OSCAR LEESER
MAYOR

TOMMY GONZALEZ
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

February 28, 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 9:06 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Brian Kennedy, Alexsandra Annello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Art Fierro, Henry Rivera, and Chris Canales.

INVOCATION BY EL PASO POLICE CHAPLAIN RABBI LEVI GREENBERG

PLEDGE OF ALLEGIANCE

Immanuel Christian School

Mia Dominguez
Vincent Puga
Chris Muñoz
Hannah Campos
Breanna Eldridge
Grace Johnson
Jonathon Muñoz
Juan Guerrero
Matthew Aguila
Israel Molina
Camilla Guerrero

MAYOR'S PROCLAMATIONS

Women's History Month in the City of El Paso

Women in Construction Week

Developmental Disabilities Awareness Month

The Regular City Council meeting was **RECESSED** at 9:58 a.m. in order to take photos with the honorees and convene the Mass Transit Board Meeting.

The Regular City Council meeting was **RECONVENED** at 10:15 a.m.

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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 Salcido, Fierro, Rivera, and Canales
NAYS: None

……..…….

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 Regular City Council Meeting of January 31, 2023, the Agenda Review Meeting of February 6, 2023, and the Regular City Council Meeting of February 7, 2023, the Work Session of February 14, 2022 and the Special City Council Meeting of July 6, 2021.

……..…….

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 1: Set the Standard for Sound Governance and Fiscal Management

……..

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

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

That the City Manager, or designee, be authorized to sign an Underground Electrical and Transformer Pad Easement, granting an easement to the El Paso Electric Company to provide electrical power to property located near Walter Jones Boulevard and George Perry Boulevard, legally described as a 0.1155-acre portion of Section 22, Block 80, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas.

……..

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

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

That the Director of Aviation is authorized to sign a Concession License Agreement between the City of El Paso ("City") and SWYFT ("Concessionaire") to allow Concessionaire to operate automated retail machines at the El Paso International Airport, with Concessionaire's payment to the City being the greater of an amount based on the square footage of the concession site or a percentage of the revenues derived from the automated retail machines, for a one year term, with an option to renew the Agreement for two additional one-year terms.

……..

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

……

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

WHEREAS, the City of El Paso (the "City") is eligible to apply for grants through the Homeland Security Grant Division of the Office of the Governor of the State of Texas ("HSGD"); and

WHEREAS, the El Paso City Council seeks to receive grant funding through the HSGD grant/application number 4746701 for the El Paso Police Department project identified as "SHSP NPA" and

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

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

1. THAT, the El Paso City Council authorizes the submission to the Office of the Governor of the State of Texas, Homeland Security Grant Division, grant application number 4746701, for the City of El Paso Police Department project identified as "SHSP NPA" to provide financial assistance to the City of El Paso.

2. THAT, the City of El Paso shall provide all matching funds for said grant, if applicable.

3. THAT, the City Manager or designee is authorized to apply for, accept, reject, alter, and/or terminate said grant.

4. THAT, the City Council agrees that in the event of loss or misuse of said grant funds, the City of El Paso will return all funds for said grant to the State of Texas Office of the Governor, Homeland Security Grant Division.

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

……

Goal 3: Promote the Visual Image of El Paso

……

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

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 $480.50, 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 21st day of December, 2021, 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 EIGHTY AND 50/100 DOLLARS ($480.50) 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, HERNANDEZ VICENTE & REFUGIO & 1, 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:

6113 Delta Dr, more particularly described as Lot 12, Block 9, Parkdale Subdivision, City of El Paso, El Paso County, Texas, PID #P405-999-0090-8100

to be $333.50, 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 24th day of November, 2021, 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 THIRTY THREE AND 50/100 DOLLARS ($333.50) 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 Lot 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 $386.00, 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 13th day of December, 2021, 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 EIGHTY SIX AND 00/100 DOLLARS ($386.00) 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, MONCADA GUADALUPE, 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:

206 Wooldridge Dr, more particularly described as Lot 17, Block 3, Ramona Place Subdivision, City of El Paso, El Paso County, Texas, PID #R155-999-0030-8100

to be $700.00, 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 6th day of December, 2021, 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 AND 00/100 DOLLARS ($700.00) 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, JAIME JUAN C & DE GUADALUPE G G, 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:

207 Ramona Ave, more particularly described as Lot 4 (7800 Sq Ft), Block 6, Ramona Place Subdivision, City of El Paso, El Paso County, Texas, PID #R155-999-0060-1300

to be $309.00, 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 23rd day of November, 2021, 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 NINE AND 00/100 DOLLARS ($309.00) 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, HOLGUIN ARMANDO, 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:

512 Emerson St, more particularly described as Lot 16 (Exc W 10.01 Ft) (18023.94 Sq Ft), Block 3, Linda Vista Gardens Subdivision, City of El Paso, El Paso County, Texas, PID #L362-999-0030-6100

to be $1326.50, 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 10th day of December, 2021, 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 THOUSAND THREE HUNDRED TWENTY SIX AND

50/100 DOLLARS ($1326.50) 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, TARANGO EUGENIO 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:

7739 Adobe Dr, more particularly described as Lot Tr 2 (5289.00 Sq Ft), Block , Adobe Court Subdivision, City of El Paso, El Paso County, Texas, PID #A169-999-0010-0600

to be $483.00, 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 21st day of October, 2021, 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 EIGHTY THREE AND 00/100 DOLLARS ($483.00) 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, LYLES SANDY C, 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:

11149 Quintana Dr, more particularly described as Lot REPLAT A E 2.0 FT OF 33 & W 59.80 FT OF 32 (6489.00 SQ FT), Block 85, Pebble Hills #10 Subdivision, City of El Paso, El Paso County, Texas, PID #P654-999-0850-6300

to be $481.50, 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 December, 2021, 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 EIGHTY ONE AND 50/100 DOLLARS ($481.50) 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, OAXACA JOSE 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:

136 Red Robin Dr, more particularly described as Lot Tr 27 (6095 Sq Ft), Block , Lakeside #1 Subdivision, City of El Paso, El Paso County, Texas, PID #L144-999-0010-5300

to be $337.00, 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 22nd day of December, 2021, 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 THIRTY SEVEN AND 00/100 DOLLARS ($337.00) 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, SOSA TONY B & SOUNTHONE 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:

10461 Canyon Sage Dr, more particularly described as Lot 39 (5314.32 Sq Ft), Block 1, Summerlin Subdivision, City of El Paso, El Paso County, Texas, PID #S782-999-0010-0390

to be $387.50, 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 7th day of September, 2021, 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 EIGHTY SEVEN AND 50/100 DOLLARS ($387.50) 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, MOON SAMIE J JR & ROSANNE S, 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:

6261 Toucan Ct, more particularly described as Lot 14 (5044.00 Sq Ft), Block 6, Falcon Heights Subdivision, City of El Paso, El Paso County, Texas, PID #F170-999-0060-1400

to be $339.00, 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 21st day of December, 2021, 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 THIRTY NINE AND 00/100 DOLLARS ($339.00) 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, GARARD GWENDOLYN A, 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:

9209 Mount Olympus Dr, more particularly described as Lot 20, Block 14, Tobin Park #1 Subdivision, City of El Paso, El Paso County, Texas, PID #T527-999-0140-7700

to be $404.00, 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 14th day of September, 2021, 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 FOUR AND 00/100 DOLLARS ($404.00) 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, MARROQUIN VITALIA F, 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:

1053 Christy Ave, more particularly described as Lot 14 (5650 Sq Ft), Block 3, Alto Terrace 2nd Replat Subdivision, City of El Paso, El Paso County, Texas, PID #A496-999-0030-2700

to be $336.50, 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 15th day of February, 2022, 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 THIRTY SIX AND 50/100 DOLLARS ($336.50) 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, DE RAPHAEL MARIA D M, 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:

8000 Porche St, more particularly described as Lot 13, Block 25, Thomas Manor Subdivision, City of El Paso, El Paso County, Texas, PID #T240-999-0250-2500

to be $459.50, 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 21st day of December, 2021, 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 NINE AND 50/100 DOLLARS ($459.50) 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.

