

OSCAR LEESER
MAYOR

CARY WESTIN
INTERIM CITY MANAGER



CITY COUNCIL
BRIAN KENNEDY, DISTRICT 1
ALEXSANDRA ANNELLO, 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

AUGUST 15, 2023
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY
9:00 AM

ROLL CALL

The City Council of the City of El Paso met on the above time and date. Meeting was called to order at 9:02 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Brian Kennedy, Alexsandra Annello, Joe Molinar, and Henry Rivera. Late arrival: Art Fierro at 9:03 a.m., Chris Canales at 9:05 a.m., and Cassandra Hernandez at 9:06 a.m. Isabel Salcido was absent.

INVOCATION BY EL PASO POLICE SENIOR CHAPLAIN DAVID MAYFIELD

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

David L. Carrasco Job Corps Graduation Day

Black Business Month

The Regular City Council meeting was **RECESSED** at 9:38 a.m. in order to take photos with the honorees.

The Regular City Council meeting was **RECONVENED** at 9:50 a.m.

NOTICE TO THE PUBLIC

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

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

NAYS: None

ABSENT: Representative Salcido

CONSENT AGENDA – APPROVAL OF MINUTES:

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

1. *Motion made, seconded, and unanimously carried to **APPROVE** the Minutes of the Regular City Council Meeting of August 1, 2023, and the Special Meeting of July 31, 2023.

.....
CONSENT AGENDA – REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:
.....

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

*NO ACTION was taken on this item.

.....
CONSENT AGENDA – RESOLUTIONS:
.....

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

3. ***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, RAY DON L, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

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

5405 Nastase Pl, more particularly described as Lot 7, Block 4, Carvel Acres Subdivision, City of El Paso, El Paso County, Texas, PID #C167-999-0040-1900

to be \$451.25, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 19th day of December, 2018, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED FIFTY ONE AND 25/100 DOLLARS (\$451.25) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, BARRAZA RAMON I, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

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

4929 Pansy Ct, more particularly described as W 50 Ft Of Tr 22 (5000 Sq Ft), Cross Roads Subdivision, City of El Paso, El Paso County, Texas, PID #C961-999-0010-6700

to be \$707.50, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 14th day of November, 2016, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount SEVEN HUNDRED SEVEN AND 50/100 DOLLARS (\$707.50) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, AKERS MARY & MARVIN W, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

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

3007 Monroe Ave, more particularly described as Lots 20 & 21 (6000 Sq Ft), Block 9, Summit Place Subdivision, City of El Paso, El Paso County, Texas, PID #S804-999-0090-3700

to be \$400.50, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 19th day of February, 2019, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED AND 50/100 DOLLARS (\$400.50) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, ORTEGA ERICA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

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

1933 Ratner Cir, more particularly described as Lot 32, Block 116, Vista Del Sol #35 Subdivision, City of El Paso, El Paso County, Texas, PID #V893-999-1160-6300

to be \$570.87, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 27th day of March, 2019, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FIVE HUNDRED SEVENTY AND 87/100 DOLLARS (\$570.87) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, WALKER MURPHY K & MARIANNE, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

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

2125 Enero Dr, more particularly described as Lot 19, Block 50, Vista Del Sol #11 Subdivision, City of El Paso, El Paso County, Texas, PID #V893-999-0500-3300

to be \$340.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 16th day of May, 2019, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FORTY AND 00/100 DOLLARS (\$340.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, BEJADO JOEL P & MELISSA L, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

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

7304 Sachet Cliff Dr, more particularly described as Lot 38 (4809.00 Sq Ft), Block 22, Mesquite Hills #2 Subdivision, City of El Paso, El Paso County, Texas, PID #M395-999-0220-3800

to be \$318.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 18th day of January, 2018, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED EIGHTEEN AND 00/100 DOLLARS (\$318.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, BEJADO JOEL P & MELISSA L, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

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

7304 Sachet Cliff Dr, more particularly described as Lot 38 (4809.00 Sq Ft), Block 22, Mesquite Hills #2 Subdivision, City of El Paso, El Paso County, Texas, PID #M395-999-0220-3800

to be \$342.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 2nd day of October, 2018, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FORTY TWO AND 00/100 DOLLARS (\$342.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, BEJADO JOEL P & MELISSA L, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

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

7304 Sachet Cliff Dr, more particularly described as Lot 38 (4809.00 Sq Ft), Block 22, Mesquite Hills #2 Subdivision, City of El Paso, El Paso County, Texas, PID #M395-999-0220-3800

to be \$329.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 3rd day of October, 2019, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED TWENTY NINE AND 00/100 DOLLARS (\$329.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, GARCIA DOLORES B & CORRAL JESUS, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

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

1791 Alan Shepard Ln, more particularly described as Lot 19 (5831.69 Sq Ft), Block 2, East Gate #1 Subdivision, City of El Paso, El Paso County, Texas, PID #E049-999-0020-1900

to be \$473.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 8th day of November, 2019, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED SEVENTY THREE AND 00/100 DOLLARS (\$473.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, CONTRERAS ALFREDO V & E, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

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

2321 Lake Victoria Dr, more particularly described as Lot 37, Block 6, Sandy Creek #1 Replat A Subdivision, City of El Paso, El Paso County, Texas, PID #S127-999-0060-6400

to be \$329.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 7th day of January, 2020, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED TWENTY NINE AND 00/100 DOLLARS (\$329.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

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

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, FIGUEROA LUCY, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

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

11829 Dick Mayers Dr, more particularly described as Lot 8 (4750.00 Sq Ft), Block 383, Vista Del Sol #65 Subdivision, City of El Paso, El Paso County, Texas, PID #V893-999-3830-0800

to be \$198.75, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 22nd day of March, 2017, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY EIGHT AND 75/100 DOLLARS (\$198.75) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

4.

***RESOLUTION**

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

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

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

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

932 CHERRY HILL LN, EL PASO, TX 79912., more particularly described as 6 CORONADO COUNTRY CLUB ESTATES 35 & 0.079 AC OF LOT A & 36 EXC E PT (49.94 FT ON ST) (30987 SQ FT), City of El Paso, El Paso County, Texas, PID #C80199900603400

to be \$545.00, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 12TH day of APRIL, 2023, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FIVE HUNDRED FOURTY FIVE AND 00/100 DOLLARS (\$545.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

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

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

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

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

512 RAYNOLDS ST, EL PASO, TX 79903-5117., more particularly described as 20 LORETTO PLACE Lot 116 (6000 SQ FT), City of El Paso, El Paso County, Texas, PID #L68199902002900

to be \$1,635.50, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 19TH day of APRIL, 2023, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount ONE THOUSAND SIX HUNDRED THIRTY FIVE AND 50/100 DOLLARS (\$1,635.50) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

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

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

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

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

3117 E MISSOURI AVE EL PASO TX 79903-4103., more particularly described as 67 EAST EL PASO 21 & 22 (7000 SQ FT) Lot , City of El Paso, El Paso County, Texas, PID #E01499906706600

to be \$3,525.95, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 4TH day of AUGUST, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount THREE THOUSAND FIVE HUNDRED TWENTY FIVE AND 95/100 DOLLARS (\$3,525.95) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, SANCHEZ SOLEDAD (TR), in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the

hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the PLANNING AND INSPECTIONS DEPARTMENT, under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building secure until repaired or demolished, and clean the property of all rubbish and debris; and

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

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

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

3531 LA LUZ AVE., EL PASO, TX 79903-4315., more particularly described as 112 EAST EL PASO 15 & 16 & E 8 FT OF 14 (8120 SQ FT), City of El Paso, El Paso County, Texas, PID #E01499911205100

to be \$1,957.15, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 21ST day of JANUARY, 2023, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount ONE-THOUSAND NINE HUNDRED FIFTY SEVEN AND 15/100 DOLLARS (\$1,957.15) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

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

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

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

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

3624 RIVERA AVE., EL PASO, TX 79905., more particularly described as H EAST EL PASO 14 & 15 (7000 SQ FT), City of El Paso, El Paso County, Texas, PID #E014999000H1100

to be \$5,005.00, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 20TH day of APRIL, 2023, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FIVE THOUSAND FIVE AND 00/100 DOLLARS (\$5,005.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

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

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

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

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

4522 DURAZNO AVE., EL PASO, TX 79905., more particularly described as 20 LINCOLN PARK Lot 23, City of El Paso, El Paso County, Texas, PID #L31499902007100

to be \$4,520.50, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 19TH day of APRIL, 2023, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FOUR THOUSAND FIVE HUNDRED TWENTY AND 50/100 DOLLARS (\$4,520.50) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

