

Oscar Leeser
Mayor

Tommy Gonzalez
City Manager



CITY COUNCIL
Brian Kennedy, District 1
Alexandra Anello, District 2
Cassandra Hernandez, District 3
Joe Molinar, District 4
Isabel Salcido, District 5
Art Fierro, District 6
Henry Rivera, District 7
Chris Canales, District 8

AGENDA FOR THE REGULAR COUNCIL MEETING

January 18, 2023

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

**THE LOCAL HEALTH AUTHORITY STRONGLY RECOMMENDS THE USE OF
MASKS IN ALL CITY FACILITIES AND INDOOR SPACES**

Teleconference phone number: 1-915-213-4096

Toll free number: 1-833-664-9267

Conference ID: 522-965-042#

AND

**AGENDA REVIEW MEETING
COUNCIL CHAMBERS, CITY HALL
300 N. CAMPBELL AND VIRTUALLY**

January 17, 2023

9:00 AM

Teleconference phone number: 1-915-213-4096

Toll free number: 1-833-664-9267

Conference ID: 923-351-404#

Notice is hereby given that an Agenda Review Meeting will be conducted on January 17, 2023 at 9:00 A.M. and a Regular Meeting of the City Council of the City of El Paso will be conducted on January 18, 2023 at 9:00 A.M. Members of the public may view the meeting via the following means:

Via the City's website. <http://www.elpasotexas.gov/videos>

Via television on City15,

YouTube: <https://www.youtube.com/user/cityofelpasotx/videos>

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

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

At the prompt please enter the corresponding Conference ID:

Agenda Review, January 17, 2023 Conference ID: 923-351-404#

Regular Council Meeting, January 18, 2023 Conference ID: 522-965-042#

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

For Call to the Public: <https://elpasotx.seamlessdocs.com/f/SpeakerSignUpFormPublic>

To speak on Agenda Items: <https://elpasotx.seamlessdocs.com/f/SpeakerSignUpFormItem>

A quorum of City Council must participate in the meeting.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Jack and Jill of America – El Paso Southern New Mexico Chapter

Maliah A Quintyne
Golden Mariah Ward
Jonelle Elizabeth Ward
Oluwamayokun Adedeji
Kyran Adams
Jireh Addie Moseley
Joshua Eric Moseley
Na'la Thomas
Kelechi Alozie
Ogonna Alozie
Legend Barlow
Phoenix Barlow
Emeka Joshua Anekwe
Odera Anekwe
Adanna Chikwendu
Ikenna Chikwendu
Tito Ikem

MAYOR'S PROCLAMATIONS

ZTEX Day

Pebble Hills High School Day

National Mentoring Day

NOTICE TO THE PUBLIC

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

CONSENT AGENDA - APPROVAL OF MINUTES:

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

1. Approval of the Minutes of the Regular City Council Meeting of January 3, 2023 and the Special Meeting of December 23, 2022. [23-91](#)

All Districts

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

CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS [23-92](#)

CONSENT AGENDA - RESOLUTIONS:

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

3. That the City Manager, or designee, be authorized to sign a Non-Federal Reimbursable Agreement (AJW-FN-CSA-22-SW-005016) between the City of El Paso and the Federal Aviation Administration ("FAA") whereby the FAA will provide oversight of services necessary for construction phases and Engineering support for review of plans and specifications for the relocation of FAA owned Runway End Identification Lights system and cables at Runway 08R due to Taxiway M relocation, and reconfiguration of adjacent connectors and taxiways and runway resurfacing, impacting multiple FAA facilities, equipment, signal and power cables related to airfield projects at El Paso International Airport, El Paso, Texas. [23-66](#)

All Districts

Airport, Sam Rodriguez, (915) 212-7301

Goal 3: Promote the Visual Image of El Paso

4. That the Mayor of the City of El Paso be authorized to sign the Interlocal Agreement between the County of El Paso, Texas and the City of El Paso, Texas to allow residents of the County of El Paso to use the Greater El Paso Landfill to dispose of collected trash in exchange for \$16.00 per token of collected trash, in an amount not to exceed \$32,000 per year. [23-44](#)

That the City Manager or designee be authorized to sign any additional related paperwork, including all understanding and assurances contained therein, and accept, reject, alter, or terminate the resulting Interlocal Agreement, authorized budget transfer and submit necessary revisions to the operational plan. No cash match is required.