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

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7. *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 be authorized to sign the Third Amendment to the License Agreement, by and between the City of El Paso, a municipal corporation (the "City") and the El Paso Zoological Society, a Texas non-profit corporation (the "Society"), which was originally entered on December 18, 2012, and extended by 3 months on December 6, 2022, for the purpose of extending by one more year to end on March 17, 2024

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

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

WHEREAS, pursuant to Section 33.011(a)(1) of the Tax Code, the governing body of a taxing unit shall waive penalties and may provide for the waiver of interest on a delinquent tax in an act or omission of an officer, employee, or agent of the taxing unit or appraisal district in which the taxing unit participates caused or resulted in the taxpayer's failure to pay the tax before delinquency and if the tax is paid not later than the 21st day after the taxpayer knows or should know or should know of the delinquency; and

WHEREAS, pursuant to Section 33.011(d) a request for waiver of penalties and interest pursuant to Section 33.011(a)(1) must be made before the 181st day after the delinquency date; and

WHEREAS, pursuant to Section 33.011(d) of the Tax Code, taxpayer, FERNANDO URBINA ("Taxpayer") requested a waiver of penalties and interest on February 6, 2023, before the 181st day after the delinquency date, in the amount of $282.25 for the 2022 delinquent taxes for the property with the following legal description: LOT 7, BLOCK 6 VALLE ENCANTADO

WHEREAS, the Taxpayer paid the taxes owed on the property on February 10, 2023, which is not later than the 21st day after the date the taxpayer knew or should have known of the delinquency; and

WHEREAS, the Taxpayer's failure to pay the tax before the delinquency date was a result of an act or omission of the appraisal district.

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

THAT the Taxpayer, FERNANDO URBINA, has met the requirements of Section 33.011 of the Tax Code for the request of waiver of penalties and interest and the City waives the penalty and interest amount on the 2022 delinquent taxes pursuant to Section 33.011(a)(1) of the Tax Code in the amount of $282.25, for the property with the following legal description:

LOT 7, BLOCK 6 VALLE ENCANTADO

……..

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

WHEREAS, pursuant to Section 33.011(a)(1) of the Tax Code, the governing body of a taxing unit shall waive penalties and may provide for the waiver of interest on a delinquent tax in an act or omission of an officer, employee, or agent of the taxing unit or appraisal district in which the taxing unit participates caused or resulted in the taxpayer's failure to pay the tax before delinquency and if the tax is paid not later than the 21st day after the taxpayer knows or should know or should know of the delinquency; and

WHEREAS, pursuant to Section 33.011(d) a request for waiver of penalties and interest pursuant to Section 33.011(a)(1) must be made before the 181st day after the delinquency date; and

WHEREAS, pursuant to Section 33.011(d) of the Tax Code, taxpayer, QUIJANO DORIS E ("Taxpayer") requested a waiver of penalties and interest on February 6, 2023, before the 181st day after the delinquency date, in the amount of $445.33 for the 2022 delinquent taxes for the property with the following legal description: BLK 4 MISSION RIDGE #1 LOT 10

WHEREAS, the Taxpayer paid the taxes owed on the property on February 3, 2023, which is not later than the 21st day after the date the taxpayer knew or should have known of the delinquency; and

WHEREAS, the Taxpayer's failure to pay the tax before the delinquency date was a result of an act or omission of an agent of the taxing unit.

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

THAT the Taxpayer, QUIJANO DORIS E, has met the requirements of Section 33.011 of the Tax Code for the request of waiver of penalties and interest and the City waives the penalty and interest amount on the 2022 delinquent taxes pursuant to Section 33.011(a)(1) of the Tax Code in the amount of $445.33, for the property with the following legal description:
BLK 4 MISSION RIDGE #1 LOT 10

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

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10. ***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 Playa Drain Shared Use Path from Padilla to Zaragoza project, which has an estimated total project cost of $1,706,311.00 of which the estimated local government participation amount is estimated at $327,780.00; 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.

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CONSENT AGENDA – BOARD RE-APPOINTMENTS:

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Goal 3: Promote the Visual Image of El Paso

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11. *Motion made, seconded, and unanimously carried to **RE-APPOINT** Janet Fortune as a Regular Member to the Zoning Board of Adjustment by Representative Chris Canales, District 8.

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CONSENT AGENDA – BOARD APPOINTMENTS:

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Goal 3: Promote the Visual Image of El Paso

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12. *Motion made, seconded, and unanimously carried to **APPOINT** Ken Gorski to the City Plan Commission by Representative Joe Molinar, District 4.

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13. *Motion made, seconded, and unanimously carried to **APPOINT** Sylvia Y. Acosta to the Capital Improvements Advisory Committee by Mayor Oscar Leeser.

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14. *Motion made, seconded, and unanimously carried to **APPOINT** Louis Edwards as an Alternate Member to the Zoning Board of Adjustment by Representative Chris Canales, District 8

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15. *Motion made, seconded, and unanimously carried to **APPOINT** Brandon Carrillo to the City Plan Commission by Representative Chris Canales, District 8.

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CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS

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

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

1. Excel Manufacturing, in the amount of $2,937.54 made an overpayment on January 20, 2023 of 2022 taxes. (Geo. #19PP-999-9592-7042)

2. Nina Jinadasa, in the amount of $11,787.39 made an overpayment on January 25, 2023 of 2022 taxes. (Geo. #22PP-999-5313-8050)

3. Vistacon II LLC, in the amount of $9,676.51 made an overpayment on January 27, 2023 of 2022 taxes. (Geo. #0821-999-1221-0034)

4. Big Boy Concessions, Inc, in the amount of $3,087.62 made an overpayment on January 31, 2023 of 2022 taxes. (Geo. #B202-999-0510-7300)

5. Leticia Duran, in the amount of $7,037.54 made an overpayment on January 30, 2023 of 2022 taxes. (Geo. #C110-000-0040-0300)

6. Sergio Arredondo, in the amount of $4,505.13 made an overpayment on January 24, 2023 of 2022 taxes. (Geo. #C231-999-0280-6850)

7. Johnny Quezada, in the amount of $4,419.02 made an overpayment on January 30, 2023 of 2022 taxes. (Geo. #C454-999-0060-4500)

8. Carlos & Delfina Hernandez, in the amount of $4,310.59 made an overpayment on December 30, 2022 of 2022 taxes. (Geo. #C675-999-0010-6900)

9. Vistacon II LLC, in the amount of $7,298.61 made an overpayment on January 27, 2023 of 2022 taxes. (Geo. #C801-999-0130-1900)

10. Vistacon II LLC, in the amount of $7,298.61 made an overpayment on January 27, 2023 of 2022 taxes. (Geo. #C801-999-0130-1900)

11. Bain Enterprises LLC, in the amount of $3,000.00 made an overpayment on January 27, 2023 of 2022 taxes. (Geo. #C875-999-0010-1900)

12. Jose & Luis Solorzano, in the amount of $2,504.86 made an overpayment on January 28, 2023 of 2022 taxes. (Geo. #D322-000-0270-1650)

13. Excel Manufacturing, in the amount of $2,984.31 made an overpayment on January 20, 2023 of 2022 taxes. (Geo. #E014-999-0270-6100)

14. Celia Gamez, in the amount of $4,792.83 made an overpayment on January 27, 2023 of 2022 taxes. (Geo. #E054-999-0310-4000)

15. Celia Gamez, in the amount of $4,792.83 made an overpayment on January 28, 2023 of 2022 taxes. (Geo. #E054-999-0310-4000)

16. Bryan Watson, in the amount of $3,457.58 made an overpayment on May 16, 2022 of 1998- 2021 taxes. (Geo. #F409-000-0120-0290)

17. Sergio Arredondo, in the amount of $5,330.70 made an overpayment on January 24, 2023 of 2022 taxes. (Geo. #H453-999-1350-0600)

18. Rigoberto Flores, in the amount of $3,287.69 made an overpayment on January 24, 2023 of 2022 taxes. (Geo. #H752-004-0280-0080)

19. Jose Bernardo Soto/ Maria Guadalupe Soto, in the amount of $7,509.44 made an overpayment on January 31, 2023 of 2022 taxes. (Geo. #H791-005-0050-2070)

20. Cecilia G. Garza, in the amount of $18,416.30 made an overpayment on January 31, 2023 of 2022 taxes. (Geo. #L777-999-0030-1300)

21. Celia Gamez, in the amount of $6,013.03 made an overpayment on January 27, 2023 of 2022 taxes. (Geo. #M473-999-0330-2100)

22. Celia Gamez, in the amount of $6,013.03 made an overpayment on January 28, 2023 of 2022 taxes. (Geo. #M473-999-0330-2100)

23. Menchaca Lorenzo Jr & Rita, in the amount of $6,201.62 made an overpayment on January 31, 2023 of 2022 taxes. (Geo. #M576-999-0120-0100)

24. Arnaldo Gallardo, in the amount of $6,167.77 made an overpayment on January 31, 2023 of 2022 taxes. (Geo. #M718-999-0000-4805)

25. Cesar Rejino, in the amount of $4,559.65 made an overpayment on January 31, 2023 of 2022 taxes. (Geo. #P654-999-1280-1100)