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

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

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

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

227 BARKER RD 5, EL PASO, TX 79915., more particularly described as 23 YSLETA 5-B (2.0971 AC) & 6-K (0.922 AC) (3.0191 AC), City of El Paso, El Paso County, Texas, PID #Y805999023A0502

to be \$8,240.25, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 28TH day of APRIL, 2023, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount EIGHT THOUSAND TWO HUNDRED FOURTY AND 25/100 DOLLARS (\$8,240.25) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

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

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

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

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

536 MAUER DR B, EL PASO, TX 79915., more particularly described as 3 LAFAYETTE PLACE N 1/2 OF E 30 FT OF Lot 6, City of El Paso, El Paso County, Texas, PID #L12599900300500

to be \$5,415.60, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 12TH day of APRIL, 2023, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FIVE THOUSAND FOUR HUNDRED FIFTEEN AND 60/100 DOLLARS (\$5,415.60) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

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

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

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

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

12212 AMSTATER CIR., EL PASO, TX 79936-0275., more particularly described as 565 VISTA DEL SOL #145 Lot 2 (6331.82 SQ FT), City of El Paso, El Paso County, Texas, PID #V89399956500200

to be \$1,110.50, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 1ST day of MAY, 2023, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount ONE THOUSAND ONE HUNDRED TEN AND 50/100 DOLLARS (\$1,110.50) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

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

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

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

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

219 W OVERLAND AVE., EL PASO, TX 79901., more particularly described as 25 MILLS 55 FT ON OVERLAND X 112 FT ON CHIHUAHUA SWC (6160 SQ FT) Lot , City of El Paso, El Paso County, Texas, PID #M47399902505600

to be \$15,644.10, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 17TH day of SEPTEMBER, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FIFTEEN THOUSAND SIX HUNDRED FOURTY FOUR AND 10/100 DOLLARS (\$15,644.10) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***RESOLUTION**

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

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

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

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

208 WARD ST., EL PASO, TX 79901., more particularly described as 76-B MAGOFFIN Lot 7 (3537 SQ FT), City of El Paso, El Paso County, Texas, PID #M028999076B4300

to be \$236.57, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 26TH day of MAY, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount TWO HUNDRED THIRTY SIX AND 57/100 DOLLARS (\$236.57) to be a lien on the above described property, said

amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

5. *RESOLUTION

WHEREAS, pursuant to Section 2256.005 of the Texas Government Code, the City is required to review its Investment Policy on an annual basis; and

WHEREAS, the City has reviewed its Investment Policy and as a result of such review desires to restate and amend the City's Investment Policy.

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

That the City hereby adopts the restated and amended City of El Paso FY2024 Investment Policy, which is attached hereto as Exhibit "A" and incorporated herein by reference.

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

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

6. *RESOLUTION

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

That the City Manager is authorized to sign a First Amendment to an Agreement for Professional Services ("Agreement") by and between the **CITY OF EL PASO** and **AECOM TECHNICAL SERVICES, INC.**, for a Project known as "Architect and Engineering Services for Traffic Management Center Upgrades," to provide additional basic services at an additional total cost of \$300,388.76, thereby extending the contract amount from \$3,518,769.71 to \$3,819,158.47; and

That the City Manager is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for the execution of the First Amendment.

.....
CONSENT AGENDA – BOARD RE-APPOINTMENTS:
.....

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

7. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Sharon S. Miles-Bonart to the Open Space Advisory Board by Representative Art Fierro, District 6.

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

8. *Motion made, seconded, and unanimously carried to **RE-APPOINT** James Pleasant II to the Regional Renewable Energy Advisory Council, as a non-voting member, by Nicole Ferrini, Climate & Sustainability Officer.

9. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Rondriques A. Jackson to the Veterans Affairs Advisory Committee by Representative Aleksandra Anello, District 2.

CONSENT AGENDA – BOARD APPOINTMENTS:

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

10. *Motion made, seconded, and unanimously carried to **APPOINT** Arlene Carroll to the Tax Increment Reinvestment Zone Number 5 by Mayor Oscar Leeser.

11. *Motion made, seconded, and unanimously carried to **APPOINT** Deborah A. Zuloaga to the Tax Increment Reinvestment Zone Number 5 by Mayor Oscar Leeser.

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

12. *Motion made, seconded, and unanimously carried to **APPOINT** Marlene Gonzalez to the Museums and Cultural Affairs Advisory Board by Representative Henry Rivera, District 7.

Goal 8: Nurture and Promote a Healthy, Sustainable Community

13. *Motion made, seconded, and unanimously carried to **APPOINT** Roberto Garza Jr. to the Veterans Affairs Advisory Committee by Representative Joe Molinar, District 4.

CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS:

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

14. *Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds listed below:

1. Steven Behl, in the amount of \$3,000.00 made an overpayment on December 12, 2022 of 2022taxes.(Geo. #P327-999-0040-0800)
2. Corelogic, in the amount of \$3,665.73 made an overpayment on December 20, 2022 of 2022 taxes. (Geo. #V893-999-5100-1500)

CONSENT AGENDA – NOTICE FOR NOTATION:

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

15. *Motion made, seconded, and unanimously carried to **ACCEPT** the donation of popcorn from El Paso Disposal to go towards the District 3 Movies in the Park series.

CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS

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

16. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions of five hundred dollars or greater by Representative Joe Molinar in the amount of \$1,000.00 from Dr. Richard Teschner.

REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL

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

17. **RESOLUTION**

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

That the City Council declares that the expenditure of District 8 discretionary funds, in an amount not to exceed \$10,000.00, to cover costs of stage rental, audio/visual equipment, entertainment, hiring of off-duty law enforcement officers or private security officers, barrier rental for vehicle pedestrian control, permitting fees, and/or portable restroom rental related to the holding of the Segundo Barrio Community Block Party by the Southside Neighborhood Association, serves the municipal purpose of fostering community pride, encouraging civic engagement and celebrating the heritage and culture of one of the oldest neighborhoods in El Paso’s history; and

That the City Attorney be authorized to negotiate and the City Manager be authorized to sign an appropriate contract and contract amendment to ensure that the funds are properly expended for the municipal purpose.

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

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Fierro, Rivera, and Canales
NAYS: None
ABSENT: Representative Salcido

18. **RESOLUTION**

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

That the City Council authorizes the expenditure of District 8 discretionary funds in an amount not to exceed THREE THOUSAND SEVEN HUNDRED TWENTY-SIX AND 86/100 DOLLARS (\$3,726.86) towards the costs of equipment rental, movie license fees, permits, staff time and other related items necessary for the support of the “Movies in the Park” event, a series of movie nights in parks located within District 8, and declares that this expenditure serves the municipal purpose of providing recreational and cultural activities to the residents of and visitors to the City of El Paso, which benefits the community and instills community pride; and

That the City Manager is authorized to accept donations for sponsorship of the event, to negotiate and sign contracts as approved by the City Attorney, and to appropriate and ensure that the funds are properly expended for the municipal purpose.

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

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

NAYS: None

ABSENT: Representative Salcido

.....
REGULAR AGENDA –OPERATIONAL FOCUS UPDATES:
.....

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

-
- 19.** Presentation and discussion on the 88th Regular and Special Sessions of the Texas State Legislature.

The following City staff members presented a PowerPoint presentation (copy on file in the City Clerk's Office):

- Ms. Lindsey Adams, Legislative Affairs Manager
- Ms. Karla Nieman, City Attorney
- Ms. Danielle Escontrias, Assistant City Attorney
- Mr. Eric Gutierrez, Senior Assistant City Attorney
- Mr. Russell Abeln, Senior Assistant City Attorney
- Mr. Snapper Carr, Outside Legislative Attorney

Mayor Leeser and Representatives Annello, Fierro, and Rivera commented.

Mr. Jose Barriga, citizen, commented.

NO ACTION was taken on this item.

.....
CALL TO THE PUBLIC – PUBLIC COMMENT:
.....

The following members of the public commented:

1. Mr. Alejandro Ramirez
2. Ms. Elizabeth Crawford
3. Mr. Leonard Wells
4. Mr. Ron Comeau
5. Ms. Paula Powell
6. Ms. Marcia Margherio
7. Mr. Rick Bonart
8. Ms. Wally Cech
9. Mr. Jose Barriga

.....

The Regular City Council meeting was **RECESSED** at 10:03 a.m. in order to convene the Special Mass Transit Department Board meeting.

The Regular City council meeting was **RECONVENED** at 10:24 a.m.

.....
REGULAR AGENDA – FIRST READING OF ORDINANCES:
.....