All Districts

Environmental Services, Ellen A. Smyth, (915) 212-6000

5. That the Solid Waste liens on the attachment posted with this agenda be approved (See Attachment A). [23-46](#)

All Districts

Environmental Services, Ellen A. Smyth, (915) 212-6000

Goal 8: Nurture and Promote a Healthy, Sustainable Community

6. That the Mayor of the City of El Paso be authorized to sign the Interlocal Agreement between the City of El Paso and the Ysleta del Sur Pueblo for the sale of two (2) LR-TS36S Longray Therman Foggers to Pueblo, which are no longer required or used by the City of El Paso, to be used exclusively by Pueblo, to allow Pueblo to combat the spread of mosquito populations in the area and which serves a municipal purpose as it would benefit the overall health and safety of City's residents. [23-41](#)

That the City Manager or designee be authorized to sign any additional related paperwork, including all understanding and assurances contained therein, and accept, reject, alter, or terminate the resulting Interlocal Agreement, and be authorized to submit necessary revisions to the operational plan and make any budget transfers necessary to accomplish the purpose of this resolution.

All Districts

Environmental Services, Ellen A. Smyth, (915) 212-6000

CONSENT AGENDA - BOARD RE-APPOINTMENTS:

Goal 3: Promote the Visual Image of El Paso

7. Paulina Lagos to the Historic Landmark Commission by Representative Cassandra Hernandez, District 3. [23-87](#)

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

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

8. Victor Vazquez, Jr. to the Civil Service Commission by Representative Alexandra Annelo, District 2. [23-83](#)
Members of the City Council, Representative Alexandra Annelo, (915) 212-0002

CONSENT AGENDA - BOARD APPOINTMENTS:

Goal 3: Promote the Visual Image of El Paso

9. Fabian Uribe to the Zoning Board of Adjustment by Representative Isabel Salcido, District 5. [23-53](#)
Members of the City Council, Representative Isabel Salcido, (915) 212-0005

Goal 8: Nurture and Promote a Healthy, Sustainable Community

10. Michael Adjemian to the Citizen’s Accessibility Advisory Committee by Representative Cassandra Hernandez, District 3. [23-80](#)
Members of the City Council, Representative Cassandra Hernandez, (915) 212-0003

CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:

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

11. That the tax refunds listed on the attachment posted with this agenda be approved. This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00. (See Attachment B) [23-55](#)

All Districts

Tax Office, Maria O. Pasillas, (915) 212-1737

CONSENT AGENDA - BIDS:

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

12. The linkage to the Strategic Plan is subsection 4.2 - Create innovative recreational, educational and cultural programs. [23-56](#)

Request that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue a Purchase Order to Olus Distributing referencing Contract

2021-1247 Animal Food Produce. This will be a change order to increase the contract by \$53,115.50 for a total amount not to exceed \$304,480.50. This change order will cover expenses for the remainder of the contract.

Contract Variance:
No contract variance.

Department: Zoo
Award to: Olus Distributing
El Paso, TX
Total Estimated Award: \$53,115.50
Account No: 452 - 3400 - 52140 - 531100 - P5241
Funding Source: Zoo Operations Fund
District(s): All

This is a Low Bid, unit price contract.

All Districts

Zoo, Joseph Montisano, (915) 212-2800
Purchasing & Strategic Sourcing, K. Nicole Cote, (915) 212-1092

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

- 13. The linkage to the Strategic Plan is subsection 7.5 - Set one standard for infrastructure across the city.

[23-54](#)

Award Summary:

Request that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue a Purchase Order to Mario Alberto Gonzalez dba MG Evergreen LLC referencing Contract 2019-784 Brio RTS Landscape Maintenance. This will be a change order to increase the award by \$117,430.30 for a total amount not to exceed \$587,151.50. This change order will allow adding services to this contract for the landscape maintenance of Montana Brio RTS for the duration of the contract.

Department: Streets and Maintenance
Award to: Mario Alberto Gonzalez dba MG Evergreen LLC
El Paso, TX
Total Estimated Amount: \$117,430.30
Account No.: 532 - 2305 - 522210 - 32120 - P3215
Funding Source: General Fund
District(s): All

All Districts

Streets and Maintenance, Richard J. Bristol, (915) 212-7000
Purchasing & Strategic Sourcing, K. Nicole Cote, (915) 212-1092

REGULAR AGENDA - MEMBERS OF THE CITY COUNCIL

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

14. Discussion and action to review recommendations, items, and amendments for the May 2023 Charter Amendment Election. [23-88](#)

All Districts

Members of the City Council, Representative Aleksandra Anello, (915) 212-0002

REGULAR AGENDA - OPERATIONAL FOCUS UPDATES

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

15. **UPDATE ONLY:** Cross Functional Team Update - Short-term Rental Ordinance. [23-86](#)

All Districts

City Manager's Office, K. Nicole Cote, (915) 212-1092

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

16. Presentation, discussion and action by the City Manager's Office and Office of Emergency Management providing information on key activities, efforts, and processes related to the migrant crisis. [POSTPONED FROM 01-03-2023] [23-11](#)