26. Lilly Beth LLC, in the amount of $3,144.54 made an overpayment on January 31, 2023 of 2022 taxes. (Geo. #P863-999-0320-0900)

27. Texstar Escrow, in the amount of $4,720.76 made an overpayment on January 31, 2023 of 2022 taxes. (Geo. #Q550-999-0020-0900)

28. Jean F. Moore, in the amount of $3,312.04 made an overpayment on February 01, 2023 of 2022 taxes. (Geo. #S161-999-0020-9800)

29. Vistacon II LLC, in the amount of $17,849.60 made an overpayment on January 27, 2023 of 2022 taxes. (Geo. #S490-999-0040-1200)

30. George Palmer, in the amount of $2,879.17 made an overpayment on January 19, 2023 of 2022 taxes. (Geo. #S541-999-0100-0500)

31. Sunil/ Priti Patel, in the amount of $13,512.02 made an overpayment on January 17, 2023 of 2022 taxes. (Geo. #S690-999-0010-0500)

32. Corelogic, in the amount of $7,559.20 made an overpayment on December 20, 2022 of 2022 taxes. (Geo. #T200-004-0590-1600)

33. CoreLogic, in the amount of $5,482.91 made an overpayment on December 20, 2022 of 2022 taxes. (Geo. #T200-004-0610-1200)

34. Vistacon II LLC, in the amount of $5,257.30 made an overpayment on January 27, 2023 of 2022 taxes. (Geo. #T240-999-0200-3300)

35. Vistacon II LLC, in the amount of $5,257.30 made an overpayment on January 27, 2023 of 2022 taxes. (Geo. #T240-999-0200-3300)

36. Vistacon II LLC, in the amount of $5,257.30 made an overpayment on January 27, 2023 of 2022 taxes. (Geo. #T240-999-0200-3300)

37. CO3 Investments LLC, in the amount of $11,044.25 made an overpayment on January 30, 2023 of 2022 taxes. (Geo. #T707-999-0020-0100)

38. Veronica J. Medina, in the amount of $4,012.69 made an overpayment on January 30, 2023 of 2022 taxes. (Geo. #U819-000-0174-0150)

39. Rebecca Davis, in the amount of $3,855.05 made an overpayment on January 30, 2023 of 2022 taxes. (Geo. #V893-999-0170-4900)

40. Robert Minnie, in the amount of $2,892.56 made an overpayment on January 10, 2023 of 2022 taxes. (Geo. #V893-999-0180-1100)

41. Huntsman Holding, LLC, in the amount of $5,975.12 made an overpayment on January 11, 2023 of 2022 taxes. (Geo. #W146-999-0010-0160)

42. El Paso Associates, in the amount of $5,311.46 made an overpayment on December 20, 2022 of 2022 taxes. (Geo. #X213-999-0000-4536)

43. CO3 Investments LLC, in the amount of $24,392.98 made an overpayment on January 30, 2023 of 2022 taxes. (Geo. #X239-999-0000-5A00)

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CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS

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

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17. *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 Chris Canales in the amounts of $1,000.00 from Douglas Schwartz; $1,000.00 from Robert Foster; and $1,000.00 from Scott Schwartz.

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CONSENT AGENDA – REQUEST TO ISSUE PURCHASE ORDERS

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

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18. *Motion made, seconded, and unanimously carried to **APPROVE** Change Order in the amount of $100,993.80 and an addition of 28 Calendar days to Dantex General Contractors, Inc. for Fire Station 19 Building Renovations Contract 2022-0337. The increase is for the cost associated with replacement of the existing metal roof deck.

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REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL

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

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ITEMS 19, 20, AND 28 WERE TAKEN TOGETHER

19. Discussion and action to direct the City Manager to provide information of any steps the City of El Paso has taken in preparation for an upcoming migrant surge as a result of the end of the national emergency and public health emergency declarations on May 11, 2023, related to the COVID-19 pandemic; to include the potential financial impact that will have on the City of El Paso.

20. Discussion and action to direct the City Manager to provide a public safety plan the City of El Paso has taken in preparation for an upcoming migrant surge as a result of the end of the national emergency and public health declarations on May 11, 2023 related to COVID-19 pandemic; specifically for neighborhoods and businesses near the border and to protect drivers from migrants/pedestrians crossing the Border Highway.

Representative Rivera commented.

Motion made by Representative Rivera, seconded by Representative Hernandez, and unanimously carried to **APPROVE** the items.

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

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Goal 3: Promote the Visual Image of El Paso

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

WHEREAS, Walburga “Wally” Cech grew up in Augsburg, Germany during World War II, where she met her husband Johnny Cech, an American soldier whom she married in 1948.

WHEREAS, While Mrs. Cech’s husband was stationed at Fort Bliss in 1952, she began learning English using a dictionary, magazines and newspapers and commenced her writing journey.

WHEREAS, Mrs. Cech self-published her books in El Paso, Texas describing her memories of Hitler and the Nazis marching into her town of Augsburg, Germany upending her life and changing history. She produced four books, "Auf Wiedersehen" published in 1964, "The Lost Years - Volume II came in 1971, "Auf Wiedersehen Brings Happiness - Volume III" and "Auf Wiedersehen Hope and Joy - Volume IV" were published in 2022.

WHEREAS, In 1963, in his last visit to El Paso before his assassination, Mrs. Cech gave President John F. Kennedy two dozen roses in honor of El Pasoans.

WHEREAS, In 1967, Mrs. Cech opened and ran the Happy Bavarian Restaurant for 17 years and in 1971 it was named in Texas Monthly magazine, and she received the Yellow Rose of Texas Award.

WHEREAS, While Mrs**.** Cech retired from the restaurant business in 1985 she has remained an activist throughout her life, serving on the Renaissance 400 Committee to revitalize Downtown El Paso in the 1980's and as a part of Keep El Paso Beautiful helping store managers clean up their storefronts.

WHEREAS, Mrs. Cech has received several public commendations including from the late Mayor Jonathan Rogers, from Gen. James Maloney at Fort Bliss, and at the age of 82 she received the 2010 Frist Humanitarian Award for Volunteer of the Year for spending every Thursday at Del Sol Medical Center, working as an auxiliary volunteer.

WHEREAS, Mrs. Cech continues to be active and involved in current events, particularly at the local level so much so that she has attended over 361 El Paso City Council Meetings.

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

That the City Council recognize Ms. Wally Cech for her entrepreneurial ventures that has brought German culture and history to the Sun City, for her participation in initiatives to better El Paso and for her consistent and enthusiastic attendance at City Council Meetings.

Representative Hernandez read the resolution into the record and commented.

Mayor Leeser commented.

1ST MOTION
*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT** of the agenda.

2ND AND FINAL MOTION
Motion made by Representative Hernandez, seconded by Representative Rivera, and unanimously carried to **APPROVE** the Resolution.

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

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

WHEREAS, Chief Gregory K. Allen #646 was a graduate of the University of Texas at El Paso, where he earned a Bachelor of Arts degree in Sociology in 1975; and

WHEREAS, Chief Allen was involved in the study of martial arts for approximately 59 years; and

WHEREAS, Chief Allen joined the City of El Paso in 1978 as a police officer and during Chief Allen's tenure of over 44 years, he rose through the ranks as a Patrol Officer, Training Specialist at the Police Academy, Sergeant, Lieutenant, Deputy Chief, and Chief of Police; and

WHEREAS, Chief Allen served in several high-profile units of the Police Department including the Gang Task Force, SWAT, the Tactical Section, Auto Theft Task Force, and Commander of the Dignitary Protection Team; and

WHEREAS, during Chief Allen's tenure in the Tactical Section and SWAT, he served as a field officer as well as a supervisor, serving as the first and only supervisor of a full time SWAT Unit; and

WHEREAS, Chief Allen was appointed Chief of Police of the El Paso Police Department of El Paso, Texas on March 31, 2008; and

WHEREAS, Chief Allen fully supported the Police Department and its hard-working employees, who continue to provide service to the community, with the sincere belief that the street police officer is the most important person in the Police Department; and

WHEREAS, based on this philosophy, it is fitting that under his direction for the first time in the City's history, El Paso was named "The Safest Large City" in the United States for four consecutive years from 2010 to 2013 and one of the top ten safest cities in the United States for several years; and

WHEREAS, Chief Allen led generations of police officers through countless tragedies and law enforcement emergency responses within our community including the domestic terrorist attack on August 3, 2019; and

WHEREAS, in 2019, Texas Governor Abbott appointed Chief Allen to the Domestic Terrorism Task Force in the wake of the El Paso shooting to combat hateful acts and extremism in Texas; and

WHEREAS, the El Paso Police officers and the City of El Paso mourn the passing of Chief Allen on January 17, 2023; and

WHEREAS, Chief Allen is survived by his wife, Rosanne, and children Nicole, Joseph, Monique, and Christopher; and

WHEREAS, the City Council is in receipt of a petition signed by thousands of El Paso Police Officers, their family members, and the public seeking to name the current and new El Paso Police Headquarters after Police Chief Gregory K. Allen.