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

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

NAYS: None

ABSENT: Representative Salcido

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

20. An Ordinance amending Title 19 (Subdivision and Development Plats) adding Article 8 (Conflict of Laws) Chapter 8.1 (Conflict of Laws) in order to specify that in the event of a conflict between Title 19 (Subdivision and Development Plats) and Chapter 212 of the Texas Local Government Code that Chapter 212 controls.

.....
PUBLIC HEARING WILL BE HELD ON AGUST 29, 2023
.....

REGULAR AGENDA – OTHER BUSINESS:
.....

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

20. Presentation of a State Resolution celebrating the City of El Paso’s 150th birthday by the El Paso State Delegation.

Senator Cesar Blanco presented the City of El Paso with the recognition.

NO ACTION was taken on this item.

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

21. **RESOLUTION**

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

That the City Manager be authorized to sign a Chapter 380 Economic Development Program Agreement (“Agreement”) by and between CITY OF EL PASO (“City”) and N.M. Edificios, LLC, a Texas Limited Liability Company (“Applicant”) in support of a project located at 19+/- acre site located off Burgundy Dr, near the intersection of I-10 & Loop 375, El Paso, TX 79907. The project includes construction or renovation of a development located on the Applicant’s real property to promote economic development in the City. The Agreement requires the Applicant to make a minimum investment of \$31,050,000.00, retain its existing 174 full time employees at or above the median wage for El Paso County, Texas for each year, and add an additional 30 full time employees at or above the median wage for El Paso County, Texas within the first five years of the Agreement. Over the term of the Agreement, the City shall provide economic incentives not to exceed \$1,078,910.00 in the form of a Property Tax Rebate; a Development Fee Rebate; and a Construction Materials Sales Tax Rebate.

Mayor Leeser and Representatives Hernandez and Rivera commented.

Mr. Bill Allen, Economic and International Development Assistant Director, commented.

1ST MOTION

*Motion made, seconded, and unanimously carried to **TAKE THE ITEM** at 10:00 a.m.

2ND AND FINAL MOTION

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

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Fierro, Rivera, and Canales
NAYS: None
ABSENT: Representative Salcido

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

23. Discussion and action to approve the El Paso County 911 District FY 2023 - 2024 Budget to be presented by Scott Calderwood, Director.

1ST MOTION

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

2ND AND FINAL MOTION

Motion made by Representative Hernandez, seconded by Representative Annello, and unanimously carried to **APPROVE** the El Paso County 911 District FY 2023 - 2024 Budget.

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Fierro, Rivera, and Canales
NAYS: None
ABSENT: Representative Salcido

.....
**REGULAR AGENDA – PUBLIC HEARING AND OTHER BUSINESS RELATED TO THE
FY2024 BUDGET AND FY 2024 TAX LEVY:**
.....

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

24. Presentation, discussion, and action on the Proposed FY 2023 - 2024 Budget.

The following City staff members commented:

- Mr. Robert Cortinas, Chief Financial Officer
- Mr. Cary Westin, Interim City Manager
- Mr. Sam Rodriguez, Chief Operations Officer
- Ms. Nicole Cote, Office of Management and Budget and Purchasing and Strategic Sourcing Managing Director

Mr. Rick Bonart, citizen, commented.

.....
The Regular City Council meeting was **RECESSED** at 10:30 a.m.

The Regular City Council meeting was **RECONVENED** at 10:30 a.m.

.....
Representatives Rivera and Canales commented.

Motion made by Representative Rivera, seconded by Representative Annello, and unanimously carried to **DELETE** the item.

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

NAYS: None
ABSENT: Representative Salcido

25.

**CITY OF EL PASO
FISCAL YEAR 2024 BUDGET RESOLUTION**

WHEREAS, on July 14, 2023, the City Manager of the City of El Paso filed the Fiscal Year 2024 (FY 2024) Proposed Budget of the City of El Paso with the City Clerk: and

WHEREAS, the Proposed Budget was made available for the inspection by any person and was posted on the City's website in accordance with Section 102.005 of the Texas Local Government Code; and

WHEREAS, on August 4, 2023, the City Clerk published notice in the El Paso Times and El Diario, newspapers of general circulation in the county in which the City of El Paso is located, of a public hearing regarding the City of El Paso FY 2024 Budget Resolution, in accordance with the Charter of the City of El Paso and Section 102.0065(a) of the Texas Local Government Code; and

WHEREAS, said public hearing was held on August 14, 2023, by the City Council (Council) regarding the City of El Paso's Proposed Budget at which all interested persons were given the right to be present and participate: and

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

1. That the Proposed Budget for the City of El Paso filed by the City Manager with the City Clerk on July 14, 2023, is hereby approved and adopted by the City Council as the Annual Budget for the FY 2024, which begins on September 1, 2023 and ends on August 31, 2024.
2. The City Manager or his/her designee is hereby authorized to appropriate the reserve amount as part of City Attorney's appropriation for external legal counsel, claims, and litigation expenses.
3. That the budget for confiscated funds shall be provided by the Chief of Police and submitted to the City Manager or his/her designee by January 31, 2024 with a financial report showing all appropriations for FY 2024 for all confiscated or condemned monies in a format approved by the City Manager or his/her designee.
4. That the City shall not enter into any agreement requiring the expenditure of monies if such agreement shall extend beyond the current Fiscal Year without the approval of the City Council or the City Manager. In such cases where the City Manager approves the expenditure, he/she is hereby authorized to obligate and/or encumber City funding to pay the City's expenses, which shall also constitute the approval of City Council for the expenditure of monies extending beyond the current Fiscal Year, as may be required by Texas law.
5. That Department Heads or their designees are hereby authorized to request budget transfers not to exceed \$50,000; provided that each transfer is within the same department. Budget transfers exceeding \$50,000 that are within the same department may be approved by the City Manager or his/her designee. A budget transfer for personal services appropriations, capital acquisition appropriations or impacting revenue accounts requires the approval of the City Manager or his/her designee.

6. That the City Manager or his/her designee is hereby authorized 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. Budget transfers between departments and/or non-enterprise department funds exceeding \$100,000 shall require City Council approval.
7. That a budget transfer must be approved prior to the occurrence of the expenditure, except for emergency expenditures when approved by the City Manager or his/her designee and ratified by the City Council.
8. That the City Manager or his/her designee is hereby authorized to allocate investment earnings on unspent bond proceeds to projects and purposes within the relevant bond authorization, provided that an allocation of more than \$500,000 to an individual project or purpose requires Council approval.
9. That the City Manager or his/her designee is hereby authorized to receive funds associated with Texas Department of Transportation (TXDOT) reimbursements to the City and appropriate the funds to TXDOT project matches awarded through the Metropolitan Planning Organization provided the projects are included in an existing Capital Improvement Program.
10. That the City Manager or his/her designee is hereby authorized to receive funds associated with El Paso Water Utilities (EPWU) reimbursements to the City and appropriate the funds to authorized street projects, park ponds or other designated city projects.
11. That any budget transfer submitted to City Council shall be accompanied by an explanation from the department and a recommendation from the City Manager or his/her designee. The department's explanation must be sufficiently clear and provide adequate detail for the members of City Council to determine the need for the transfer.
12. That the City Manager or his/her designee is hereby authorized to establish or amend budgets and staffing table changes for Interlocal Agreements, grants, and similar awards when the Interlocal Agreement or applications for such grants and awards have been previously approved by the City Council or the City Manager. All Interlocal Agreements or grant applications requiring City Council approval shall be prepared in accordance with established procedures. The agenda item shall clearly state (i) the funding source for Interlocal Agreements or (ii) the type and amount of the required City match and the funding source of the grant match. The City Manager or his/her designee is hereby authorized to make such budget transfers and staffing table changes as are needed to close completed Interlocal Agreements, grants, and capital projects.
13. That the City Manager or his/her designee is hereby authorized to accept and appropriate funds associated with donations made to the City in an amount not to exceed \$50,000.
14. That the City Manager or his/her designee is authorized to issue, without further City Council action, purchase orders against any contract offered through the Cooperative Purchasing Network, the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program, the Texas Association of School Boards, Inc. (TASB, Inc.) Cooperative Purchasing Buy Board, the ESC-Region 19 Cooperative Purchasing Program, the Harris County Department of Education Cooperative Purchasing Program, Tarrant County Cooperative Purchasing Program, Texas Procurement and Supportive Services (TPASS), Texas Multiple Award Schedule (TMAS and TXSmartBuy), State of Texas Department of Information Resources (DIR), Technology Bidding and Purchasing Program (PEPPM), U.S. General Services Administration (GSA), National Intergovernmental Purchasing Alliance Company dba

OMNIA Partners, Public Sector and/or Communities Program Management, LLC d/b/a U.S. Communities (collectively, the "OMNIA Partners Parties") Region 8 Education Service Center, International Purchasing System Program ("TIPS"), Division of Purchases and Supply (DPS), a business unit of the Department of General Services for the Commonwealth of Virginia and any other cooperative purchasing program authorized by the City Council. The City Manager or his/her designee has the authority to sign any and all agreements related to purchases pursuant to this paragraph to effectuate the purchase.