All Districts

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605
Fire, Chief Jonathan P. Killings, (915) 493-5609

Goal 8: Nurture and Promote a Healthy, Sustainable Community

17. Presentation and discussion by the COVID-19 Response and Recovery Cross-Functional Team providing information on key activities, efforts, and processes. [23-10](#)

1. Overview (Tommy Gonzalez)
2. City Attorney Overview (Karla Nieman)
 - a) State Disaster Declaration
 - b) Emergency Ordinances
 - c) Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso & Statewide Mask Mandate Litigation
 - d) Additional Updates
3. Team Lead Report:
 - a) Health Focus (Hector Ocaranza, M.D.)
 - i. COVID-19 Update

- ii. Influenza Update
- iii. RSV Update

- 4. City Manager Wrap-up (Tommy Gonzalez)
[POSTPONED FROM 01-03-2023]

All Districts

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605

- 18. Presentation and discussion on Community Cats. [POSTPONED FROM 01-03-2023]

[23-38](#)

All Districts

Animal Services Department, Terry Kebschull, (915) 212-8742

CALL TO THE PUBLIC – PUBLIC COMMENT:

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

Members of the public may communicate with Council during public comment, and regarding agenda items by calling 1-915-213-4096 or toll free number 1-833-664-9267 at the prompt please enter the following Conference ID: 522-965-042#

A sign-up form is available on line for those who wish to sign up in advance of the meeting at: <https://elpasotx.seamlessdocs.com/f/SpeakerSignUpFormPublic>

REGULAR AGENDA - FIRST READING OF ORDINANCES:

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

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

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

Goal 3: Promote the Visual Image of El Paso

- 19. An Ordinance granting a Special Privilege License to the County of El Paso for the construction, installation, maintenance, use and repair of 540 linear feet of

[23-57](#)

all necessary, desirable, subsurface wires, cables, underground conduit, manholes or other structures and appurtenances in connection with telecommunication systems and fiber optic, conduit and cables within a portion of City right-of-way underneath Campbell Street and First Avenue; setting the license term for a term of five (5) years with two (2) renewable five (5) year terms.

Location: generally, along a portion of First Avenue and Campbell Street
Applicant: County of El Paso, PSPN22-00007

District 8

Planning and Inspections, Philip F. Etiwe, (915) 212-1553
Planning and Inspections, Armida R. Martinez, (915) 212-1605

PUBLIC HEARING WILL BE HELD ON JANUARY 31, 2023

- 20. An Ordinance amending Title 15, (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.160 (Mobile Billboards) of the El Paso City Code to extend the current permitting pilot program by one year. The penalty is as provided for in Section 15.08.160 of the El Paso City Code. [23-61](#)

All Districts

Planning and Inspections, Philip F. Etiwe, (915) 212-1553
Planning and Inspections, Raul Garcia, (915) 212-1643

PUBLIC HEARING WILL BE HELD ON JANUARY 31, 2023

- 21. An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.150 (Shared Mobility Devices), to extend the current permitting pilot program by one year. The penalty is as provided in Section 15.08.150 of the El Paso City Code. [23-63](#)

All Districts

Planning and Inspections, Philip F. Etiwe, (915) 212-1553
Planning and Inspections, Armida R. Martinez, (915) 212-1605

PUBLIC HEARING WILL BE HELD ON JANUARY 31, 2023

- 22. An Ordinance vacating a portion of Allegheny Drive Rights-of-way (54 feet wide) adjacent to Lots 3 and 4, Block 1B and Lot 4, Block 1C, El Paso International Airport Tracts Unit Six Replat, City of El Paso, El Paso County, Texas. [23-62](#)

Applicant: El Paso International Airport - City of El Paso, SURW22-00012

District 3

Planning and Inspections, Philip F. Etiwe, (915) 212-1553
Planning and Inspections, Adriana Martinez, (915) 212-1611

PUBLIC HEARING WILL BE HELD ON JANUARY 31, 2023

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

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

23-50

Award Summary:

Discussion and action on the award of Solicitation 2023-0199 El Paso International Airport Terminal Ceiling and Lighting Improvements to Hensel Phelps Construction Co. for an estimated award of \$9,737,000.00. The El Paso International Airport will modernize the interior of the terminal building by installing new ceiling and lighting throughout the first and second levels of the terminal.

Department: Capital Improvement
Award to: Hensel Phelps Construction Co.
Greeley, CO
Item(s): Base Bid I
Initial Term: 510 Consecutive Calendar Days
Base Bid I: \$9,737,000.00
Total Estimated Award: \$9,737,000.00
Funding Source: Airport Terminal Program Grant and Airport Enterprise
Account: 562-3010-62335-580270- G62A204002
562-3080-62335-580270- G62A204002
District(s): All

This is a Low Bid procurement, lump sum contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Hensel Phelps Construction Co., the lowest responsive and responsible bidder.