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

THAT the El Paso Police Department headquarters be named "Chief Gregory K. Allen El Paso Police Department Headquarters", and that the City Manager is authorized to make all necessary budget transfers for that purpose.

Representative Molinar read the resolution into the record and commented.

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

Interim Police Chief Peter Pacillas and Sergeant Victor Vela commented.

1ST MOTION
*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT** of the agenda.

2ND AND FINAL MOTION
Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Rivera, and unanimously carried to **APPROVE** the Resolution, **AS REVISED**.

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

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

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23. **ITEM:** Discussion and action on the Employment Agreement between the City of El Paso and the City Manager.

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

Ms. Karla Nieman, City Attorney, commented.

Ms. Lea Ream, outside counsel, commented.

The following members of the public commented:

1. Mr. Fainot Pierre, statement read into the record by the City Clerk
2. Ms. Jeanette Nevarez, statement read into the record by the City Clerk
3. Ms. Annette Flores, statement read into the record by the City Clerk
4. Former Mayor, Mr. John Cook
5. Ms. Ariana Valdez, statement read into the record by Rep. Molinar
6. Ms. Sylvia Acosta
7. Ms. Martina Santos, statement read into the record by the City Clerk
8. Ms. Sarahi Hernandez, statement read into the record by the City Clerk
9. Ms. Macie Block, statement read into the record by Rep. Hernandez
10. Mr. Jesus Reyes
11. Ms. Carol Cassady
12. Former Mayor, Mr. Dee Margo
13. Mr. Joshua Block, statement read into the record by the City Clerk
14. Ms. Barbara Valencia, statement read into the record by the City Clerk
15. Mr Jud Burgess
16. Mr. Arnulfo Hernandez
17. Mr. Juan Adame, statement read into the record by the City Clerk
18. Mr. Wesley Lawrence, statement read into the record by the City Clerk
19. Mr. Ron Comeau, statement read into the record by Rep. Molinar
20. Ms. Veronica Carbajal, , statement read into the record by the City Clerk
21. Ms. Lupe De La O
22. Mr. Dan Olivas

23. Mr. Enrique Rivas, statement read into the record by the City Clerk
24. Ms. Yuri Espinoza, statement read into the record by Rep. Molinar
25. Ms. Connie Romero, statement read into the record by Rep. Canales
26. Mr. Paul Thompson, statement read into the record by the City Clerk
27. Mr. Aurelio Valdez Jr.
28. Ms. Kerrie Holland, statement read into the record by the City Clerk
29. Ms. Carmen Rodriguez, statement read into the record by the City Clerk
30. Mr. Jose Alexandro Lozano
31. Mr. Edgar Pasqual, statement read into the record by the City Clerk
32. Ms. Sarita Martinez, statement read into the record by the City Clerk
33. Mr. Josh Simmons
34. Mr. Joe Rosales
35. Ms. Fabiola Campos-Lopez
36. Ms. Dora Oaxaca
37. Ms. Claudia Rodriguez, statement read into the record by the City Clerk
38. Ms. Tammy Avent

The following members of the public submitted statements to be included into the record:

39. Mr. Carlos “Charlie” Sanders
40. Mr. Juan Hernandez
41. Ms. Mary Silva
42. Ms. Cynthia Bernal
43. Mr. Gilbert Lara
44. Ms. Christina Barrett
45. Ms. Beatrice Pacheco
46. Mr. Tony Rodriguez

1ST MOTION
Motion made, seconded, and unanimously carried to **TABLE ITEM #23** to conduct the Call to the Public portion of the meeting.

2ND MOTION
Motion made, seconded, and unanimously carried to **TAKE ITEM #23 FROM THE TABLE.**

3RD MOTION
Motion made by Representative Hernandez, seconded by Representative Rivera, to **RETIRE INTO EXECUTIVE SESSION** to discuss Items #23 and #EX1.

AYES: Representatives Hernandez, Salcido, Rivera, and Canales
NAYS: Representatives Kennedy, Annello, Molinar, Fierro
Mayor Leeser broke the tie by voting “NAY”. **THE MOTION FAILED.**

4th MOTION
Motion made by Representative Hernandez, seconded by Representative Rivera, **RETIRE INTO EXECUTIVE SESSION** to discuss Item #23.

AYES: Representatives Hernandez, Salcido, Rivera, and Canales
NAYS: Representatives Kennedy, Annello, Molinar, Fierro
Mayor Leeser broke the tie by voting “NAY”. **THE MOTION FAILED.**

5TH MOTION
Motion made by Representative Rivera, seconded by Representative Hernandez, and carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 1:28 p.m. pursuant to Section

3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss item 23:

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.074 PERSONNEL MATTERS

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

6TH MOTION
Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the Executive Session at 2:36 p.m. and **RECONVENE** the meeting of the City Council at which time a motion was made:

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

7TH AND FINAL MOTION
Motion made by Representative Kennedy, seconded by Representative Molinar, and carried that:

1. The City exercise its option under 6.1(D) in the amended and restated City Manager employment agreement dated December 11, 2018, and authorize the Mayor to provide the City Manager with the required 120 days written notice of the City's intent to terminate his employment.

2. To terminate the City Manager's employment at the end of the required 120 day notification period.

3. Under Paragraph 9 in the October 7, 2022, second amendment to the Amended and Restated Employment Agreement, direct the City Attorney to draft the mutual release, previously agreed to and approved by the City Manager and City Council, which is required to be substantially in the form shown in Exhibit "A" of the second amendment.

AYES: Representatives Kennedy, Annello, Molinar, and Fierro
NAYS: Representatives Hernandez, Salcido, Rivera and Canales
Mayor Leeser broke the tie by voting "AYE". **THE MOTION PASSED.**

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

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24. R E S O L U T I O N

WHEREAS, the term for Mr. Joe Wardy, Position 1, on the on the Camino Real Regional Mobility Authority (CRRMA) Board expired on February 1, 2023; and

WHEREAS, in accordance with Section 370.251 of the Texas Transportation Code and the Resolution approved by the El Paso City Council on February 1, 2011, in the event of a vacancy, reappointment, or replacement, Board member nominations shall be solicited by the Mayor from City Council by written notice for a period of not less than two (2) weeks; and

WHEREAS, upon completion of this two-week period, the Mayor shall review all received recommendations as well as those identified by the Mayor; and

WHEREAS, the Mayor shall then make one (1) nomination for each position via presentation to the City Council at a City Council meeting and Council shall appoint a member for each open position by majority vote evidenced by City Council Resolution; and

WHEREAS, on January 12, 2023, the Mayor notified City Council in writing of the intent to appoint a Board member for Position 1 and provided an opportunity for Council members to provide recommendations for nominations by January 27, 2023; and

WHEREAS, the Mayor now nominates a candidate for appointment to CRRMA Board Position 1 in accordance with the appointment process outlined herein and presents the nomination at the City Council meeting on February 28, 2023; and

WHEREAS, the City now desires to make an appointment for CRRMA Board Position 1 in accordance with the appointment process outlined herein.

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

That the City of El Paso hereby appoints to the Camino Real Regional Mobility Authority Board Monica Lupita Perez for Position 1, whose term will take effect February 28, 2023 and whose term will expire on February 1, 2025.

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

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

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REGULAR AGENDA – OPERATIONAL FOCUS UPDATES

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

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25. Council PowerPoint presentation on Digital Video Recording System and Body Worn Cameras.

*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT** of the agenda and to revise the posting language to add the words "and Body Worn Cameras".

Police Assistant Chief Zina Silva presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representatives Kennedy, Annello, Hernandez, Molinar, Salcido, and Rivera commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO FURTHER ACTION was taken on this item.

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

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26. Presentation and discussion on the FY2021 Staffing for Adequate Fire & Emergency Response (SAFER) grant award of $4,105,192.14 to add 21 new entry-level firefighter positions.

Fire Assistant Chief Gustavo Tavarez, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Fierro commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

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27. Budget Update - Public Safety.