15. That the City Manager or his/her designee is authorized to issue, without further City Council action, purchase orders against any cooperative contract through the electronic catalog maintained

/Equal Level. The purchase of vehicles, trucks and/or fire apparatus/pumpers shall be expressly prohibited from being sourced through the catalog.

16. That restricted fund(s) shall be expended only for those purposes for which each restricted fund was established.

17. That all monies in all funds, except for grant funds, budgeted for the City's contribution to the Employee's Health Benefit Program, Worker's Compensation, and Unemployment Funds be appropriately deposited into the respective fund by the City Chief Financial Officer or the City Manager's Designee before the closing of the Fiscal Year, and in accordance with procedures established by the City Manager or his/her designee.

18. That the City Manager or his/her designee is hereby authorized to issue, without further City Council action, purchase orders for annualized insurance coverage in accordance with the amount of funding established for such coverage in FY 2024 budget when the award of such contracts or Interlocal Agreements for coverage has been previously approved by Council.

19. That the City shall calculate monthly deduction, premium, and/or fee for health, dental, vision, life, and disability coverage during the current coverage month effective January 1, 2024. If the coverage effective date for enrollment/change falls on or before the 15th of the month, a full deduction, premium, and/or fee is processed; if the effective date falls after the 15th of the month, no deduction, premium, and/or fee is processed for that month. If the coverage termination date falls on or before the 15th of the month, no deduction, premium, and/or fee is processed; if the termination date falls after the 15th of the month, a full deduction, premium, and/or fee is processed for the month.

20. That the City Manager or his designee authorizes and approves a compensation increase for non-uniformed full-time, part-time and temporary employees as follows:

a. This resolution hereby establishes the City's minimum wage at \$13.11 per hour effective September 10, 2023 the first full pay period of September 2023. All pay ranges and job classifications will be increased accordingly on September.

b. An increase of \$1.00 per hour, or a minimum of 2.5%, whichever is greater, for all non-uniform employees shall be paid starting on the September 10, 2023 pay period, and in accordance with the processes established by the City's Human Resources Department.

c. This increase in compensation will be based on the hourly rate as of September 10, 2023 of the positions identified herein. Employees must be of active status as of September 10, 2023 to receive this pay increase; provided however, that the City Manager may approve this increase in compensation based on the availability of funds and other management factors as determined by the City Manager.

d. An increase of 5% for all City Attorneys of the City Attorney's Office, effective September 10 2023. Employees must be of active status as of September 10, 2023 to receive this increase.

e. That the City Manager is authorized to approve a salary or wage compression adjustment for the non-uniformed employees based on their salary in the current position as of September 10, 2023, the increase will be based on the number of years in the current position within their pay grade, and adjust pay scales to ensure a minimum of 4% difference between subordinate and the relevant supervisory level. The employee must work as a city employee in their current position for a period of a least six months prior to September 10, 2023. This increase will be effective for the pay period starting September 10, 2023 for all employees in an active status as of this date. Provisions of this section are subject to the availability of funds and other management factors as determined by the City Manager.

21. That any employee pay increases for non-uniformed employees shall be given on the date or dates established by the City Manager based on the availability of funding for such purposes in FY 2024. No employee pay increases shall be paid retroactively to an anniversary date or date of a performance evaluation. Any increases for certification pay established in Ordinance 8064, as amended, or by resolution pursuant to the Ordinance as may be appropriate, may be given by the City Manager in the manner provided for in or by the Ordinance to the eligible employee classifications set forth in Schedule B-1**.

22. The City Manager or his/her designee is authorized to approve for non-uniform employees hired on or between September 1, 2022 and August 31, 2023, who have not received the second \$500 payment of the \$1,000 sign-on incentive payment available during FY 2024 prior to September 1, 2024 to be distributed as follows:

a. A one-time payment of \$500 to be disbursed at the end of the employee's successful completion of their 6-month or extended probationary period with no documented attendance or corrective/disciplinary issues for the remainder of their probationary period;

b. This policy does not apply to the following:

i. and/or independent consultants; and

ii. Elected Officials; and

iii. Current City of El Paso employees; and

iv. Previous City of El Paso employees who terminated within three months of current hire date; and

v. The sign-on incentive recruitment payment shall be paid in a pay period following the employee's having met the criteria designated in the Resolution and in accordance with the process established by the City's Human Resources Department. Employee must be an active employee on the date of payment. This sign on incentive recruitment payment will not be considered earned wages or compensation for purposes of personability. This sign-on incentive recruitment program shall be subject to the availability of funds and other management factors as determined by the City Manager.

23. That for purposes of recognizing the service time of an employee (classified unclassified and/or contract) other than uniformed employees covered under collective bargaining agreements an amount that most closely approximates a two percent (2%) increase will be added to the base pay of each employee on the anniversary date five (5) years of service, two and one half percent (2.5%) on the anniversary date of ten (10) years of service, three percent

(3%) on the anniversary date of fifteen (15) years of service, and three and one half percent (3.5%) on the anniversary date of twenty (20) years of service and four percent (4%) on the anniversary date of twenty five (25) years of service and four and one half percent (4.5%) on the anniversary date of thirty (30) years of service and five percent (5%) for any other five year incremental period on or beyond thirty five (35) years of service accrued by an employee.

24. That the City Manager be authorized to establish employee incentive program(s) subject to the availability of funds, and approve such administrative policies and procedures necessary for the inception and implementation of such programs:

(a) the wellness program in the City's health benefit plan for the amount established in each fiscal year's budget in an amount not to exceed \$150 per employee each month during the fiscal year, in accordance with the City Manager's administrative policy and shall include a component that allows City employees to earn up to one wellness day off annually (as designated in the administrative policy); and

(b) employees whose job specifications require a commercial driver's license or whose work includes the tracking of specific safety criteria to be eligible for a payment not to exceed \$350 per employee each year based on the employee's accident-free driving record or established safety criteria for a period (i.e. quarterly, semi-annually, etc.) to be established in administrative policy and payable in increments based on such periods; and

(c) employees whose job specifications requires or may require a commercial driver's licenses may be eligible for additional pay of \$90 per pay period, provided that the employee must be in active status, their CDL in good standing, and otherwise in conformity with approved administrative CDL retention policies; and

(d) non-executive level employees will receive incentive pay of 10% of base salary while employed with the Office of the Comptroller (OTC). This incentive is only effective during their employment at OTC and otherwise in conformity with approved administrative OTC incentive pay policies; and

(e) one-time payments in an amount not to exceed \$100 (and any taxes due) for each employee who is assigned additional duties in serving on a Lean Six Sigma team and which the project demonstrates measurable cost avoidance or savings; and

(f) for perfect attendance in a 6month period established by administrative policy, cash payment of \$50 and the option to convert 8 hours of sick leave for personal business, as set forth in the administrative policy; and

(g) monthly payments prorated in an amount not to exceed 5% of current annual salary for each employee who is assigned additional responsibilities for completion of major project whose scope has broad citywide application.

(h) qualifying non-uniform employees will receive a lump sum not to exceed \$250 as part of an annual performance review as defined under the administrative policy.

(i) payments in an amount of \$90 per pay period for each employee whose job requires immunizations to ensure the health and safety of the employees and animals during their employment at Animal Services and the Zoo and otherwise in conformity with approved administrative ASD and Zoo infectious disease and/or incentive pay policies.

(j) A \$200 monthly incentive for all full-time, part-time, and temporary positions, to be distributed as follows:

1. Monthly payment of \$200 once a foster program has been established and the employee takes possession of the foster canine and maintains possession; and

2. An additional, one-time payment of \$100 to be disbursed once their foster canine is adopted to a “forever home”.

3. This policy does not apply to the following:

- i. Subcontractors and/or independent consultants
- ii. Elected Officials

4. The Furry Canine Foster Program pilot shall be effective from May 15, 2023 through November 15, 2023.

5. The Foster incentive monthly payment shall be paid bi-weekly. The incentive will take effect in a pay period following the employee’s having met the criteria designated in this Resolution and in accordance with the process established by the City’s Human Resources Department.