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

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

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

All Districts

Capital Improvement Department, Yvette Hernandez, (915) 212-1860
Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092

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

24. The linkage to Strategic Plan is subsection 2.3 - Increase public safety operational efficiency.

[23-51](#)

Award Summary:

Discussion and action on the award of Solicitation No. 2023-0054 - Security Guard Services - Municipal Court to TriCorps Security, Inc., for an initial term of three (3) years for an initial estimated amount of \$1,642,980.00. The award also includes a two (2) year option for an estimated amount of \$1,095,320.00. The total amount of the contract is, including the initial term plus the option for a total of five (5) years, for an estimated amount of \$2,738,300.00. This contract will provide security guard services that will cover 24-hour weekday, weekend, and holiday; and bailiff and prisoner transport services.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$493,294.80 for the initial term, which represents a 42.91% increase due to an increase in hourly rates.

Department:	Municipal Court
Award to:	TriCorps Security, Inc. Oklahoma City, Ok
Item(s):	All
Initial Term:	3 Years
Option to Extend:	2 Years
Annual Estimated Award:	\$547,660.00
Initial Term Estimated Award:	\$1,642,980.00
Option Term Estimated Award:	\$1,095,320.00
Total Estimated Award:	\$2,738,300.00
Account No.:	111-2532-522120-11030-P1137
Funding Source:	Restrictive Fund for Court Security
District(s):	All

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing and the Municipal Court Departments recommend award as indicated to TriCorps Security, Inc., the highest ranked bidder based on evaluation factors established for this procurement. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

All Districts

Municipal Courts, Lili Worrell, (915) 212-5822
Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092

25. The linkage to the Strategic Plan is subsection: 2.1 - Maintain standing as one

[23-59](#)

of the nation's top safest cities.

Discussion and action on the request that the Managing Director of the Purchasing and Strategic Sourcing Department be authorized to issue a Purchase Order(s) to Zoll Medical Corporation, the sole source provider for the cardiac monitor defibrillators for a term of one (1) year for an estimated amount of \$370,052.72. This contract will allow standardization of cardiac monitor defibrillators for the Mobile Integrated Health Team and two new Rescues #36 and #38.

Contract Variance:
No contract variance.

Department: Fire
Award to: Zoll Medical Corporation
Chelmsford, MA
Total Estimated Award: \$370,052.72
Account No: 580090-2235-322-22135-PHS06-G21CSLFRF
580062-4820-190-29090-PCP20FDSTATIO36
580062-4820-190-29090-PCP20FDSTATIO38
Funding Source: COVID Relief Fund and Public Safety Bond
District(s): All
Reference No. 2023-0033

This is a Sole Source, unit price contract.

The Purchasing & Strategic Sourcing and the Fire Departments recommend award as indicated to Zoll Medical Corporation the sole source and authorized distributor for X Series Monitor/Defibrillator and services.

All Districts

Fire, Chief Jonathan P. Killings, (915) 493-5609
Purchasing & Strategic Sourcing, K. Nicole Cote, (915) 212-1092

REGULAR AGENDA - OTHER BUSINESS:

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

26. Discussion and action on a Resolution approving capital improvements totaling approximately \$7,930,335.00, updating the document known as the "Five Year Capital Maintenance Improvement Plan for the Ballpark" for FY2023 through FY2027 and approving the use of 5-year ballpark revenues and proceeds from the sale of capital assets as funding sources for the Plan and authorizing the City Manager to make all necessary budget transfers to complete the improvements. Funding sources are from 5 Year Ballpark Revenue \$5,851,983 and Proceeds from the Sale of Capital Assets \$2,078,352. [POSTPONED FROM 12-13-2022]

[22-1537](#)

All Districts

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

EXECUTIVE SESSION

The following members of City Council will be present via video conference:

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.072 DELIBERATION REGARDING REAL PROPERTY
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074 PERSONNEL MATTERS
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS
Section 551.089 DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS; CLOSED
 MEETING

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

Discussion and action on the following:

EX1. Application of El Paso Electric Company for Approval of Limited Code of Conduct Waivers and Associated Amendments to its Code of Conduct and Compliance Plan, Public Utility Commission of Texas Docket No. 54383. Matter No. 21-1008-204 (551.071) [POSTPONED FROM 01-03-2023]

[23-17](#)

City Attorney's Office, Ayana Estrada, (915) 212-0033

ADJOURN

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for regular City Council meetings. If you need Spanish Interpreter Services, you must email CityClerk@elpasotexas.gov at least 72 hours in advance of the meeting.

ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET ON THURSDAY PRIOR TO THE MEETING AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov/>