Ms. Nicole Cote, Managing Director of Office of Management and Budget and Purchasing and Strategic Sourcing, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Kennedy, Hernandez, Molinar, and Fierro commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

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REGULAR AGENDA – EMERGENCY ORDINANCE

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

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28. ORDINANCE 019441

AN EMERGENCY ORDINANCE EXTENDING EMERGENCY ORDINANCE NO. 019333 AUTHORIZING THE CITY MANAGER TO ASSIGN PERSONNEL AND RESOURCES TO ASSIST IN ADDRESSING THE HUMANITARIAN AND PUBLIC SAFETY CRISIS RESULTING FROM A MASS MIGRATION THROUGH EL PASO

WHEREAS, on May 23, 2022, the Mayor and City Council of the City of El Paso (the "City") passed an Emergency Ordinance No. 019333 "Authorizing the City Manager to Assign Personnel and Resources to Assist in Addressing the Humanitarian and Public Safety Crisis Resulting from a Mass Migration through the City of El Paso"; and

WHEREAS, thousands of migrants from Latin America gathered at or near the U.S.-Mexico border in hopes that President Biden will ease immigration restrictions that will make it easier to enter the United States; and

WHEREAS, on April 1, 2022, the Centers for Disease Control and Prevention ("CDC") announced the repeal of the Public Health Services Act, 42 U.S.C. §265 ("Title 42"), which was expected to allow for the inflow of migrants from the southern border; and

WHEREAS, federal litigation ensued to enjoin the CDC from repealing Title 42 on the intended date of May 23, 2022; and

WHEREAS, on June 30, 2022, a United States Supreme Court ruling allowed the President to end the Migrant Protection Protocols, which would allow for the inflow of migrants from the southern border; and

WHEREAS, Title 42 was struck down by a federal court with the parties agreeing that the injunction would end on December 21, 2022; and

WHEREAS, on December 27, 2022 the United States Supreme Court issued an order allowing the injunction to remain in place until further review of the case can be carried out; and

WHEREAS, the Biden administration has announced the end of the COVID-19 public health emergency on May 11, 2023 possibly ending all use of Title 42 as a mechanism to control the border; and

WHEREAS, the Southwest had 221,181 land border encounters in the month of December, 2022; and

WHEREAS, the El Paso sector of CBP had 55,747 land border encounters in the month of December, 2022 and a total of 162,603 encounters for federal fiscal year 2023; and

WHEREAS, in the month of February2023, approximately 1,500 migrants have been arriving weekly; and

WHEREAS, when the U.S. Customs and Border Protection's ("CBP") Central Processing Center is over capacity and NGO space is unavailable, that is when the potential for street releases arises; and

WHEREAS, CBP has released many migrants onto downtown streets leaving many migrants without shelter; and

WHEREAS, in response to the street releases, the El Paso City-County Office of Emergency Management ("OEM") reallocated twenty-nine COVID-19 Operations staff to assist as migrant shelter surge staff, and on May 17, 2022, this staff began orientation training at Casa del Refugiado, the NGO's largest hospitality site; and

WHEREAS, OEM has created a job specification, for general disaster operations to include humanitarian relief duties to hire and assign staff to assist with NGO capacity with over 40 staff currently assigned; and

WHEREAS, the El Paso City Charter Section 3.10, allows for the adoption of one or more emergency ordinances to meet a public emergency affecting life, health, property, or the public peace; and

WHEREAS, Section 121.003 of the Texas Health & Safety Code states that a municipality may enforce any law that is reasonably necessary to protect public health; and

WHEREAS, Section 122.006 of the Texas Health & Safety Code provides home-rule municipalities express authority to adopt rules to protect the health of persons in the municipality, including quarantine rules to protect the residents against communicable disease; and

WHEREAS, OEM continues to provide COVID-19 isolation and quarantine hotel support to migrant shelters, expanding operations when outbreaks occur in congregate shelter facilities; and

WHEREAS, OEM has provided isolation and quarantine services to over 2,708 migrants in close coordination with NGOs since April 2020; and

WHEREAS, beginning in late August 2022, the El Paso sector experienced a surge of over 2,000 migrants presenting themselves daily to CBP, primarily made up of unsponsored single adults from Venezuela, resulting in over 1,000 street releases by CBP; and

WHEREAS, due to this high volume, the number of refugees and asylum seekers released to the NGO and the City's Migrant Welcome Center, was over 1,000 on a daily basis; and

WHEREAS, on September 7, 2022, the City and OEM stood up a migrant Welcome Center to assist with transportation assistance providing services to over 19,300 migrants through October 20, 2022, and

WHEREAS, there were over 40,000 community releases to local NGOs and the City during this period; and

WHEREAS, the City's Welcome Center has sponsored 294 charter buses with 13,900 unsponsored migrants aboard to New York City and Chicago as final destinations; and

WHEREAS, Sun Metro buses have transported upwards of 4,800 migrants to the El Paso International Airport ("EPIA"), bus stations, the Welcome Center, and shelters; and

WHEREAS, the City has provided over 39,000 meals to migrants at the local facilities, and for travel aboard the outbound charter buses; and

WHEREAS, the release of mass groups of people without access to potable water, food, or shelter exposes the migrants and El Paso residents to the origination and spread of potential and actual disease; and

WHEREAS, in response to the number of migrants arriving at the border, on January 5, 2023, the Department of Homeland Security created a humanitarian parole program for migrants from Cuba, Haiti, and Nicaragua similar to the program already available to Venezuelans; and

WHEREAS, on January 8, 2023, President Biden visited the border to assess the situation in part because the number of migrants has gained the attention of the media and national leadership; and

WHEREAS, there are significant public safety and security concerns related to the wave of migration, including but not limited to the risk to injury or loss of life with migrants in El Paso streets with little or no resources on days that reach hot or cold temperatures and the inherent risks that come with increased demand on local shelters; and

WHEREAS, for these reasons, the City is faced with the imminent threat of widespread injury or loss of life resulting from a surge in transient migrants traveling to the region during an ongoing global pandemic; and

WHEREAS, there is the potential for loss of property for both residents and migrants due to those who would take financial advantage of this wave of migrants; and

WHEREAS, the Director of Aviation has the authority, as granted by the El Paso City Council, to manage the day-to-day operation of EPIA and to ensure that those operations are conducted in compliance with the rules and regulations regarding airports under Title 14 of the Code of Federal Regulations, Chapter 22 of the Texas Transportation Code, and Title 14 of the El Paso City Code, as well as federal, state, and local health and safety regulations to ensure the health, safety, and welfare of all occupants and travelers making use of EPIA facilities; and

WHEREAS, EPIA in recent past, became saturated with migrants awaiting air travel and could need to take measures to preserve the health and safety of its customers, employees and the public, as well as measures to secure its facilities as the demand for air travel increases exponentially; and

WHEREAS, the City of El Paso is home to 4 of the 28 international ports of entry between Texas and Mexico; and

WHEREAS, based on mass migration events in the recent past, the City anticipates significant delays at the international ports-of-entry to include trade; and

WHEREAS, the potential encampment of large groups of migrants on City rights of way, parks and other City property poses safety risks to migrants and citizens alike; and

WHEREAS, in awaiting the due support of the federal government, the City finds that the expenditure of public funds for staff to coordinate resources and supplies, serve as shelter surge staff and transport migrants released in the City of El Paso accomplishes a valid public purpose of protecting public infrastructure, and protecting the health, safety and welfare of the citizens of El Paso; and

WHEREAS, in order to protect the health of persons in the municipality, the City Council wishes to continue to assist the local NGO with surge staff, coordination of resources and supplies, and transportation in light of the continued high number of community releases; and

WHEREAS, OEM and the City will continue to prepare and evaluate the need for mass emergency sheltering in anticipation of the eventual repeal of Title 42 and other regional migration surges that may impact the El Paso region; and

WHEREAS, this Ordinance shall remain in effect until otherwise terminated, re-enacted, superseded by a conflicting ordinance, El Paso Local health Authority Ordinance, state or federal law, or repealed automatically as of the 31st day following the date on which it was adopted unless re-enacted pursuant to City Charter Section 3.10.

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

1. That the Emergency Ordinance No. 019333 passed and adopted by the City Council of the City of El Paso on May 23, 2022 is hereby re-enacted and shall continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by City Council, whichever is sooner.

2. This ordinance is adopted as an emergency measure with the unanimous vote of the City Council Representatives present and the consent of the Mayor and pursuant to City Charter Section 3.10.

Fire Chief Mario D'Agostino and Ms. Nicole Cote, Managing Director of Office of Management and Budget and Purchasing and Strategic Sourcing presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representative Salcido commented.

Ms. Karla Nieman, City Attorney, commented.

Motion made by Representative Rivera, seconded by Representative Hernandez, and unanimously carried to **ADOPT** the Emergency Ordinance.