6. The Foster incentive one-time payment shall be paid in a pay period following the employee's having met the criteria designated in this Resolution and in accordance with the process established by the City’s Human Resources Department.

7. Employee must be an active employee on the date of payment.

8. This Foster incentive payment will not be considered earned wages or compensation for the purposes of pensionability.

25. That Appendix A, as required to be maintained by the Human Resources Director and approved by the City Council by the Classification and Compensation Plan, Ordinance 8064, as amended, shall be as established as set forth in Schedule D**, for such time until the Council, by resolution and as provided in Ordinance 8064, should amend or further revise.

26. That the City Manager is hereby authorized to annually adopt a Tuition Assistance Policy, which provides for tuition assistance to qualified employees in accordance with the amount of funding established for such a program. Such policy may be amended as deemed necessary by the City Manager.

27. That based on the availability of funds, the City Manager is authorized to expend no more than \$100,000 from the budget to establish and implement an on-the-spot rewards program to provide small monetary awards (face value up to \$100) to recognize immediately extraordinary acts, accomplishments or contributions that are above and beyond the typical duties of the rewarded employee. On-the-spot rewards are not in lieu of merit increases or other salary increases based on sustained high-quality employee performance. An employee shall receive no more than two (2) monetary awards under this section per fiscal year.

28. That the City Manager is authorized through an administrative policy and procedure to approve Department Hybrid Staffing Plans, to provide options that promote and support a high quality of work life balance for City employees, while meeting the customer services needs of the community.

29. That the hotel occupancy taxes collected by the City shall be used by El Paso Convention and Performing Arts Center (Destination El Paso) and the Department of Museums

and Cultural Affairs to fund their respective operations in accordance with El Paso City Code and State law. The functions of the Plaza Theater, McKelligon Canyon shall be included with the functions of El Paso Convention and Performing Arts Center (Destination El Paso). Expenditures from said fund shall be made in accordance with their respective adopted budgets.

30. That the special additional hotel occupancy tax collected and deposited into the Venue Project Fund (as well as other amounts contained in such fund) shall be used by the City to pay its obligations under the Master Lease Agreement Relating to the Downtown Ballpark Venue Project between the City and the City of El Paso Downtown Development Corporation or other ballpark costs and such funds are appropriated accordingly.

31. That any travel expenditure for a City Council member that exceeds the FY 2024 City Council member's budget, including discretionary funds for the City Council Member's district, must be approved by the City Council and a funding source shall be identified by the City Council.

32. That City Council members must notify the City Manager or his/her designee of any expenditure from budgeted City Council Special Projects or Discretionary Accounts, so that City staff can maintain a current balance of the individual City Council Member's year-to-date expenditure for said accounts. Prior to the use of a P-Card for a proposed expenditure, City Council should identify the municipal purpose of the expenditure and the proposed expenditure should be reviewed and authorized by the City Manager or his/her designee in writing, subject to confirmation by the City Attorney's Office, or authorized by the City Council, prior to the expenditure. Per the Resolution dated November 8, 1994, that the allocation of discretionary funds requires City Council approval, except a District Representative may allocate discretionary funds up to \$1,000 or less for activities and purposes that are administrative in nature and are to be approved in the same nature as the general fund expenditures. The City Manager or his/her designee shall implement similar appropriate processes when utilizing discretionary funds through any other procurement or a reimbursement process. All P-Card transactions will be posted monthly to the City Council Agenda for notation and to the City's website to include the City Council member and their staff. Expenditures under this section shall adhere with all relevant city and state laws and policies.

33. That all obligations for the payment of money by City departments and agencies, including grantees, shall be made in accordance with procedures established by the City Manager or his/her designee.

34. That no employee or elected official shall incur an obligation for capital, supplies, wages, or otherwise, unless an adequate appropriation has been made in the budget to meet the obligation and said obligation has been incurred in accordance with the accounting, legal, budgetary, purchasing, and Human Resources policies and procedures of the City.

35. That the Full-Time Equivalent (FTE) positions funded by the FY 2024 Budget, and those listed in the Authorized Staffing Table, shall constitute the authorized FTE positions for each department. Requests for changes and additions shall be approved by the City Manager and his/her designee and shall show the impact on the FY 2024 Budget and the estimated impact on expenditures for FY 2025.

36. That any non-vacant classified employee position which is identified for abolishment upon adoption of the FY 2024 Budget, shall be funded until the earlier of October 14, 2023 or sufficient time for the Human Resources Department to carry out the provisions of the City Charter related to lay-offs.

37. That the City Manager is hereby authorized to transfer any amount in the Salary Reserve appropriation, personal services appropriations, contingency appropriations, capital acquisition appropriations between departments within the General Fund or an Enterprise Fund (to the extent permitted by law), whether it is non-uniformed or uniformed salary expense, or capital expense, as necessary in connection with closing the FY 2024.

38. That based on the availability of funds the City Manager or his/her designee shall transfer on a monthly basis \$12,500 from the cash balance of the Bridge Operations Fund to the Bridge Maintenance Fund; transfer on an annual basis revenue derived from ground lease franchises, not to exceed \$91,782 from the Bridge Operations Fund to the Bridge Maintenance Fund. Any remaining balance shall be transferred to the General Fund, except for the \$25,000 Unreserved Balance and any required cash, which must be maintained pursuant to any bridge revenue bond covenants or other debt financing.

39. That all non-expended appropriations in the General Fund and Enterprise Fund shall lapse at the end of FY 2024, unless reviewed and approved not to lapse by the City Manager or his/her designee.

40. That within forty-five (45) working days after the close of each fiscal quarter, the City Manager or his/her designee shall provide a quarterly report to City Council regarding the status and year-end projection of the budget.

41. That the City shall charge the maximum allowable interest rate and impose the maximum allowable penalty pursuant to State or Federal laws, on any amounts past due to the City. Any amounts that are one hundred twenty (120) days past due will be reported to the Credit Bureau, in accordance with State and Federal law, and will be turned over to the City Attorney or a collection agency for collection or the proper disposition.

42. That the annual parking meter revenue in account number 440200 (Parking Meter Revenue) may be allocated on a monthly basis to a restricted account called Plaza Theater Sinking Fund in the Debt Service Fund to satisfy debt requirements for the fiscal year, that the City Manager or his/her designee be authorized to appropriate additional funding from this account for the replacement of parking meters upon approval of the City Manager of a meter replacement program based on availability of funds in this account, and that all funds exceeding the debt service requirement and meter replacement capital requirements for the fiscal year be deposited to the General Fund.

43. That monies that the City receives from licenses, fees, fines, and other charges for services shall be analyzed to determine if the City is recovering the cost of providing such services. Recommendations shall be made to the City Manager or his/her designee for any revisions to licenses, fees, fines and other charges.

44. That appropriation control for expenditures shall be at the Object Level.

45. That expenditures shall be in accordance with the City of El Paso – Strategic Plan.

46. That Schedule A** amends revenues and appropriations to the City Manager's filed budget; Schedule B** amends staffing tables to the City Manager's filed budget and Schedule B-1** sets forth the employee classifications eligible for certification pay; Schedule C** sets forth fees and formulas for calculating certain fees that are to be charged by the City for the goods and services it provides; Schedule D** contains Appendix A, as referenced by the Classification and Compensation Plan, Ordinance 8064, as amended; and Schedule E** sets forth the list of and approved budget for annualized computer software and hardware which may be purchased as a sole source; and Schedule F** is the 2023 Tax Rate Calculation

Worksheet included in accordance with Texas Tax Code Chapter 26. For any programs, activities, presentations, classes or services that have a fee range listed within Schedule C**, the department head shall determine and charge a fee within the stated range for each particular activity, presentation, class or service in the amount that will recover the City's costs, as reviewed and approved by the City Manager or his/her designee. Any revisions or additions to the fees listed in Schedule C**, or the process or formula used for setting fees, shall be approved by simple resolution of the City Council.

47. That the City Manager or his/her designee is authorized to determine when it is practicable for the City to accept payments by credit card of a fee, fine, court cost or other charge in accordance with City Ordinance No. 15051. Service charges added to the payment shall be in conformity with state statutory requirements and will be in such amount(s) as listed in Schedule C**, provided that in the event that bank charges imposed on the City relating to credit card acceptance increase during the fiscal year, the City Manager is authorized to increase the service charge amount(s), so as to cover the City's increased costs.

48. That the Department of Aviation shall be authorized to collect a daily rental fee for space in their cargo buildings and daily terminal fees as set forth in Schedule C**, and the department shall collect the fees authorized in prior resolutions of the City Council for hangars, tie-downs, storage, heavy aircraft parking and for public parking at the Airport in the amounts as set forth in Schedule C** attached hereto and that Schedule C** shall be the controlling resolution for the establishment of the specific amounts of these fees.

