City Council desires to reschedule the Tuesday, November 5, 2024 meeting to Tuesday, November 12, 2024.

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

1. That City Council waives any scheduling requirement in Section 1 of the Standing Work Session Resolution since Monday, November 11, 2024 is Veterans Day observed by the City of El Paso.

2. That in conformity with Section 3.5A of the City Charter, the Regular City Council meeting scheduled for Tuesday, November 5, 2024 is hereby rescheduled for Tuesday, November 12, 2024.

All City Council Rules and Procedures not expressly modified herein remain in full force and effect.

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

WHEREAS, the Transportation Policy Board, comprised primarily of local elected officials, is the regional transportation policy board associated with the El Paso Metropolitan Planning Organization (EPMPO) and the regional forum for cooperative decisions on transportation; and,

WHEREAS, the El Paso Metropolitan Planning Organization on July 3, 2024, announced the availability of approximately \$9,223,356.00 for the current Transportation Alternatives Set-Aside Program call for projects; and,

WHEREAS, the City of El Paso intends to submit a transportation alternative project application for the Brown Street Shared Use Path project to the El Paso Metropolitan Planning Organization (EPMPO) prior to the October 18, 2024 deadline; and,

WHEREAS, the Transportation Policy Board requires the submittal of a resolution as part of the Transportation Alternatives Set-Aside Call for Project application submission with application or no later than October 25, 2024.

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

Section 1. The City of El Paso supports the Brown Street Shared Use Path as applied for in the Transportation Alternatives Set-Aside Call for Projects FY 2026- 2028 fund application.

Section 2. The City of El Paso will serve as the public sponsor and lead project contact on this project. The City of El Paso agrees to designate a single point of contact for the project.

Section 3. The City of El Paso commits to fund a minimum local cash match of 20% of the total project cost.

Section 4. The City of El Paso confirms that City of El Paso, not the Transportation Policy Board, will be responsible for any cost overruns.

Section 5. The City of El Paso understands and acknowledges that all awarded funding is provided on a reimbursement basis.

Section 6. The City of El Paso confirms the project timeline is realistic and commits that if the project is selected for funding, an agreement will be executed within one year of selection and the project will advance to construction within three years from the date of selection.

9.

***RESOLUTION**

WHEREAS, the Transportation Policy Board, comprised primarily of local elected officials, is the regional transportation policy board associated with the El Paso Metropolitan Planning Organization (EPMPO) and the regional forum for cooperative decisions on transportation; and,

WHEREAS, the El Paso Metropolitan Planning Organization on July 3, 2024, announced the availability of approximately \$9,223,356.00 for the current Transportation Alternatives Set-Aside Program call for projects; and,

WHEREAS, the City of El Paso intends to submit a transportation alternative project application for the PDN Trail Magoffin Ph 2 Shared Use Path project to the El Paso Metropolitan Planning Organization (EPMPO) prior to the October 18, 2024 deadline; and,

WHEREAS, the Transportation Policy Board requires the submittal of a resolution as part of the Transportation Alternatives Set-Aside Call for Project application submission with application or no later than October 25, 2024.

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

Section 1. The City of El Paso supports the PDN Trail Magoffin Ph 2 Shared Use Path as applied for in the Transportation Alternatives Set-Aside Call for Projects FY 2026-2028 fund application.

Section 2. The City of El Paso will serve as the public sponsor and lead project contact on this project. The City of El Paso agrees to designate a single point of contact for the project.

Section 3. The City of El Paso commits to fund a minimum local cash match of 20% of the total project cost.

Section 4. The City of El Paso confirms that City of El Paso, not the Transportation Policy Board, will be responsible for any cost overruns.

Section 5. The City of El Paso understands and acknowledges that all awarded funding is provided on a reimbursement basis.

Section 6. The City of El Paso confirms the project timeline is realistic and commits that if the project is selected for funding, an agreement will be executed within one year of selection and the project will advance to construction within three years from the date of selection.

10.

***RESOLUTION**

WHEREAS, the Transportation Policy Board, comprised primarily of local elected officials, is the regional transportation policy board associated with the El Paso Metropolitan Planning Organization (EPMPO) and the regional forum for cooperative decisions on transportation; and,

WHEREAS, the El Paso Metropolitan Planning Organization on July 3, 2024, announced the availability of approximately \$9,223,356.00 for the current Transportation Alternatives Set-Aside Program call for projects; and,

WHEREAS, the City of El Paso intends to submit a transportation alternative project application for the Northeast Drain Shared Use Path project to the El Paso Metropolitan Planning Organization (EPMPO) prior to the October 18, 2024 deadline; and,

WHEREAS, the Transportation Policy Board requires the submittal of a resolution as part of the Transportation Alternatives Set-Aside Call for Project application submission with application or no later than October 25, 2024.

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

Section 1. The City of El Paso supports the Northeast Drain Shared Use Path as applied for in the Transportation Alternatives Set-Aside Call for Projects FY 2026- 2028 fund application.

Section 2. The City of El Paso will serve as the public sponsor and lead project contact on this project. The City of El Paso agrees to designate a single point of contact for the project.

Section 3. The City of El Paso commits to fund a minimum local cash match of 20% of the total project cost.

Section 4. The City of El Paso confirms that City of El Paso, not the Transportation Policy Board, will be responsible for any cost overruns.

Section 5. The City of El Paso understands and acknowledges that all awarded funding is provided on a reimbursement basis.

Section 6. The City of El Paso confirms the project timeline is realistic and commits that if the project is selected for funding, an agreement will be executed within one year of selection and the project will advance to construction within three years from the date of selection.

11.

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

WHEREAS, the Transportation Policy Board, comprised primarily of local elected officials, is the regional transportation policy board associated with the El Paso Metropolitan Planning Organization (EPMPO) and the regional forum for cooperative decisions on transportation; and,

WHEREAS, the El Paso Metropolitan Planning Organization on July 3, 2024, announced the availability of approximately \$9,223,356.00 for the current Transportation Alternatives Set-Aside Program call for projects; and,

WHEREAS, the City of El Paso intends to submit a transportation alternative project application for the Shadow Mountain Shared Use Path project to the El Paso Metropolitan Planning Organization (EPMPO) prior to the October 18, 2024 deadline; and,

WHEREAS, the Transportation Policy Board requires the submittal of a resolution as part of the Transportation Alternatives Set-Aside Call for Project application submission with application or no later than October 25, 2024.

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

Section 1. The City of El Paso supports the Shadow Mountain Shared Use Path as applied for in the Transportation Alternatives Set-Aside Call for Projects FY 2026-2028 fund application.

Section 2. The City of El Paso will serve as the public sponsor and lead project contact on this project. The City of El Paso agrees to designate a single point of contact for the project.

Section 3. The City of El Paso commits to fund a minimum local cash match of 20% of the total project cost.

Section 4. The City of El Paso confirms that City of El Paso, not the Transportation Policy Board, will be responsible for any cost overruns.

Section 5. The City of El Paso understands and acknowledges that all awarded funding is provided on a reimbursement basis.

Section 6. The City of El Paso confirms the project timeline is realistic and commits that if the project is selected for funding, an agreement will be executed within one year of selection and the project will advance to construction within three years from the date of selection.

CONSENT AGENDA – RE-APPOINTMENT:

Goal 3: Promote the Visual Image of El Paso

12. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Heidi Avedician to the Zoning Board of Adjustment by Representative Cassandra Hernandez, District 3, as a regular member.

CONSENT AGENDA – BOARD APPOINTMENTS:

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

13. *Motion made, seconded, and unanimously carried to **APPOINT** Jennifer Gonzalez to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Brian Kennedy, District 1.

Goal 8: Nurture and Promote a Healthy, Sustainable Community

14. *Motion made, seconded, and unanimously carried to **APPOINT** Diana Ramirez to the Women’s Rights Commission by Representative Josh Acevedo, District 2.

CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS:

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

15. ***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, Brotherhood MC Shop, Loya Daniel (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on March 31, 2021 in the amount of \$36.87 (Thirty-Six 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 Brotherhood MC Shop, Loya Daniel 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 \$36.87 (Thirty-Six 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, Ignacio Sotelo & Veronica Sotelo (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on January 27, 2021 in the amount of \$35.00 (Thirty-Five and No/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 Ignacio Sotelo & Veronica Sotelo 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 \$35.00 (Thirty-Five and No/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, Luis Raul Alejandro Rios through Stewart Title Company (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on July 30, 2021 in the amount of \$47.57 (Forty-Seven and 57/100 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 Luis Raul Alejandro Rios through Stewart Title Company 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 \$47.57 (Forty-Seven and 57/100 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, Laura Trejo (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on March 19, 2021 in the amount of \$125.61 (One Hundred and Twenty-Five and 61/100 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 Laura Trejo 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 \$125.61 (One Hundred and Twenty-Five and 61/100 Dollars) is approved.

***RESOLUTION**

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, Rodolfo Hernandez through El Paso Title Company Inc. (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on January 29, 2021 in the amount of \$300.00 (Three Hundred and No/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 Rodolfo Hernandez through El Paso Title Company Inc. 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 \$300.00 (Three Hundred and No/100 Dollars) is approved.

***RESOLUTION**

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, Pronto Mortgage LLC through Oscar & Yolanda Bustamante (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on January 27, 2021 in the amount of \$365.95 (Three Hundred and Sixty-Five and 95/100 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 Pronto Mortgage LLC through Oscar & Yolanda Bustamante 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 \$365.95 (Three Hundred and Sixty-Five and 95/100 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, Del Sol Title Company (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on April 30, 2021 in the amount of \$58.59 (Fifty-Eight and 59/100 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 Del Sol Title Company 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 \$58.59 (Fifty-Eight and 59/100 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, Del Sol Title Company (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on July 6, 2021 in the amount of \$23.41 (Twenty-Three and 41/100 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 Del Sol Title Company 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 \$23.41 (Twenty-Three and 41/100 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, Lone Star Title Company through Lone Star Company Of El Paso Inc. (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on November 16, 2020 in the amount of \$10.76 (Ten and 76/100 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 Lone Star Title Company through Lone Star Company Of El Paso Inc. 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 \$10.76 (Ten and 76/100 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, Stewart Title Company (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on December 22, 2020 in the amount of \$82.28 (Eighty-Two and 28/100 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 Stewart Title Company 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 \$82.28 (Eighty-Two and 28/100 Dollars) is approved.

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- 16.** *Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds greater than \$2,500 listed below:
1. Alfredo Gutierrez-Veronica Gutierrez, in the amount of \$4,857.67 made an overpayment on January 31, 2024 of 2023 tax. (Geo. #C340-999-0760-1900)
 2. CoreLogic Tax Services, in the amount of \$10,303.90 made an overpayment on December 20, 2023 of 2023 taxes. (Geo. # C340-999-1230-4700)
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CONSENT AGENDA –NOTICE FOR NOTATION:

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

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- 17.** *Motion made, seconded, and unanimously carried to **NOTE** the P-Card Transactions for the period of July 21, 2024 - August 20, 2024 for Mayor, City Council Representatives, City Attorney’s Office, City Manager’s Office and staff.
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CONSENT AGENDA –NOTICE OF CAMPAIGN CONTRIBUTIONS:

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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 **NOTE** pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Deanna Maldonado-Rocha, Candidate for District 3, in the amounts of \$100 from Valerie Hernandez, and a \$12,000 personal loan.
-
- 19.** *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Daniel “Danny” Robledo, Candidate for municipal Court No. 5 Judge, in the amounts of \$1,000.00 from Antonio Muñoz Jr. DBA Borderland Bail Bonds, \$500.00 from La Chica Bail Bonds, \$1,500.00 from Pascual Olibas, \$500.00 from Rudy Perez, \$1,000.00 from Theresa Caballero, and a \$2,500.00 loan to the campaign from Daniel Robledo.
-
- 20.** *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Amanda Cunningham, Candidate for District 5, in the amounts of \$500.00 from Ryan Woodcraft and \$100.00 from Shavona Floyd.
-

- 21. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Isabel Ceballos Otten, Candidate for District 2, in the amount of \$500.00 from Javier Sanchez and \$3,225.00 personal loan from Isabel Ceballos Otten.

- 22. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Representative Joe Molinar in the amount of \$1,500.00 from Stanley Jobe.

- 23. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Representative Joe Molinar in the amount of \$1,500.00 from Thomas Georges.

- 24. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Alejandra Chavez, Candidate for District 1, in the amounts of \$2,500 from JK Robison, \$500 from Nancy Laster, \$2,000 from Patricia Russell, \$2,500 from Joshua Hunt, and \$500 from Billy DeFrance.

- 25. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Renard Johnson, Candidate for Mayor, in the amounts of \$500.00 from Aliana Apodaca, \$1,000.00 from Anthony Mullen, \$2,000.00 from Brad Kuykendall, \$2,500.00 from IBEW Pac Voluntary Fund, \$500.00 from John Rindt, \$2,500.00 from Joseph Derobbio, and \$500.00 from William Helm.

- 26. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Chris Hernandez, candidate for District 7, in the amount of \$500.00 from D. E. Saucedo II.

- 27. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Ivan Niño, Candidate for District 5, in the amount of \$5,000.00 from Ivan Niño, as a loan to campaign.

CONSENT AGENDA – BEST VALUE PROCUREMENTS:

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

- 28. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2024-0520 Armored Car Services to Trans America Protection Corporation, for an initial term of three (3) years for an estimated amount of \$136,773.15. The award includes a two (2) year option for an estimated amount of \$91,182.10. The total value of the contract for five (5) years, including the initial term and the option is a total estimated mount of \$227,955.25. This contract will provide armored car services for the Parks & Recreation Department and the Police Department to transport cash between facilities, designated exchange locations and the bank.

Contract Variance:
 The difference based in comparison to the previous contract is as follows: An increase of \$19,746, for the initial term, which represents a 16.87% increase due to the changes on the frequency, schedule of pickups, and the addition of new locations.

Department: Parks and Recreation Department
 Award to: Trans America Protection Corporation

City & State:	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option Term:	2 Years
Total Contract Time:	5 Years
Annual Estimated Award:	\$45, 591.05
Initial Term Estimated Award:	\$136,773.15
Option Term Estimated Award:	\$91,182.10
Total Estimated Award:	\$227,955.25
Account(s):	321-1000-21100-522150 451-1000-51220-522120-P5103
Funding Source(s):	General Fund
District(S):	All

This was a Best Value Bid Procurement - service contract.

The Purchasing & Strategic Sourcing Department and Parks & Recreation Department recommend award as indicated to Trans America Protection Corporation the highest ranked bidder 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.

REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL:

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

- 29. ITEM:** Discussion and presentation by the El Paso Police Department on the current crime rate and comparison to prior years.

Chief of Police Peter Pacillas presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Mayor Leeser and Representative Rivera commented.

NO ACTION was taken on this item.

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

- 30. RESOLUTION**

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

That City Council declares the expenditure of District 4 discretionary funds, in an amount not to exceed \$75,000.00, for future and pending pickleball courts located in District 4 which includes related pickleball equipment, serves the municipal purpose of enhancing the quality of life of the citizens of El Paso through promoting community recreation, and by fostering community pride and encouraging civic engagement; and

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

Representative Molinar commented.

Ms. Jamie Fisher, citizen, 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 Alternate Mayor Pro Tempore Molinar, seconded by Representative Salcido, and unanimously carried to **APPROVE** the Resolution.

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

NAYS: None

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31.

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 Council declares that the expenditure of District 2 discretionary funds, in an amount not to exceed \$5,000.00, for the annual Fall Festival at Memorial Park on October 5, 2024 and the Fall Festival at Sunrise Park on October 12, 2024, serves the municipal purpose of enhancing the quality of life of the citizens of El Paso through entertainment to citizens in El Paso, and by fostering community pride and encouraging civic engagement; and

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

Representative Acevedo commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez and Salcido

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

32. ITEM: Discussion and action on a recommendation from the Financial Oversight and Audit Committee to City Council to direct staff to review the Internal Audit Charter for any proposed revisions including the appropriateness to retain an outside consultant to recommend best practices.

Representatives Kennedy, Acevedo, Molinar and Fierro commented.

Ms. Karla Nieman, City Attorney, commented.

The following members of the public submitted statements in support of the item:

1. Mr. William Wright
2. Ms. Lissette Cobos

Motion made by Mayor Pro Tempore Kennedy, seconded by Representative Molinar, and unanimously carried to **ACCEPT** the recommendation from the Financial Oversight and Audit Committee and to **DIRECT** staff to review the Internal Audit Charter for any proposed revisions including the appropriateness to retain an outside consultant to recommend best practices.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez and Salcido

REGULAR AGENDA – OPERATIONAL FOCUS UPDATES:

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

- 33. ITEM:** This is an update from the Code Enforcement Bureau and the El Paso Police Department on the Sociable City Assessment Action Plan. The update will include recommendations for the current noise ordinance, creating a rideshare hub zone, hiring additional staff to assist with the nighttime economy and code enforcement operations, and increasing enforcement efforts.

Mr. Steve Alvarado, Code Enforcement Director, and Lieutenant Falisha Milner, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Representatives Acevedo, Molinar, Salcido, and Canales commented.

NO ACTION was taken on this item.

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

- 34.** Presentation and discussion on an update on the FY 2024 Year-in-Review Report, Quality of Life, Public Safety and Community Progress Bonds, Capital Programs, and overview of the priorities of the City’s Capital Improvement Program.

Ms. Yvette Hernandez, City Engineer, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Representatives Salcido and Rivera commented.

NO ACTION was taken on this item.

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

- 35.** Presentation of comparator analysis and budget impact for adding Gender Affirming benefits to the City’s Employee Insurance plan.

Ms. Mary Wiggins, Chief Human Resources Officer, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Representatives Kennedy, Acevedo, Molinar, and Canales commented.

The following City staff members commented:

- Ms. Karla Nieman, City Attorney
- Ms. Dionne Mack, City Manager
- Ms. Robert Cortinas, Chief Financial Officer

Representative Acevedo read a statement submitted by Mr. Michael Gutierrez into the record.

Ms. Amber Perez, citizen, commented.

NO ACTION was taken on this item.

CALL TO THE PUBLIC – PUBLIC COMMENT:

The following members of the public commented:

1. Ms. Elizabeth Crawford
2. Mr. Ron Comeau
3. Ms. Barbara Valencia
4. Ms. Eugenia Darden

The Regular City Council meeting was **RECESSED** at 12:48 p.m. for a lunch break.

The Regular City Council meeting was **RECONVENED** at 2:02 p.m.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

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- 36.** Motion made by Representative Rivera, seconded by Representative Fierro, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing Department to issue a Purchase Order to Vigilant Solutions, LLC, the sole source provider and to maintain standardization for the Vigilant Commercial Data investigative platform, for a term of three (3) years for an estimated amount of \$216,884.88. This contract will allow the Police Department to continue to have access to license plates data.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$47,339.88 for the initial term, which represents a 27.92% increase due to the addition of twenty-seven (27) cameras to the contract.

Department:	Police
Award to:	Vigilant Solutions, LLC
City & State:	Pleasanton, CA
Item(s):	All
Initial Term:	3 Years
Option Term:	N/A
Total Contract Time:	3 Years
Annual Estimated Award:	\$69,819.96 Year 1
	\$72,364.96 Year 2
	\$74,699.96 Year 3

Initial Term Estimated Award: \$216,884.88
Option Term Estimated Award: N/A
Total Estimated Award: \$216,884.88
Account(s): 321 – 1000 – 21190 – 522150
321-2710-21230-522150- P2104-GS2125MVC
321-2710-21230-522150- P2104-GT2124FUS
321-2680-21210-522150- P2104-GS2125TAG
Funding Source(s): General Fund
Motor Vehicle Crime Prevention Authority Grant
IISC-SHSP-Matrix Fusion Center Grant
West Texas Anti-Gang Center Grant
District(s): All

Non-Competitive Procurement under Local Government General Exemption: Section 252.022 - (7) a procurement of items that are available from only one source (A) items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies.

The Purchasing & Strategic Sourcing Department and Police Department recommend award as indicated to Vigilant Solutions, LLC 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.

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.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Acevedo and Hernandez

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37. Motion made by Representative Fierro, seconded by Representative Salcido, and unanimously carried to **AWARD** Solicitation 2024-0494 Transportation Services - Migrant to 1.) American Coach & Limousine, Inc., dba Coach America, 2.) D'Loaiza Bus Transportation, Inc., dba El Paso Bus Ride, 3.) Mobility Technologies, LLC dba Gogo Charters LLC, 4.) Silvia P. Gutierrez Castillo dba Messenger Charters LLC, and 5.) Nomibus for an initial term of three (3) years for an estimated amount of \$1,016,400.00. The award also includes a two (2) year option for an estimated amount of \$483,600.00. The total contract time is for five (5) years for a total estimated amount of \$1,500,000.00 on a rotation and as needed basis.

Contract Variance:

The difference based in comparison to the previous contract is as follows: A decrease of \$500,000.00 for the initial term, which represents a 25.00% decrease due to a reduction of destinations from twenty- one (21) to seven (7).

Department: Fire
Award to Supplier 1: American Coach & Limousine, Inc., dba Coach America
City & State: New Brunswick, NJ
Items(s): All
Initial Term: 3 Years
Option Terms: 2 Years
Total Contract Time: 5 Years
Annual Estimated Award: \$109,700.00

Initial Term Estimated Award: \$329,100.00
 Option Term Estimated Award: \$219,400.00
 Total Estimated Award: \$548,500.00

Award to Supplier 2: D'Loaiza Bus Transportation, Inc., dba El Paso Bus Ride
 City & State: El Paso, TX
 Items(s): 4, 5, 6, & 7
 Initial Term: 3 Years
 Option Terms: N/A
 Total Contract Time: 3 Years
 Annual Estimated Award: \$97,000.00
 Initial Term Estimated Award: \$291,000.00
 Option Term Estimated Award: N/A
 Total Estimated Award: \$291,000.00

Award to Supplier 3: Mobility Technologies, LLC dba Gogo Charters, LLC
 City & State: Atlanta, GA
 Items(s): 3, 4, 5, & 7
 Initial Term: 3 Years
 Option Terms: 2 Years
 Total Contract Time: 5 Years
 Annual Estimated Award: \$75,700.00
 Initial Term Estimated Award: \$227,100.00
 Option Term Estimated Award: \$151,400.00
 Total Estimated Award: \$378,500.00

Award to Supplier 4: Silvia P. Gutierrez Castillo dba Messenger Charters, LLC
 City & State: El Paso, TX
 Items(s): 1, 2, 3, & 6
 Initial Term: 3 Years
 Option Terms: 2 Years
 Total Contract Time: 5 Years
 Annual Estimated Award: \$44,700.00
 Initial Term Estimated Award: \$134,100.00
 Option Term Estimated Award: \$89,400.00
 Total Estimated Award: \$223,500.00

Award to Supplier 5: Nomibus
 City & State: Dallas, TX
 Items(s): 1 & 2
 Initial Term: 3 Years
 Option Terms: 2 Years
 Total Contract Time: 5 Years
 Annual Estimated Award: \$11,700.00
 Initial Term Estimated Award: \$35,100.00
 Option Term Estimated Award: \$23,400.00

Total Annual Estimated Award: \$338,800.00
 Total Initial Term Estimated Award: \$1,016,400.00 (5 vendors)
 Total Option Term Estimated Award: \$ 483,600.00 (4 vendors)
 Total Estimated Award: \$1,500,000.00
 Account(s): 322-2720-22130-522150-G221EFSP
 Funding Source(s): Federal Emergency Management Agency (FEMA) Grant
 District(s): All

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and Fire Department recommend award as indicated to 1.) American Coach & Limousine, Inc., dba Coach America, 2.) D'Loaiza Bus Transportation, Inc., dba El Paso Bus Ride, 3.) Mobility Technologies, LLC dba Gogo Charters LLC, 4.) Silvia P. Gutierrez Castillo dba Messenger Charters LLC, and 5.) Nomibus the lowest responsive and responsible bidders.

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, Molinar, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Acevedo and Hernandez

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

38.

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 two-year On-Call Agreement for Professional Services to perform Traffic Engineering services on a task by task basis by and between the City of El Paso and each of the following three (3) consultants:

1. AECOM Technical Services, Inc.
2. Consor Engineers, LLC
3. GRV Integrated Engineering Solutions, LLC

Each On-Call Agreement will be for an amount not to exceed \$500,000.00, and each agreement will include authorization for the City Engineer to approve additional Basic Services and Reimbursables for an amount not to exceed \$50,000.00 and authorization for the City Engineer to approve Additional Services for an amount not to exceed \$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 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.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Acevedo and Hernandez

39.

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 two year On-Call Agreement for Professional Services to perform surveying services on a task by task basis by and between the City of El Paso and each of the following three (3) consultants:

1. Cobb, Fendley & Associates, Inc.
2. Frank X. Spencer and Associates, Inc.
3. GRV Integrated Engineering Solutions, LLC.

Each On-Call Agreement will be for an amount not to exceed \$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 \$50,000.00 and authorization for the City Engineer to approve Additional Services for an amount not to exceed \$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 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.

Motion made by Representative Rivera, seconded by Representative Fierro, 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

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40. Motion made by Representative Salcido, seconded by Representative Fierro, and unanimously carried to **AWARD, AS REVISED**, Solicitation 2024-0539 Greater El Paso Landfill Cells 15-20 to 4X Construction Group, LLC for a total estimated amount of \$17,457,109.29. This project consists of the construction of Greater El Paso Landfill Cells 15-20 that will enhance waste disposal capacity for the City of El Paso.

Department:	Capital Improvement
Award to:	4X Construction Group, LLC
City & State:	Mansfield, TX
Item(s):	Base Bid I and Additive Alternate
Contract Term:	450 Consecutive Calendar Days/Working Days
Base Bid I:	\$16,780,109.29
Additive Alternate:	\$677,000.00
Total Estimated Award:	\$17,457,109.29
Account(s):	334-3150-34130-580270-PESD00240
Funding Source(s):	Environmental Services Capital Fund
Districts:	All

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to 4X Construction Group, 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 to execute any and all documents necessary for execution of this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As 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.

Ms. Nicole Cote, Purchasing and Strategic Sourcing Managing Director, read an amendment related to the backup materials for the item.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

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41. Motion made by Representative Rivera, seconded by Representative Fierro, and unanimously carried to **AWARD** Solicitation 2024-0505 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils and Fluids, DEF and Sample Kits to MJ Mader Enterprise, Inc. dba Bio Dyne Chemical Company for an initial term of one (1) year for an estimated amount of \$641,098.00. The award also includes a one (1) year option for an estimated amount of \$641,098.00. The total contract time is for two (2) years for a total estimated amount of \$1,282,196.00. This contract will allow for the purchase of motor oil, antifreeze, lubricants, transmission and hydraulic oils and fluids, def and sample kits for the Fleet Division.

Contract Variance:

The difference based in comparison to the previous contract is as follows: A decrease of \$959,760.40 for the initial term, which represents a 59.95% decrease due to price decrease in oils and fluids.

Department:	Streets and Maintenance
Award to:	MJ Mader Enterprise, Inc. dba Bio Dyne Chemical Company
City & State:	El Paso, Texas
Item(s):	All
Initial Term:	1 Year
Option Term:	1 Year
Total Contract Time:	2 Years
Annual Estimated Award:	\$641,098.00
Initial Term Estimated Award:	\$641,098.00
Option Term Estimated Award:	\$641,098.00
Total Estimated Award:	\$1,282,196.00
Account(s):	532-3600-531240-37020-P3701
Funding Source(s):	Internal Service Fund
District(s):	All

This was a Low Bid Procurement - (unit price contract).

The Purchasing & Strategic Sourcing Department and Streets and Maintenance Department recommend award as indicated to MJ Mader Enterprise, Inc. dba Bio Dyne Chemical Company 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, Molinar, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

Goal 8: Nurture and Promote a Healthy, Sustainable Community

42.

RESOLUTION

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

That the City Manager be authorized to sign a City Landfill Litter Control Services Contract No 2025-0050 by and between the City of El Paso, WorkQuest, f/k/a TIBH Industries, Inc., a private non-profit corporation and the certifying party, and Border TM Industries, Inc. d/b/ a Xceed Resources, the performing party, to provide litter control services for the City's Department of Environmental Services for a term of thirty six (36) months from the effective date of the Agreement and one (1) one-year option to extend, which may be exercised by the City Manager administratively. This is a service requirement contract at a currently estimated cost to the City of El Paso of \$536,026.56 for the initial term and an estimated \$182,160.56 if the option to extend is exercised.

Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Fierro, 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

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:

Goal 3: Promote the Visual Image of El Paso

43.

ORDINANCE 019673

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 3, BLOCK 1, CORONADO DEL SOL, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) AND R-5/SC (RESIDENTIAL/SPECIAL CONTRACT) TO A-3 (APARTMENT) AND A-3/SC (APARTMENT/SPECIAL CONTRACT), AND IMPOSING A CONDITION. 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 COMPREHENSION PLAN

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

Mayor Leeser and Representatives Acevedo, Hernandez, Molinar, Salcido, and Rivera commented.

Representative Canales read a statement and stated he would be providing a copy along with an article and an abstract to be entered into the record.

Ms. Karla Nieman, City Attorney, commented.

The following members of the public commented:

1. Mr. Louis Lopez
2. Ms. Linda Peacock
3. Ms. Don Smelser
4. Mr. Jose Nunez
5. Mr. Carlos Saucedo
6. Mr. Lionel Rubio
7. Mr. Bob Blumenfeld
8. Mr. Gerald Cichon
9. Mr. Fred Dablin
10. Mr. Emmanuel Carcoba
11. Ms. Guadalupe Renteria
12. Ms. Karen Guido
13. Mr. Laurence Gibson
14. Mr. Jesse Romero
15. Mr. Jose Martinez
16. Ms. Alma Nunez
17. Ms. Martha Jimenez
18. Ms. Elizabeth Ochoa
19. Mr. Shawn Spencer
20. Mr. James A. Martinez, submitted a statement

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 Canales, 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, Fierro, Rivera, and Canales

NAYS: Representatives 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**.

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44.

ORDINANCE 019674

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST24-00004, TO ALLOW FOR A GOVERNMENTAL USE, BUILDING ON THE PROPERTY DESCRIBED AS BEING A PORTION OF TRACTS 4E & 4H, A.F. MILLER**

SURVEY NO. 215, 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.

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 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, Acevedo, Molinar, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

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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- 45.** *Motion made, seconded, and unanimously carried to **POSTPONE FOUR WEEKS** the public hearing of an Ordinance amending Title 20 (Zoning), Chapter 20.20 (Historic Landmark Preservation). The penalty is as provided in Chapter 20.24 of the El Paso City Code.
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Goal 7: Enhance and Sustain El Paso's Infrastructure Network

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46. ORDINANCE 019675

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.010 (SCHEDULE I-ONE-WAY STREETS), OF THE EL PASO CITY CODE, TO ADD ITEM 97: W MAIN DRIVE WESTBOUND FROM EL PASO STREET TO N SANTA FE STREET; and AMENDING TITLE 12 (VEHICLES AND TRAFFICE), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS), OF THE EL PASO CITY CODE, TO ADD ITEM 388: W MAIN DRIVE FROM EL PASO STREET TON SANTA FE STREET, SOUTH SIDE.**

Motion duly made by Representative Canales, 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, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

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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REGULAR AGENDA – OTHER BUSINESS:

.....

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

47.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF EL PASO:

That \$750,000 be allocated to the U.S. Federal Highway Administration (FHWA) Fiscal Year 2024 Reconnecting Communities Pilot (RCP) Discretionary Grant Program Application for the I-10 Deck Plaza Design Project (Project) from the Tax Increment Reinvestment Zone Number 5 Tax Increment Financing Fund; and

That the City Manager or designee is authorized to establish future funding sources and make any budget transfers necessary for the City’s continued participation in the Project.

That the City Manager or designee be authorized to execute all documents required to effectuate the City’s participation in the Project.

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

Mr. Eduardo Calvo, Metropolitan Planning Organization Executive Director, commented.

The following City staff members commented:

- Mr. Ian Voglewede, Strategic and Legislative Affairs Director
- Ms. Karla Nieman, City Attorney
- Mr. Robert Cortinas, Chief Financial Officer

The following members of the public commented:

1. Mr. Joe Gudenrath
2. Ms. Tracy Yellen
3. Ms. Monique Poessiger
4. Mr. Matthew Guzman
5. Mr. Glen Meigel submitted a statement to be entered into the record

1ST MOTION

Motion made by Representative Rivera, seconded by Representative Fierro, and carried to **AMEND** the Resolution by striking the words “Impact Fund” and replacing with “Tax Increment Reinvestment Zone Number 5 Tax Increment Financing Fund”.

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

NAYS: Representatives Molinar and Canales

NOT PRESENT FOR THE VOTE: Representative Hernandez

2ND AND FINAL MOTION

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

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

NAYS: Representatives Molinar and Canales

NOT PRESENT FOR THE VOTE: Representative Hernandez

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

RESOLUTION

WHEREAS, on August 20, 2024, pursuant to Section 7.3D of the City of El Paso municipal code, the City Council approved the FY2025 City budget by resolution (“Budget Resolution”); and

WHEREAS, Section 6 of the FY2025 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 FY2025 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 transfer, attached to this Resolution as Exhibit A, for the Capital Improvement Department in support of allocating investment interest proceeds associated with Proposition 2 from the 2012 Quality of Life bond proceeds to capitalized expenditures associated with the Mexican American Cultural Center (MACC).

Exhibit A
Capital Improvement Program (CIP)
Budget Transfer Request
FY 2025

BT Number	Justification	Fund	Project	Increase	Funding Source
2025-0010	Set up investment interest for Prop #2 for MACC	4800	PCP13CULT011	\$ 160,000.00	GOP 2012 Quality of Life

Motion made by Representative Rivera, seconded by Representative Fierro, 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

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** this meeting at 5:00 p.m.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk

Representative Canales' abstract, article and letter for Item 43.

“Rep. Canales commented. He said he lives just up the street from the subject property and walks past it nearly every day with his wife and dogs, emphasizing that any decision made about the property would impact him in the same way as others in the area. He explained that when he ran for office in 2022, he did so with a clear stance in support of affordable housing, a commitment he maintains in his own neighborhood. Rep. Canales clarified that the Housing Authority (HOME) is an entity independent of the City of El Paso, governed by an independent Board of Commissioners and primarily funded by the federal government, and not a department of the City government. He also noted that the City is not proposing the rezoning or development; rather, HOME submitted the application as the property owner. Rep. Canales explained that HOME previously applied for a federally funded Low Income Housing Tax Credit for the property, a process overseen by the Texas Department of Housing and Community Affairs. He noted that while the City Council had the opportunity to influence the scoring, it chose not to do so, and the decision ultimately rested with the state agency. Rep. Canales then addressed concerns about density and traffic. HOME is proposing 104 units on the 6.32-acre parcel, translating to a density of 16 units per acre. In comparison, the Retreat at Mesa Hills next door has over 750 units resulting in a density of over 20 units per acre. Once built, the affordable housing development would represent less than 13% of the total units in the immediate area along South Mesa Hills. Rep. Canales also discussed the potential impact on traffic, saying that even with a conservative estimate of the El Paso average of 1.73 cars per household from the 104 units, the development would introduce about 180 additional vehicles in a neighborhood that already has thousands of residents and personal vehicles. He reassured the Council that South Mesa Hills, a four-lane arterial street, could easily accommodate the traffic increase. He also noted that residents of affordable housing developments tend to drive less and pointed out the accessibility of amenities such as grocery stores, retail outlets, and public transit, all of which are within walking distance of the property. In closing, Rep. Canales reiterated the importance of considering the rezoning in the context of the city’s severe shortage of affordable housing, emphasizing that this project would provide crucial support to working families and contribute to the community's long-term well-being.”

City Rep Canales defends stance on affordable housing plan amid recall effort

by Drew Pittock, Vania Castillo Tue, August 6th 2024 at 12:48 PM
Updated Tue, August 6th 2024 at 9:25 PM



5

[VIEW ALL PHOTOS](#)

On Tuesday, a group of westside El Paso residents led by constituents Jose Nunez, Linda Peacock and Debby Welch submitted a recall petition to remove Chris Canales as the District 8 Representative for the City of El Paso. (credit: KFOX14/CBS4)



TOPICS: [AFFORDABLE HOUSING](#) [RECALL](#) [CANALES](#) [EL PASO](#) [HOME](#) [PETITI](#) [>](#)



EL PASO, Texas (KFOX14/CBS4) — A recently formed group of westside El Pasoans on Tuesday launched a recall effort for their city representative over a proposed affordable housing development that they say will bring "graffiti, crime, increased police presence due to questionable activities, drugs and the influence of drugs on our residents," and more.

On Tuesday, a group of westside El Paso residents led by constituents Jose Nunez, Linda Peacock and Debby Welch submitted a recall petition to remove Chris Canales as the District 8 Representative for the City of El Paso.

The move comes exactly one week after the group, Coronado Neighbors United, submitted more than 600 signatures requesting that City Council deny the proposal for an affordable housing project in the Mesa Hills Drive and Bluff Canyon Circle area.

That project is backed by El Paso's housing authority, HOME.

In the petition, the group accuses Canales of 10 failings from transparency and "frivolous" spending to a disinterest in his constituents' concerns.

While Nunez, Peacock and Welch said in their recall petition that Canales "frivolously" spent taxpayer dollars looking for a city manager and "lacks vision for quality-of-life projects in his district," the city council member is firmly convinced that their efforts are in direct response to his unwillingness to push back against HOME's affordable housing project.

In a written statement shared with KFOX14/CBS4, Canales said,

It is absolutely okay for people to disagree with specific policy decisions of mine or to be critical of my votes; not everyone agrees on every issue, and that is the nature of elected government. That said, I'm disappointed in this attempt to falsely discredit me because I didn't immediately agree to this group's demand to oppose HOME's proposed affordable housing development. To recall an elected official over a policy decision that hasn't even happened yet makes no sense at all. If the group is able to collect the required amount of signatures, then I will stand in a special election to keep my seat. Holding a special recall election would cost the taxpayers approximately \$275,000.

Canales went on to accuse the group of volleying "unacceptable" language at not only the development but also the residents it would service.

He claims to have been told a litany of complaints including, "those people will bring disease to our neighborhood"; "it's not the buildings that we don't like but what they will put inside them" (note the use of 'what' and not 'who' to describe people); "they'll fill our neighborhood with illegals"; "keep the riff raff away"; and "many other such derogatory comments."

Likewise, he cites a Peacock-backed GoFundMe account dubbed "Save Coronado Del Sol and Hills from Harm" that reads,

If we allow this [housing development], it will bring to our neighborhoods the following: loud mufflers and loud cars causing extreme noise pollution, endangered pedestrians and endangered pets due to speeding, graffiti, crime, increased police presence due to questionable activities, drugs and the influence of drugs on our residents, material pollution, and huge traffic and backup due to the narrow street design of Marcena St.

In response, Canales said, "More than 52,000 El Pasoans live in HOME's 99 communities located throughout the city and several thousand more are on their waiting list, and those residents are no less El Pasoan than anyone else. As I have said, I will gladly listen to well-reasoned arguments in favor or against HOME's proposal, but I will not tolerate stereotyping or dehumanization of the working people, senior citizens, children, and people with disabilities who make up HOME's residents."



Vania Castillo reports on west El Paso residents escalating a fight over an affordable housing project.

Below are each of the petition's points, as well as Canales' responses;

1. Mr. Canales misrepresents himself to the public stating that he has extensive conversations with his constituents about projects when he does not.

I have had eight community meetings since HOME submitted their rezoning request in April. We have discussed the project at most of those meetings. Ms. Peacock and Mr. Nuñez attended one of those meetings, and we discussed the issue for around 45 minutes.

I also attended the HOME Board of Commissioners meeting held at the nearby Polly Harris Senior Center and listened to HOME's presentation as well as the extensive public comment about this topic. I stayed in the lobby for about 45 minutes after the meeting to speak with all the constituents who wanted to talk to me.

2. Mr. Canales does not inform the residents about projects in their district.

I hold community meetings at least every two weeks at which I present extensive updates, including about projects in the district. Those meetings are publicized via my email newsletter and social media. I also publish a 'Biweekly Review' online with detailed updates about City Council decisions, City issues, community events, etc.

3. Mr. Canales lied about not knowing about a project until April of 2024, when he touted the project to the City Council in January of 2024.

I have said that I did not learn about HOME's rezoning application until the sign went up on the property in April. That is 100% true. In [this letter](#) that I shared with my neighborhood on April 14, I think I make very clear what the sequence of events was:

“While I didn't know about HOME's current request to rezone the property until the sign went up last week (I learned about it at the same time as almost everyone else in the neighborhood), I have had an idea that the Housing Authority was likely going to look to build there since they purchased the property from El Paso Water's inventory back in 2019 (four years before I took office). HOME applied for a federally funded [9% Low Income Housing Tax Credit](#) award for this property last year, and the City Council was presented that project along with others from both HOME and private developers in January 2024, though HOME may not ultimately be successful in that application with the Texas Department of Housing and Community Affairs in the most recent round of funding.”

4. When we asked Mr. Canales for information concerning certain projects, he did not give us the information we requested.

This is very nonspecific, but if it is related to HOME's proposal, I shared a very detailed explanation of around 3000 words with all of the information I knew about the project on April 14, a couple of days after the rezoning notice sign went up on the property:<https://cityrepchriscanales.com/home-south-mesa-hills>

I have since been responsive to requests for additional information about the rezoning request. I don't have every piece of information about the proposed development itself since that is being done by HOME, an entity separate from the City government, but I have shared all that I know and directed people to the appropriate contacts to answer their other questions.

5. Mr. Canales seems to ignore the vast majority of residents in certain areas to push his own agenda.

I very regularly engage with the neighborhoods in my district and attend nearly every neighborhood association meeting I am invited to attend, most of them on a regular monthly basis. These include but are not limited to the Rio Grande NA, Sunset Heights Neighborhood Improvement Association, South Side NA/Conscious Barrio, Kern Place Association, Five Points NA, Familias Unidas del Chamizal, Rim Area NA, Chihuahueta NA, Texas & Myrtle Business District Association, and Sunrise Civic Group. At my community meeting last week, I spent about two hours explaining the City's proposed budget in great detail and soliciting feedback from those who attended.

6. Mr. Canales returned neither calls nor emails.

I will follow up with my email thread with the petitioners going back several months. As you can see, I have promptly answered their messages, provided requested information, and connected them with those who can answer their more specific questions.

7. Mr. Canales lacks vision for quality-of-life projects in his district.

This concern is non-specific, but during my 19 months in office we have completed resurfacing of every sports court in District 8 (excepting Madeline Park, which is still in progress), refreshed benches and picnic tables in City parks, completed a major improvement project at Cleveland Square Park, have completed and will shortly open signature projects at La Nube Children's Museum and Science Center and the Mexican American Cultural Center, and completed

renovations of libraries including the Westside Branch and Doris Van Doren Branch Libraries (as well as the soon to reopen Main Library). Speaking of parks, we have also installed upgraded digital irrigation control systems for parks that allow the watering to be controlled remotely without the need for technicians to physically travel to the park, saving time and effort and allowing finer control to save water. I have also used my discretionary funds to fund programs such as summer camps for students in our museums, movie screenings at parks across the district, neighborhood cleanups, a health fair, and community events and shade installation at the new Animal Services Westside Adoption Center. These are just some examples of the many quality of life improvements that have come during my term.

8. Mr. Canales went against the wants of the El Paso Tennis Club patrons.

The private El Paso Tennis Club wanted to expand with the addition of four padel tennis courts to the north of their existing facility, for which they have a ground lease from the City. There was a mixed reception for the proposal from the adjacent neighborhoods and immediate neighbors, mostly centering on open space concerns related to further development within the Billy Rogers Arroyo Park & Nature Preserve. I facilitated meetings between the Club and the neighboring Kern Place Association and Rim Area Neighborhood Association. I have not halted the Club's progress or had an opportunity to officially weigh in on the Club's proposal; the issue has not come before the City Council for any kind of decision.

9. Mr. Canales's willingness to spend taxpayer dollars frivolously looking for a city manager.

The City Council decided to hire a search firm to conduct a national search for a new City Manager at a cost of \$42,000 (or approximately 0.003% of the City's annual budget). I voted in favor of doing so. As the Chief Executive Officer of the City, the City Manager role is very important to how the City functions, and I wanted to take every step to make sure we had the best possible pool of applicants for the position. Hiring an external firm also avoids any potential conflicts that could arise from an internal hiring team being responsible for the search for their own future boss, especially when some of the candidates could be their present supervisors. I don't think this is a frivolous expense. I will also note that last year, in my first year voting on a budget and property tax rate, I voted for and the City Council adopted the no-new revenue rate for the first time in recent memory, meaning no increase in property taxes and offsetting increased property values for the average value home. We have introduced the no-new revenue rate again this year. Overall, that represents a greater than 11% decrease in the City's tax rate over two years. I didn't campaign on holding the line on property taxes because I know there are uncontrollable externalities that can

prevent that from happening, but we have managed to do so over the last two budgets and I am proud of that.

10. Mr. Canales pushed voter-authorized road improvement bonds out into later years when, in fact, we need it now.

I frankly don't know what this one is about. No bond funds for street improvements have been pushed into later years, by me or by anyone else. The City has spent upwards of \$10 million on street resurfacing and reconstruction in Fiscal Year 2024, and the proposed budget for Fiscal Year 2025 will do so again. A portion of South Mesa Hills was resurfaced this year, with the remainder as well as De Leon Drive set for resurfacing in FY 2025.

KFOX14/CBS4 spoke with HOME's Chief Executive Officer Gerald Cichon, regarding the GoFundMe "derogatory" comments and he said he was disappointed to hear those remarks, saying,

It makes me wonder what kind of country you want to live in when people will go out and say these horrible things about people, other El Pasoans that are just like them... It's difficult to hear. I mean, the only difference is, is maybe somebody has a little bit more economic opportunity.

Furthermore, Cichon clarified that residents have rules they need to follow to qualify to live in these units.

Cichon also said that if the project doesn't move forward, it will cost the community a lot of money.

"We just were awarded \$16 million for that site," Cichon said, "So, right now, we've raised \$25 million. If we're not allowed to move forward, that money will go somewhere else in Texas instead of here in our community that needs it so much."

To find out the correlation-- if there is one-- between affordable housing projects and crime, KFOX14/CBS4 also spoke with Doctor Egbert Zavala, a criminal justice professor from the University of Texas at El Paso.

Zavala said that while there is a relationship between affordable housing projects and crime, it is not a predictor of crime.

"We have public housing already here in El Paso. So, if public housing was a strong predictor of criminal behavior, then we would have seen it in El Paso. But we don't, we don't. El Paso's one of the safest cities in the United States," Zavala said.



OFFICE OF CITY REPRESENTATIVE
CHRIS CANALES
EL PASO CITY COUNCIL DISTRICT 8

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English ▾

My Thoughts on the Housing Authority's Rezoning Case and Proposed Affordable Housing Development on South Mesa Hills

Published April 14, 2024

I'll start off by being as clear as possible about my personal opinion about this issue – I support the proposal of the Housing Authority (now called HOME) to build apartments on South Mesa Hills. I'm happy to explain why. **I live just up the street on Castile between the two parks** – my wife and I walk past this property with our dogs nearly every day, we enjoy the use of Ponsford Park regularly, and South Mesa Hills is typically the way we enter and exit the neighborhood, so we pass by there all the time. **Any decision made about this property is going to have a similar impact on me as it will on everyone else in the area.** When I ran for office in 2022, I ran very clearly with a stance in support of affordable housing, and that is something I stand by in my own neighborhood just as I would in others. I know that there are a lot of stereotypes and outdated ideas about affordable housing; **I ask that you keep an open mind as you read. I am similarly open to hearing well-reasoned arguments against the proposal from my constituents before making any decision.** I will do my best to share as much information as possible with you, and also to share links to the resources for you to learn more if you would like to.

In this letter, I will address the following topics:

- What the Housing Authority (HOME) is and isn't
- What HOME is proposing
- Traffic concerns
- Who would live there
- EPISD and the impact on Putnam Elementary
- Comparable developments in similar neighborhoods
- Impact to property values

- Safety concerns
- The rezoning process and notification
- The roles of the City Plan Commission and the City Council

I want to clarify two things before we get to the crux of the conversation: 1) **the Housing Authority (HOME) is an entity that is run entirely separately from the City of El Paso.** I think many people incorrectly believe that it is a department of the City or part of the City government, but it is not. It was created by state statute back in 1938 to provide low-income residents of the City of El Paso with access to low-cost housing. HOME is governed by an independent five-member Board of Commissioners. Although it is funded primarily by the federal government, HOME operates in many respects as an independent developer and private management company. You can learn more about HOME and the history of El Paso's Housing Authority [here](#). 2) **The City is not proposing this rezoning or development, nor is the City Plan Commission. The Housing Authority submitted an application to rezone property that it already owns, and the City Plan Commission and ultimately the City Council are the bodies tasked with making a decision based on that application.** City staff also simply received the application for rezoning and scheduled a hearing as they are supposed to; nobody has made any decisions yet. I have seen some people criticizing the City or the Plan Commission for proposing this, but they are only evaluating an application received from a property owner regarding their property.

While **I didn't know about HOME's current request to rezone the property until the sign went up last week** (I learned about it at the same time as almost everyone else in the neighborhood), I have had an idea that the Housing Authority was likely going to look to build there since **they purchased the property from El Paso Water's inventory back in 2019 (four years before I took office)**. HOME applied for a federally funded [9% Low Income Housing Tax Credit](#) award for this property last year, and the City Council was presented that project along with others from both HOME and private developers in January 2024, though HOME may not ultimately be successful in that application with the Texas Department of Housing and Community Affairs in the most recent round of funding. In their current proposal, HOME instead plans to use a combination of [Non-Competitive 4% Housing Tax Credit bonds](#) (about 2/3 of the project cost) which the City has no real involvement in and [HOME Investment Partnership Program](#) funds (about 1/3 of the project cost) passed through from the U.S. Department of Housing and Urban Development and previously allocated by the City Council for affordable housing production across the City as guided by the [El Paso Regional Housing Plan](#). This funding structure utilizing the 4% bonds for a majority of the project means that **the apartments will be owned by a public-private partnership, with private investment and loans from traditional lenders (like major banks) who will have an ownership interest in keeping the development in good and safe condition,** as well as strict oversight from the federal government to protect its investment.

HOME is proposing to construct a maximum of 112 units (but likely 104 units) on the 6.32-acre parcel. The Retreat at Mesa Hills, the large apartment complex next door, has 752 rental units on 36.51 total acres. Once constructed, **the new affordable units would only represent fewer than 13% of the total apartment units in the immediate area** along that block of South Mesa Hills. I have heard some

concerns about traffic. Even very conservatively assuming 112 units and the El Paso average of 1.73 cars per household, **this would only represent an increase of 180 cars in a neighborhood with more than 3000 residents and several thousand personal vehicles.** As a wide, four-lane arterial street, South Mesa Hills would absolutely be able to handle that increase. The reality is that residents at existing HOME properties tend to drive far less than other residents, so the impact would likely be even smaller than that. After all, one of the positives of this location is that grocery stores, clothing stores, and public transit are all accessible within a half mile walk.

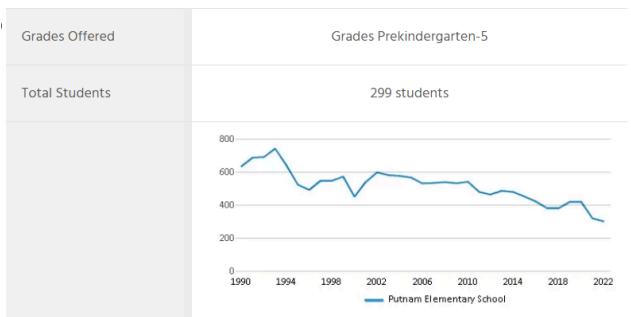
The proposed development would serve families earning 50-80% of the Area Median Income (AMI), or what the median El Paso household earns annually. These families have income and would pay rent. They are working people whose income is lower than the local median, but they are not in dire poverty. **El Paso's AMI for a four person household is \$59,500, so 50-80% of that would reflect an earnings range of approximately \$30-48k.** Consider a single mother with two children and an elderly parent that they care for, working maybe as a teacher or a receptionist – that is a perfectly normal salary range for that person to be bringing in, and as the only earner in the household they would qualify for this type of housing. Would this be someone you wouldn't want living in your neighborhood? Just because of how the economics of 50-80% AMI developments work out, **a high percentage of residents end up fitting the profile of working single parents with multiple children.** Here is an excerpt from the FAQ section about this type of development on the [Texas Department of Housing and Community Affairs website](#) about this type of housing and how it differs from traditional public housing (emphasis mine):

*"In many instances there is a significant difference between tax credit and bond properties and public housing properties. Most developments in the TDHCA rental housing portfolio built using Housing Tax Credits and Private Activity Bonds require tenants to have income of at least 2 to 2 ½ times the rent. **These housing developments further differ from public housing in that they are privately owned and privately managed and they primarily serve individuals and families with incomes between 30-80% of the area median family income.** Most public housing developments serve individuals and families at 30% and below the area median family income. Tenants of tax credit or bond properties may include: administrative personnel, school teachers; police officers; firefighters; mechanics; retail employees; single parents who are balancing career and family while attending school; city employees; sales clerks; and retirees. The program's rent and income levels vary from county to county. **The Housing Tax Credit and Private Activity Bond programs are not rental assistance programs like the Housing Choice Voucher or Section 8 Voucher programs.** Tenants who qualify for Housing Choice Vouchers or Section 8 Tenant Vouchers may lease an apartment at a tax credit or bond property, however they must qualify under the same requirements as any other tenant. Federal law requires the property owners to accept tenants with rental assistance vouchers."*

One entity that stands to benefit greatly here is EPISD. Putnam Elementary School concerningly has a current enrollment of fewer than 300 students. In contrast, it had 700+ students in the mid-1990s and 500+ students as recently as the mid-2010s. Putnam's enrollment has declined sharply, and the

school has been part of [EPISD's previous discussions about potential closures](#). Other communities in District 8 have lost their neighborhood schools, and the fallout of those closures hasn't been pretty.

Families living at a new HOME apartment complex will provide students to boost enrollment at Putnam, increasing the s **eguarding its future.**



I know you're probably picturing housing developments from horror stories like the infamous former [Cabrini-Green Homes](#) in mid-20th century Chicago, but **the reality is that all of the newly constructed HOME properties are very nice, comparable or even favorable to other newly developed apartment complexes in El Paso.** I would say that the closest comparable development is [Medano Heights](#) near Redd Road and I-10. Built in 2020, **Medano Heights has 146 units on an 11.67-acre parcel. If you didn't know differently, you would never guess it was public housing.** It has a nice business center, a clubhouse, a large playground, a basketball court, and grill and picnic areas. Laundry facilities and maintenance are on site, and there is a property manager on site 24/7. Click through the pictures below and I think you'll be impressed. **It is by all accounts both a good place to live and a good neighbor to the surrounding community.**



Property values in the neighborhood around Medano Heights haven't declined since it opened four years ago; value growth has been consistent with the average in similar neighborhoods. I know you may not take my word for it, so I made a random selection of three properties on the streets immediately adjacent to Medano Heights and searched their value histories on the [El Paso Central Appraisal District website](#). Below are screenshots of those. If you'd like more examples or want to double check this, I encourage you to look at properties in that area and search for them yourself using the EPCAD website's Property Search function. The Medano Heights apartments are not far from our neighborhood; I would encourage you to go check the development out for yourself and see what you think of it.

Property	Values	Taxing Jurisdiction	Improvements/Building	Land	History	
Year:	Improvements:	Land Market:	Ag Valuation:	Appraised:	HS Cap:	Assessed:
2024	N/A	N/A	N/A	N/A	N/A	N/A
2023	\$139,235.00	\$25,998.00	\$0.00	\$165,233.00	\$0.00	\$165,233.00
2022	\$97,002.00	\$25,998.00	\$0.00	\$123,000.00	\$0.00	\$123,000.00
2021	\$97,002.00	\$25,998.00	\$0.00	\$123,000.00	\$0.00	\$123,000.00
2020	\$91,000.00	\$25,998.00	\$0.00	\$116,998.00	\$0.00	\$116,998.00
2019	\$101,206.00	\$17,951.00	\$0.00	\$119,157.00	\$0.00	\$119,157.00

Property	Values	Taxing Jurisdiction	Improvements/Building	Land	History	
Year:	Improvements:	Land Market:	Ag Valuation:	Appraised:	HS Cap:	Assessed:
2024	\$216,358.00	\$44,705.00	\$0.00	\$261,063.00	\$39,648.00	\$221,415.00
2023	\$207,313.00	\$27,767.00	\$0.00	\$235,080.00	\$33,794.00	\$201,286.00
2022	\$172,239.00	\$27,767.00	\$0.00	\$200,006.00	\$30,164.00	\$169,842.00
2021	\$126,635.00	\$27,767.00	\$0.00	\$154,402.00	\$0.00	\$154,402.00
2020	\$131,959.00	\$19,172.00	\$0.00	\$151,131.00	\$0.00	\$151,131.00
2019	\$131,959.00	\$19,172.00	\$0.00	\$151,131.00	\$0.00	\$151,131.00

Property	Values	Taxing Jurisdiction	Improvements/Building	Land	History	
Year:	Improvements:	Land Market:	Ag Valuation:	Appraised:	HS Cap:	Assessed:
2024	\$164,442.00	\$40,678.00	\$0.00	\$205,120.00	\$19,913.00	\$185,207.00
2023	\$156,421.00	\$27,485.00	\$0.00	\$183,906.00	\$15,536.00	\$168,370.00
2022	\$146,979.00	\$27,485.00	\$0.00	\$174,464.00	\$21,400.00	\$153,064.00
2021	\$111,664.00	\$27,485.00	\$0.00	\$139,149.00	\$0.00	\$139,149.00
2020	\$108,343.00	\$19,959.00	\$0.00	\$128,302.00	\$0.00	\$128,302.00
2019	\$108,343.00	\$19,959.00	\$0.00	\$128,302.00	\$0.00	\$128,302.00

I've also heard concerns about a potential increase in crime. Residents at HOME properties, and especially in those properties serving families earning 50-80% AMI, have **significantly lower crime rates than the El Paso average**. Why is this? There are two main reasons. For one, **every person applying to live in a HOME property – adults, children, everyone – receives a full comprehensive criminal background check**, and those with criminal histories are ineligible. That means that this will be the *only* property in our entire neighborhood where it is guaranteed that the people living there have no criminal background. The second reason, importantly, is that **HOME residents who are convicted of a crime lose their housing, and their entire family has to move out with potentially no other options**. This is a massive incentive for these HOME residents to lead lawful lives. These are working people who make an income and pay rent. Despite this lower crime rate, **HOME hires off-duty**

law enforcement officers to patrol their properties at night, which will bring an additional law enforcement presence into our neighborhood. I will certainly not fear for my safety or the safety of my family in our neighborhood because of the presence of HOME.

As for the rezoning process, I want to emphasize that **law, policy, and standard practice have all been followed to the letter, both by HOME and by the City Planning & Inspections Department**. Most of the rezoning process is dictated to the City by state law, which the City in many cases actually goes above and beyond to include more citizens. For example, [Chapter 211](#) of the state's Local Government Code requires that a municipality notify residents within 200 feet of the subject property be notified of a proposed rezoning at least 10 days before the public hearing by the local zoning commission (which in El Paso's case is the City Plan Commission). Our local Municipal Code requires that the City do better than this – the Planning & Inspections Department notifies property owners within 300 feet. [Here](#) is the rezoning application form that lists all of the requirements of the applicant, and [here](#) is the Planning and Inspections Department's FAQ page about zoning cases. **The applicant, in this case HOME, was required to post a notice of the rezoning case and the hearing before the City Plan Commission on the property, which they did in the form of the large green sign.** They also had to notify any City-recognized neighborhood association that the property falls within, but our neighborhood doesn't have a neighborhood association. I'll share the following description of the entire rezoning process from the City's FAQ linked above (emphasis mine):

What is the rezoning process?

*After acceptance of a completed application, the Development Services Department reviews the request; obtains the review and comments from other City departments; schedules the case for the public hearing by the City Plan Commission (CPC); obtains a recommendation from the Development Coordinating Committee (DCC); prepares a staff report, and notifies property owners within 300 feet of the proposed rezoning and any appropriately recognized neighborhood associations. In addition, if the property proposed for rezoning is one or more acres in size, a sign must be placed on the property proposed for rezoning by the applicant at least 15 days before the CPC hearing. **CPC holds a public hearing approximately six weeks following the submittal of the application, and votes to approve, approve with modifications, deny, or postpone the rezoning application.** A report by the staff is presented, public input is received, and CPC deliberates its findings.*

What happens if my application is approved?

*When a recommendation to approve the application is made by CPC, an ordinance will be prepared and forwarded to City Council (CC) for finalization. **The final hearing by [the City Council] will take place approximately four to five weeks after the CPC hearing.** A report is presented by staff with the recommendations of DCC and CPC, public input is received, and CC deliberates its findings, and either approves, approves with modification, denies, or postpones the application. Upon finalization, the Development Services Department makes the necessary changes to the Official Zoning Map Series of the City.*

As you can see, this case is still in the preliminary stage. It will go to the City Plan Commission on April 18, but **the CPC's decision is only a recommendation to the City Council, who will have a final decision on the rezoning case**, as we do for dozens if not hundreds of rezoning cases every year. As it says above, **a rezoning case typically isn't considered by the City Council until a month or more after the CPC hearing**. It is very rare for me to comment like this about a case that hasn't gone before the CPC yet. I am allowed to comment publicly like this to share my personal opinion, but members of the City Council are strongly discouraged by our [Code of Conduct](#) from intervening directly in the matters before the CPC to avoid conflicts of interest or undue influence. Some people have asked me to go to the CPC hearing, but according to the Code, *"Officials' attendance at a City Board or Committee meeting is discouraged, based on the effect that their presence may have on the proceedings."* I want to be clear that my absence from the CPC hearing meeting doesn't signal my disinterest or that I am 'hiding' from the issue – you won't see any City Councilmembers there. **We are supposed to let the CPC make their decision independent of any pressure from elected officials, and their recommendation will be presented to the City Council in due time.**

That's all that I have to share at the moment. [Here is the full packet of backup information](#) from the City Plan Commission meeting agenda for you to review. If I receive more questions that I think need to be addressed, I will update this to add. Please trust that there will be plenty more time and opportunity to engage with me about this before any decision is made by the City Council. I know not everyone will agree with me, but as always I have done my best to explain my thinking clearly and thoroughly and also share as much relevant information as possible.

Good wishes,

Chris Canales
District 8 Representative
El Paso City Council



OFFICE OF CITY REPRESENTATIVE
CHRIS CANALES
EL PASO CITY COUNCIL DISTRICT 8