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales
NAYS: None
Mayor Leeser consented to the adoption of the Emergency Ordinance.

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CALL TO THE PUBLIC – PUBLIC COMMENT:

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The following members of the public commented:

1. Ms. Wally Cech
2. Mr. Miguel Rico
3. Mr. Ricardo Rico
4. Mr. Albert Rivera
5. Mr. Ron Comeau
6. Ms. Barbara Valencia
7. Mr. Arnulfo Hernandez
8. Mr. Steven Strumer

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REGULAR AGENDA – FIRST READING OF ORDINANCES:

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

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

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

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29. An Ordinance amending Title 9 (Health and Safety), Chapter 9.48 (Public Swimming Pools and Spas), Section 9.48.010 (Purpose) of the El Paso City Code.

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Goal 3: Promote the Visual Image of El Paso

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30. An Ordinance granting to Jessica Soto Prado and Hugo Prado DBA PS Ads a non-exclusive franchise for waste containers on sidewalks and other city property.

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PUBLIC HEARING WILL BE HELD ON MARCH 14, 2023 FOR ITEMS 29 AND 30

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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

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31. *Motion made, seconded, and unanimously carried to **DELETE** the discussion and action on the award of Solicitation 2022-0641 Westside Median Roadway Illumination and Landscaping Improvements to ZTEX CONSTRUCTION, INC. for an estimated total amount of $8,711,274.43. The project scope consists of furnishing all labor, materials, equipment, traffic control, permits, transportation, incidentals and all services required for the construction and installation of the Roadway Lighting Improvements and median improvements.

Department:	Capital Improvement
Award to:	ZTEX CONSTRUCTION, INC. El Paso, TX
Item(s):	Base Bid I, Base Bid II, Base Bid III, Base Bid IV, Base Bid V
Initial Term:	375 Consecutive Calendar Days
Base Bid I:	$583,554.16
Base Bid II:	$1,691,250.30
Base Bid III:	$938,868.80
Base Bid IV:	$3,592,359.40
Base Bid V:	$1,905,241.77
Total Estimated Award:	$8,711,274.43
Funding Source:	2019 Certificates of Obligation
Accounts:	190-4745-580270-28900-PCP20ST012
District(s):	1 & 8

This is a Competitive Sealed Proposal, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to ZTEX CONSTRUCTION, INC., the highest ranked offeror.

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.

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REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

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Goal 3: Promote the Visual Image of El Paso

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32. *Motion made, seconded, and unanimously carried to **POSTPONE FOUR WEEKS** the public hearing of An Ordinance changing the zoning of a portion of Lots 14 through 26, Block 4, Hughes Subdivision of Block 2, Alameda Acres, 5713 Welch Avenue, City of El Paso, El Paso County, Texas from S-D/sp (Special Development/special permit) to M-1 (Light

Manufacturing), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: 5713 Welch Ave.
Applicant: Jose Manuel Valenzuela and Maria Del Sol Covarrubias, PZRZ22-00016

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33. *Motion made, seconded, and unanimously carried to **POSTPONE FOUR WEEKS** the public hearing of An Ordinance changing the zoning for the property described as Lot 135, Sunrise Acres #2, 4645 Vulcan Avenue, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-O (Apartment/Office) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: 4645 Vulcan Avenue
Applicant: Aguilar Pedro M. & Morales Francisca, PZRZ22-00023

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34. **ORDINANCE 019442**

The City Clerk read an Ordinance entitled: **AN ORDINANCE APPROVING A SPECIAL PERMIT TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED AVERAGE LOT WIDTH FOR A DUPLEX ON THE PROPERTY DESCRIBED AS BEING ALL OF LOT 4, BLOCK 1, SUNRISE ACRES NO. 2 REPLAT D, 7833 MOUNT LATONA DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS. PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

Motion duly made by Mayor Pro Tempore Annello, seconded by Representative Hernandez, 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, Salcido, Fierro, Rivera, and Canales
NAYS: None

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

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REGULAR AGENDA – OTHER BUSINESS:

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

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35. **ITEM:** Discussion and action requesting City Council support for the staff recommended project "Bike Plan - BRIO First-Last Mile Update" for submission to the FY23 Areas of

Persistent Poverty (AOPP) federal discretionary grant program administered by the Federal Transit Administration (FTA) and intended to improve transit service in an Area of Persistent Poverty or Historically Disadvantaged Community.

Motion made by Representative Hernandez, seconded by Representative Molinar, and unanimously carried to **SUPPORT** the staff recommended project "Bike Plan - BRIO First-Last Mile Update" for submission to the FY23 Areas of Persistent Poverty (AOPP) federal discretionary grant program administered by the Federal Transit Administration (FTA) and intended to improve transit service in an Area of Persistent Poverty or Historically Disadvantaged Community.

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

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

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

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

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

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

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

That the Mayor be authorized to sign an Interlocal Agreement for good and valuable consideration by and between the City of El Paso, a home rule municipal corporation and The University of Texas at El Paso, a Texas state agency, Texas public institution of higher education and member institution of The University of Texas System. The City shall provide in kind support in an amount not to exceed $845,000 in the form of salaries and wages, including fringe benefits; and direct support in an amount not to exceed $1,030,000 over the 5-year grant period beginning September 2, 2022 and ending May 28, 2027 for the development and completion of the Aerospace and Defense Innovation Network for Manufacturers. The City's total contribution to the Program shall not exceed $1,875,000 over the 5-year grant period.

Ms. Susie Byrd, UTEP Representative, commented.

1ST MOTION
*Motion made, seconded, and unanimously carried to **REVISE** the item.

2ND AND FINAL MOTION

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

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

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

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37. 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 be authorized to sign the First Amendment to the Restricted Funds Management Agreement entered on August 25, 2009 by and between the City of El Paso and the El Paso Museum of Art Foundation (the "Foundation"), under which the Foundation will commission, design, construct, and finance installation of the Star Ceiling Sculpture by El Paso artist Leo Villareal, and the City of El Paso will contribute ($775,481) towards the project after the Foundation has raised the first $3 million dollars for the project.

Mr. Ben Fyffe, Managing Director of Cultural Affairs and Recreation, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Annello and Canales commented.

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

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

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

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38. RESOLUTION ADOPTING THE RULES OF ORDER FOR THE EL PASO CITY COUNCIL REVISED, AS EFFECTIVE FEBRUARY 28, 2023

SECTION 1. PURPOSE OF RESOLUTION

This Resolution is adopted pursuant to Section 3.5.B of the Charter of the City of El Paso as a procedural guide for the benefit of the City Council and for the general information of the public. These rules shall apply to regular, special and work session meetings at which action is to be taken, but shall not apply to meetings for committees of the City Council or to informational gatherings of the Council.

SECTION 2. RULES OF ORDER

Robert's Rules of Order Revised shall govern the procedures of Council unless they are in conflict with these rules.

SECTION 3. EFFECT OF FAILURE TO FOLLOW THESE RULES

No action of the Council that is otherwise legal shall be invalidated merely by reason of the failure of the Council or City staff to follow these Rules of Order, unless the majority of the Council agrees that such action shall be invalidated.

SECTION 4. STANDING

No one other than a member of the City Council shall have standing to assert before the Council that any action taken by the Council is invalid by reason of the Council's failure to comply with these Rules of Order.

SECTION 5. SUSPENSION OF RULES

These rules may be suspended temporarily by a majority of the Council members present and voting, except as they pertain to a quorum, or to the majority required for any motion, or to other matters pre-empted by laws other than those Rules of Order.

SECTION 6. PRESIDING OFFICER

The Mayor shall preside at all meetings of the City Council, but if for any reason he is absent from the City, sick or unable to act, then the Mayor Pro Tempore shall preside at such meetings and at such times shall exercise all of the powers and discharge the duties of the Mayor, except that the Mayor Pro Tempore shall vote as a Representative. In the absence or inability of both the Mayor and the Mayor Pro Tempore, the Alternate Mayor Pro Tempore shall preside and shall vote as a Representative. Upon the arrival of the Mayor, the Mayor Pro Tempore or the Alternate Mayor Pro Tempore, the acting chairman shall immediately relinquish the chair upon the conclusion of the business immediately pending before the Council.

The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council, and shall state questions coming before the Council as necessary for clarity, and shall announce the decision of the Council on all subjects. The Presiding Officer shall disable the microphone at the podium when he determines that the speaker has violated council rules of order.

SECTION 7. QUESTIONS OF ORDER

All questions of order shall be decided by the presiding officer with the right of appeal from his or her decision to the Council that is present, the majority of whom, present and voting, may override the decision.

SECTION 8. VOTING

The electronic voting system shall be utilized for the casting of the roll call votes of the Council in Council Chambers except as otherwise provided herein. The City Clerk shall call for an electronic vote and each Representative shall, without undue delay, cast his or her vote on the electronic voting system. When all votes have been cast, the City Clerk will review, announce and display the results of the voting, and staff will capture the display on the digital recording of the meeting or fully read the results into the record. In the event of a tie vote, the City Clerk will announce the results and call for the Mayor’s vote before displaying the results. Any error in voting or any discrepancy between the display of the votes and the City Clerk’s announcement of the results shall be corrected prior to the time that the Council proceeds to consider the next agenda item.

The requirements under this section for the use of the electronic voting system shall be automatically suspended under the following circumstances and for the duration as announced by the City Clerk: (a) upon the announcement of the City Clerk that the electronic voting system is not working properly; (b) for votes on procedural matters including motions to recess and to take an agenda item out of order, and votes by acclamation; (c) when the Council is voting on more than one agenda item simultaneously; and (d) when more than one vote will be taken pertaining to an agenda item and in such instance, the City Clerk shall announce which vote shall be taken by use of the electronic voting system and which vote(s) shall be taken only by voice vote.

In the event that the use of the electronic voting system is suspended or the system is otherwise not available, the City Clerk shall call the roll beginning with the Representative seated furthest to the Mayor's right and continuing in that order. Each Representative shall audibly indicate his or her vote.

Records of all roll call votes shall be incorporated in the Minutes of the meeting.

SECTION 9. RECORDED DEBATE

A Representative may request, through the presiding officer, to have an abstract of his or her statement on any subject under consideration by the Council entered in the Minutes or to attach any document referenced during a Council meeting to the Minutes. The recording secretary may be directed by the presiding officer to enter in the Minutes a synopsis of the discussion on any question coming before the Council.

SECTION 10. ORDER OF PRECEDENCE OF MOTIONS

The order of procedure of motions is set forth in Exhibit “A” attached hereto and fully incorporated by reference.

SECTION 11. MOTION TO RECONSIDER

A motion to reconsider any action taken by the Council may be made at any time prior to adjournment of the same meeting at which such action was taken. The motion can only be made by a member who voted with the prevailing side and can be seconded by any member.

SECTION 12. OBTAINING THE FLOOR

Every person desiring to speak shall address the presiding officer, and when recognized by the presiding officer, shall address only the item under consideration. For Regular City Council Meetings, in the debate, each member of Council has the right to speak twice on the same item on the same day, but cannot make a second speech on the same item as long as any member who has not spoken on that question desires the floor. No one can speak longer than ten minutes at a time without permission of a majority of Council. The City Clerk will keep time and will notify the Mayor if a Representative reaches the allotted time. During Work Sessions, Special meetings, or Agenda Review meetings, there will not be a limit to the time allowed for each Representative to have the floor, and the Presiding officer has discretion to end discussion on an item, or to give the floor to another representative.

SECTION 13. RIGHT OF CITIZENS TO BE HEARD

Public Hearings/Agenda Items:
Any member of the public shall have a reasonable opportunity to be heard at all public hearings of the City Council in regard to any and all matters to be considered at such hearings that are

germane and relative to any subject matter of City affairs or business which is within the scope of the authority and legislative functions of the City Council. Provided, however, that the time allowed for each citizen's appearance before City Council will be limited to a fixed number of minutes at the discretion of the presiding officer. Members of the public will usually be granted three (3) minutes to present their position on issues. If a member of the public addresses City Council through a translator into English, he or she will be granted six (6) minutes to present. Time will be kept by the City Clerk. The presiding officer may grant a speaker additional time at his or her discretion.

Public Comment/Non Agenda Items:
A maximum of sixty (60) minutes will be allotted for a public comment portion of each regular City Council meeting. The City Council will designate time to allow members of the public to have a reasonable opportunity to provide comment on items not already posted on the agenda, except that no person shall engage in political advertising contrary to state law. Persons wishing to provide comment during the public comment portion of the City Council agenda must sign up prior to 9:00 a.m. on the day of the City Council meeting either online or by using the sign-in sheet for the public outside of Council Chambers on the day of the Council meeting up until 9:00 a.m. Any person signing up to provide comment during the public comment portion of the agenda must provide their name, address, phone number, and a short description of the topic(s) of their comment. Members of the public are required to speak on the topic identified upon the sign-in sheet. If the speaker is a lobbyist, he or she must indicate that fact on the audience participation sheet and prior to commencing his/her comments in compliance with the City's Lobbying Ordinance. Members of the public may not grant their time to another nor may they purport to speak for another who is not present at the meeting. If someone would like a document or letter to become a part of the record, they may do so by providing the City Clerk with copies of the document or letter no later than 9:00 a.m. on the morning of the meeting, which will be distributed to the Council. It shall not be necessary to read the letter into the record. Interpretation services are only to be provided by the certified interpreter provided by the City.

A document camera and projection system ("Overhead Projector") is available for use for public comment on posted items and call to the public. Members of the public shall submit any document they wish to present on the Overhead Projector to the City Clerk no later than close of business on the previous City business day before the meeting date. Any document that contains insulting, profane, threatening or abusive language, nudity, or campaign material will be rejected. City Staff will assist members of the public in using the Overhead Projector during the meeting. In order to ensure cyber security, members of the public are prohibited from sending or utilizing presentations in any electronic format, including but not limited to email, and from using a Universal Serial Bus (USB) compact disk (CD) or digital versatile disk (DVD) for public comment and call to the public. A member of the public who wishes to make an electronic presentation may bring printed documents to the City Clerk's office no later than close of business on the previous City business day before the meeting date to be scanned for presentation during the meeting.

To facilitate the receiving of comment from as many citizens as possible who are interested in bringing topics forward to the City Council for comment, a person may sign up to obtain one-time slot to speak or otherwise make a presentation on one or more specified topics during the public comment portion of a City Council meeting. This provision does not restrict any member of the public from signing up to speak on items posted on the regular agenda or to ask questions regarding items posted on the consent agenda.

The time allotted for the public comment portion of the agenda shall be uniformly divided among those who have signed up to obtain a time slot and participate and except as provided below, no speaker will have more than three (3) minutes to speak or otherwise make a

presentation, regardless of the number of topics a speaker wishes to address within his or her time slot. At the beginning of the public comment portion of the agenda, the City Clerk will make one announcement as to the amount of time that each person has to provide comment.

The City Clerk will call each person signed up to make comment to the podium in the order that they signed up to speak and will keep time. Each topic brought forward will be for comment from the speaker and may not be deliberated by the members of Council nor rebutted or debated by members of the public. Any member of the City Council may propose that the topic commented on be posted by staff on a future Council meeting agenda for the Council's discussion and action.

The presiding officer at his or her discretion may grant a speaker one (1) additional minute to wrap up his or her comments regardless of whether the allotted sixty (60) minutes will otherwise be taken up by the others making comment.

Members of the public wishing to ask a question regarding an item posted on the consent agenda or to speak regarding an item posted on the regular agenda must sign up prior to 9:00 a.m. on the day of the City Council meeting. The City Clerk shall make available the sign-in sheet for the public outside of Council Chambers on the day of the Council meeting up until 9:00 a.m. or online prior to 9:00 a.m. Persons may sign up to address multiple items, however this does not mean it is permissible to "mark all" or to sign up for every item "just in case" they wish to speak when the discussion on an item takes place. If a member of the public wishes to speak regarding an item, but did not sign up by 9:00 am, he or she may notify the City Clerk up until such time that the public comment portion of the item has concluded.

Members of the public who do not desire to speak but want to register support or opposition to an item on the agenda may do so by indicating their position on the audience participation form. The City Clerk will notify the Council of the number of position statements received and the tally when the agenda item is announced.

At the time that the consent agenda is taken up for consideration, the City Clerk shall advise the Mayor Pro Tempore whether persons in the audience have signed up to ask a question regarding an item posted on the consent agenda. The Mayor Pro Tempore shall have the floor and may ask the City Clerk to call those individuals up to the podium to hear their questions.

At that time, the City Clerk will announce the agenda item number and call the person to the podium. The Mayor Pro Tempore may request the City Manager to respond to the questions raised by the members of the public. In his or her discretion, the Mayor Pro Tempore may move the consent agenda item to the regular agenda for continued discussion and action by the City Council.

Members of Council may move to overrule the determinations by the Mayor Pro Tempore under this section by a simple majority vote of the Council members present and voting.

No person may speak a second time except by permission of the presiding officer, and further, no person shall be heard a second time until all persons desiring to speak once have been given the opportunity to do so.

Personal attacks are not permitted. Members of the public should address their questions to the Council, not to the staff. Council may in turn ask staff to provide input.

Members of the public may be asked to leave or be removed from Council Chambers if it is determined that they are disruptive to the meeting. Such determination will be made by the

presiding officer. Members of Council may move to overrule such determination by the presiding officer subject to a simple majority vote of Council, present and voting.

SECTION 14. CALLING AND ORDER OF AGENDA ITEMS

Executive Session will be scheduled at the end of the meeting or other such time as determined by the Council. The Invocation and Pledge of Allegiance will take place no sooner than 9:00 a.m. Thereafter, the proceedings will take place as specified on the Attached **Exhibit "B"**.

Items accepting or acknowledging donations to the City will be taken prior to consideration of the consent agenda. Items removed from the consent agenda by the Mayor Pro Tempore or at the request of other Council members will be considered at the time when items for the related department are being considered or as otherwise requested by the Mayor Pro Tempore. The introduction of ordinances will be considered first on the regular agenda, followed by the procurement items posted on the regular agenda by the Financial Services and/or Engineering and Construction Management departments, and any reports or updates from the City's Committees, Boards and Commissions.

Notwithstanding the above provisions, the City Manager shall direct the placement of all matters relating to the City Council's adoption of the annual City budget and associated matters relating to the start of each new fiscal year and the adoption of the tax levy on one or more agendas so as to meet all required statutory and charter deadlines.

At the time that each agenda item is to be considered by the City Council, the City Clerk will announce all agenda items by number and a brief statement as to the nature of the item when appropriate. In the case of a revision, the City Clerk or staff shall read the item into the record, as appropriate.

SECTION 15. PARLIAMENTARIAN

The City Clerk and the Assistant City Clerk are confirmed to serve as Parliamentarian and Alternate Parliamentarian, respectively.

SECTION 16. USE OF ELECTRONIC DEVICES

Electronic devices within Council chambers shall be used in accordance with all established City practices and procedures and as directed by Information Technology Department staff providing support services during a meeting. City staff, other than the dignitary protection officers, and members of the public shall turn off the signals of all pagers, cellular telephones and other devices capable of making an audible signal and shall not make or take any telephone calls while in Council chambers once a Council meeting has been called to order.

Members of the City Council may only use electronic devices for the matters pertinent to the meeting taking place. No use of personal cellular devices, nor personal communication, should take place on the dais, nor while participating virtually, while the meeting is in session. The use of communication devices of any kind, including but not limited to: hand-held portable communication devices, cellphones, computers, tablets, laptops, watches, etc. is expressly prohibited during City Council meetings and shall not be allowed in the room during closed sessions unless they are being used to aid in executive session presentations.

If the City Council member needs to take a telephone call, respond to a text message, etc. during a meeting, he or she must excuse themselves from the dais or room where the closed session is taking place to engage in that communication.

The use of the desktop computers during City Council shall be limited to voting, viewing presentations, research to aid the council member and communication via email to staff. During meetings, City Council members shall not text, tweet, blog, post on Facebook, Instagram or use any other social media platform.

SECTION 17. TIME AND LOCATION OF MEETINGS AND VIRTUAL ATTENDANCE

The Mayor and Council may by action of Council approved by a majority of Council, reschedule the time and place of any City Council meeting in accordance with the requirements of the Texas Open Meetings Act.

Members of Council may attend City Council meetings by video conference in accordance with the Texas Open Meetings Act 551.127, as may be amended. Such requires that a quorum of City Council be present at the physical meeting location posted on the agenda. Any member wishing to attend by video conference must notify the City Clerk no later than noon on the Wednesday prior to the relevant meeting, and the City Clerk shall post notice of which member(s) will appear by video conference on the City Council Agenda.

Each participant's face in the videoconference call, while speaking, must be clearly visible and audible to each other participant and, during the open portion of the meeting, to the members of the public in attendance at the location where a quorum is present, and at any other location of the meeting that is open to the public. Any council member appearing by videoconference call will be considered absent during any portion of the meeting the audio or video is lost or disconnected in accordance with Texas Government Code Section 551.127.

EXHIBIT "A"

ROBERTS RULES CHEAT SHEET

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn"	No	Yes	No	No	Majority
Recess	"I move that we recess until…"	No	Yes	No	Yes	Majority
Complain about noise, room temp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of something	"I move that we table it"	No	Yes	No	No	Majority
End debate	"I move the previous question"	No	Yes	No	No	2/3
Postpone consideration of something	"I move we postpone this matter until…"	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by…"	No	Yes	Yes	Yes	Majority
Introduce business (a primary motion)	"I move that…"	No	Yes	Yes	Yes	Majority

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Ask for vote by actual count to verify voice vote	"I call for a division of the house"	Must be done before new motion	No	No	No	None unless someone objects
Object to considering some undiplomatic or improper matter	"I object to consideration of this question"	Yes	No	No	No	2/3
Take up matter previously tabled	"I move we take from the table…"	Yes	Yes	No	No	Majority
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to…"	Yes	Yes	Only if original motion was debatable	No	Majority
Consider something out of its scheduled order	"I move we suspend the rules and consider…"	No	Yes	No	No	2/3
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).

EXHIBIT "B"

The El Paso City Council Agenda items will be posted in the following order for all meetings of the El Paso City Council at which items of the listed categories will be discussed. If there are no items regarding a listed category, that category will be skipped.

1. Roll Call
2. Invocation and Pledge of Allegiance
3. Ceremonial items: Proclamations and Recognitions *
4. Consent Agenda
5. Council Member Requested Items
6. Operational Focus Updates
7. Regular Agenda
8. Executive Session

Recess:

City Council will recess at 11:30 for lunch, and will resume at noon.

Call to the Public/Public Comment/Non-Agenda Items:

- **Will take place at 12:00 noon during every regularly scheduled Tuesday City Council Meeting.**
- **Call to the Public is for items not posted on the agenda for the City Council meeting.**
- **If necessary, Council will interrupt the Meeting or delay consideration of Executive Session items posted on its City Council agenda, to hear Call to the Public at 12noon.**

Public Comment/Agenda Items is allowed on any posted item at any meeting of the El Paso City Council in accordance with Section 13 of these Rules of Order.

- Ceremonial items will consist of the reading of a proclamation, an introduction to the Mayor and Council and a photograph. Members of the public and individuals and organizations receiving proclamations and recognitions are not expected to address council.

Representatives Kennedy, Hernandez, and Canales commented.

The following city staff members commented:

- Ms. Karla Nieman, City Attorney
- Ms. Kristen Hamilton-Karam, Senior Assistant City Attorney
- Ms. Laura Prine, City Clerk

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

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

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EXECUTIVE SESSION

Motion made by Representative Salcido, seconded by Representative Hernandez, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 3:43 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss the executive session items:

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.072 DELIBERATION REGARDING REAL PROPERTY

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

Motion made by Representative Rivera, seconded by Representative Canales, and unanimously carried to **ADJOURN** the Executive Session at 5:16 p.m. and **RECONVENE** the meeting of the City Council at which time a motion was made:

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

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EX1. Complaint against elected official. Matter No. HQ #436 (551.071) (551.074)

Representatives Hernandez and Rivera commented.

Ms. Karla Nieman, City Attorney, commented.

1ST MOTION
Motion made by Mayor Pro Tempore Annello, seconded by Representative Kennedy, and carried that the Mayor issue a letter of admonition against Representative Molinar as a result of complaint of harassment and request that the letter include harassment/discrimination training and code of conduct training. In addition, any further violation could lead to removal from his committee assignments and leadership roles on the Council.

AYES: Representatives Kennedy, Annello, Hernandez, Fierro, and Canales
NAYS: Representatives Salcido and Rivera
Note: Representative Molinar did not cast a vote

2ND MOTION
Motion made by Representative Hernandez, seconded by Representative Salcido, and carried to reconsider the item.

AYES: Representatives Hernandez, Salcido, Fierro, and Canales
NAYS: Representatives Kennedy, Annello and Fierro
Note: Representative Molinar did not cast a vote

3RD AND FINAL MOTION
Motion made by Mayor Pro Tempore Annello, seconded by Representative Hernandez, and carried that the Mayor issue a letter of admonition against Representative Molinar as a result of complaint of harassment and request that the letter include harassment/discrimination training and code of conduct training. In addition, any further violation could lead to removal from his committee assignments and leadership roles on the Council.

AYES: Representatives Kennedy, Annello, Hernandez, Fierro, Rivera, and Canales
NAYS: Representatives Salcido
Note: Representative Molinar did not cast a vote

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ADJOURN

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

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

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APPROVED AS TO CONTENT:

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Laura D. Prine, City Clerk