49. That the Department of Aviation's Foreign Trade Zone is authorized to collect fees to recover costs, as set forth in Schedule C**, relating to duties in connection with (a) Blanket Admission - 214; (b) Direct Delivery Admission, Subsequent 214; (c) Application Fee, Subzone; (d) Application Fee, New General-Purpose Site (Minor Boundary Modification); (e) Application Fee, Expansion Site (Magnet); and (f) Alteration Request. The Department of Aviation's Foreign Trade Zone is also authorized to collect fees based on other changes as outlined in the Schedule C**.

50. That in addition to City created programs, activities, presentations, classes ("City programs") and City produced or supported publications that are offered to the public in conjunction with the missions of the various departments for which the fees are separately established in Schedule C**, the City Council authorizes City department directors to create and offer new City programs and publications, on a trial or temporary basis, as may be of benefit to the public and as the directors may deem appropriate and within his/her department's capacity for providing new City programs or publications. The fee for participation in each such new City program or the cost to obtain such a publication shall be established in an amount that will recover the City's costs to present each such City Program or provide the publication, as reviewed and approved by the City Manager or his/her designee. The City Manager or his/her designee shall maintain a list of all fees approved pursuant to this paragraph, which shall be made available to the public.

51. That the City Council sets the level of City funding support to persons and organizations seeking such support for parades that fulfill a public purpose in accordance with the process, criteria and other provisions of Section 13.36.050 E of the City Code, in an amount not to exceed \$175,000, and that the City Manager is authorized to equitably allocate such funding among the qualified applicants and sign funding agreements with such applicants.

52. That the City Council sets the maximum level of funding for the Parks and Recreation Department's needs assessment scholarship program, as may be established by ordinance, in the amount of \$200,000, with a maximum benefit per child of \$150, for FY 2024. Receipt of

scholarship funds for the Club Rec Program does not count towards the \$150 maximum per child limit.

53. That the City Council authorizes the conduct of the Holiday Parade and Tree Lighting as a program event within the Parks and Recreation Department; authorizes funding for the event as established within the City's adopted budget; authorizes the City Manager to determine and approve participation in the event by other City departments and personnel; and authorizes the Parks and Recreation Department to charge the entry fee as set forth in Schedule C** to non-City persons and organizations who submit entries in the parade.

54. That the City Manager is authorized to revise appropriate budgets to provide for changes of functions and reorganization of departments approved by City Council, to include the transfer of functions, duties and related budgets between departments.

55. That the Director of Aviation be authorized to establish a Premium Parking program, as approved by the City Manager, at the airport for public parking at the premium fees set forth in Schedule C**, which will allow parking spaces to be reserved in advance by members of the general public.

56. That the Director of Aviation be authorized to establish a program, as approved by the City Manager, at the airport whereby the Director or his/her designee may provide gratis airport parking passes as appropriate for the promotion of the airport as the premier gateway for air transportation for the El Paso region. The total value of all gratis parking passes provided under this program during FY 2024 shall not exceed \$2,000.

57. That the Director of Aviation be authorized to collect fees to recover costs for work completed by El Paso International Airport on behalf of airport tenants in the amounts set forth in Schedule C**.

58. The Department of Aviation is authorized to collect fees to recover costs, as set forth in Schedule C**, relating to duties in connection with (a) conduct of criminal history back ground checks; (b) SIDA Badge issuance; (c) AOA Badge issuance; (d) AOA Badge renewal; (e) SIDA/Sterile area badge renewal; and (f) Reimbursement for Lost Not Returned Badges as listed on Schedule C**.

59. That the environmental service franchise fee will be used to support the General Fund expenditures of the Streets and Maintenance department.

60. That the Department of Environmental Services is authorized to collect fee to recover costs, as set forth in Schedule C**, related to safety articles sold upon request to members of the public accessing the Greater El Paso Landfill.

61. That the Department of Animal Services is authorized to collect fees to recover costs as set forth in Schedule C**, related to the veterinary services provided at the City's spay and neuter clinic, for services provided at the clinic and shelter relating to the health and safety of animals, and for those services that are provided to the animal while at its facilities in order to bring the animal into compliance with the El Paso City Code's requirements. The Director of Animal Services is authorized to waive or reduce animal services fees in Schedule C**, when appropriate and in line with their mission.

62. That the Department of Environmental Services is authorized to provide mulch/compost at the Citizen Collection Stations and at the Greater El Paso Landfill at no cost to citizens or commercial customers that pick up the mulch/compost and may collect a delivery fee from commercial customers requesting delivery, since the recycling of trees and other yard waste

used to generate mulch/compost serves a health and public safety purpose because materials are diverted from the City's landfills and the useful life of the landfills is extended.

63. That the City Manager or his/her designee be authorized to negotiate, award and enter into agreements and other documents on behalf of the City for the annualized computer licenses and maintenance of software and hardware specified in Schedule E**, and any software or hardware that are available only from one source pursuant to applicable laws, in amounts not to exceed the amounts in the FY 2024 approved budget and set forth in Schedule E**; provided, however, that all such agreements are in compliance with law and shall be approved as to form by the City Attorney.

64. That the City Council will allow the Public Service Board and the El Paso Water Utilities to use fire hydrants in conjunction with requiring developer dedications or payments for the costs of fire hydrants and together with the value of the use of City right-of-way in conjunction with system operation and functions by the Public Service Board and the El Paso Water Utilities, they are in exchange for all charges and costs owed by the City for water used by the City for firefighting purposes, and this provision supersedes all prior resolutions of the City Council regarding this matter.

65. A City Council member's seat subject to election or re-election shall not expend any discretionary funds during the Lame Duck period, which is the time period from the date of any City election until inauguration of those elected or certification of the results for those re-elected.

66. That the City Manager is authorized to establish or amend the budget for the Parkland dedication fees special fund for FY 2024, provided that such funds are committed and used in compliance with applicable city ordinances.

67. That the City Manager may appropriate up to \$500,000 from the Fleet Internal Service Fund reserves for the Streets and Maintenance Department purchase of fuel and inventory items for the city fleet.

68. That the City Manager may allocate \$5,000,000 from the Pay for Futures fund for the use of the FY 2024 General Fund budget.

69. That the franchise fee paid by the El Paso Water Utilities in the amount not to exceed \$6,550,000.00 ("PSB Infrastructure Franchise Fee"), which compensates the City of El Paso for the use of city streets and rights of way for utility lines and wear and tear on City streets, will be allocated as follows: up to \$3,000,000.00 will be allocated to street maintenance and the remaining PSB Infrastructure Franchise Fee funds to the General Fund.

70. City Council establishes that the police department adopted budget was \$165,428,929 for FY 20-21, \$177,025,187 for FY 21-22, and \$192,249,635 for FY 22-23. The police department budget for FY 23-24 is hereby established to be \$205,161,844. Therefore, the City Council of the City of El Paso, Texas finds and declares that the City of El Paso is not a defunding municipality as provided in Chapter 109 of the Texas Local Government Code.

71. That the City Manager or his/her designee shall immediately file, or cause to be filed a true copy of the FY 2024 Budget and a copy of this Resolution in the offices of the City Clerk and the County Clerk of El Paso, and post the same on the City's website.

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

Representative Hernandez commented.

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

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

NAYS: None

ABSENT: Representative Salcido

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26. **ITEM:** Discussion and action to ratify the property tax rate reflected in the Annual Budget for FY 2023 - 2024 for the City of El Paso.

Motion made by Representative Kennedy, seconded by Representative Fierro, and unanimously carried to **RATIFY** the property tax rate reflected in the Annual Budget for FY 2023 - 2024 for the City of El Paso.

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

NAYS: None

ABSENT: Representative Salcido

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27. **ORDINANCE 019531**

The City Clerk read an Ordinance entitled: **AN ORDINANCE LEVYING FY2024 TAXES. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO: SECTION 1: THAT AD VALOREM TAXES FOR THE TAX YEAR ENDING DECEMBER 31, 2023 TO FUND THE CITY'S BUDGETARY REQUIREMENTS FOR THE FISCAL YEAR ENDING AUGUST 31, 2024, BE AND ARE HEREBY LEVIED ON ALL PROPERTY, REAL AND PERSONAL, SUBJECT TO TAXATION BY THE CITY, AT THE RATE OF \$0.818875 PER \$100 OF TAXABLE VALUE OF SAID PROPERTY. THE TAX RATE CONSISTS OF TWO COMPONENTS, EACH WHICH ARE SEPARATELY APPROVED BY COUNCIL: A. FOR GENERAL PURPOSES: \$0.562409 PER \$100 OF TAXABLE VALUE, THE RATE THAT, IF APPLIED TO THE TOTAL TAXABLE VALUE, WILL IMPOSE THE AMOUNT OF TAXES NEEDED TO FUND MAINTENANCE AND OPERATION EXPENDITURES OF THE CITY FOR THE COMING YEAR. B. FOR SPECIAL PURPOSES: \$0.256466 PER \$100 OF TAXABLE VALUE, THE RATE THAT, IF APPLIED TO THE TOTAL TAXABLE VALUE, WILL IMPOSE THE TOTAL AMOUNT PUBLISHED UNDER SECTION 26.04(E)(3)(C) OF THE TEXAS PROPERTY TAX CODE (TAX CODE). CITY OF EL PASO ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 0.82 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-22.86. THIS YEAR'S ADOPTED TAX RATE DOES NOT EXCEED THE NO-NEW REVENUE TAX RATE. SECTION 2: OCCUPATIONAL TAX: THERE IS HEREBY LEVIED ON EVERY PERSON, FIRM, ASSOCIATION OR CORPORATION PURSUING WITHIN THE LIMITS OF THE CITY OF EL PASO ANY OCCUPATION TAXES BY THE STATE OF TEXAS AS AUTHORIZED BY CITY COUNCIL AN ANNUAL TAX EQUAL TO ONE-HALF OF THE OCCUPATION TAX LEVIED BY THE STATE OF TEXAS.**

Mayor Leeser commented.

Mr. Cary Westin, Interim City Manager, commented.

This year's proposed tax rate does not exceed the no-new-revenue tax rate.

Motion duly made by Mayor Pro Tempore Annello, seconded by Representative Kennedy, and carried to **ADOPT** a tax rate of **\$0.818875** and that the Ordinance be **ADOPTED, AS AMENDED**.

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, Annello, Hernandez, Molinar, Fierro, Rivera and Canales
NAYS: None
ABSENT: Representative Salcido

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

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REGULAR AGENDA – OTHER BIDS, COTNRACTS, PROCUREMENTS:
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Goal 2: Set the Standard for a Safe and Secure City
.....

- 28.** Motion made by Representative Rivera, seconded by Representative Annello, and unanimously carried to **AWARD** Solicitation No. 2023-0220 Oxygen Cylinders-Rental, Refill, and Delivery to Syoxsa, Inc., for an initial three (3) year term for an estimated amount of \$328,663.50. The award also includes a one (1), two (2) year option for an estimated amount of \$219,109.00. The total value of the contract is, including the initial term plus the option, for a total of five (5) years, for an estimated amount of \$547,772.50. This contract will allow oxygen to be administrated by first responders.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$127,164.75 for the initial term, which represents a 63.11% increase due to the annual quantity increasing and adding a new cylinder size. There is also an increase in the unit price per cylinder due to the current market conditions.

| | |
|-------------------------------|------------------------------------|
| Department: | Fire |
| Vendor: | Syoxsa, Inc. El Paso, TX |
| Item(s): | All |
| Term: | 3 Years |
| Option to Extend: | 2 Years |
| Annual Estimated Award: | \$ 109,554.50 |
| Initial Term Estimated Award: | \$ 328,663.50 (3 Years) |
| Total Estimated Award: | \$ 547,772.50 (5 Years) |
| Account No.: | 322 - 522250 - 1000 - 22090 -P2217 |
| Funding Source: | General Fund |
| District(s): | All |

This is a Low bid, unit price contract.

The Purchasing & Strategic Sourcing and Fire Departments recommend award as indicated to Syoxsa, Inc., the lowest responsive and responsible bidder and to deem Linde Gas & Equipment, Inc., non-responsive due to modifying the bid form. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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

ABSENT: Representative Salcido

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29. Motion made by Representative Fierro, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation 2023-0403 Fire Station 38 to EMJ Construction, LLC for a total estimated award of \$5,788,541.00. This contract will be used for the construction of the new Fire Station #38 will be located within a complex and adjacent to the Eastside Regional Command Center (ERCC) at 14301 Pebble Hills Boulevard.

Department: Capital Improvement
Award to: EMJ Construction, LLC
Chattanooga, TN
Item(s): All
Initial Term: 400 Consecutive Calendar days
Base Bid: \$5,788,541.00
Total Estimated Award: \$5,788,541.00
Funding Sources: 2019 Public Safety Bond
Accounts: 190-4820-29090-580270-PCP20FDSTATIO38
District(s): 5

This is a Competitive Sealed Proposal, Lump Sum Contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to EMJ Construction, LLC, the highest ranked offeror based on the evaluation criteria for this solicitation.

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.

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

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Fierro, Rivera, and Canales
NAYS: None
ABSENT: Representative Salcido

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30. Motion made by Representative Fierro, seconded by Representative Rivera, and unanimously carried to **AUTHORIZE** the Managing Director of Purchasing & Strategic Sourcing to issue a purchase order to the vendors indicated below, referencing Contract 2018-1411 Police Ordered and Non-Consent Towing of Motor Vehicles. This change order is to increase the contract by \$564,687.50 for a total amount not to exceed \$2,823,437.50. The change order is to cover the non-consent towing services for the El Paso Police Department through the remainder of the contract.

Contract Variance: No contract variance

Department: Police
Vendor #1: Sohle Express Towing, Inc El Paso, TX
Item(s): Group 1 - GVW 10,000 lbs. or less,
Group 1 - GVW 10,001 - 24,999 lbs. &
Group 1 - GVW 25,000 lbs. and over
El Paso, TX

Total Estimated Amount: \$112,937.50

Vendor #2: AD Wrecker Service, Inc. El Paso, TX
Item(s): Group 1 - GVW 10,000 lbs. or less,
Group 1 - GVW 10,001 - 24,999 lbs. &
Group 1 - GVW 25,000 lbs. and over
Total Estimated Amount: \$112,937.50

Vendor #3: Andrea Villarreal dba Kamel Towing El Paso, TX
Item(s): Group 1 - GVW 10,000 lbs. or less,
Group 1 - GVW 10,001 - 24,999 lbs.
Total Estimated Amount: \$112,937.50

Vendor #4: Raul Fernandez Jr. dba Dependable Towing El Paso, TX
Item(s): Group 1 - GVW 10,000 lbs. or less,
Group 1 - GVW 10,001 - 24,999 lbs.
Total Estimated Amount: \$112,937.50

Vendor #5: 3H Towing, LLC El Paso, TX
Item(s): Group 1 - GVW 10,000 lbs. or less
Total Estimated Amount: \$112,937.50

Total Amount: \$564,687.50 (5 Vendors)
Account No.: 321-21280-2811-522150
Founding Source: Municipal Vehicle Storage Facility
District(s): All

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

The following City staff members commented:

- Ms. Karla Nieman, City Attorney
- Assistant Police Chief Victor Zarur
- Mr. Cary Westin, Interim City Manager
- Ms. Nicole Cote, Office of Management and Budget and Purchasing and Strategic Sourcing Managing Director
- Ms. Paula Salas, Purchasing Agent

AYES: Representatives Kennedy, Anello, Hernandez, Molinar, Fierro, Rivera, and Canales
NAYS: None
ABSENT: Representative Salcido

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

31. Motion made by Mayor Pro Tempore Anello, seconded by Representative Molinar, and carried to **AWARD** Solicitation 2023-0498 Chelsea Pocket Park Construction to MARTINEZ BROS. CONTRACTORS, LLC for an estimated total award of \$967,883.61. The project will consist of but is not limited to the furnishing and installment of new concrete sidewalks, new concrete plaza with metal shelter 104’x30’, new benches, new picnic tables, new trash receptacles, new trees, new areas with screening, new lighting, new irrigation system, new park name and park rules signs, new pet waste dispensers, new bike rack, the resurfacing of existing parking lot, and repair of existing concrete sidewalks.

Department: Capital Improvement
 Award to: MARTINEZ BROS. CONTRACTORS, LLC
 El Paso, TX
 Item(s): All
 Initial Term: 240 Consecutive Calendar days
 Base Bid I: \$889,103.61
 Additive Alternate I: \$54,220.00
 Additive Alternate II: \$24,560.00
 Total Estimated Award: \$967,883.61
 Funding Sources: 2020 Capital Projects Fund
 Accounts: 190-4746-580270-38290-PCP20CHELSEADEM
 District(s): 2

This is a Low Bid procurement, Lump Sum contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to MARTINEZ BROS. CONTRACTORS, LLC, the lowest responsive and responsible bidder.

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

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

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

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32. Motion made by Representative Canales, seconded by Representative Molinar, and unanimously carried to **AUTHORIZE** the Managing Director of the Purchasing & Strategic Sourcing Department to issue Purchase Order(s) to Bibliotheca, LLC the sole distributor for Bibliotheca Service and Maintenance for Libraries Department for a term of three (3) years for an estimated amount of \$171,924.63 with the stipulation that the vendor provides an updated sole source letter and affidavit each year. This contract will allow the Libraries Department to purchase Bibliotheca's certified support and maintenance.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$33,368.53 for the initial term, on an annual basis which represents a 139.39% increase due to the opening of additional locations that were not in operation during the pandemic. Additionally, an increase of equipment installed in branches that require this contract.

Department: Libraries
 Vendor: Bibliotheca. LLC

Total Estimated Award: Norcross, GA
\$171,924.63
Account No.: 522020-453-1000-53000-P1506
Funding Source: General Fund
District(s): All
Reference No. 2023-0453

This is a Sole Source service contract.

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Fierro, Rivera, and Canales
NAYS: None
ABSENT: Representative Salcido

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

33. RESOLUTION

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. HNTB Corporation
3. Huitt - Zollars, Inc.

Each On-Call Agreement will be for an amount not to exceed Five Hundred Thousand and No/00 Dollars (\$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 Fifty Thousand and No/100 Dollars (\$50,000.00) and authorization for the City Engineer to approve Additional Services for an amount not to exceed Fifty Thousand and No/100 Dollars (\$50,000.00) if the identified services are necessary for proper execution of identified project and if the increased amounts are within the appropriate budget identified for a project. In addition, the City Manager 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 Mayor Pro Tempore Annello, seconded by Representative Fierro, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Fierro, Rivera, and Canales
NAYS: None
ABSENT: Representative Salcido

34. RESOLUTION

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 civil engineering services on a task by task basis by and between the by City of El Paso and each of the following three (3) consultants:

1. AECOM Technical Services, Inc.

2. CEA Engineering Group, Inc.
3. GRV Integrated Engineering Solutions, LLC

Each On-Call Agreement will be for an amount not to exceed \$750,000.00, 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 Annello, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Fierro, Rivera, and Canales
 NAYS: None
 ABSENT: Representative Salcido

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Goal 8: Enhance and Sustain El Paso’s Infrastructure Network

35. Motion made by Representative Canales, seconded by Representative Molinar, and unanimously carried to **AUTHORIZE** the Managing Director of the Purchasing & Strategic Sourcing Department to issue Purchase Order(s) to Wagner Equipment Co. dba Wagner Power Systems the sole distributor for the CAT Certified Rebuild of Compactor - Landfill for Environmental Services Department for a one-time purchase for an estimated amount of \$846,461.98. This contract will allow the Environmental Services Department to purchase the rebuilding of compactor unit number 12118 at the Greater El Paso Landfill.

Contract Variance:
 The difference based in comparison to a previous contract is as follows: An increase of \$191,532.02 for a similar compactor rebuild, which represents a 29.24% increase due to additional parts being used and current market conditions of raw material.

| | |
|------------------------|---|
| Department: | Environmental Services |
| Vendor: | Wagner Equipment Co. dba Wagner Power Systems Aurora, CO |
| Total Estimated Award: | \$846,461.98 |
| Account No.: | 334-34130-P3470-3150-PESD00230-580290 |
| Funding Source: | ESD Capital |
| District(s): | All |
| Reference No. | 2023-0571 |

This is a Sole Source service contract.

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Fierro, Rivera, and Canales
 NAYS: None
 ABSENT: Representative Salcido

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REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:

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

36.

ORDINANCE 019532

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.85 (PARKING VIOLATIONS BUREAU), TO AMEND SECTION 12.85.010 (PARKING VIOLATIONS BUREAU ESTABLISHED), SECTION 12.85.020 (HEARING OFFICERS), SECTION 12.85.030 (PARKING CITATIONS); TO UPDATE LANGUAGE TO CURRENT USAGE; TO ALLOW SUBSTITUTE ASSOCIATE MUNICIPAL JUDGES TO SERVE AS HEARING OFFICERS; AND TO ALLOW COMMISSIONED OFFICERS HIRED BY INDEPENDENT SCHOOL DISTRICTS WITHIN THE CITY LIMIT TO ISSUE PARKING CITATIONS; THE PENALTY BEING PROVIDED IN CHAPTER 12.84.010 OF THE EL PASO CITY CODE.**

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

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

- AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Fierro, Rivera, and Canales
- NAYS: None
- ABSENT: Representative Salcido

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

37.

ORDINANCE 019533

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 10 (PUBLIC PEACE, MORALS AND WELFARE), CHAPTER 10.20 (OFFENSES BY OR AGAINST MINORS) OF THE EL PASO CITY CODE TO REMOVE CURFEW ORDINANCE PROVISIONS LOCATED IN SECTIONS 10.20.010 THROUGH 10.20.054.**

Mayor Leeser and Representative Canales commented.

Motion duly made by Mayor Pro Tempore Annello, seconded by Representative Molinar, and carried that the Ordinance be **ADOPTED**.

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

- AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Fierro, Rivera, and Canales
- NAYS: None
- ABSENT: Representative Salcido

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

NOTE: Mayor Leeser filed a veto in the City Clerk’s Office on August 17, 2023.

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

38.

ORDINANCE 019534

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A DEED AND ANY OTHER DOCUMENTS NECESSARY TO CONVEY APPROXIMATELY 37.9194 ACRES OF LAND SITUATED IN PORTIONS OF SECTIONS 21,**

28, AND 29, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

Motion duly made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Annello, 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, Annello, Molinar, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Salcido

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

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REGULAR AGENDA – OTHER BUSINESS:
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Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
.....

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

That the City Manager be authorized to sign a First Amendment to that certain Subrecipient Agreement (“Agreement”) for the establishment and administration of the City of El Paso Small Business Grant and Interest Buy-Down Program by and between City of El Paso, a Municipal Corporation organized and existing under the laws of the State of Texas (the “City”), and LiftFund Inc., a Texas non-profit organization (“LiftFund”; “Sub-Recipient”; or “Contractor”) increasing the Funding Amount by \$605,000 to a total of \$3,105,000.

Ms. Liliane Spence, LiftFund Grants, Programs, and Operations Manager, commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Salcido

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

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

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

WHEREAS, the City desires to enter into a Subrecipient Agreement with **PEOPLETUND**, a Texas 501(c)(3) non-profit Community Development Financial Institution, whereby **PEOPLETUND** will provide expanded access to capital and business education programing in El Paso; and

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

WHEREAS, the City's expenditure under this Subrecipient Agreement is related to the provision of grants to address business interruptions to affected small businesses caused by the ramifications of the COVID-19 pandemic.

Ms. Jenny Palecek, Peoplefund Chief Financial Officer, commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Salcido

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Goal 7: Enhance and Sustain El Paso's Infrastructure Network
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41.

R E S O L U T I O N

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

THAT the City Manager, or designee, be authorized to sign an Advance Funding Agreement by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the design and construction of the Transportation Alternatives Set-Aside (TASA) Program grant improvements McRae (FM 2316) Shared Use Path Montwood to Album Phase 1, which has an estimated total project cost of \$3,080,099.00 of which the estimated local government participation amount is estimated at \$1,125,001.80 plus any cost overruns. Further, that the City Manager, or designee, is authorized to sign all documents, agreement amendments, and perform all actions required to carry out the obligations of the City under this agreement.

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

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

NAYS: None

ABSENT: Representative Salcido

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42. ITEM: Discussion and action on Trails and Trailheads, to include deprogramming two proposed trails "Ellis Lateral Connection Trail" and "Carolina to Emerson Trail"; transferring funds in the amount of \$537,141.68 from deprogrammed trails to "Rio Grande Trail North"; and moving forward with a feasibility study of Avispa Canyon as the proposed route for the "Mountain to River Trail".

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

The following City staff members commented:

- Ms. Yvette Hernandez, City Engineer
- Mr. Sam Rodriguez, Chief Operations Officer
- Mr. Kevin Smith, Planning and inspections Assistant Manager
- Mr. Cary Westin, Interim City Manager

The following members of the public commented:

1. Mr. Rick Bonart
2. Mr. Joe Garibay

Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Annello, and unanimously carried to **DELETE** the item.

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

NAYS: None

ABSENT: Representative Salcido

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ADJOURN
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Motion made by Representative Rivera, seconded by Representative Fierro, and unanimously carried to **ADJOURN** this meeting at 12:48 p.m.

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

NAYS: None

ABSENT: Representative Salcido

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk