

Oscar Leeser
Mayor

Dionne Mack
City Manager



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

AGENDA FOR THE REGULAR COUNCIL MEETING

October 08, 2024

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

**Teleconference phone number: 1-915-213-4096
Toll free number: 1-833-664-9267
Conference ID: 586-561-497#**

AND

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

**October 7, 2024
9:00 AM**

**Teleconference phone number: 1-915-213-4096
Toll free number: 1-833-664-9267
Conference ID: 237-529-610#**

Notice is hereby given that an Agenda Review Meeting will be conducted on October 7, 2024 at 9:00 A.M. and a Regular Meeting of the City Council of the City of El Paso will be conducted on October 8, 2024 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, October 7, 2024 Conference ID: 237-529-610#

Regular Council Meeting, October 8, 2024, 2024 Conference ID: 586-561-497#

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://app.smartsheet.com/b/form/dfad29e838da41fd86052bb264abd397>

To Speak on Agenda Items:

<https://app.smartsheet.com/b/form/7086be5f4ed44a239290caa6185d0bdb>

A quorum of City Council must participate in the meeting.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Scherr Law Firm Internship and Scholarship Program

**Valeria Arellano – Loretto Academy
Luis Cruz-Reyes – Cathedral High School
Kimberly Escarcega – Canutillo High School
Jocelyn Rosales – Socorro High School**

MAYOR'S PROCLAMATIONS

National Chiropractic Health Month

Domestic Violence Awareness Month

White Cane Day

Breast Cancer Awareness Month

Amigo Airsho 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 September 24, 2024, the Agenda Review Meeting of September 23, 2024, and the Work Session of September 23, 2024. [24-1354](#)

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 Representative Joe Molinar from the October 8, 2024, Regular City Council Meeting. [24-66](#)

CONSENT AGENDA - RESOLUTIONS:

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

- 3. Approve a Resolution to amend the City of El Paso Investment Policy for Fiscal Year 2025. [24-1347](#)

All Districts

Office of the Comptroller, Margarita Marin, (915) 212-1174

- 4. Approve a Resolution that the tax roll is hereby approved and constitutes the 2024 tax roll for all entities for which the City Tax Assessor Collector collects taxes. [24-1352](#)

All Districts

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

- 5. Approve a Resolution that the Taxpayer, LONE STAR TITLE, 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 2023 delinquent taxes pursuant to Section 33.011(a)(1) of the Tax Code in the amount of \$763.53, for the property with the following legal description: [24-1353](#)

17 CHAPARRAL PARK #10 LOT 7 (11700 SQ FT).

All Districts

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

Goal 8: Nurture and Promote a Healthy, Sustainable Community

6. That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and Town of Anthony, Texas ("Anthony"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the Town of Anthony. [24-1326](#)

All Districts

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

7. That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and Town of Clint, Texas ("Clint"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the Town of Clint. [24-1330](#)

All Districts

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

8. That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and County of El Paso, Texas ("County"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the County [24-1331](#)

All Districts

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

CONSENT AGENDA - SPECIAL APPOINTMENT:

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

9. That the City Council approve the recommendation of the Board of Directors of the El Paso Downtown Management District that the following persons be named directors of the District for the terms indicated: [24-1344](#)

Nominee	Term#	Expiration Date
Nadia Baem	2	August 2027
Edgar Lopez	2	August 2027
Michael Parra	1*	August 2027
Mark Osborn	2	August 2027
Kelly Tomblin	1	August 2027
Robert (Beto) Burton	1	August 2027
Kathrin Berg	1	August 2027

*Indicates candidate was appointed to a partial term and is being nominated for their first full term.

District 8

Economic and International Development, Karina Brasgalla, (915) 212-0094

CONSENT AGENDA - BOARD RE-APPOINTMENTS:

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

10. Chief Peter Pacillas to the El Paso County 911 District Board of Managers by Mayor Oscar Leeser. [24-1400](#)

Members of the City Council, Mayor Oscar Leeser, (915) 212-0021

11. Mario D'Agostino to the El Paso County 911 District Board of Managers by Mayor Oscar Leeser. [24-1401](#)

Members of the City Council, Mayor Oscar Leeser, (915) 212-0021

Goal 3: Promote the Visual Image of El Paso

12. Martha Isabel Aguayo to the Zoning Board of Adjustment by Representative Art Fierro, District 6, as a regular member. [24-1387](#)

Members of the City Council, Representative Art Fierro, (915) 212-0006

Goal 8: Nurture and Promote a Healthy, Sustainable Community

13. Elisa Morales to the Women's Rights Commission by Representative Cassandra Hernandez, District 3. [24-1332](#)

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

CONSENT AGENDA - BOARD APPOINTMENTS:

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

14. Daniel James Veale to the Greater El Paso Civic, Convention and Tourism Advisory Board by Mayor Oscar Leeser. [24-1402](#)

Members of the City Council, Mayor Oscar Leeser, (915) 212-0021

Goal 3: Promote the Visual Image of El Paso

15. Louis Edwards to the Historic Landmark Commission by Representative Cassandra Hernandez, District 3. [24-1378](#)

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

Goal 8: Nurture and Promote a Healthy, Sustainable Community

16. Cynthia Alarcon Retana to the Women's Rights Commission by Representative Isabel Salcido, District 5. [24-1380](#)

Members of the City Council, Representative Isabel Salcido, (915) 212-0005

CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:

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

17. 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 A) [24-1337](#)

All Districts

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

18. 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 exceeding the three (3) year limit. (See Attachment B) [24-1351](#)

All Districts

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

CONSENT AGENDA - NOTICE OF CAMPAIGN CONTRIBUTIONS:

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

19. For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Representative Cassandra Hernandez in the amount of \$2,000 from Pablo Duran. [24-1335](#)

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

20. For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Representative Cassandra Hernandez in the amounts of \$500 from Cristian Lira and \$2000 from Pablo Lopez. [24-1388](#)

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

21. For notation pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Mayor Pro Tempore Kennedy in the amounts of \$5,000 from Dennece Knight, \$500 from David Austin, \$1,000 from Suzanne Dipp, \$500 from Richard Nacim, \$3,000 from Thomas Georges, \$2,500 from William Kastrin, \$1,000 from Enrique Escobar, \$1,000 from Sharon & Phil Robinet, \$1,000 from Silvestre Reyes, \$500 from Lorraine Fender, \$500 from Andrew Avila, \$1,000 from Dennis & Donna Neesen, and \$500 from Bruce King. [24-1383](#)

Members of the City Council, Representative Brian Kennedy, (915) 212-1000

22. For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Representative Isabel Salcido in the amounts of \$30,000.00 from Salvador Robledo, \$1,000.00 from Elvira Salcido and \$1,000.00 from Erica [24-1390](#)

Salcido.

Members of the City Council, Representative Isabel Salcido, (915) 212-0005

- 23.** For notation pursuant to Section 2.92.080 of the City Code: receipt of contributions by Representative Josh Acevedo in the amounts of \$1,000 from Deborah Kastrin, \$1,000 from Edward C. Houghton, IV, \$1,000 from Steve Ortega, \$2,500 from Woody L. and Gayle G. Hunt, \$2,500 from L. Frederick Francis, \$100 from Roger Martinez, \$250 from Bill Burton, \$1,000 from Kirk Robinson, \$100 from Peter Spier, \$250 from Juan Uribe, \$1,000 from Georgina Williams, and \$250 from Francisco Ortega. [24-1391](#)
- Members of the City Council, Representative Josh Acevedo, (915) 212-0002
- 24.** For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Isabel Ceballos Otten, Candidate for District 2, in the amounts of a \$2,500.00 personal loan from Isabel Ceballos Otten to the campaign, \$500.00 from Joseph C. Pickett Campaign fund, \$1,000.00 from G. Malooly, and \$2,500.00 in-kind from Andrew Lira. [24-1368](#)
- City Clerk's Office, Laura D. Prine, (915) 212-0049
- 25.** For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Alejandra Chavez, Candidate for District 1, in the amounts of \$1,000 from Salvador Perches, \$500 from Adair and Donald Margo, \$500 from Maria and Sergio Alvarez, \$1,000 from Ryan McCrory, \$500 from Amy O'Rourke, and a \$1,396.43 in-kind from Ann Lilly. [24-1369](#)
- City Clerk's Office, Laura D. Prine, (915) 212-0049
- 26.** For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Monica Reyes, Candidate for District 1, in the amounts of \$526.63 from Angel Olivas, \$3,247.50 (In Kind) from Silvestre Reyes, Jr., \$526.63 from Norma Carpenter, \$526.63 from Cindy Jimenez Turner, \$1,052.95 from Priscilla Terrazas, \$1,064.37 (In Kind) from Sylvia Borunda Firth, \$1,000.00 from Melissa N. Ramirez, \$500.00 from Miguel Zaragoza Lopez, \$30,000.00 (Loan to Campaign) from Monica Reyes, \$1,000.00 from Jorge A. Valenzuela, \$1,000.00 from Shane Edmonson, \$500.00 from Rosalva Saenz, \$5,000.00 from Fred Loya, \$1,000.00 from Mr. & Mrs. Frank Spencer, \$500.00 from Frank Spencer, III, and \$500.00 from Aguayo Chiropractic. [24-1370](#)
- City Clerk's Office, Laura D. Prine, (915) 212-0049
- 27.** For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Renard Johnson, candidate for Mayor, in the amounts of \$500.00 from Brian Allen, \$10,000.00 from Alvin Johnson, \$10,000.00 from Julio Chiu, \$500.00 from Dee Margo, \$500.00 from Susan Drewry, \$1,000.00 from Keith Mahar, \$500.00 from Christina DeVore, \$500.00 from John Panahi, \$500.00 from Jose Villarreal, \$5,000.00 from Edward Escudero, \$1,000.00 from Jaime Mart, \$500.00 from Rodolfo Laucirica, \$2,500.00 from Chris Lyons, \$500.00 from Alec Mahar, \$5,000.00 from Miguel Fernandez, \$500.00 from Demetrius McDaniel, \$500.00 from Richard Porras, \$1,000.00 from Thomas Hutchinson, \$1,500.00 from Nancy and Stuart Shiloff, \$3,000.00 from Julio [24-1379](#)

Chiu, \$500.00 from Bruce Gulbas, \$500.00 from Daniel Kasuga, \$500.00 from Monique/Steffen Poessiger, \$2,000.00 from Amy O'Rourke, \$500.00 from David Wysong, \$500.00 from Cecilia Mesta, \$1,000.00 from Alvin Johnson, \$500.00 from David Alvidrez, \$2,500.00 from Judith Robison, \$1,000.00 from Lisa Peisen, \$5,000.00 from Pamela Agullo, \$500.00 from Leonard Goodman, and \$2,000.00 from Brent Harris.

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

28. For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Cynthia Trejo, candidate for District 4, in the amounts of \$1,000.00 from Edward Escudero and \$2,500.00 from Woody Hunt. [24-1382](#)

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

29. For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Ivan Niño, Candidate for District 5 in the amounts of \$500.00 from Pedro Nino, \$600.00 from Wendy Nino, \$500.00 Javier Iglesias, and \$2,500.00 from L. Frederick Francis. [24-1389](#)

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

CONSENT AGENDA - REQUEST FOR PROPOSALS:

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

30. The linkage to the Strategic Plan is subsection: 6.5 Deliver services timely and effectively with focus on continual improvement. [24-1360](#)

Award Summary:

The award of solicitation 2024-0095R Title Services to the following suppliers: 1) Lone Star Title Company of El Paso, Inc. and 2) WestStar Bank Holding Company, Inc. and Subsidiaries dba WestStar Title, LLC for a total estimated amount of \$300,000.00. This contract will assist with title search and closing services needs for real estate transactions.

Department: Streets and Maintenance

Award to Supplier 1: Lone Star Title Company of El Paso, Inc.

City & State: El Paso, TX

Item(s): Title Search/Report Services

Initial Term: 3 Years

Option Terms: 2 Years

Total Contract Time: 5 Years

Award to Supplier 2: WestStar Bank Holding Company, Inc. and Subsidiaries dba WestStar Title, LLC

City & State: El Paso, TX

Item(s): Title Search/Report Services and Title and closing Services

Initial Term: 3 Years

Option Terms: 2 Years

Total Contract Time: 5 Years

Total Estimated Award: \$300,000.00
Account(s) 532-1000-32080-521110
Funding Source(s): General Fund
District(s): All

This was a Request for Proposals Procurement service contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated 1) Lone Star Title Company of El Paso, Inc. and 2) WestStar Bank Holding Company, Inc. and Subsidiaries dba WestStar Title, LLC the highest ranked offerors based on the evaluation factors established in the evaluation criteria for this procurement.

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

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

Additionally, it is requested that the City Attorney's Office review and that the City Manager or designee be authorized to execute any related contract documents and agreements necessary to effectuate this award.

All Districts

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092
Streets and Maintenance, Richard J. Bristol, (915) 212-3306

REGULAR AGENDA - MEMBERS OF THE CITY COUNCIL

Goal 8: Nurture and Promote a Healthy, Sustainable Community

- 31. Discussion and action to approve and adopt a letter by the El Paso City Council in support of the U.S. General Services Administration's (GSA) identification of Alternative 4 for the Bridge of the Americas port project in El Paso, Texas before the 45-day public comment period, which ends on November 4, 2024, pending review and approval from the City Attorney's Office. [24-1392](#)

All Districts

Members of the City Council, Representative Josh Acevedo, (915) 212-0002

- 32. Discussion and action that the City of El Paso supports the Application by Project Amistad to the to the U.S. Environmental Protection Agency (EPA) Fiscal Year (FY) 2024 Community Change grant program requesting funds in the amount of \$20,000,000.00 for the Pollution Reduction Strategy: Mobility and Transportation Options for Preventing Air Pollution and Improving Public Health and Climate Resilience-Track 1; and authorizing the City Manager or designee to provide a letter of support. [24-1399](#)

All Districts

Members of the City Council, Representative Chris Canales, (915) 212-0008

REGULAR AGENDA - OPERATIONAL FOCUS UPDATES

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

33. Update Council on the International Bridges Crossborder Survey.

[24-1322](#)

All Districts

International Bridges, Carlos Olmedo, (915) 212-7508

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: 586-561-497#

A sign-up form is available on line for those who wish to sign up in advance of the meeting at: <https://app.smartsheet.com/b/form/dfad29e838da41fd86052bb264abd397>

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

34. An Ordinance granting to River Elms, LLC a non-exclusive franchise for waste containers on sidewalks and other City property.

[24-1342](#)

All Districts

Environmental Services Department, Nicholas Ybarra, (915) 212-6000

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

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

[24-1339](#)

Award Summary:

Discussion and action on the award of Solicitation 2024-0503 Rubber Removal and Friction Testing to CKS Runway Services, LLC for an initial term of three (3) years for an estimated amount of \$306,000.00. The award also includes a two (2) year option for an estimated amount of \$204,000.00. The total contract time is for five (5) years for a total estimated amount of \$510,000.00. This contract for rubber removal and friction testing is necessary to maintain the skid resistance of runways, as per Federal Aviation Administration guidelines. Regular friction testing and rubber removal ensure safe aircraft landings by removing accumulated rubber from the touchdown zones, which improves braking effectiveness. This maintenance helps ensure shorter stopping distances and enhances safety, especially in wet or slippery conditions, minimizing the risk of runway incidents.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$206,002.00 for the initial term, which represents a 206.01% increase in annual quantities and adding one additional year to the initial performance period.

Department: El Paso International Airport

Award to: CKS Runway Services, LLC

City & State: Madison, MS

Item(s): All

Initial Term: 3 Years

Option Term: 2 Years

Total Contract Time: 5 Years

Annual Estimated Award: \$102,000.00

Initial Term Estimated Award: \$306,000.00

Option Term Estimated Award: \$204,000.00

Total Estimated Award \$510,000.00

Account(s) 562-3000-62110-522150

Funding Source(s): Airport Operations

District(s): All

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and El Paso International Airport recommend award as indicated to CKS Runway Services, LLC the lowest responsive and responsible bidder.

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

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed

All Districts

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092
Airport, Tony Nevarez, (915) 474-2424

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

- 36. The linkage to the Strategic Plan is subsection: 2.3 Increase public safety operational efficiency. [24-1340](#)

Award Summary:

Discussion and action on the award of Solicitation No. 2024-0076 Security Guard Services - Zoo to TriCorps Security, Inc., for a term of three (3) years for an estimated amount of \$1,459,800.00. This contract will allow the Zoo to maintain its facilities safe for the public and employees.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$202,140.00 for the annual term, which represents a 16.07% increase due to the increase in hourly rate.

Department: Zoo
Award to: TriCorps Security, Inc.
City & State: Oklahoma City, OK
Item(s): All
Initial Term:3 Years
Option Terms: NA
Total Contract Time:3 Years
Total Annual Estimated Award: \$486,600.00
Total Initial Term Estimated Award: \$1,459,800.00
Total Option Term Estimated Award: NA
Total Estimated Award: \$1,459,800.00
Account(s) 452 - 3400 - 52130 - 522120 - P5234
Funding Source(s):Zoo Operations
District(s): All

This was a Best Value Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and Zoo Department recommend award as indicated to TriCorps Security, Inc., the highest ranked bidder based on the evaluation factors established in the evaluation criteria for this procurement and to deem Carl Wayne Govan dba Texas Crime Prevention & Investigation non-responsive due to failure to submit the required bid form.

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

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

All Districts

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

- 37. The linkage to the Strategic Plan is subsection: 2.4 Improve motorist safety and traffic management solutions.

[24-1341](#)

Award Summary:

Discussion and action on the award of Solicitation No. 2024-0605 Police Ordered and Non-Consent Towing (Re-Bid) to 1) AD Wrecker Service, Inc., dba AD Towing & Recovery, 2) Chacon Business Group, Inc. dba Chacon Towing, 3) Raul Fernandez Jr. dba El Paso Dependable Towing LLC, 4) Kamel Towing, Inc., and 5) Sohle Express Towing, Inc., for an initial term of three (3) years for an estimated amount of \$2,451,000.00. The award also includes a one (1), two (2) year option for an estimated amount of \$1,634,000.00. The total amount of the contract, including the initial term plus the option for a total of five (5) years, is for an estimated amount of \$4,085,000.00 on a rotation and as needed basis. This contract will allow the Police department to receive services in response to accidents and to transport vehicles to the El Paso Police Department Municipal Vehicle Storage Facility.

Contract Variance:

The difference based in comparison to the previous contract is as follows: A decrease of \$486,898.50 annual term, which represents a 16.57% decrease due to the short-term contract only for 6 months and to make sure there was enough capacity until new contract is awarded.

Department: Police

Award to Supplier 1: AD Wrecker Service, Inc., dba AD Towing & Recovery

City & State: El Paso, TX

Item(s): All

Initial Term: 3 Years

Option Terms: 2 Years

Total Contract Time: 5 Years

Annual Estimated Award: \$163,400.00

Initial Term Estimated Award: \$490,200.00

Option Term Estimated Award: \$326,800.00

Total Estimated Award: \$817,000.00

Award to Supplier 2: Chacon Business Group, Inc. dba Chacon Towing

City & State: Atascosa, TX

Item(s): All

Initial Term: 3 Years

Option Terms: 2 Years

Total Contract Time: 5 Years

Annual Estimated Award: \$163,400.00
Initial Term Estimated Award: \$490,200.00
Option Term Estimated Award: \$326,800.00
Total Estimated Award: \$817,000.00

Award to Supplier 3: Raul Fernandez Jr. dba El Paso Dependable Towing LLC
City & State: El Paso, TX
Item(s): Group 1 - Item 1 - GVW 10,000 lbs or less
Group 1 - Item 3 - GVW 25,000 lbs and over
Group 2
Initial Term: 3 Years
Option Terms: 2 Years
Total Contract Time: 5 Years
Annual Estimated Award: \$163,400.00
Initial Term Estimated Award: \$490,200.00
Option Term Estimated Award: \$326,800.00
Total Estimated Award: \$817,000.00

Award to Supplier 4: Kamel Towing, Inc.
City & State: El Paso, TX
Item(s): All
Initial Term: 3 Years
Option Terms: 2 Years
Total Contract Time: 5 Years
Annual Estimated Award: \$163,400.00
Initial Term Estimated Award: \$490,200.00
Option Term Estimated Award: \$326,800.00
Total Estimated Award: \$817,000.00

Award to Supplier 5: Sohle Express Towing, Inc.
City & State: El Paso, TX
Item(s): All
Initial Term: 3 Years
Option Terms: 2 Years
Total Contract Time: 5 Years
Annual Estimated Award: \$163,400.00
Initial Term Estimated Award: \$490,200.00
Option Term Estimated Award: \$326,800.00
Total Estimated Award: \$817,000.00

Total Annual Estimated Award: \$817,000.00
Total Initial Term Estimated Award: \$2,451,000.00 5 vendors
Total Option Term Estimated Award: \$1,634,000.00
Total Estimated Award: \$4,085,000.00
Account(s) 321 - 2811 - 21280 - 522070
Funding Source(s): Police Tow Lot
District(s): All

This was a Best Value Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and Police Department recommend award as indicated to 1) AD Wrecker Service, Inc., dba AD Towing

& Recovery, 2) Chacon Business Group, Inc. dba Chacon Towing, 3) Raul Fernandez Jr. dba El Paso Dependable Towing LLC, 4) Kamel Towing, Inc., and 5) Sohle Express Towing, Inc., the highest ranked bidders based on the evaluation factors established in the evaluation criteria for this procurement and to deem 3H Towing LLC non-responsive for not filling out the bid form and Moises Garcia dba Moy's Towing Services LLC for failure to submit the required surety letter.

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

Additionally, it is requested that the City Attorney's Office review and that the City Manager or designee be authorized to execute any related contract documents and agreements necessary to effectuate this award.

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

All Districts

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092
Police, Chief Peter Pacillas, (915) 212-1092

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

- 38. The linkage to the Strategic Plan is subsection: 5.2 Leverage and expand the use of current and new technology reduce inefficiencies and improve communications.

[24-1343](#)

Award Summary:

Discussion and action on the request that the Managing Director of Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order(s) for Solicitation 2025-0051 ArcGIS Enterprise to Environmental Systems Research Institute, Inc. dba Esri, the sole source provider for geographic information systems (GIS) licensing software, maintenance, and online service for a term of three (3) years for an estimated amount of \$1,085,000.00. Supplier will be required to provide an updated sole source letter and affidavit each year. This contract will provide the City with additional needed software licenses, additional professional services, and training.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$282,000.00 for the initial term, which represents a 35.12% increase due to added products and increase of online users.

Department: Information Technology
Award to: Environmental Systems Research Institute, Inc. dba Esri
City & State: Redlands, CA
Item(s): All
Initial Term: 3 Years
Option Term: NA

Total Contract Time: 3 Years
Annual Estimated Award: \$350,000.00 Year 1
\$ 365,000.00 Year 2
\$ 370,000.00 Year 3
Initial Term Estimated Award: \$1,085,000.00
Option Term Estimated Award: NA
Total Estimated Award: \$1,085,000.00
Account(s): 522150-239-1000-15240-P1506
Funding Source(s): General Fund
District(s): All

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

The Purchasing & Strategic Sourcing Department and Information Technology Department recommend award as indicated to Environmental Systems Research Institute, Inc. dba Esri under the exemption listed above.

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

All Districts

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092
Information Technology, Araceli Guerra (915) 212-1401

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

- 39. The linkage to the Strategic Plan is subsection: 6.7 Deliver effective and efficient processes to maximize value in obtaining goods and services.

[24-1346](#)

Award Summary:

Discussion and action on the request that the Managing Director of Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order(s) for solicitation 2025-0092 Newspaper Legal Notices to Gannett Media Corp., dba Gannett Texas/New Mexico LocaliQ the sole source provider for the newspaper legal notices for a term of three (3) years for an estimated amount of \$1,200,000.00. Supplier will be required to provide an updated sole source letter and affidavit each year. This service will allow the City to publish legal notices pursuant to the State of Texas Local Government Code.

Contract Variance:

The difference based in comparison to the previous contract is as follows: A decrease of \$600,000.00 for the initial term, which represents a 33.33% decrease for the same services and historical data.

Department: Purchasing & Strategic Sourcing
Award to: Gannett Media Corp., dba Gannett Texas/New Mexico LocaliQ
City & State: Cincinnati, OH
Item(s): All

Initial Term: 3 Years
Option Term: NA
Total Contract Time: 3 Years
Annual Estimated Award: \$400,000.00
Initial Term Estimated Award: \$1,200,000.00
Option Term Estimated Award: NA
Total Estimated Award: \$1,200,000.00
Account(s): Various Accounts
Funding Source(s): Various Sources
District(s): All

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

The Purchasing & Strategic Sourcing Department recommend award as indicated to Gannett Media Corp., dba Gannett Texas/New Mexico LocalIQ under the exemption listed above.

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

All Districts

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092
Purchasing and Strategic Sourcing, Veronica Gomez, (915) 224-5607

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

- 40. The linkage to the Strategic Plan is subsection: 7.2 Improve competitiveness through infrastructure improvements impacting the quality of life.

[24-1336](#)

Award Summary:

Discussion and action on the award of Solicitation 2024-0341 Sean Haggerty Drive Extension and Bridge Construction to Jordan Foster Construction, LLC for a total estimated amount of \$26,003,480.41. The project will consist of construction of a new 4-lane bridge, roadway approaches, pedestrian/bicycle accommodations, aesthetic lighting, illumination, a canopy bridge structure and drainage structures.

Department: Capital Improvement
Award to: Jordan Foster Construction, LLC
City & State: El Paso, TX
Items: Base Bid I, Base Bid II, Additive Alternate 1, and Additive Alternate 2
Contract Term: 348 Working Days
Base Bid I: \$20,664,033.26
Base Bid II: \$3,419,470.32
Additive Alternate 1: \$1,242,600.00
Additive Alternate 2: \$677,376.83
Total Estimated Award: \$26,003,480.41

Accounts: 190-4743-38290-580270-PCP21TRAN04
190-4930-99999-580270-PCP21TRAN04
190-4970-38230-580270-PCP21TRAN04
190-4950-38170-580270-PCP21TRAN04
Funding Sources: 2018 Certificates of Obligations
El Paso Water Utilities
Capital Projects - Texas Department of Transportation
District: 4

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Jordan Foster Construction, LLC the lowest responsive and responsible bidder.

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

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

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

District 4

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

- 41. The linkage to the Strategic Plan is subsection: 7.2 Improve competitiveness through infrastructure improvements impacting the quality of life.

[24-1338](#)

Award Summary:

Discussion and action on the award of Solicitation 2024-0041 Intelligent Transportation System at Bridge of the Americas and Zaragoza Ports of Entry Off-System to Tri-State Electric. Ltd., for a total estimated award of \$6,947,247.99. The project consists of the construction, acquisition, and installation of Intelligent Transportation Systems (ITS) at the Bridge of the Americas (BOTA) and Zaragoza Ports of Entry to increase security measures and expedite trade.

Department: Capital Improvement
Award to: Tri-State Electric. Ltd.
City & State: Vinton, TX
Item(s): Base Bid I
Contract Term: 180 Standard Workweek Days
Base Bid I: \$6,947,247.99

Total Estimated Award: \$6,947,247.99
Account(s): 190-4950-580270-38170- PCP18IB005- GS9023TMFG
Funding Source(s): Texas Mobility Fund Grant
District(s): 3 & 7

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Tri-State Electric. Ltd. 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.

Districts 3 & 7

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

REGULAR AGENDA - OTHER BUSINESS:

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

42. Discussion and action that the El Paso City Council hereby approves the list of projects on Exhibit "A" attached to the Resolution, totaling \$67,435,000.00, which establishes: 1) the "Comprehensive International Bridges Capital Improvement Program" as the approved list of International Bridges Capital Improvement Program projects for FY 2025 through FY 2029; and 2) the use of the identified funding sources. Further, the El Paso City Council hereby authorizes the City Manager to make all necessary budget transfers prior to the execution of the projects. [24-1345](#)

All Districts

International Bridges, Roberto Tinajero, (915) 212-7509

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

43. Discussion and action on a Resolution authorizing the submission of an application to the Office of the Governor Texas Military Preparedness [24-1367](#)

Commission Fiscal Year 2025 Defense Economic Adjustment Assistance Grant (DEAAG) program requesting funds in the amount of \$3,000,000.00, with a \$6,514,523.00 match from the City, for the Fire Station 12 Reconstruction Project.

All Districts

City Manager's Office, Omar Martinez, (915) 479-0341
Capital Improvement Department, Yvette Hernandez, (915) 212-1860

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

44. Discussion and action on the Resolution that the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2024 by Paseo Del Este Municipal Utility District No. 1 with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

[24-1311](#)

All Districts

City Manager's Office, Robert Cortinas, (915) 212-1067

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

45. Discussion and action on a Resolution authorizing the submission of an application to the U.S. Department of Transportation (USDOT) Fiscal Year 2025 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program requesting funds in the amount of \$20,000,000.00, with a \$5,000,000.00 match required from the City, for the Ysleta Port of Entry Southbound Commercial Facilities Expansion Project: Phase I.

[24-1366](#)

All Districts

City Manager's Office, Omar Martinez, (915) 479-0341
International Bridges, Roberto Tinajero, (915) 212-7509

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

- 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

ADJOURN

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for Regular City Council Meetings. If you need Spanish Interpretation Services, please email CityClerk@elpasotexas.gov by 12:00 p.m. on the Friday before the meeting.

Si usted necesita servicios de interpretación en español, favor de enviar un correo electrónico a CityClerk@elpasotexas.gov a mas tardar a las 12:00 p.m. del viernes previo a la fecha de la junta.

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

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



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1354, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Approval of the Minutes of the Regular City Council Meeting of September 24,2024, the Agenda Review Meeting of September 23, 2024, and the Work Session of September 23, 2024.

OSCAR LEESER
MAYOR



CITY COUNCIL
BRIAN KENNEDY, DISTRICT 1
JOSH ACEVEDO, DISTRICT 2
CASSANDRA HERNANDEZ DISTRICT 3
JOE MOLINAR, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
ART FIERRO DISTRICT 6
HENRY RIVERA, DISTRICT 7
CHRIS CANALES, DISTRICT 8

DIONNE MACK
CITY MANAGER

**AGENDA REVIEW MINUTES
COUNCIL CHAMBERS AND VIRTUALLY
CITY HALL, 300 N. CAMPBELL
September 23, 2024
9:00 A.M.**

.....
The City Council met at the above place and date. Meeting was called to order at 9:00 a.m. Mayor Oscar Leeser was present and presiding. The following Council Members answered roll call: Brian Kennedy, Josh Acevedo, Cassandra Hernandez, Joe Molinar, Art Fierro, Henry Rivera, and Chris Canales. Isabel Salcido requested to be excused.

.....
The agenda items for the September 24, 2024 Regular City Council Meeting were reviewed.

.....
37. REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

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

Contract Variance:

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

Department:	Fire
Award to Supplier 1:	American Coach & Limousine, Inc., dba Coach America
City & State:	New Brunswick, NJ
Items(s):	All
Initial Term:	3 Years
Option Terms:	2 Years
Total Contract Time:	5 Years
Annual Estimated Award:	\$109,700.00
Initial Term Estimated Award:	\$329,100.00
Option Term Estimated Award:	\$219,400.00
Total Estimated Award:	\$548,500.00
Award to Supplier 2:	D'Loaiza Bus Transportation, Inc., dba El Paso Bus Ride
City & State:	El Paso, TX
Items(s):	4, 5, 6, & 7
Initial Term:	3 Years
Option Terms:	N/A
Total Contract Time:	3 Years
Annual Estimated Award:	\$97,000.00

Initial Term Estimated Award: \$291,000.00
Option Term Estimated Award: N/A
Total Estimated Award: \$291,000.00

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

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

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

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

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and Fire Department recommend award as indicated to 1.) American Coach & Limousine, Inc., dba Coach America, 2.) D'Loaiza Bus Transportation, Inc., dba El Paso Bus Ride, 3.) Mobility Technologies, LLC dba Gogo Charters

LLC, 4.) Silvia P. Gutierrez Castillo dba Messenger Charters LLC, and 5.) Nomibus the lowest responsive and responsible bidders.

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

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

Mayor Leeser commented.

Representative Hernandez questioned the following City staff members:

- Ms. Vanessa Lagunas, Procurement Analyst
- Assistant Fire Chief Jorge Rodriguez

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43. REGULAR AGENDA – PUBLIC HEARING AND SECOND READINGS OF ORDINANCES

An Ordinance changing the zoning of Lot 3, Block 1, Coronado del Sol, City of El Paso, El Paso County, Texas, from R-3 (Residential) and R-5/sc (Residential/special contract) to A-3 (Apartment) and A-3/sc (Apartment/special contract), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. THIS IS A 211 CASE

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: Mesa Hills and Northwest of Sunland Park
Applicant: Housing Authority of the City of El Paso, PZRZ24-00002

Mayor Leeser and Representative Canales questioned the following City staff members:

- Mr. Raul Garcia, Planning Program Manager
- Ms. Karla Nieman, City Attorney
- Ms. Laura Prine, City Clerk

.....
Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** this meeting at 9:21 a.m.

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

NAYS: None

ABSENT: Representative Salcido

.....
APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk

OSCAR LEESER
MAYOR

DIONNE MACK
CITY MANAGER



CITY COUNCIL
BRIAN KENNEDY, DISTRICT 1
JOSH ACEVEDO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
JOE MOLINAR, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
ART FIERRO, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CHRIS CANALES, DISTRICT 8

CITY COUNCIL WORK SESSION MINUTES
September 23, 2024
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY
9:05 A.M.

.....
The City Council of the City of El Paso met at the above place and date. Meeting was called to order at 9:21 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Brian Kennedy, Josh Acevedo, Cassandra Hernandez, Joe Molinar, Art Fierro, Henry Rivera, and Chris Canales. Isabel Salcido requested to be excused.

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AGENDA

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1. ORDINANCE NO. 019672

**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, 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 response to potential street releases and partly pursuant to Emergency Ordinance No. 019333, the El Paso City-County Office of Emergency Management (“OEM”) reallocated COVID-19 Operations staff to assist as migrant shelter surge staff and created a job specification, for general disaster operations to include humanitarian relief duties to hire and assign staff to assist with NGO capacity; and

WHEREAS, in the Fall of 2022, at least partly pursuant to the authority contained in Emergency Ordinance No. 019333, the City expended significant resources to create and staff a Welcome Center to assist with transportation assistance, providing long-distance charter services and over 39,000 meals to over 19,300 migrants through October 20, 2022; and

WHEREAS, the Director of Aviation has the authority, as granted by the El Paso City Council, to manage the day-to-day operations of the El Paso International Airport (“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, from time to time during the migration waves, EPIA in recent past, has become saturated with migrants awaiting air travel and has needed 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 four international ports of entry between Texas and Mexico; and

WHEREAS, at times during the pendency of Emergency Ordinance No. 019333, border officials have barricaded and closed down the Paso del Norte bridge due to a breach of public safety involving hundreds of migrants present on the bridge attributed to rumors about the relaxation of immigration restrictions circulated on social media sites, which has caused significant delays at the international ports-of-entry involving trade; and

WHEREAS, the encampment of large groups of migrants on City rights of way, parks and other City property at one point led to street closures and cessation of the streetcar service and reassignment of City staff required to ensure safety and sanitary conditions in that area; and

WHEREAS, in order to protect the health of persons in the municipality, the City Council wishes to continue to assist the local non-governmental organizations (“NGOs”) with surge staff, coordination of resources and supplies, and transportation in light of the continued high number of community releases; and

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

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

WHEREAS, the El Paso sector of U.S. Customs and Border Patrol (“CBP”) had 482,095 land border encounters and over 174,000 community releases in the federal fiscal year 2023; and

WHEREAS, for federal fiscal year 2024, the Southwest had 1,925,773 migrant encounters and

WHEREAS, when the CBP Central Processing Center is over capacity and the NGO space is unavailable, that is when the potential for street releases arises; 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, there are significant public safety and security concerns related to the waves of migration, including but not limited to the risk of 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; and

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

WHEREAS, the White House issued a proclamation, effective June 5, 2024, limiting asylum eligibility, and increasing the consequences for crossing the southern border without authorization; 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, 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; and

WHEREAS, this document reflects the authority of the City of El Paso's Office of Emergency Management in the handling of the local mass migration and is separate and apart from any authority possessed by any other jurisdiction on migrant issues.

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.

Representative Canales commented.

Assistant Fire Chief Jorge Rodriguez commented.

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

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

NAYS: None

ABSENT: Representative Salcido

Mayor Leeser consented to the adoption of the Emergency Ordinance.

.....
EXECUTIVE SESSION

Motion made by Representative Rivera, seconded by Representative Fierro, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 9:25 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss the executive session items posted on the agenda:

Section 551.071 CONSULTATION WITH ATTORNEY

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

NAYS: None

ABSENT: Representative Salcido

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the Executive Session at 11:10 p.m. and **RECONVENE** the meeting of the City Council at which time a motion was made on Item EX5.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Salcido

.....
EX1. Edmundo Calderon v. City of El Paso, et al.; Cause No. 2023DCV4372 (551.071)

NO ACTION was taken on this item when Council reconvened the meeting following the initial executive session.

1ST MOTION

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried that the City Council **RETIRE** once again into **EXECUTIVE SESSION** at 2:32 p.m.

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

NAYS: None

ABSENT: Representative Salcido

2ND MOTION

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the Executive Session at 3:42 p.m. and **RECONVENE** the meeting of the City Council at which time a motion was made.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Salcido

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Kennedy, seconded by Representative Molinar, and unanimously carried that the City Attorney’s Office, in consultation with the Chair of the Financial Oversight and Audit Committee and the City Manager, be **AUTHORIZED** to enter into settlement negotiations and/or settle the lawsuit of *Edmundo Calderon v. City of El Paso*, Cause No. 2023DCV4372, and to take all steps necessary including the execution of any required documents in order to effectuate this authority.

Representative Canales commented.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Salcido

.....
EX2. City of El Paso, Texas v. Birds N Beasts, Inc. and Joe Krathwohl; Cause No. 2021DCV0301 (551.071)

NO ACTION was taken on this item.

.....
EX3. City of El Paso v. Ricks Cabaret and RCI Holdings, et. al; Cause No. 2024DCV0848; (551.071)

NO ACTION was taken on this item.

.....
EX4. Lynda Cardwell v. City of El Paso and El Paso Zoo; Cause No. 2021DCV0970 (551.071)

NO ACTION was taken on this item.

.....
EX5. El Paso Electric Company's Annual Compliance Filing to Revise Certain Meter-Related Charges; HQ#UTILITY-53 (551.071)

Motion made by Mayor Pro Tempore Kennedy, seconded by Representative Rivera, and unanimously carried that the City Attorney in consultation with the City Manager be **AUTHORIZED** to file an intervention in *El Paso Electric Company’s Annual Compliance Filing to Revise Certain Meter-Related Charges*, filed on August 30, 2024, under the Texas Public Utility Commission, Docket No. 57020, in Matter Number UTILITY-53, and to take all steps necessary, including the execution of any required documents, in order to effectuate this authority

Mayor Leeser and Representative Hernandez commented.

Representative Acevedo verbally disclosed a \$750 contribution received from El Paso Electric Political Action Committee.

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

NAYS: None

ABSENT: Representative Hernandez

.....
The Regular City Council meeting was **RECESSED** at 11:13 a.m.

The Regular City Council meeting was **RECONVENED** at 2:31 pm.

.....
Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the meeting at 3:44 p.m.

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

NAYS: None

ABSENT: Representative Salcido

.....
APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-66, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Request to excuse Representative Joe Molinar from the October 8, 2024, Regular City Council Meeting.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1347, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Office of the Comptroller, Margarita Marin, (915) 212-1174

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Approve a Resolution to amend the City of El Paso Investment Policy for Fiscal Year 2025.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Office of the Comptroller

AGENDA DATE: October 8, 2024

PUBLIC HEARING DATE: N/A

CONTACT PERSON NAME AND PHONE NUMBER: Margarita Marin – Comptroller – 915-212-1174

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: Goal 6: Set the Standard for sound governance and fiscal management

SUBGOAL: 6.6 Ensure continued financial stability and accountability through sound financial management, budgeting and reporting

SUBJECT:

APPROVE a resolution to amend the City of El Paso Investment Policy for fiscal year 2025.

BACKGROUND / DISCUSSION:

Pursuant to Section 2256 of the Texas Government Code, otherwise known as the Texas Public Funds Investment Act (TPFIA), the City is required to review its Investment Policy on an annual basis and recommend any changes to such. In addition, Section 11.0 of the City's Investment Policy requires that changes be presented to the Financial Oversight and Audit Committee (FOAC) prior to moving forward to the full Council. The update was presented to the FOAC on September 17, 2024, and the suggested changes were accepted.

PRIOR COUNCIL ACTION:

The Investment Policy was last amended by City Council on August 15, 2023.

AMOUNT AND SOURCE OF FUNDING: N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

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

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

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

That the City hereby adopts the restated and amended City of El Paso FY 2025 Investment Policy, which is attached hereto as Exhibit “A” and incorporated herein by reference.

APPROVED this ____ day of _____, 2024.


CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



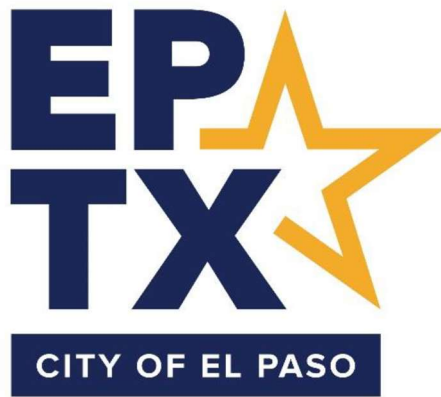
Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Margarita Marin, Comptroller
Office of the Comptroller

EXHIBIT “A”



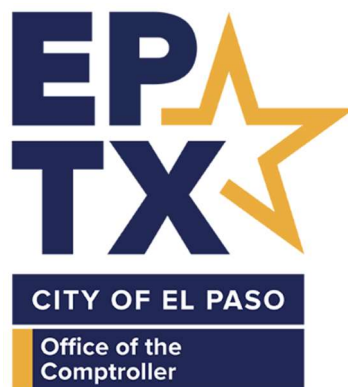
City of El Paso

Investment Policy

October 8, 2024

Prepared by:
Office of the Comptroller
Treasury Division

Previous Revision August 2023



The mission of the Office of the Comptroller is to provide fiscal management and financial reporting, administer treasury services and provide grant accounting information to City Management and elected officials so that they can make informed decisions regarding the provisions of City services.

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The City of El Paso

Investment Policy

1 - POLICY

It is the policy of the City of El Paso, Texas (the “City”) to: (i) invest public funds in a manner which will provide maximum safety of principal; (ii) meet the daily cash flow demands of the City (liquidity); and (iii) provide the highest possible investment return all while complying with the Texas Public Funds Investment Act of 1995, as may be amended (“TPFIA”) and local ordinances and resolutions governing the investment of the City’s public funds. Definitions and terms contained herein are defined in Section 2256.002 of TPFIA.

2 - SCOPE

The City of El Paso Investment Policy (this “Investment Policy”) applies to all cash assets of the City as reported in the City’s Annual Comprehensive Financial Report except for those funds of the Public Employees Retirement System (PERS) and component units which are governed by other laws, statutes, and ordinances. Except for cash in certain restricted and special funds, the City will consolidate cash and reserve balances from all funds to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping and administration. The City’s Investment Strategy is attached as Exhibit “A” and is incorporated for all applicable purposes by reference herein. Investment income will be allocated in accordance with the City’s strategy for allocating interest to participating funds as set forth in Appendix “1” to Exhibit “A.”

The fund types covered by this Investment Policy are accounted for in the books and records of the City and are as follows:

- a. General Fund (which includes the Cash Reserve Fund);
- b. Special Revenue Funds;
- c. Capital Projects Funds;
- d. Debt Service Fund;
- e. Enterprise Funds;
- f. Internal Service Funds
- g. Fiduciary Funds

3 - GENERAL OBJECTIVES

The primary objectives of the City's investment activities, in order of priority, shall be as follows:

3.1 - Preservation and Safety of Principal

Preservation and safety of principal are the foremost objectives of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

a. Credit risk. The City will minimize credit risk, which is the risk of loss due to the failure of the security issuer or backer, by:

- (i) limiting investments to the types of securities listed in Section 6.0 of this Investment Policy;
- (ii) pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisers with which the City will do business in accordance with Section 5.0; and
- (iii) diversifying the investment portfolio so that the impact of potential losses from any one type of security or from any one individual issuer will be minimized.

b. Interest rate risk. The City will minimize interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to increases in market interest rates, by:

- (i) structuring the investment portfolio so that securities mature in a manner that cash requirements for ongoing operations will be met, thereby avoiding the need to sell securities on the open market prior to maturity; and
- (ii) investing operating funds primarily in short-term securities, money market mutual funds, or similar investment pools and limiting the average maturity of the portfolio in accordance with Section 9.2.

3.2 - Liquidity

The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements that might be reasonably anticipated. To a large extent, liquidity shall be determined by the flow of revenues and expenditures predicted by the Office of the Comptroller using cash flow projections and historical data. These cash flow projections shall be at least one (1) year in length.

3.3 - Yield

The City's investment portfolio shall be designed with the objective of attaining a rate of return/yield throughout budgetary and economic cycles, commensurate with the City's investment risk constraints and the cash flow characteristics of the portfolio. Return on investment is of secondary importance compared to the preservation and safety of principal and liquidity objectives described above. The City's core investments are limited to low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall generally be held until maturity unless otherwise deemed appropriate by the City Manager or his/her designee.

4 - STANDARDS OF CARE

4.1 - Delegation of Authority

The authority to manage the City's investment program is derived from the TPFIA, the El Paso City Charter, City Ordinances and Resolutions. The Chief Financial Officer, Comptroller, and Treasury Services Coordinator are designated as the Investment Officers who are responsible for investment transactions; provided, however, that in the event that any or all of the positions are or becomes vacant, the persons acting in such capacity shall be designated as an Investment Officer for the interim period. All investment procedures shall be in writing and approved by the Chief Financial Officer and the City Manager.

An Investment Committee shall be responsible for monitoring, reviewing, and making recommendations regarding the City's cash management and investment program. The Investment Committee will consist of the Chief Financial Officer, Comptroller, Treasury Services Coordinator, OMB Director, and the Chief Internal Auditor. The Investment Committee will report to the City Manager on at least a quarterly basis the activities of the City's investments.

The Comptroller will oversee the activities of the Treasury Division of the Office of the Comptroller Department, and if the Treasury Services Coordinator position is vacant, shall perform, or designate a person to perform, such duties on an interim basis. The Treasury Services Coordinator shall be responsible for the day-to-day financial transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials and staff. The Treasury Services Coordinator shall designate one or more staff as a pro tempore, acting in a limited capacity defined by the Treasury Services Coordinator, in the event circumstances require timely action and the Treasury Services Coordinator is not available.

No other officers or designees may engage in an investment or banking transaction except as provided under the terms of this Investment Policy and the procedures established.

4.2 - Prudence

The City's investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the safety of capital and the yield to be derived. The standard of care to be used by Investment Officers shall be said "prudent person" standard and shall be applied in the context of managing an overall portfolio and whether the investment decision was consistent with the written investment policy of the City.

4.3 - Training

The Investment Officer(s) shall attend at least one (1) training session from an independent source approved by City Council or a designated investment committee advising the Investment Officer(s) as provided for in this Investment Policy of the City and containing at least ten (10) hours of instruction relating to the officer's responsibilities under this Investment Policy and the TPFIA. Such training session shall be taken within twelve (12) months after the Investment Officer(s) takes office or assumes duties. The Investment Officer(s) shall attend an investment training session not less than once in each two-year period that begins on the first day of the City's fiscal year and consists of two consecutive fiscal years after that date and receive not less than ten (10) hours of instruction relating

to investment responsibilities under this Investment Policy and the TPFIA from an independent source approved by the City Council or a designated investment committee advising the Investment Officer as provided for in the investment policy of the City. This training must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with TPFIA.

4.4 - Ethics and Conflicts of Interest

Investment Officers involved in the investment process shall refrain from personal business activity that could conflict or be perceived to conflict with proper execution of the investment program, or that could impair their ability to make impartial investment decisions. An Investment Officer of the City who has a personal business relationship with a business organization offering to engage in an investment transaction with the City shall file a statement disclosing that personal business interest. An Investment Officer who is related within the second degree by affinity or consanguinity, as determined by Chapter 573 of the Texas Government Code, to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this Section 4.4 must be filed with the Texas Ethics Commission and the City Council. For purposes of this Section 4.4, an Investment Officer has a personal business relationship with a business if:

- a. the Investment Officer owns ten percent (10%) or more of the voting stock or shares of the business organization or owns five thousand dollars (\$5,000) or more of the fair market value of the business organization;
- b. funds received by the Investment Officer from the business organization exceeds ten percent (10%) of the Investment Officer's gross income from the previous year; or
- c. the Investment Officer has acquired from the business organization during the previous year investments with a book value of two thousand five hundred dollars (\$2,500) or more for the personal account of the Investment Officer.

Investment Officers, not required by this Section 4.4 to file a disclosure statement, will file a statement with the City Clerk's Office announcing no potential conflicts.

5 – AUTHORIZED FINANCIAL INSTITUTIONS, DEPOSITORIES, AND BROKER/DEALERS

5.1 - Authorized Institutions

Financial institutions (i.e., banks, savings & loans, credit unions) and securities dealers (i.e., brokers, "primary" and "secondary" dealers) with an office located in the state of Texas (preferably El Paso, Texas) may become authorized to sell/purchase negotiable securities to/from the City. Repurchase Agreements may be entered into with primary securities dealers or financial institutions with offices in Texas.

5.2 - Selection

The Investment Committee and the City Manager shall at least annually, review, revise, and adopt a list of qualified financial institutions and securities dealers that are authorized to engage in investment

transactions with the City. Additional financial institutions and securities dealers may be added on a quarterly basis after Investment Committee approval.

5.3 - List of Authorized Institutions

The Treasury Services Coordinator shall maintain an updated list of financial institutions authorized to provide investment services as well as a list of approved security broker/dealers selected by credit worthiness, who maintain an office in the State of Texas. These may include primary dealers, depository banks, or regional dealers that qualify under Securities and Exchange Commission Rule 15C3-1 (Uniform Net Capital Rule).

5.4 - Competition

Bids for investments will be solicited by the Treasury Services Coordinator, as deemed necessary and approved by the Investment Committee, from the approved list of authorized institutions using a competitive bid process in a format designed by the Investment Officer(s). The City's depository bank, once selected, may compete for City investments through the competitive bid process established. Bids for investments may be solicited orally, in writing, electronically, or a combination of these methods. Rate of return will be considered the primary factor when selecting a particular bid. The secondary factor will be location of office, preferably within El Paso, Texas.

5.5 - Requisite Information

All business organizations that desire to become qualified bidders for investment transactions must supply the Investment Officer(s) with the following:

- a. audited financial statements;
- b. proof of National Association of Securities Dealers certification;
- c. trading resolution; and
- d. proof of state registration

5.6 - Audited Financials

Current audited financial statements are required to be on file for each financial institution and broker/dealer with which the City invests.

5.7 - Receipt of Investment Policy

A written copy of this Investment Policy shall be presented to any business organization offering to engage in an investment transaction with the City. For purposes of this subsection, "business organization" means an investment pool or investment management firm under contract with the City to invest or manage the City's investment portfolio that has accepted authority granted by the City under the contract to exercise investment discretion in regards to investing the City's funds. The qualified representative of the business organization offering to engage in an investment transaction with the City shall execute a written instrument in a form acceptable to the City stating that the organization has received and reviewed the City's Investment Policy, acknowledges that the business organization has implemented reasonable procedures and controls to preclude investment

transactions that are not authorized by the City's Investment Policy, except to the extent that this authorization:

- a. is dependent on an analysis of the makeup of the entire portfolio;
- b. requires an interpretation of subjective investment standards; or
- c. relates to investment transactions of the City that are not made through accounts or contractual arrangements over which the business organization has accepted discretionary investment authority.

5.8 - Denial of Business

No investment business may be conducted with any business organization that has not complied with the certification identified in Section 5.7 above.

6 - AUTHORIZED INVESTMENTS

Except as otherwise provided hereinafter, the City may invest in the following types of securities:

6.1 - Obligations of, or Guaranteed by, Government Entities

- a. The following investments are authorized:
 - (i) obligations, including letters of credit, of the United States or its agencies and instrumentalities, including Federal Home Loan Banks;
 - (ii) direct obligations of the State of Texas or its agencies and instrumentalities;
 - (iii) collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by the agency or instrumentality of the United States;
 - (iv) other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of the State of Texas or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States;
 - (v) obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent; and
 - (vi) interest-bearing banking deposits that are guaranteed or insured by (a) the Federal Deposit Insurance Corporation or its successors or (b) the National Credit Union Share Insurance Funds or its successor.
- b. The following are NOT authorized investments under this Section 6.1:
 - (i) obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal;

- (ii) obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
- (iii) collateralized mortgage obligations which have a stated final maturity date of greater than ten (10) years; and
- (iv) collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to changes in a market index.

6.2 - Certificates of Deposit and Share Certificates

a. A certificate of deposit or share certificate is an authorized investment under this Section 6.2 if the certificate is issued by a depository institution that has its main office or a branch office in the State of Texas and is:

- (i) guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
- (ii) secured by obligations that are described by Section 6.1(a) herein above, including mortgage backed securities directly issued by a federal agency or instrumentality that have a market value of not less than the principal amount of the certificates, but excluding those mortgage backed securities of the nature described in Section 6.1(b); or
- (iii) secured in any other manner and amount provided by law of deposits of the investing entity.

b. In addition to the authority to invest funds in certificates of deposit under Section 6.2(a), an investment in certificates of deposit made in accordance with the following conditions is an authorized investment:

- (i) the funds are invested by the City through:
 1. a broker that has its main office or a branch office in this state and is selected from a list adopted by the City in accordance with Section 5.2; or
 2. a depository institution that has its main office or a branch office in this state and that is selected by the City;
- (ii) the broker or the depository institution selected by the City arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of the City;
- (iii) the full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States; and
- (iv) the City appoints the depository institution selected under Section 6.2(b)(i), a Custodian (as defined in Section 7.3) or a clearing broker/dealer registered with the Securities and Exchange Commission and operating pursuant to Securities and Exchange Commission Rule 15c3-3 as Custodian for the City with respect to the certificates of deposit issued for the account of the City.

6.3 - Repurchase Agreements

- a. A fully collateralized repurchase agreement is an authorized investment if the repurchase agreement:
- (i) has a defined termination date;
 - (ii) is secured by a combination of cash and obligations described in Section 6.1a(i) or 6.4;
 - (iii) requires the securities being purchased by the City or the cash held by the City to be pledged to the City, held in the City's name, and deposited at the time the investment is made with the City or with a third party selected and approved by the City; and
 - (iv) is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas.
- b. In this Section 6.3, "repurchase agreement" means a simultaneous agreement to buy, hold for a specified time, and sell back at a future date obligations described by Section 6.1a(i), at a market value at the time the funds are disbursed of not less than the principal amount of the funds disbursed. The term includes a direct security repurchase agreement and a reverse security repurchase agreement.
- c. Notwithstanding any other law, the term of any reverse security repurchase agreement may not exceed ninety (90) days after the date the reverse security repurchase agreement is delivered.
- d. Money received by the City under the terms of a reverse security repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must mature not later than the expiration date stated in the reverse security repurchase agreement.
- e. The City in the proceedings to authorize obligations or a credit agreement, or in a credit agreement, may agree to waive sovereign immunity from suit or liability for the purpose of adjudicating a claim to enforce the credit agreement or obligation or for damages for breach of the credit agreement or obligation.

6.4 - Commercial Paper

- a. Commercial paper is an authorized investment under this Section 6.4 if the commercial paper:
- (i) has a stated maturity of 365 days or fewer from the date of its issuance; and
 - (ii) is rated not less than A-1 or P-1 or an equivalent rating by at least:
 - 1. two nationally recognized credit rating agencies; or
 - 2. one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States or any state.

6.5 - Mutual Funds

- a. A no-load money market mutual fund is an authorized investment under this Section 6.5 if the mutual fund:
 - (i) is registered with and regulated by the Securities and Exchange Commission;
 - (ii) provides the City with a prospectus and other information required by the Securities Exchange Act of 1934 (15 U.S.C. Section 78a et seq.) or the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.);
 - (iii) complies with Securities Exchange Commission Rule 2a-7 (17 C.F.R. Section 270. 2a-7), promulgated under the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.)
- b. In addition to a no-load money market mutual fund permitted as an authorized investment in Section 6.5a., a no-load mutual fund is an authorized investment under this Section 6.5, if the mutual fund:
 - (i) is registered with the Securities and Exchange Commission;
 - (ii) has an average weighted maturity of less than two (2) years; and
 - (iii) either:
 1. has a duration of one year or more and is invested exclusively in obligations approved by this Section 6.5; or
 2. has a duration of less than one year and the investment portfolio is limited to investment grade securities, excluding asset-backed securities
- c. The City is not authorized by this Section 6.5 to:
 - (i) invest in the aggregate more than fifteen percent (15%) of its monthly average fund balance, excluding bond proceeds and reserves and other funds held for debt service, in mutual funds described in Section 6.5b.;
 - (ii) invest any portion of bond proceeds, reserves and funds held for debt service, in mutual funds described in Section 6.5b.; or
 - (iii) invest its funds or funds under its control, including bond proceeds and reserves and other funds held for debt service, in any one mutual fund described in subsection a. or b. in an amount that exceeds ten percent (10%) of the total assets of the mutual fund.

6.6 - Investment Pools

- a. The City may invest its funds and funds under its control through an eligible investment pool if the City Council by rule, order, ordinance, or resolution, as appropriate, authorizes investment in the particular pool. An investment pool shall invest the funds it receives from the City in authorized investments permitted by Section 6.0. An investment pool may invest its funds in money market mutual funds to the extent permitted by and consistent with this Section 6.6 and the investment policies and objectives adopted by the investment pool.

b. To be eligible to receive funds from and invest funds on behalf of the City under this Section 6.6, an investment pool must furnish to the Investment Officer(s) or other authorized representative of the City, an offering circular or other similar disclosure instrument that contains, at a minimum, the following information:

- (i) the types of investments in which money is allowed to be invested;
- (ii) the maximum average dollar-weighted maturity allowed, based on the stated maturity date, of the pool;
- (iii) the maximum stated maturity date any investment security within the portfolio has;
- (iv) the objectives of the pool;
- (v) the size of the pool;
- (vi) the names of the members of the advisory board of the pool and the dates their terms expire;
- (vii) the custodian bank that will safe keep the pool's assets;
- (viii) whether the intent of the pool is to maintain a net asset value of one dollar and the risk of market price fluctuation;
- (ix) whether the only source of payment is the assets of the pool at market value or whether there is a secondary source of payment, such as insurance or guarantees, and a description of the secondary source of payment;
- (x) the name and address of the independent auditor of the pool;
- (xi) the requirements to be satisfied for an entity to deposit funds in and withdraw funds from the pool and any deadlines or other operating policies required for the entity to invest funds in and withdraw funds from the pool;
- (xii) the performance history of the pool, including yield, average dollar-weighted maturities, and expense ratios; and
- (xiii) the pool's policy regarding holding deposits in cash.

c. To maintain eligibility to receive funds from and invest funds on behalf of the City, an investment pool must furnish to the Investment Officer(s) or other authorized representative of the City:

- (i) investment transaction confirmations; and
- (ii) a monthly report that contains, at a minimum, the following information:
 1. the types and percentage breakdown of securities in which the pool is invested;
 2. the current average dollar-weighted maturity, based on the stated maturity date, of the pool;
 3. the current percentage of the pool's portfolio in investments that have stated maturities of more than one (1) year;

4. the book value versus the market value of the pool's portfolio, using amortized cost valuation;
 5. the size of the pool;
 6. the number of participants in the pool;
 7. the custodian bank that is safekeeping the assets of the pool;
 8. listing of daily transaction activity of the entity participating in the pool;
 9. the yield and expense ratio of the pool, including a statement regarding how yield is calculated;
 10. the portfolio managers of the pool; and
 11. any changes or addenda to the offering circular.
- d. The City by contract may delegate to an investment pool the authority to hold legal title as custodian of investments purchased with its local funds.
- e. In this Section 6.6, for purposes of an investment pool for which a \$1.00 net asset value is maintained, "yield" shall be calculated in accordance with regulations governing the registration of open-end management investment companies under the Investment Company Act of 1940, as promulgated from time to time by the federal Securities and Exchange Commission.
- f. To be eligible to receive funds from and invest funds on behalf of the City, a public funds investment pool that uses amortized cost or fair value accounting must mark its portfolio to market daily, and, to the extent reasonably possible, stabilize at a one dollar (\$1.00) net asset value, when rounded and expressed to two decimal places. If the ratio of the market value of the portfolio divided by the book value of the portfolio is less than 0.995 or greater than 1.005, the governing body of the public funds investment pool shall take action as the body determines necessary to eliminate or reduce to the extent reasonably practicable any dilution or unfair result to existing participants, including a sale of portfolio holdings to attempt to maintain the ratio between 0.995 and 1.005. In addition to the requirements of its investment policy and any other forms of reporting, a public funds investment pool that uses amortized cost shall report yield to its investors in accordance with regulations of the federal Securities and Exchange Commission applicable to reporting by money market funds.
- g. To be eligible to receive funds from and invest funds on behalf of the City, a public funds investment pool must have an advisory board composed:
- (i) equally of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for a public funds investment pool created under Chapter 791 of the Government Code and managed by a state agency; or
 - (ii) of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for other investment pools.
- h. To maintain eligibility to receive funds from and invest funds on behalf of the City, an investment pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.

- i. If the investment pool operates an Internet website, the information in a disclosure instrument or report described in Sections 6.6(b), (c)(ii), and (f) must be posted on the website.
- j. To maintain eligibility to receive funds from and invest funds on behalf of an entity under this Section 6.6, an investment pool must make available to the City an annual audited financial statement of the investment pool in which the City has funds invested.
- k. If an investment pool offers fee breakpoints based on fund balances invested, the investment pool in advertising investment rates must include either all levels of return based on the breakpoints provided or state the lowest possible level of return based on the smallest level of funds invested.

7 - COLLATERALIZATION/LIMITS/CUSTODY

7.1 - Collateralization

Collateralization will be required for deposits of public funds in demand deposit accounts, certificates of deposit, and repurchase agreements. In accordance with Texas Government Code Chapter 2257.022 "Amount of Collateral", the total value of eligible security to secure a deposit of public funds must be in an amount not less than the amount of the deposit of public funds:

- a. Increased by the amount of any accrued interest; and
- b. Reduced to the total extent that the United States or an instrumentality of the United States insures the deposit.

Collateralization percent coverage will be outlined in the Collateral Agreement as part of the City's Depository Agreement Contract with the awarded Banking Institution. All other on demand deposit accounts that are not included in the City's Depository Agreement Contract will be required to adhere to the collateralization percent coverage stated in the awarded depository contract.

7.2 - Limits

The City chooses to limit the type of collateral required to the eligible security instruments identified in Section 6.1 hereinabove.

7.3 - Custody

Collateral will always be held by an independent third party Custodian with whom the City has a current custodial agreement. A clearly marked evidence of ownership (e.g., safekeeping receipt) must be supplied to the City and retained. The right of collateral substitution may be granted to the Custodian with prior written approval of the Investment Officer(s).

The Custodian shall be approved by the City and be:

- a. a state or national bank that is designated by the State Comptroller as a State depository and has its main office or branch office in the State of Texas and has a capital stock and permanent surplus of \$5 million or more;
- b. the Texas Treasury Safekeeping Trust Company;
- c. a Federal Reserve Bank or a branch of the Federal Reserve Bank; or

- d. a federal home loan bank.
- e. a financial institution authorized to exercise fiduciary powers and that is designed by the State Comptroller as a custodian pursuant to Government Code 404.031(e)

8 - SAFEKEEPING AND CUSTODY

8.1 - Delivery vs. Payment

All security transactions, including collateral for repurchase agreements, entered into by the City shall be conducted on a delivery-versus-payment (DVP) basis to ensure that securities are deposited in an eligible financial institution prior to the release of funds.

8.2 - Safekeeping

Securities will be held by a third party custodian designated by the Treasury Services Coordinator as evidenced by safekeeping receipts in the City’s name. The safekeeping institution shall provide, annually, a copy of their most recent report on internal controls (Reporting on Controls at a Service Organization as per Statement on Standards for Attestation Engagements No. 16, or SSAE 16 issued by the American Institutes of Certified Public Accountants or AICPA).

8.3 - Electronic Funds Transfer

The City may use electronic means to transfer or invest all funds collected or controlled by the City.

9 - INVESTMENT PARAMETERS

9.1 - Portfolio Diversification

Risk of principal loss in the portfolio as a whole shall be minimized by diversifying investment types according to the following limitations:

<u>Investment Type</u>	<u>% of Portfolio</u>
U.S. Treasury Notes/Bonds/Bills	100%
Local Government Investment Pools	80%
U.S. Agencies	75%
Municipal Bonds	75%
Certificates of Deposit	50%
Repurchase Agreements	50%
Money Market Mutual Funds	15%
Commercial Paper	15%
Share Certificates	5%

This Investment Policy incorporates the City’s Investment Strategy and as such, will allow for diversification of investments to the extent practicable considering yield, collateralization, investment costs, and available bidders. Diversification by investment institutions shall be determined by an

analysis of yield, collateralization, investment costs, and available bidders. Diversification by types of securities and maturities may be as allowed by this Investment Policy and the TPFIA.

9.2 - Maximum Maturities

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. However, the maximum maturities for any single investment shall not exceed three (3) years. The maximum dollar-weighted average maturity for the City's overall investment portfolio will not exceed two (2) years.

9.3 - Effect of Loss of Required Rating

This Investment Policy requires certain minimum ratings of certain investments. At least weekly, the Treasury Services Coordinator will review the ratings of each of the investments in the City's portfolio that require a minimum rating and will notify the Investment Committee of any negative changes. In the event an investment does not meet that minimum rating during the period that the investment is being held by the City, that investment does not qualify as an authorized investment. The City shall take all prudent measures that are consistent with this Investment Policy to liquidate an investment that does not have the minimum rating.

9.4 – Divestiture of Unauthorized Investments

In the event that the City assumes possession of investments not authorized by this Investment Policy, whether as the result of a donation, the settlement of an obligation to the City, or as a result of any other circumstance, transaction, or event, the City's Investment Officers shall proceed with the orderly liquidation of such investments. The proceeds from such liquidation will be recorded in the books and records of the City in accordance with the City's policy or policies corresponding to the original purpose related to the receipt of the unauthorized investment.

9.5 – Investment of Bond Proceeds and Pledged Revenue

- a. In this section, "pledged revenue" means money pledged to the payment of or as security for:
 - (i) Bonds or other indebtedness issued by the City
 - (ii) Obligations under a lease, installment sale, or other agreement of the City; or
 - (iii) Certificates of Participation in a debt or obligation described by subdivision (i) or (ii)
- b. The Investment Officer or Officers may invest bond proceeds or pledged revenue only to the extent permitted by Section 2256.0208 of the TPFIA in accordance with:
 - (i) Statutory provisions governing the debt issuance or the agreement, as applicable; and
 - (ii) The City's Debt Policy regarding the debt issuance or the agreement, as applicable

10 - MONITORING AND REPORTING

10.1 - Content of Report

The Investment Officer(s) shall submit, not less than quarterly, a report to the City Manager, Mayor and City Council, with a copy provided to the City Clerk. Said report shall:

- a. describe in detail the investment position of the City on the date of the report;
- b. be prepared jointly by all Investment Officers of the City;
- c. be signed by each Investment Officer of the City (signatures may be electronic if such method is deemed most prudent by the Investment Officers given then current circumstances and events);
- d. contain a summary statement of each pooled fund group that states the:
 - (i) beginning market value for the reporting period;
 - (ii) ending market value for the period; and
 - (iii) fully accrued interest for the reporting period;
- e. state the book value and market value of each separately invested asset at the end of the reporting period by the type of asset and fund type invested;
- f. state the maturity date of each separately invested asset that has a maturity date;
- g. state the account or fund or pooled group fund in the City for which each individual investment was acquired; and
- h. state the compliance of the investment portfolio of the City as it relates to:
 - (i) the Investment Strategy expressed in the City's investment policy; and
 - (ii) relevant provisions of Chapter 2256 of the Government Code.
- i. be submitted within forty-five (45) days after the end of the period.

10.2 - Annual Audit

If the City invests in other than money market mutual funds, investment pools or accounts offered by its depository bank in the form of certificates of deposit, or money market accounts or similar accounts, the reports prepared by the Investment Officer(s) under this Section 10.0 shall be formally reviewed at least annually by an independent external auditor, and the result of the review shall be reported to the City Council by that auditor.

10.3 - Compliance Audit

In conjunction with the City's annual financial audit, the external auditor shall perform a compliance audit of management controls on investments and adherence to the City's established investment policy. This audit shall provide reasonable assurance that assets are safeguarded against loss from unauthorized use or disposition and that those transactions are executed in compliance with policies and procedures established by this Investment Policy.

10.4 – Market Price monitoring

Independent market pricing will be gathered at least monthly by the Treasury Services Coordinator. The market value and any unrealized gain or loss of the City's portfolio will be calculated on at least the same frequency.

11 - INVESTMENT POLICY ADOPTION

This Investment Policy is intended to amend and restate the existing City Investment Policy. The City's Investment Policy shall be reviewed and adopted annually by resolution of the City Council. Any modifications must first be approved by the Investment Committee and City Manager; secondly, be approved and recommended to City Council for approval by the City's Financial Oversight and Audit Committee that is assigned oversight of financial matters, and subsequently adopted by City Council.

EXHIBIT A - INVESTMENT STRATEGY

The City's investment strategy establishes the investment objectives of each of the fund types identified in the City's Investment Policy based on the needs and characteristics of each of the funds. These encompass the following criteria in order of importance:

- a. understanding of the suitability of the investment to the financial requirements of the entity;
- b. preservation and safety of principal;
- c. liquidity;
- d. marketability of the investment if the need arises to liquidate the investment before maturity;
- e. diversification of the investment portfolio; and
- f. yield.

The City is not in the investment business as a primary means of earning revenue. Therefore, the City will not participate in active buy/sell management of the portfolio. The Investment Officer(s) will invest for specific maturities to meet the cash needs of the City. The cash available and the cash requirements for the City will be determined on a day-to-day basis by the Office of the Comptroller Department and reported to the Investment Officer(s). Cash required within ten (10) days will be invested in overnight repurchase agreements, an approved mutual fund, or an approved investment pool in order to assure immediate liquidity. Interest earned on "overnight" investments listed above will be included in the total of interest revenue to be allocated to those primary funds having both an investable equity in pooled cash and a right to earn interest based on the City's Investment Policy. To enhance liquidity, investments will be purchased but not individually or formally associated with a specific primary fund's equity in pooled cash. Any cash in excess of immediate needs (more than 10 days) will be invested in longer term investments based on the needs and restrictions associated with specific fund's equity in pooled cash, and upon prudent consideration of current market yields and trends. Interest revenue will be allocated to those funds designated by this policy based on the allocation strategy at Appendix 1 to this Exhibit.

SPECIFIC CITY FUNDS

a. General Fund

The General Fund is the primary operating fund of the City in which most activity occurs. Cash requirements are large and immediate. Investments will be made with highly liquid instruments to mature on specific dates particularly to meet payroll requirements. These investments will most frequently be of durations of less than six (6) months. Specific investments identified as appropriate are, but not limited to, U.S Treasury bills, U.S. Treasury notes, repurchase agreements, certificates of deposit, and investments in mutual funds. Cash reserves in the General Fund are established by Section 7.4 of the City Charter and are to be maintained in an amount no less than five percent (5%) of the prior year's adopted general fund operating expenditure budget. The interest on this cash reserve shall be transferred to the City's Capital Acquisition Sub fund that is a definable component

of the Capital Project Fund. This cash reserve is also available for short-term lending to other funds of the City for periods not greater than one (1) year. For emergency liquidity purposes, up to twenty-five percent (25%) of the cash reserve shall be in investments with maturities no greater than one (1) year. Specific investments identified as appropriate for maturities no greater than one (1) year are, but not limited to, treasury bills, treasury notes, repurchase agreements, certificates of deposits, and mutual funds. The remaining seventy-five (75%) of the fund shall be in investments with maturities greater than one (1) year. In order to maximize yield, these investments may be in treasury bonds. If funds lent from this fund earn interest in another fund, the interest shall be transferred to the cash reserve balance, and then transferred to the City's Capital Acquisition Sub fund.

b. Special Revenue Funds

Special Revenue Funds are used to fund special operating accounts and finance capital projects and include but are not limited to, projects funded by Federal and State grants. There will rarely be an investable equity balance in these funds. However, should the nature of the grants provide for "up front" funding and require allocation of interest income to the cash balances in the grants, specific investments identified as appropriate are the same as those identified above for the General Fund.

c. Capital Projects Funds

Capital Projects Funds are generally funded by debt instruments and other revenue sources issued or obtained by the City. Investment activity for each debt instrument may be segregated if required by law to determine if any arbitrage rebate liability may exist. Investments will be based on cash flow estimates recommended by the City's Capital Improvement Plan Director, with the approval of the Chief Financial Officer. Based on these approved recommendations, the Chief Financial Officer will estimate cash requirements and maturities for each project. The Investment Officers will then make investments to meet the cash flow requirements for each project. Interest earnings first will be recorded in the Capital Projects Fund. If interest proceeds remain in the Capital Projects funds after the project(s) is completed, these proceeds may be transferred to the Debt Service Fund to extinguish the debt whose proceeds are being invested in accordance with bond covenants. Specific investments identified as appropriate are, but not limited to, treasury bills, treasury notes, repurchase agreements, certificates of deposit, mutual funds, investment pools, and treasury bonds.

d. Debt Service Fund

A Debt Service Fund is established by the City to record revenues and expenditures related to the extinguishment of the debt through timely payment of principal and interest. The primary source of money is from property taxes and specifically pledged revenues. Investments will have a maturity of no more than one (1) year in order to meet the periodic payments as required. Specific investments identified as appropriate are, but not limited to, investment pools, mutual funds, treasury bonds, treasury bills, and certificates of deposit.

e. Enterprise Funds

Enterprise Funds are for the operational and capital needs of the El Paso International Airport (except the Passenger Facility Charge), the Mass Transit Department (Sun Metro), the International Bridges, Tax Office and Environmental Services Department. Investments may be of longer maturities based on projected cash flow requirements. Specific investments identified as appropriate are, but not limited to, investment pools, mutual funds, treasury bonds, treasury bills, and certificates of deposit.

f. Internal Service Funds

Internal Service Funds are extensions of the General Fund which are to be operated with cash reserves for exigencies and, therefore, should have appropriate cash balances. An Internal Service Fund that accumulates and maintains a positive cash balance in excess of One Hundred Thousand Dollars (\$100,000) will be allocated investment earnings.

g. Fiduciary Funds

Investments related to Fiduciary Funds will be made by the City as specified in the Fiduciary Fund's agreement, if applicable. Daily earnings on Fiduciary Funds will be credited to the General Fund to offset the cost of maintaining these funds.

APPENDIX 1 TO EXHIBIT A - STRATEGY FOR ALLOCATING INTEREST TO PARTICIPATING FUNDS

ALLOCATION OVERVIEW

Allocable interest income is the interest received for the period adjusted for accretion/amortization of investments purchased at a discount/premium as well as any bank charges incurred while pursuing a strategy of maximizing the yield on available cash. Allocable interest will be distributed ratably to particular funds based on the ratio of a fund's net pooled cash to the total net pooled cash of all participating funds. A participating fund is one that is eligible to earn interest revenue as discussed below because the fund maintains an overall positive net cash position for the period. The interest allocation is credited to the funds by a journal entry to debit Pooled Cash and credit Investment Interest Revenue.

For Enterprise Funds, "net cash" in pooled cash is the average daily balance maintained for the period by the combined Enterprise Funds by type. A fund's deficit in cash will be offset with its related funds' surpluses in cash. To the extent that there is an overall deficit for the combined funds the Enterprise Fund will be excluded from the interest allocation for that period.

FISCAL PROJECTS – DISCUSSION OF ELIGIBILITY TO PARTICIPATE IN THE ALLOCATION OF INTEREST

FUND

DISCUSSION

General Fund

All components of the General Fund group earn interest. The Cash Reserve fund earnings are transferred to the Capital Acquisitions fund in the Capital Projects group.

Capital Projects

All components of the Capital Projects group earn interest if the Capital Projects have sufficient cash balances to warrant allocation. If capital projects are funded with bonded debt whose covenants require interest earnings to be transferred to the Debt Service fund, investment revenue is recorded in Capital Projects and then transferred to Debt Service.

Internal Service

Components earn interest if the fund maintains a positive cash balance in excess of One Hundred Thousand Dollars (\$100,000).

Special Revenue

Certain Special Revenue funds are eligible. Only those grants with covenants requiring allocation of interest earnings are eligible.

Agency Funds (unless specifically designated)

None are eligible to earn interest.

Debt Service

All are eligible to earn interest.

Enterprise Funds

All are eligible to earn interest except the Passenger Facility Charge monies in the Airport Enterprise fund which are kept separate in interest bearing accounts as mandated by Federal regulations.

Pension Funds

None are eligible to earn interest.

Discretely Presented Component Units

None are eligible to earn interest.

Private-Purpose Trusts

Certain donations and bequests are eligible to earn interest.



File #: 24-1352, **Version:** 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Approve a Resolution that the tax roll is hereby approved and constitutes the 2024 tax roll for all entities for which the City Tax Assessor Collector collects taxes.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE:

PUBLIC HEARING DATE: October 8, 2024

CONTACT PERSON(S) NAME AND PHONE NUMBER: Maria O. Pasillas, (915) 212-1737

DISTRICT(S) AFFECTED: All

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

SUBGOAL: 6.11 Provide efficient and effective services to taxpayers

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Approve a resolution that the tax roll is hereby approved and constitutes the 2024 tax roll for all entities which the City Tax Assessor Collector collects taxes.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

This is the 2024 tax roll for all entities which the City Tax Assessor Collector collects taxes.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

City Council adopts the tax roll yearly.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Tax Office

SECONDARY DEPARTMENT: N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

Maria O. Pasillas

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, the Consolidated Tax Assessor/Collector of the City of El Paso (“Consolidated Tax Assessor/Collector”) has entered the amount of tax as provided by Section 26.09(e) of the Texas Tax Code in the appraisal roll, creating a tax roll for entities, for which the Consolidated Tax Assessor/Collector collects taxes, a summary of which is attached hereto and incorporated herein by reference; and

WHEREAS, the tax roll for the remaining entities is on file and available for inspection in the City Tax Office; and

WHEREAS, the Consolidated Tax Assessor/Collector now submits the tax roll to City of El Paso Council for approval as the 2024 tax roll.

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

THAT the tax roll attached hereto as Attachment A is hereby approved and constitutes the 2024 tax roll for all entities for which the Consolidated Tax Assessor/Collector collects taxes.

APPROVED THIS ____ DAY OF _____, 2024.

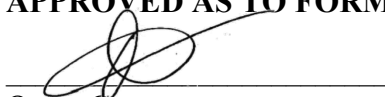
CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

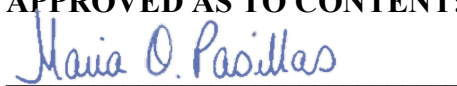
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Oscar Gomez
Assistant City Attorney

APPROVED AS TO CONTENT:



Maria O. Pasillas
City Tax Assessor/Collector

ATTACHMENT A

**SUMMARY
OF THE
2024 TAX ROLL**



File #: 24-1353, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Approve a Resolution that the Taxpayer, LONE STAR TITLE, 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 2023 delinquent taxes pursuant to Section 33.011(a)(1) of the Tax Code in the amount of \$763.53, for the property with the following legal description:

17 CHAPARRAL PARK #10 LOT 7 (11700 SQ FT).

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Maria O. Pasillas, (915) 212-1737

DISTRICT(S) AFFECTED: All

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

SUBGOAL: 6.11 Provide efficient and effective services to taxpayers

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Approve a resolution that the Taxpayer, LONE STAR TITLE, 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 2023 delinquent taxes pursuant to Section 33.011(a)(1) of the Tax Code in the amount of \$763.53, for the property with the following legal description:

17 CHAPARRAL PARK #10 LOT 7 (11700 SQ FT).

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

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.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Council has considered this previously on a periodic basis.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES NO

PRIMARY DEPARTMENT: Tax Office

SECONDARY DEPARTMENT: N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD: *Maria O. Pasillas*

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

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 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, LONE STAR TITLE (“Taxpayer”) requested a waiver of penalties and interest on July 26, 2024, before the 181st day after the delinquency date, in the amount of \$763.53 for the 2023 delinquent taxes for the property with the following legal description:

17 CHAPARRAL PARK #10 LOT 7 (11700 SQ FT)

WHEREAS, the Taxpayer paid the taxes owed on the property on July 26, 2024, 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 result of an act or omission of the tax office.

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

THAT the Taxpayer, LONE STAR TITLE, 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 2023 delinquent taxes pursuant to Section 33.011(a)(1) of the Tax Code in the amount of \$763.53, for the property with the following legal description:

17 CHAPARRAL PARK #10 LOT 7 (11700 SQ FT)

(Signatures Begin on Following Page)

APPROVED this ____ day of _____ 2024.

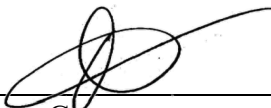
CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:


Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Oscar Gomez
Assistant City Attorney

APPROVED AS TO CONTENT:



Maria O. Pasillas, RTA
City Tax Assessor/Collector



File #: 24-1326, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Animal Services Department, Terry K. Kepschull, (915) 212-8742

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and Town of Anthony, Texas ("Anthony"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the Town of Anthony.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Terry K. Kebschull, Animal Services Director (915) 212-8742

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 8 - Nurture and Promote a Healthy, Sustainable Community

SUBGOAL: 8.3 Enhance animal services to ensure El Paso's pets are provided a safe and healthy environment

SUBJECT:

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and Town of Anthony, Texas ("Anthony"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the Town of Anthony.

BACKGROUND / DISCUSSION:

This is an Interlocal Agreement between Town of Anthony and the City of El Paso to receive at El Paso Animal Services each animal that the Town of Anthony deliver to the shelter. This includes animals brought by their respective animal control contractors or by verified residents of Anthony.

PRIOR COUNCIL ACTION:

A previous agreement was approved in May 2017.

AMOUNT AND SOURCE OF FUNDING:

N/A

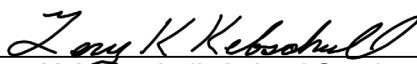
HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Animal Services

SECONDARY DEPARTMENT:

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:


Terry K. Kebschull, Animal Services Director

RESOLUTION

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and Town of Anthony, Texas ("Anthony"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to Anthony and for which Anthony shall pay to the City of El Paso ONE HUNDRED TEN AND NO/100 DOLLARS (\$110.00) and a daily handling fee of TWENTY-SEVEN AND NO/100 DOLLARS (\$27.00) for each dog or cat retrieved and an impound fee of SIXTY AND NO/100 DOLLARS (\$60.00) and a daily handling fee of THIRTY-THREE AND NO/100 DOLLARS (\$33.00), for any animal other than a dog or cat, such as but not limited to livestock, pig, or chicken ("Other Animal"), and EIGHTY-FIVE AND NO/100 DOLLARS (\$85.00) and a daily handling fee of THIRTY-THREE and NO/100 DOLLARS (\$33.00) for any horse retrieved from the Town of Anthony or by residents of the Town of Anthony, with the possibility for automatic renewal at the rates set forth in Schedule C to the City's Budget Resolution for the applicable fiscal year.

Approved this ____ day of _____ 2024.


CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:


Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Carlos L. Armendariz
Assistant City Attorney

APPROVED AS TO CONTENT:



Terry Kebschull, Director
Animal Services Department

STATE OF TEXAS)
)
)
)
COUNTY OF EL PASO) INTERLOCAL AGREEMENT BETWEEN
TOWN OF ANTHONY, TEXAS AND CITY OF
EL PASO, TEXAS
FOR ANIMAL SERVICES

THIS AGREEMENT is entered into between the CITY OF EL PASO, TEXAS (“City”) and the TOWN OF ANTHONY, TEXAS (“Town of Anthony”) by and through their duly authorized officials, pursuant to the Interlocal Cooperation Act.

RECITALS

WHEREAS, the City and Town of Anthony are authorized to enter into this Agreement pursuant to the Interlocal Cooperation Act, Chapter 791, Texas Government Code; and

WHEREAS, the City has a Department of Animal Services; and

WHEREAS, this Agreement for interlocal cooperation for the City to provide certain animal services to the Town of Anthony is necessary for the mutual advancement of the health and general welfare of the citizens of all jurisdictions concerned; and

WHEREAS, the Town of Anthony desires to have the El Paso County Director of Animal Welfare serve as the Town of Anthony’s designated local rabies control authority

WHEREAS, the Town of Anthony requests assistance from the City’s Animal Services Department as the Town of Anthony has limited availability to house animals that it retrieves or other individuals or entities retrieve within the areas of the Town of Anthony and

WHEREAS, the Town of Anthony desires to have the City’s Animal Shelter Advisory Committee serve as the Town of Anthony’s Animal Shelter Advisory Committee; and

WHEREAS, the Town of Anthony will make available and/or transfer to the City certain information, in conjunction with goods or services that are being provided by the City to the Town of Anthony, which is confidential and must be afforded special treatment and protection; and

FOR THESE REASONS, and in consideration of the mutual promises contained in this Agreement, the Town of Anthony and the City mutually agree as follows:

1. **SCOPE OF SERVICES.**

1.1 The City shall perform the following animal services by and through its Department of Animal Services under the terms and conditions hereinafter stated, and the Town of Anthony hereby accepts and agrees to the following terms and conditions:

1.1.1 The City agrees to provide the following animal shelter services:

1.1.1.1 The City may receive at the City's Animal Shelter located at 5001 Fred Wilson Road, El Paso, Texas 79906 (the "Shelter") each animal that is delivered to the Shelter by the Town of Anthony or by residents of Town of Anthony. The City may handle each animal that is delivered to the Shelter either by the Town of Anthony or by residents of Town of Anthony, whether it be in order to reunite said animal with its owner, quarantine, maintain evidence for a legal proceeding, or euthanize and dispose of said animal.

An animal impounded as an owned animal (i.e. with a collar, microchip, tags or other indication of ownership) is reclaimed within 6 days after entering the Shelter, or an animal impounded as a stray (unowned animal) is reclaimed within 72 hours after entering the Shelter, the animal may be adopted, transferred, or humanely disposed of by the Shelter.

1.1.1.2 The City will accept up to ten (10) Community (trap-neuter-return) cats captured by the Town of Anthony or by residents of the Town of Anthony, collectively, per month. The City shall spay/neuter, vaccinate and ear tip those cats that are healthy enough to alter and that are not already altered, and the Town of Anthony or the residents of the Town of Anthony who trapped the cat, shall return the cat to the location where they trapped the cat. The Town of Anthony will pay a \$35 fee to the City for each cat that was delivered by the Town of Anthony, or by the residents of the Town of Anthony, that was spayed/neutered by the City. The City will send a monthly invoice to the Town of Anthony to receive this payment.

1.1.1.3 In order to facilitate ease of data sharing with the Town of Anthony for the purpose of identifying pet owners and potentially reuniting an animal with its owner without the Town of Anthony's need to take the animal to the Shelter, the City shall provide PetPoint access to the Town of Anthony for use by Town of Anthony Animal Control Officers. Both parties shall adhere to the provisions of Texas Health and Safety Code Sections 826.0211 and 826.0311.

1.1.1.4 The City's Mission Valley spay/neuter facility may be available to all Town of Anthony residents at the City's regular fee basis and those residents shall pay for said service.

1.2 The City will provide necessary training for employees utilized in providing services under this Agreement, as may be required by law or determined to be appropriate by the City, and

shall require all such personnel to maintain all required licenses and certifications in accordance with State and Federal laws.

1.3 The City and Town of Anthony agrees that in accordance with the provisions of any and all grants agreements or grant awards from federal and state agencies that are awarded on a county-wide basis, the City or Town of Anthony will provide services in the unincorporated areas of the County and all municipalities within El Paso County as required under the applicable grant provisions. Provided however, nothing in this Agreement shall obligate the City to perform services if the grant funds relating to a particular grant are not currently being paid to the City, and in any such instances, the Director of the City's Department of Animal Services shall give written notice to the Town of Anthony that the City is not providing the particular services for the reason that it has not received funding under the applicable grant. The City will provide written notice to the Town of Anthony of grant funding which becomes discontinued or terminated, and any election by the City not to seek the renewal of grants existing at the effective date of this Agreement.

1.4 Nothing within the terms of this Agreement shall require the City to purchase additional equipment or hire additional personnel in order to comply with the terms of this Agreement.

1.5 The City agrees that it will keep accurate records of all services provided to the Town of Anthony pursuant to this Agreement as part of its routine data collection processes and the City may also report data on its web site on a monthly basis.

1.5.1 For the purposes of this section the point of contact for the Town of Anthony is Valerie Armendariz. The Town of Anthony Contract Administrator is Valerie Armendariz (varmendariz@townofanthony.org) and Mayor Anthony Turner (mayor@townofanthony.org), until such time as the Town of Anthony notifies the City of a new point of contact and address for notice.

1.6 It is understood and agreed to between the parties that any portion of this Agreement providing for the delivery of public health and other services for which appropriate legal authority has not been granted to the City, shall be null and void and of no force and effect, and the City shall not be obligated to provide those services.

1.7 The Town of Anthony acknowledges that the City's stated goal for the City's Animal Shelter is to reach and sustain a no-kill status equivalent to a 90% live release rate by 2025. In order to achieve this goal, the City's animal welfare programs currently include the following: 1) community cat/feral cat trap-neuter-return; 2) high-volume, low-cost spay/neuter; 3) rescue groups; 4) foster care; 5) comprehensive adoption programs; 6) pet retention; 7) medical and behavior

programs; 8) public/community relations; 9) volunteers and 10) proactive redemptions. The City's Animal Shelter partners, including the Town of Anthony, shall aim to participate in these animal welfare programs within their respective jurisdictions. The Town of Anthony will, in good faith, attempt to comply with the City's stated animal life-saving efforts and shall not institute contrary programs, ordinances or policies to those listed in this paragraph, and shall not negatively affect the City's stated live-release goal.

1.8 Registration, vaccination, and microchips

1.8.1 Title 7 of the El Paso Municipal Code requires all City contracts involving other municipalities or government entities must be consistent with the requirements of Chapter 7.12.020 – Registration, vaccination, and microchips required.

2. **LOCATION OF PERFORMANCE.** The place where the City's services are to be performed is primarily at the Shelter and adoption centers.

3. **DESIGNATION OF ANIMAL SHELTER ADVISORY COMMITTEE.** The Parties agree that the currently established Animal Shelter Advisory Committee ("ASAC") will serve as the statutorily required advisory committee described in Section 823.005, Texas Health and Safety Code.

4. **TIMES OF PERFORMANCE.** The term of this Agreement is for a one year period beginning on the 1st day of September 2024, regardless of the date of execution of this Agreement, and that term shall end on August 31, 2025.

4.1 This Agreement will automatically renew each year unless the parties execute a new agreement by August 31st for the next year of performance or unless either party terminates this Agreement within 30 days after the beginning of the next fiscal year. If the Agreement is automatically renewed, the rate for service shall be as set forth in Schedule C of the annual budget as approved by City Council for the respective fiscal year. Any change to the rate for service reflected by the City of El Paso's Schedule C shall be effective for the period beginning on September 1st of the next year of performance. All other terms and conditions of the Agreement shall remain in full force and effect. By way of example, the parties agree that if the City of El Paso adopts Schedule C in August of 2023, and said Schedule C changes any rate for service covered by this Agreement, said rate change shall be effective beginning on September 1, 2023 through August 31, 2024. For each year that this agreement will be automatically renewed, the City shall notify the Town of Anthony by August 1st of each year regarding proposed service rates set forth in Schedule C for the upcoming fiscal year. The parties understand that any rate provided

prior to the El Paso City Council’s adoption of Schedule C is merely a guide which may or may not be changed once the El Paso City Council approves Schedule C which will contain the actual rate for service. If, prior to September 1st, the Town of Anthony notifies the City that the new rates are unacceptable, the parties shall negotiate the new rates for the upcoming fiscal year by September 30th. This deadline may be extended until October 31st by agreement of the parties.

5. **COMPENSATION.**

5.1 The Town of Anthony agrees to pay the amount specifically addressed below in Sections 5.2 and 5.3. Within thirty days of receipt, the Town of Anthony agrees to pay the monthly invoice that is sent to the Town of Anthony by the City for the services described in this Agreement.

5.2 Fees:

a. DOGS & CATS - The Town of Anthony agrees to pay an impound fee of ONE HUNDRED TEN AND NO/100 DOLLARS (\$110.00) and a daily handling fee of TWENTY-SEVEN AND NO/100 DOLLARS (\$27.00) for each dog or cat retrieved from the Town of Anthony and delivered to the Shelter either by the Town of Anthony or by residents of Town of Anthony pursuant to Subsection 1.1.1.1 to this Agreement.

b. OTHER ANIMALS - The Town of Anthony agrees to pay an impound fee of \$60.00 and a daily handling fee of THIRTY-THREE AND NO/100 DOLLARS (\$33.00), for any animal other than a dog or cat, such as but not limited to livestock, pig, or chicken retrieved from the Town of Anthony and delivered to the Shelter either by the Town of Anthony or by residents of the Town of Anthony pursuant to Subsection 1.1.1.1 to this Agreement.

c. HORSE - The Town of Anthony agrees to pay an impound fee of \$85.00 and a daily handling fee of THIRTY-THREE AND NO/100 DOLLARS (\$33.00) for any horse retrieved from the Town of Anthony and delivered to the Shelter either by the Town of Anthony or by residents of the Town of Anthony pursuant to Subsection 1.1.1.1 to this Agreement.

5.3 In addition to the impound fee of \$110.00 per unowned animal retrieved from the Town of Anthony and delivered to the Shelter by the Town of Anthony pursuant to Subsection 1.1.1.1 to this Agreement for those services rendered pursuant to Subsection 1.1.1.1 to this Agreement, the Town of Anthony also agrees to pay a daily quarantine fee of TWENTY-SEVEN AND NO/100 DOLLARS (\$27.00) for any unowned animal retrieved from the Town of Anthony and delivered to the Shelter either by the Town of Anthony that is suspected of having rabies, is pending a bite

investigation, or is pending an animal cruelty investigation. Owned animals should be quarantined at a quarantine approved clinic or hospital. The City shall maintain detailed records supporting all billings and fee reimbursements and shall remit such information with its billings to the Town of Anthony.

5.4 The Parties acknowledge that the funds paid by the Town of Anthony pursuant to Sections 5.1 through 5.3 above may not be sufficient in the event of an unexpected occurrence such as an outbreak, epidemic (i.e. rabies) in the Town of Anthony. The Town of Anthony shall name a person to serve as a point of contact to discuss these types of public health threats, its intervention, and any additional costs that the Town of Anthony will need to pay to defray the resulting expenses. The Town of Anthony point of contact is the Melissa Armendariz, Town Clerk at the Town of Anthony's address below until such time as the Town of Anthony provides another address for notice or point of contact in writing.

5.5 El Paso Animal Services will provide the Town of Anthony's point of contact a weekly inventory of animals from the Town of Anthony and delivered to the Shelter either by the Town of Anthony or by residents of the Town of Anthony pursuant to Subsection 1.1.1.1 to this Agreement.

6. **PAYMENTS PURSUANT TO THIS AGREEMENT.** All payments submitted under this Agreement shall be made payable to the City of El Paso, Attn: Financial Services, P.O. Box 1890, El Paso, TX 79950-1890, or to the address provided by the City to the Town of Anthony in writing in the event the City relocates without the need to formally amend this Agreement in the event of an address change. In addition to the compensation provided for herein, the City shall retain all proceeds received from inspection, permit, and animal registration fees collected in the Town of Anthony. If a payment is not received by the City within thirty (30) days of delivery of the invoice, the City may charge the applicable interest rate under the Texas Prompt Payment Act, pursuant to Texas Government Code Chapter 2251. In the event that the Town of Anthony accrues an arrearage on payment, the City Comptroller or any collection agency retained by the City to collect delinquent accounts may add a collection fee of 21% to the account receivable if owing to the City for more than sixty (60) days, pursuant to the El Paso City Code, Ordinance 14700.

7. **LAW GOVERNING CONTRACT.** For purposes of determining the law governing the same, this Agreement is entered into in the City and Town of Anthony, State of Texas, and shall be governed by the laws of the State of Texas. Venue shall be in El Paso County, Texas.

7.1 *Privileges and Immunities.* All privileges and immunities from liability, exemptions from laws, ordinances and rules, pension, relief, disability, worker's compensation, and other benefits which apply to the activities of officers, agents, or employees of the City when performing a function shall apply to such officers, agents, or employees to the same extent while engaged in the performance of any of their functions and duties under the terms and provisions of this Agreement.

7.2 *Governmental Function.* The Parties expressly agree that, in all things relating to this Agreement, the City is performing a governmental function, as defined by the Texas Tort Claims Act. The Parties further expressly agree that every act or omission of the City, which, in any way, pertains to or arises out of this Agreement falls within the definition of governmental function.

7.3 *Exclusion of Incidental and Consequential Damages.* Independent of, severable from, and to be enforced independently of any other enforceable or unenforceable provision of this Agreement, THE CITY WILL NOT BE LIABLE TO ANY OTHER PARTY (NOR TO ANY PERSON CLAIMING RIGHTS DERIVED FROM THE PARTY'S RIGHTS) FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL, PUNITIVE, OR EXEMPLARY DAMAGES OF ANY KIND including lost profits, loss of business, or other economic damage, and further including injury to property, mental anguish and emotional distress AS A RESULT OF BREACH OF ANY TERM OF THIS AGREEMENT, REGARDLESS OF WHETHER THE CITY WAS ADVISED, HAD OTHER REASON TO KNOW, OR IN FACT KNEW OF THE POSSIBILITY THEREOF.

7.4 *Intentional Risk Allocation.* Each of the Parties acknowledges that the provisions of this Agreement were negotiated to reflect an informed, voluntary allocation between them of all risks (both known and unknown) associated with the transactions associated with this Agreement. The disclaimers and limitations in this Agreement are intended to limit the circumstances of liability. The remedy limitations, and the limitations of liability, are separately intended to limit the forms of relief available to the Parties.

8. **INDEPENDENT CONTRACTORS.** The City and the Town of Anthony are independent legal entities. Nothing in this Agreement shall be construed to create the relationship of employer and employee, or principal and agent, or any relationship other than that of independent parties contracting with each other solely for the purpose of carrying out the terms of this Agreement.

Neither the City nor the Town of Anthony nor any of their respective agents or employees shall control or have any right to control the activities of the other party in carrying out the terms of this Agreement.

9. **TERMINATION.** This Agreement may be terminated in whole or in part by either party upon thirty days written notice to the other party at the following addresses, or at a new address as provided in writing to the nonmoving party by a party which has moved its physical location within thirty (30) days of said relocation without the necessity of amending this contract:

CITY: City of El Paso
Attn: City Manager
PO Box 1890
El Paso, Texas 79950-1890

TOWN OF ANTHONY: Town Hall
401 Wildcat Drive
Anthony, Texas 79821

10. **SEVERABILITY.** Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.

11. **HEADINGS.** The headings of sections and subsections of this Agreement are for reference only and will not affect in any way the meaning or interpretation of this Agreement.

12. **ENTIRE AGREEMENT; AMENDMENTS.** This Agreement constitutes the entire understanding of the parties hereto with respect to the subject matter hereof and no amendment, modification or alteration of the terms shall be binding unless the same is in writing, dated subsequent to the date hereof and duly executed by the parties hereto.

(Signature pages follow)

Signature page for the City of El Paso, Interlocal Agreement between the City
of El Paso and the Town of Anthony, Texas.

APPROVED this _____ day of _____, 20__.

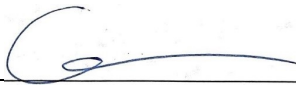
CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

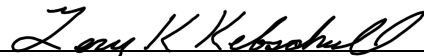
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Carlos L. Armendariz
Assistant City Attorney

APPROVED AS TO CONTENT:



Terry K. Kebschull, Director
Department of Animal Services

(Signatures continue on the following page)

Signature page for the Town of Anthony, Interlocal Agreement between the
City of El Paso and the Town of Anthony, Texas.

APPROVED this 12 day of August, 2024.



TOWN OF ANTHONY OF EL PASO

A handwritten signature in black ink, appearing to read "Anthony D. Turner".

Anthony D. Turner, MPH
Honorable Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Valerie M. Armendariz".

Valerie M. Armendariz, MPA
Town of Anthony Town Clerk

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Silvia Firth".

Silvia Firth
Town of Anthony Attorney

Schedule C Proposal

Line No.	Department	Fee Description	Detail	FY23 Adopted	Proposed Change
1002	Animal Services	Municipal Contract Fees - Impoundment	Class A: Dog, Cat, Exotic, Ferret not requiring capture by division personnel, Each Animal	\$60	\$110
1003	Animal Services	Municipal Contract Fees - Impoundment	Class B: Goats, Sheep, Lambs, Pigs Sows, Shoats, Calves, Foals and Animals of the same Approximate Size and Weight, Each Animal	\$60	No Change
1004	Animal Services	Municipal Contract Fees - Impoundment	Class C: Horses, Ponies, Mules and Animals of Same Size and Weight, Each Animal	\$85	No Change
1005	Animal Services	Municipal Contract Fees - Impoundment	Class D: Exotic Animals: Requiring Capture by Division Personnel, Each Animal	\$85	No Change
1006	Animal Services	Municipal Contract Fees - Handling	Daily Fee Class A	\$18 per day	\$27 per day
1007	Animal Services	Municipal Contract Fees - Handling	Daily Fee Class B	\$23 per day	\$33 per day
1008	Animal Services	Municipal Contract Fees - Handling	Daily Fee Class C	\$23 per day	\$33 per day
1009	Animal Services	Municipal Contract Fees - Handling	Daily Fee Class D	\$23 per day	\$33 per day
1010	Animal Services	Municipal Contract Fees - Quarantine		\$18 per day	\$27 per day

TITLE 7 of the El Paso Municipal Code

7.12.020. Registration, vaccination, and microchips required.

A. Dogs, cats and ferrets shall be registered, vaccinated and have an implanted microchip as provided in this title.

1. No person who is a resident of the city shall have within the city for more than thirty days any dog, cat or ferret four months of age or older unless such dog, cat or ferret is currently registered with the program.
2. No person who is not a resident of the city shall have within the city any dog, cat or ferret for more than ninety days unless such dog, cat or ferret is currently registered with program.
3. No dog, cat or ferret shall be registered unless it has a current vaccination as is required by the director and an implanted microchip. A registration certificate and tag may be obtained from veterinarians who have obtained authority from the program to issue them, or from an employee at the center upon presentation of a certificate of current vaccination and evidence of microchip.
4. No person shall have within the city any dog, cat or ferret four months of age or older for more than ten days unless such dog, cat or ferret is currently vaccinated against rabies.
5. An ear tipped cat that has been processed through the trap-neuter-return protocol shall be exempt from the registration and microchip requirements of this chapter. A person who requests that the program implant a microchip into or register an ear tipped cat that has been processed through the trap-neuter-return protocol, shall pay the applicable fee authorized by City Council for said service.
6. All city contracts involving other municipalities or government entities must be consistent with the requirements of this chapter.



File #: 24-1330, Version: 2

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Animal Services Department, Terry K. Kobschull, (915) 212-8742

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and Town of Clint, Texas ("Clint"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the Town of Clint.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Terry K. Kebschull, Animal Services Director (915) 212-8742

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 8 - Nurture and Promote a Healthy, Sustainable Community

SUBGOAL: 8.3 Enhance animal services to ensure El Paso's pets are provided a safe and healthy environment

SUBJECT:

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and Town of Clint, Texas ("Clint"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the Town of Clint.

BACKGROUND / DISCUSSION:

This is an Interlocal Agreement between Town of Clint and the City of El Paso to receive at El Paso Animal Services each animal that the Town of Clint deliver to the shelter. This includes animals brought by their respective animal control contractors or by verified residents of Clint.

PRIOR COUNCIL ACTION:

A previous agreement was approved in May 2017.

AMOUNT AND SOURCE OF FUNDING:

N/A

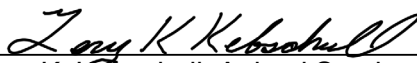
HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Animal Services

SECONDARY DEPARTMENT:

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:


Terry K. Kebschull, Animal Services Director

RESOLUTION

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and Town of Clint, Texas ("Clint"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to Clint and for which the Clint shall pay to the City of El Paso ONE HUNDRED TEN AND NO/100 DOLLARS (\$110.00) and a daily handling fee of TWENTY-SEVEN AND NO/100 DOLLARS (\$27.00) for each dog or cat retrieved and an impound fee of SIXTY AND NO/100 DOLLARS (\$60.00) and a daily handling fee of THIRTY-THREE AND NO/100 DOLLARS (\$33.00), for any animal other than a dog or cat, such as but not limited to livestock, pig, or chicken ("Other Animal"), and EIGHTY-FIVE AND NO/100 DOLLARS (\$85.00) and a daily handling fee of THIRTY-THREE and NO/100 DOLLARS (\$33.00) for any horse retrieved from the Town of Clint or by residents of the Town of Clint, with the possibility for automatic renewal at the rates set forth in Schedule C to the City's Budget Resolution for the applicable fiscal year.

Approved this ____ day of _____ 2024.


CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:


Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Carlos L. Armendariz
Assistant City Attorney

APPROVED AS TO CONTENT:



Terry Kebschull, Director
Animal Services Department

STATE OF TEXAS)
)
COUNTY OF EL PASO) INTERLOCAL AGREEMENT BETWEEN
TOWN OF CLINT, TEXAS AND CITY OF EL PASO,
FOR ANIMAL SERVICES

THIS AGREEMENT is entered into between the CITY OF EL PASO, TEXAS (“City”) and the TOWN OF CLINT, TEXAS (“Town of Clint”) by and through their duly authorized officials, pursuant to the Interlocal Cooperation Act.

RECITALS

WHEREAS, the City and Town of Clint are authorized to enter into this Agreement pursuant to the Interlocal Cooperation Act, Chapter 791, Texas Government Code; and

WHEREAS, the City of El Paso has a Department of Animal Services; and

WHEREAS, this Agreement for interlocal cooperation for the City to provide certain animal services to the Town of Clint is necessary for the mutual advancement of the health and general welfare of the citizens of all jurisdictions concerned; and

WHEREAS, the Town of Clint requests assistance from the City’s Animal Services Department as the Town of Clint has limited availability to house animals that it retrieves or other individuals or entities retrieve within the Town of Clint; and

WHEREAS, the Town of Clint desires to have the City’s Animal Shelter Advisory Committee serve as the Town of Clint’s Animal Shelter Advisory Committee; and

WHEREAS, the Town of Clint desires to have the Director of County Animal Welfare serve as the Local Rabies Control Authority for the Town of Clint, as necessary pursuant to state law; and

WHEREAS, the Town of Clint will make available and/or transfer to the City certain information, in conjunction with goods or services that are being provided by the City to the Town of Clint, which is confidential and must be afforded special treatment and protection; and

FOR THESE REASONS, and in consideration of the mutual promises contained in this Agreement, the Town of Clint and the City mutually agree as follows:

1. **SCOPE OF SERVICES.**

1.1 The City shall perform the following animal services by and through its Department of Animal Services under the terms and conditions hereinafter stated, and the Town of Clint hereby accepts and agrees to the following terms and conditions:

1.1.1 The City agrees to provide the following animal shelter services:

1.1.1.1 The City may receive at the City's Animal Shelter located at 5001 Fred Wilson Road, El Paso, Texas 79906 (the "Shelter") each animal that is delivered to the Shelter by the Town of Clint or by residents of Town of Clint. The City may handle each animal that is delivered to the Shelter either by the Town of Clint or by residents of Town of Clint, whether it be in order to reunite said animal with its owner, quarantine, maintain evidence for a legal proceeding, or euthanize and dispose of said animal.

An animal impounded as an owned animal (i.e. with a collar, microchip, tags or other indication of ownership) is reclaimed within 6 days after entering the Shelter, or an animal impounded as a stray (unowned animal) is reclaimed within 72 hours after entering the Shelter, the animal may be adopted, transferred, or humanely disposed of by the Shelter.

1.1.1.2 The City will accept up to ten (10) Community (trap-neuter-return) cats captured by the Town of Clint or by residents of the Town of Clint, collectively, per month. The City shall spay/neuter, vaccinate and ear tip those cats that are healthy enough to alter and that are not already altered, and the Town of Clint or the residents of the Town of Clint who trapped the cat, shall return the cat to the location where they trapped the cat. The Town of Clint will pay a \$35 fee to the City for each cat that was delivered by the Town of Clint, or by the residents of the Town of Clint, that was spayed/neutered by the City. The City will send a monthly invoice to the Town of Clint to receive this payment.

1.1.1.3 In order to facilitate ease of data sharing with the Town of Clint for the purpose of identifying pet owners and potentially reuniting an animal with its owner without the Town of Clint's need to take the animal to the Shelter, the City shall provide PetPoint access to the Town of Clint for use by Town of Clint Animal Control Officers. Both parties shall adhere to the provisions of Texas Health and Safety Code Sections 826.0211 and 826.0311.

1.1.1.4 The City's Mission Valley spay/neuter facility may be available to all Town of Clint residents at the City's regular fee basis and those residents shall pay for said service.

1.2 The City will provide necessary training for employees utilized in providing services under this Agreement, as may be required by law or determined to be appropriate by the City, and

shall require all such personnel to maintain all required licenses and certifications in accordance with State and Federal laws.

1.3 The City and Town of Clint agrees that in accordance with the provisions of any and all grants agreements or grant awards from federal and state agencies that are awarded on a county-wide basis, the City or Town of Clint will provide services in the unincorporated areas of the County and Town of Clint as required under the applicable grant provisions. Provided however, nothing in this Agreement shall obligate the City to perform services if the grant funds relating to a particular grant are not currently being paid to the City, and in any such instances, the Director of the City's Department of Animal Services shall give written notice to the Town of Clint that the City is not providing the particular services for the reason that it has not received funding under the applicable grant. The City will provide written notice to the Town of Clint of grant funding which becomes discontinued or terminated, and any election by the City not to seek the renewal of grants existing at the effective date of this Agreement.

1.4 Nothing within the terms of this Agreement shall require the City to purchase additional equipment or hire additional personnel in order to comply with the terms of this Agreement.

1.5 The City agrees that it will keep accurate records of all services provided to the Town of Clint pursuant to this Agreement as part of its routine data collection processes and the City may also report data on its web site on a monthly basis.

1.5.1 For the purposes of this section the point of contact for the Town of Clint is Susana Rodriguez, Town Clerk. The Town of Clint Contract Administrator is Susana Rodriguez, Town Clerk, until such time as the Town of Clint notifies the City of a new point of contact and address for notice.

1.6 It is understood and agreed to between the parties that any portion of this Agreement providing for the delivery of public health and other services for which appropriate legal authority has not been granted to the City, shall be null and void and of no force and effect, and the City shall not be obligated to provide those services.

1.7 The Town of Clint acknowledges that the City's stated goal for the City's Animal Shelter is to reach and sustain a no-kill status equivalent to a 90% live release rate by 2025. In order to achieve this goal, the City's animal welfare programs currently include the following: 1) community cat/feral cat trap-neuter-return; 2) high-volume, low-cost spay/neuter; 3) rescue groups; 4) foster care; 5) comprehensive adoption programs; 6) pet retention; 7) medical and behavior

programs; 8) public/community relations; 9) volunteers and 10) proactive redemptions. The City's Animal Shelter partners, including the Town of Clint, shall aim to participate in these animal welfare programs within their respective jurisdictions. The Town of Clint will, in good faith, attempt to comply with the City's stated animal life-saving efforts and shall not institute contrary programs, ordinances or policies to those listed in this paragraph, and shall not negatively affect the City's stated live-release goal.

1.8 Registration, vaccination, and microchips

1.8.1 Title 7 of the El Paso Municipal Code requires all City contracts involving other municipalities or government entities must be consistent with the requirements of Chapter 7.12.020 – Registration, vaccination, and microchips required.

2. **LOCATION OF PERFORMANCE.** The place where the City's services are to be performed is primarily at the Shelter and adoption centers.

3. **DESIGNATION OF ANIMAL SHELTER ADVISORY COMMITTEE.** The Parties agree that the currently established Animal Shelter Advisory Committee ("ASAC") will serve as the statutorily required advisory committee described in Section 823.005, Texas Health and Safety Code.

4. **TIMES OF PERFORMANCE.** The term of this Agreement is for a one-year period beginning on the 1st day of September 1, 2024, regardless of the date of execution of this Agreement, and that term shall end on August 31, 2025.

4.1 This Agreement will automatically renew each year unless the parties execute a new agreement by August 31st for the next year of performance or unless either party terminates this Agreement within 30 days after the beginning of the next fiscal year. If the Agreement is automatically renewed, the rate for service shall be as set forth in Schedule C of the annual budget as approved by City Council for the respective fiscal year. Any change to the rate for service reflected by the City of El Paso's Schedule C shall be effective for the period beginning on September 1st of the next year of performance. All other terms and conditions of the Agreement shall remain in full force and effect. By way of example, the parties agree that if the City of El Paso adopts Schedule C in August of 2023, and said Schedule C changes any rate for service covered by this Agreement, said rate change shall be effective beginning on September 1, 2023 through August 31, 2024. For each year that this agreement will be automatically renewed, the City shall notify the Town of Clint by August 1st of each year regarding proposed service rates set

forth in Schedule C for the upcoming fiscal year. The parties understand that any rate provided prior to the El Paso City Council's adoption of Schedule C is merely a guide which may or may not be changed once the El Paso City Council approves Schedule C which will contain the actual rate for service. If, prior to September 1st, the Town of Clint notifies the City that the new rates are unacceptable, the parties shall negotiate the new rates for the upcoming fiscal year by September 30th. This deadline may be extended until October 31st by agreement of the parties.

5. **COMPENSATION.**

5.1 The Town of Clint agrees to pay the amount specifically addressed below in Sections 5.2 and 5.3. Within thirty days of receipt, the Town of Clint agrees to pay the monthly invoice that is sent to the Town of Clint by the City for the services described in this Agreement.

5.2 Fees:

a. DOGS & CATS - The Town of Clint agrees to pay an impound fee of ONE HUNDRED TEN AND NO/100 DOLLARS (\$110.00) and a daily handling fee of TWENTY-SEVEN AND NO/100 DOLLARS (\$27.00) for each dog or cat retrieved from the Town of Clint and delivered to the Shelter either by the Town of Clint or by residents of Town of Clint pursuant to Subsection 1.1.1.1 to this Agreement.

b. OTHER ANIMALS - The Town of Clint agrees to pay an impound fee of \$60.00 and a daily handling fee of THIRTY-THREE AND NO/100 DOLLARS (\$33.00), for any animal other than a dog or cat, such as but not limited to livestock, pig, or chicken retrieved from the Town of Clint and delivered to the Shelter either by the Town of Clint or by residents of the Town of Clint pursuant to Subsection 1.1.1.1 to this Agreement.

c. HORSE - The Town of Clint agrees to pay an impound fee of \$85.00 and a daily handling fee of THIRTY-THREE AND NO/100 DOLLARS (\$33.00) for any horse retrieved from the Town of Clint and delivered to the Shelter either by the Town of Clint or by residents of the Town of Clint pursuant to Subsection 1.1.1.1 to this Agreement.

5.3 In addition to the impound fee of \$110.00 per unowned animal retrieved from the Town of Clint and delivered to the Shelter by the Town of Clint pursuant to Subsection 1.1.1.1 to this Agreement for those services rendered pursuant to Subsection 1.1.1.1 to this Agreement, the Town of Clint also agrees to pay a daily quarantine fee of TWENTY-SEVEN AND NO/100 DOLLARS (\$27.00) for any unowned animal retrieved from the Town of Clint and delivered to the Shelter either by the Town of Clint that is suspected of having rabies, is pending a bite investigation, or is pending

an animal cruelty investigation. Owned animals should be quarantined at a quarantine approved clinic or hospital. The City shall maintain detailed records supporting all billings and fee reimbursements and shall remit such information with its billings to the Town of Clint.

5.4 The Parties acknowledge that the funds paid by the Town of Clint pursuant to Sections 5.1 through 5.3 above may not be sufficient in the event of an unexpected occurrence such as an outbreak, epidemic (i.e. rabies) in the Town of Clint. The Town of Clint shall name a person to serve as a point of contact to discuss these types of public health threats, its intervention, and any additional costs that the Town of Clint will need to pay to defray the resulting expenses. The Town of Clint point of contact is Susana Rodriguez, Town Clerk at the Town of Clint's address below until such time as the Town of Clint provides another address for notice or point of contact in writing.

5.5 El Paso Animal Services will provide the Town of Clint's point of contact a weekly inventory of animals from the unincorporated areas of the Town of Clint and delivered to the Shelter either by the Town of Clint or by residents of the Town of Clint pursuant to Subsection 1.1.1.1 to this Agreement.

6. **PAYMENTS PURSUANT TO THIS AGREEMENT.** All payments submitted under this Agreement shall be made payable to the City of El Paso, Attn: Financial Services, P.O. Box 1890, El Paso, TX 79950-1890, or to the address provided by the City to the Town of Clint in writing in the event the City relocates without the need to formally amend this Agreement in the event of an address change. In addition to the compensation provided for herein, the City shall retain all proceeds received from inspection, permit, and animal registration fees collected in the Town of Clint. If a payment is not received by the City within thirty (30) days of delivery of the invoice, the City may charge the applicable interest rate under the Texas Prompt Payment Act, pursuant to Texas Government Code Chapter 2251. In the event that the Town of Clint accrues an arrearage on payment, the City Comptroller or any collection agency retained by the City to collect delinquent accounts may add a collection fee of 21% to the account receivable if owing to the City for more than sixty (60) days, pursuant to the El Paso City Code, Ordinance 14700.

7. **LAW GOVERNING CONTRACT.** For purposes of determining the law governing the same, this Agreement is entered into in the City and Town of Clint, State of Texas, and shall be governed by the laws of the State of Texas. Venue shall be in El Paso County, Texas.

7.1 *Privileges and Immunities.* All privileges and immunities from liability, exemptions from laws, ordinances and rules, pension, relief, disability, worker's compensation, and other benefits which apply to the activities of officers, agents, or employees of the City when performing a function shall apply to such officers, agents, or employees to the same extent while engaged in the performance of any of their functions and duties under the terms and provisions of this Agreement.

7.2 *Governmental Function.* The Parties expressly agree that, in all things relating to this Agreement, the City is performing a governmental function, as defined by the Texas Tort Claims Act. The Parties further expressly agree that every act or omission of the City, which, in any way, pertains to or arises out of this Agreement falls within the definition of governmental function.

7.3 *Exclusion of Incidental and Consequential Damages.* Independent of, severable from, and to be enforced independently of any other enforceable or unenforceable provision of this Agreement, THE CITY WILL NOT BE LIABLE TO ANY OTHER PARTY (NOR TO ANY PERSON CLAIMING RIGHTS DERIVED FROM THE PARTY'S RIGHTS) FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL, PUNITIVE, OR EXEMPLARY DAMAGES OF ANY KIND including lost profits, loss of business, or other economic damage, and further including injury to property, mental anguish and emotional distress AS A RESULT OF BREACH OF ANY TERM OF THIS AGREEMENT, REGARDLESS OF WHETHER THE CITY WAS ADVISED, HAD OTHER REASON TO KNOW, OR IN FACT KNEW OF THE POSSIBILITY THEREOF.

7.4 *Intentional Risk Allocation.* Each of the Parties acknowledges that the provisions of this Agreement were negotiated to reflect an informed, voluntary allocation between them of all risks (both known and unknown) associated with the transactions associated with this Agreement. The disclaimers and limitations in this Agreement are intended to limit the circumstances of liability. The remedy limitations, and the limitations of liability, are separately intended to limit the forms of relief available to the Parties.

8. **INDEPENDENT CONTRACTORS.** The City and the Town of Clint are independent legal entities. Nothing in this Agreement shall be construed to create the relationship of employer and employee, or principal and agent, or any relationship other than that of independent parties contracting with each other solely for the purpose of carrying out the terms of this Agreement. Neither the City nor the Town of Clint nor any of their respective agents or employees shall control or have any right to control the activities of the other party in carrying out the terms of this Agreement.

9. **TERMINATION.** This Agreement may be terminated in whole or in part by either party upon thirty days written notice to the other party at the following addresses, or at a new address as provided in writing to the nonmoving party by a party which has moved its physical location within thirty (30) days of said relocation without the necessity of amending this contract:

CITY: City of El Paso
Attn: City Manager
PO Box 1890
El Paso, Texas 79950-1890

TOWN OF CLINT: Town of Clint
200 N San Elizario Rd, PO BOX 350
Clint, TX 79836

10. **SEVERABILITY.** Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.

11. **HEADINGS.** The headings of sections and subsections of this Agreement are for reference only and will not affect in any way the meaning or interpretation of this Agreement.

12. **ENTIRE AGREEMENT; AMENDMENTS.** This Agreement constitutes the entire understanding of the parties hereto with respect to the subject matter hereof and no amendment, modification or alteration of the terms shall be binding unless the same is in writing, dated subsequent to the date hereof and duly executed by the parties hereto.

(Signature pages follow)

Signature page for the City of El Paso, Interlocal Agreement between the City
of El Paso and the Town of Clint, Texas.

APPROVED this _____ day of _____, 20__.

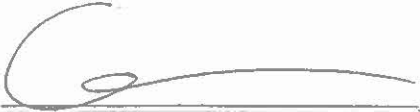
CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Carlos L. Armendariz
Assistant City Attorney

APPROVED AS TO CONTENT:



Terry K. Kebschull, Director
Department of Animal Services

(Signatures continue on the following page)

Signature page for the Town of Clint, Interlocal Agreement between the City of El Paso and the Town of Clint, Texas.

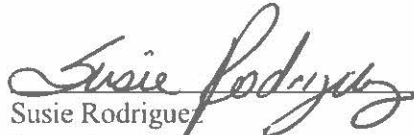
APPROVED this 19 day of August, 2024

TOWN OF CLINT




Ramon Cano
Mayor

ATTEST:


Susie Rodriguez
Town Head Clerk

APPROVED AS TO FORM:


~~Sylvia Borunda Firth~~ Desiree Duarte
Town Attorney

Proposed Schedule C

Line No.	Department	Fee Description	Detail	FY23 Adopted	Proposed Change
1002	Animal Services	Municipal Contract Fees - Impoundment	Class A: Dog, Cat, Exotic, Ferret not requiring capture by division personnel, Each Animal	\$60	\$110
1003	Animal Services	Municipal Contract Fees - Impoundment	Class B: Goats, Sheep, Lambs, Pigs Sows, Shoats, Calves, Foals and Animals of the same Approximate Size and Weight, Each Animal	\$60	No Change
1004	Animal Services	Municipal Contract Fees - Impoundment	Class C: Horses, Ponies, Mules and Animals of Same Size and Weight, Each Animal	\$85	No Change
1005	Animal Services	Municipal Contract Fees - Impoundment	Class D: Exotic Animals: Requiring Capture by Division Personnel, Each Animal	\$85	No Change
1006	Animal Services	Municipal Contract Fees - Handling	Daily Fee Class A	\$18 per day	\$27 per day
1007	Animal Services	Municipal Contract Fees - Handling	Daily Fee Class B	\$23 per day	\$33 per day
1008	Animal Services	Municipal Contract Fees - Handling	Daily Fee Class C	\$23 per day	\$33 per day
1009	Animal Services	Municipal Contract Fees - Handling	Daily Fee Class D	\$23 per day	\$33 per day
1010	Animal Services	Municipal Contract Fees - Quarantine		\$18 per day	\$27 per day

TITLE 7 of the El Paso Municipal Code

7.12.020. Registration, vaccination, and microchips required.

A. Dogs, cats and ferrets shall be registered, vaccinated and have an implanted microchip as provided in this title.

1. No person who is a resident of the city shall have within the city for more than thirty days any dog, cat or ferret four months of age or older unless such dog, cat or ferret is currently registered with the program.

2. No person who is not a resident of the city shall have within the city any dog, cat or ferret for more than ninety days unless such dog, cat or ferret is currently registered with program.

3. No dog, cat or ferret shall be registered unless it has a current vaccination as is required by the director and an implanted microchip. A registration certificate and tag may be obtained from veterinarians who have obtained authority from the program to issue them, or from an employee at the center upon presentation of a certificate of current vaccination and evidence of microchip.

4. No person shall have within the city any dog, cat or ferret four months of age or older for more than ten days unless such dog, cat or ferret is currently vaccinated against rabies.

5. An ear tipped cat that has been processed through the trap-neuter-return protocol shall be exempt from the registration and microchip requirements of this chapter. A person who requests that the program implant a microchip into or register an ear tipped cat that has been processed through the trap-neuter-return protocol, shall pay the applicable fee authorized by City Council for said service.

6. All city contracts involving other municipalities or government entities must be consistent with the requirements of this chapter.



File #: 24-1331, Version: 2

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Animal Services Department, Terry K. Kobschull, (915) 212-8742

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and County of El Paso, Texas ("County"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the County

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Terry K. Kebschull, Animal Services Director (915) 212-8742

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 8 - Nurture and Promote a Healthy, Sustainable Community

SUBGOAL: 8.3 Enhance animal services to ensure El Paso's pets are provided a safe and healthy environment

SUBJECT:

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and County of El Paso, Texas ("County"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the County.

BACKGROUND / DISCUSSION:

This is an Interlocal Agreement between El Paso County and the City of El Paso to receive at El Paso Animal Services each animal that The County deliver to the shelter. This includes animals brought by their respective animal control contractors or by verified residents of El Paso County.

PRIOR COUNCIL ACTION:

A previous agreement was approved in January 2017.

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Animal Services

SECONDARY DEPARTMENT:

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:


Terry K. Kebschull, Animal Services Director

RESOLUTION

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

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso (the "City") and County of El Paso, Texas ("County"), for the period of September 1, 2024 through August 31, 2025, for the City's Department of Animal Services to provide various animal services to the County and for which the County shall pay to the City of El Paso ONE HUNDRED TEN AND 0/100 DOLLARS (\$110.00) and a daily handling fee of TWENTY-SEVEN AND 0/100 DOLLARS (\$27.00) for each dog or cat retrieved and an impound fee of \$60.00 and a daily handling fee of THIRTY-THREE AND 0/100 DOLLARS (\$33.00), for a livestock animal other than a dog or cat, such as but not limited to livestock, pig, or chicken ("Other Animal"), and an impound fee of \$85.00 and a daily handling fee of TWENTY-THREE AND 0/100 DOLLARS (\$23.00) for an equine animal or exotic animal from the unincorporated areas of the County and delivered to the Shelter either by the County or by residents of the unincorporated areas of the County with the possibility for automatic renewal at the rates set forth in Schedule C to the City's Budget Resolution for the applicable fiscal year.

Approved this ____ day of _____ 2024.

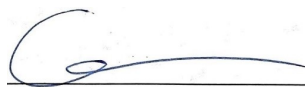
CITY OF EL PASO

Oscar Leeser
Mayor

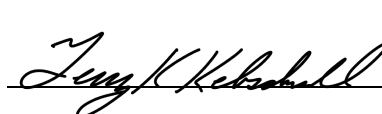
ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:



APPROVED AS TO CONTENT:



Carlos L. Armendariz
Assistant City Attorney

Terry Kebschull, Director
Animal Services Department

STATE OF TEXAS)
)
COUNTY OF EL PASO) INTERLOCAL AGREEMENT BETWEEN
EL PASO COUNTY AND CITY OF EL PASO, TEXAS
FOR ANIMAL SERVICES

THIS AGREEMENT is entered into between the CITY OF EL PASO, TEXAS (“City”) and the COUNTY OF EL PASO, TEXAS (“County”) by and through their duly authorized officials, pursuant to the Interlocal Cooperation Act.

RECITALS

WHEREAS, the City and County are authorized to enter into this Agreement pursuant to the Interlocal Cooperation Act, Chapter 791, Texas Government Code; and

WHEREAS, on July 8, 2014, the City and the County entered into an Interlocal Agreement for the provision of public health and environmental services by the City’s Department of Public Health and its Department of Environmental Services to the unincorporated areas of the County; and

WHEREAS, on July 8, 2015, the City of El Paso and the County of El Paso entered in to Second Amendment to Interlocal Agreement, recognizing that the City should not bear the sole financial responsibility for the cost of boarding those animals retrieved from the unincorporated areas of the County and delivered to the City of El Paso’s Animal Shelter by those County residents who reside in the unincorporated areas of the County; and

WHEREAS, this Agreement for interlocal cooperation for the City to provide certain animal services to the County is necessary for the mutual advancement of the health and general welfare of the citizens of all jurisdictions concerned; and

WHEREAS, the County desires to have the County Animal Welfare Director serve as the County’s designated local rabies control authority, as necessary pursuant to state law, unless the El Paso County Commissioners’ Court, by court order, designates another party to service the County; and

WHEREAS, the County requests assistance from the City’s Animal Services Department as the County has limited availability to house animals that it retrieves or other individuals or entities retrieve within the unincorporated areas of the County; and

WHEREAS, the County desires to have the City’s Animal Shelter Advisory Committee serve as the County’s Animal Shelter Advisory Committee; and

WHEREAS, the County will make available and/or transfer to the City certain information, in conjunction with goods or services that are being provided by the City to the County, which is confidential and must be afforded special treatment and protection; and

FOR THESE REASONS, and in consideration of the mutual promises contained in this Agreement, the County and the City mutually agree as follows:

1. **SCOPE OF SERVICES.**

1.1 The City shall perform the following animal services by and through its Department of Animal Services under the terms and conditions hereinafter stated, and the County hereby accepts and agrees to the following terms and conditions:

1.1.1 The City agrees to provide the following animal shelter services:

1.1.1.1 The City may receive at the City’s Animal Shelter located at 5001 Fred Wilson Road, El Paso, Texas 79906 (the “Shelter”) each animal that is delivered to the Shelter by the County or by residents of the unincorporated areas of the County. The City may board each animal that is delivered to the Shelter either by the County or by residents of the unincorporated areas of the County, whether it be in order to reunite said animal with its owner, quarantine, maintain evidence for a legal proceeding, or euthanize and dispose of said animal.

The City will retain an animal impounded as an owned animal (i.e. with a collar, microchip, tags or other indication of ownership) for 6 days after entering the Shelter to be reclaimed, and will retain an animal impounded as a stray (unowned animal) for 72 hours after entering the Shelter to be reclaimed. If the animal is not reclaimed within the time period stated in this paragraph, the animal may be adopted, transferred, or humanely disposed of by the Shelter.

1.1.1.2 The City will accept up to twenty (20) Community (trap-neuter-return) cats captured by the County or by residents of the unincorporated areas of the County, collectively, per month. The City shall spay/neuter, vaccinate and ear tip those cats that are healthy enough to alter

and that are not already altered, and the County or the residents of the unincorporated areas of the County who trapped the cat, shall return the cat to the location where they trapped the cat. The County will pay a \$35 fee to the City for each cat that was delivered by the County, or by the residents of the unincorporated areas of the County, that was spayed/neutered by the City. The City will send a monthly invoice to the County to receive this payment.

1.1.1.3 In order to facilitate ease of data sharing with the County for the purpose of identifying pet owners and potentially reuniting an animal with its owner without the County's need to take the animal to the Shelter, the City shall provide PetPoint access to the County for use by County Animal Control Officers. Both parties shall adhere to the provisions of Texas Health and Safety Code Sections 826.0211 and 826.0311.

1.1.1.4 The City's Mission Valley spay/neuter facility will be available to all County residents at the City's regular fee basis and those residents shall pay for said service.

1.2 The City will provide necessary training for employees utilized in providing services under this Agreement, as may be required by law or determined to be appropriate by the City, and shall require all such personnel to maintain all required licenses and certifications in accordance with State and Federal laws.

1.3 The City and County agree that in accordance with the provisions of any and all grants agreements or grant awards from federal and state agencies that are awarded on a county-wide basis, the City or County will provide services in the unincorporated areas of the County and all municipalities within El Paso County as required under the applicable grant provisions. Provided however, nothing in this Agreement shall obligate the City to perform services if the grant funds relating to a particular grant are not currently being paid to the City, and in any such instances, the Director of the City's Department of Animal Services shall give written notice to the County that the City is not providing the particular services for the reason that it has not received funding under the applicable grant. The City will provide written notice to the County of grant funding which becomes discontinued or terminated, and any election by the City not to seek the renewal of grants existing at the effective date of this Agreement.

1.4 Nothing within the terms of this Agreement shall require the City to purchase additional equipment or hire additional personnel in order to comply with the terms of this Agreement.

1.5 The City agrees that it will keep accurate records of all services provided to the County pursuant to this Agreement as part of its routine data collection processes and the City may also report data on its web site on a monthly basis.

1.5.1 For the purposes of this section the point of contact for the County is Betsy C. Keller at countychiefadmin@epcounty.com, 500 E. San Antonio, Room 302A, El Paso, Texas 79901. The County Contract Administrator is the Animal Welfare Director at spayneuter@epcounty.com, 9521 Socorro Rd. Suite B3, El Paso, Texas 79927, until such time as the County notifies the City of a new point of contact and address for notice.

1.6 It is understood and agreed to between the parties that any portion of this Agreement providing for the delivery of public health and other services for which appropriate legal authority has not been granted to the City or the County, shall be null and void and of no force and effect, and the City or the County shall not be obligated to provide those services.

1.7 The County acknowledges that the City's stated goal for the City's Animal Shelter is to reach a no-kill status equivalent to a 90% live release rate by 2025. In order to achieve this goal, the City's animal welfare programs currently include the following: 1) community cat/feral cat trap-neuter-return; 2) high-volume, low-cost spay/neuter; 3) rescue groups; 4) foster care; 5) comprehensive adoption programs; 6) pet retention; 7) medical and behavior programs; 8) public/community relations; 9) volunteers and 10) proactive redemptions. The City's Animal Shelter partners, including the County, shall aim to participate in these animal welfare programs. The County will, in good faith, attempt to comply with the City's stated animal life-saving efforts, to the extent available County resources permit, and shall not institute contrary programs, ordinances or policies to those listed in this paragraph, and shall not intentionally negatively affect the City's stated live-release goal.

1.8 Registration, vaccination, and microchips

1.8.1 Title 7 of the El Paso Municipal Code requires all City contracts involving other municipalities or government entities must be consistent with the requirements of Chapter 7.12.020 – Registration, vaccination, and microchips required. The County will comply with the requirements of Chapter 7.12.020 of Title 7 of the El Paso Municipal Code, to the extent the County has been granted statutory authority to comply with such requirements, as provided by the laws of the State of Texas.

1.9 The County has the following duties under the terms and conditions hereinafter stated, and the City hereby accepts and agrees to the following terms and conditions:

1.9.1 The County shall make low cost or no cost spay and neuter events open to all County residents.

1.9.2 The County shall not receive intakes from the City of El Paso Animal Shelter.

2. **LOCATION OF PERFORMANCE.** The place where the City’s services are to be performed is primarily at the Shelter and adoption centers.

3. **DESIGNATION OF ANIMAL SHELTER ADVISORY COMMITTEE.** The Parties agree that the currently established Animal Shelter Advisory Committee (“ASAC”) will serve as the statutorily required advisory committee described in Section 823.005, Texas Health and Safety Code,

4. **TIMES OF PERFORMANCE.** The term of this Agreement is for a one-year period beginning on the 1st day of September 2024, regardless of the date of execution of this Agreement, and that term shall end on August 31, 2025.

4.1 This Agreement will automatically renew each year unless the parties execute a new agreement by August 31st for the next year of performance or unless either party terminates this Agreement within 30 days after the beginning of the next fiscal year. If the Agreement is automatically renewed, the rate for service shall be as set forth in Schedule C of the annual budget as approved by City Council for the respective fiscal year. Any change to the rate for service reflected by the City of El Paso’s Schedule C shall be effective for the period beginning on September 1st of the next year of performance. All other terms and conditions of the Agreement shall remain in full force and effect. By way of example, the parties agree that if the City of El Paso adopts Schedule C in August of 2023, and said Schedule C changes any rate for service covered by this Agreement, said rate change shall be effective beginning on September 1, 2023 through August 31, 2024. For each year that this agreement will be automatically renewed, the City shall notify the County by August 1st of each year regarding proposed service rates set forth in Schedule C for the upcoming fiscal year. The parties understand that any rate provided prior to the El Paso City Council’s adoption of Schedule C is merely a guide which may or may not be changed once the El Paso City Council approves Schedule C which will contain the actual rate for

service. If, prior to September 1st, the County notifies the City that the new rates are unacceptable, the parties shall negotiate the new rates for the upcoming fiscal year by September 30th. This deadline may be extended until October 31st by agreement of the parties.

5. **COMPENSATION.**

5.1 The County agrees to pay the amount specifically addressed below in Sections 5.2 and 5.3. Within thirty days of receipt, the County agrees to pay the monthly invoice that is sent to the County by the City for the services described in this Agreement.

5.2 Fees:

a. DOGS & CATS - The County agrees to pay an impound fee of ONE HUNDRED TEN AND NO/100 DOLLARS (\$110.00) and a daily handling fee of TWENTY-SEVEN AND NO/100 DOLLARS (\$27.00) for each dog or cat retrieved from the unincorporated areas of the County and delivered to the Shelter either by the County or by residents of the unincorporated areas of the County pursuant to Subsection 1.1.1.1 to this Agreement. The County will only pay the daily handling fee for any dog or cat retrieved from the unincorporated areas of the County for up to six (6) months after the initial 6 days for owned animals and 72 hours for unowned animals reclaiming period, or until the day the dog or cat is reclaimed by the owner, adopted, placed in a foster home, or humanely disposed of by the Shelter, whichever occurs first. On or after the six (6) month deadline, but no later than ten (10) days after the six (6) month handling, County Animal Welfare may request that the cat or dog be euthanized as the final disposition. The euthanasia will be processed as an owner requested euthanasia where County Animal Welfare is the documented owner. El Paso Animal services retains the right to refuse this request for euthanasia. If El Paso Animal Services refuses to euthanize per County Animal Welfare's request, the dog or cat will become the responsibility of El Paso Animal Services and County Animal Welfare shall no longer be required to pay daily handling fees. In no event will the County pay daily handling fees per dog or cat for more than six (6) months.

b. OTHER ANIMALS - The County agrees to pay an impound fee of \$60.00 and a daily handling fee of THIRTY-THREE AND NO/100 DOLLARS (\$33.00), for any animal other than a dog or cat, such as but not limited to livestock, pig, or chicken ("Other Animal") retrieved from the unincorporated areas of the County and delivered to the Shelter either by

the County or by residents of the unincorporated areas of the County pursuant to Subsection 1.1.1.1 to this Agreement.

c. HORSE - The County agrees to pay an impound fee of \$85.00 and a daily handling fee of THIRTY-THREE AND NO/100 DOLLARS (\$33.00) for any horse retrieved from the unincorporated areas of the County and delivered to the Shelter either by the County or by residents of the unincorporated areas of the County pursuant to Subsection 1.1.1.1 to this Agreement.

5.3 In addition to the impound fee of \$110.00 per unowned animal retrieved from the unincorporated areas of the County and delivered to the Shelter by the County pursuant to Subsection 1.1.1.1 to this Agreement for those services rendered pursuant to Subsection 1.1.1.1 to this Agreement, the County also agrees to pay a daily quarantine fee of TWENTY-SEVEN AND NO/100 DOLLARS (\$27.00) for any unowned animal retrieved from the unincorporated areas of the County and delivered to the Shelter by the County that is suspected of having rabies, is pending a bite investigation, or is pending an animal cruelty investigation. Owned animals should be quarantined at a quarantine approved clinic or hospital. The City shall maintain detailed records supporting all billings and fee reimbursements and shall remit such information with its billings to the County.

5.4 The Parties acknowledge that the funds paid by the County pursuant to Sections 5.1 through 5.3 above may not be sufficient in the event of an unexpected occurrence such as an outbreak, epidemic (i.e. rabies) in the unincorporated areas of the County. The County shall name a person to serve as a point of contact to discuss these types of public health threats, its intervention, and any additional costs that the County will need to pay to defray the resulting expenses. The County point of contact is the County Chief Administrator, at the address below until such time as the County provides another address for notice or point of contact in writing.

5.5 El Paso Animal Services will provide the County's point of contact a weekly inventory of animals from the unincorporated areas of the County and delivered to the Shelter either by the County or by residents of the unincorporated areas of the County pursuant to Subsection 1.1.1.1 to this Agreement.

6. **PAYMENTS PURSUANT TO THIS AGREEMENT.** All payments submitted under this Agreement shall be made payable to the City of El Paso, Attn: Financial Services, P.O. Box 1890, El Paso, TX 79950-1890, or to the address provided by the City to the County in writing in the event

the City relocates without the need to formally amend this Agreement in the event of an address change. In addition to the compensation provided for herein, the City shall retain all proceeds received from inspection, permit, and animal registration fees collected in the County. If a payment is not received by the City within thirty (30) days of delivery of the invoice, the City may charge the applicable interest rate under the Texas Prompt Payment Act, pursuant to Texas Government Code Chapter 2251. In the event that the County accrues an arrearage on payment, the City Comptroller or any collection agency retained by the City to collect delinquent accounts may add a collection fee of 21% to the account receivable if owing to the City for more than sixty (60) days, pursuant to the El Paso City Code, Ordinance 14700.

7. **LAW GOVERNING CONTRACT.** For purposes of determining the law governing the same, this Agreement is entered into in the City and County of El Paso, State of Texas, and shall be governed by the laws of the State of Texas. Venue shall be in El Paso County, Texas.

7.1 *Privileges and Immunities.* All privileges and immunities from liability, exemptions from laws, ordinances and rules, pension, relief, disability, worker's compensation, and other benefits which apply to the activities of officers, agents, or employees of the City and/or the County when performing a function shall apply to such officers, agents, or employees to the same extent while engaged in the performance of any of their functions and duties under the terms and provisions of this Agreement.

7.2 *Governmental Function.* The Parties expressly agree that, in all things relating to this Agreement, the City and County are performing a governmental function, as defined by the Texas Tort Claims Act. The Parties further expressly agree that every act or omission of the City or the County, which, in any way, pertains to or arises out of this Agreement falls within the definition of governmental function.

7.3 *Exclusion of Incidental and Consequential Damages.* Independent of, severable from, and to be enforced independently of any other enforceable or unenforceable provision of this Agreement, THE CITY AND/OR THE COUNTY WILL NOT BE LIABLE TO ANY OTHER PARTY (NOR TO ANY PERSON CLAIMING RIGHTS DERIVED FROM THE PARTY'S RIGHTS) FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL, PUNITIVE, OR EXEMPLARY DAMAGES OF ANY KIND including lost profits, loss of business, or other economic damage, and further including injury to property, mental anguish and emotional distress AS A RESULT OF

BREACH OF ANY TERM OF THIS AGREEMENT, REGARDLESS OF WHETHER THE CITY AND/OR THE COUNTY WAS ADVISED, HAD OTHER REASON TO KNOW, OR IN FACT KNEW OF THE POSSIBILITY THEREOF.

7.4 *Intentional Risk Allocation.* Each of the Parties acknowledges that the provisions of this Agreement were negotiated to reflect an informed, voluntary allocation between them of all risks (both known and unknown) associated with the transactions associated with this Agreement. The disclaimers and limitations in this Agreement are intended to limit the circumstances of liability. The remedy limitations, and the limitations of liability, are separately intended to limit the forms of relief available to the Parties.

8. **INDEPENDENT CONTRACTORS.** The City and the County are independent legal entities. Nothing in this Agreement shall be construed to create the relationship of employer and employee, or principal and agent, or any relationship other than that of independent parties contracting with each other solely for the purpose of carrying out the terms of this Agreement. Neither the City nor the County nor any of their respective agents or employees shall control or have any right to control the activities of the other party in carrying out the terms of this Agreement.

9. **TERMINATION.** This Agreement may be terminated in whole or in part by either party upon thirty days written notice to the other party at the following addresses, or at a new address as provided in writing to the nonmoving party by a party which has moved its physical location within thirty (30) days of said relocation without the necessity of amending this contract:

CITY: City of El Paso
Attn: City Manager
PO Box 1890
El Paso, Texas 79950-1890

COUNTY: County of El Paso
Attn: County Chief Administrator
500 E. San Antonio Ave., Room 302A
El Paso, Texas 79901

10. **SEVERABILITY.** Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.

11. **HEADINGS.** The headings of sections and subsections of this Agreement are for reference only and will not affect in any way the meaning or interpretation of this Agreement.

12. **ENTIRE AGREEMENT; AMENDMENTS.** This Agreement constitutes the entire understanding of the parties hereto with respect to the subject matter hereof and no amendment, modification or alteration of the terms shall be binding unless the same is in writing, dated subsequent to the date hereof and duly executed by the parties hereto.

(Signature pages follow)

Signature page for the City of El Paso, Interlocal Agreement between the City
of El Paso and the County of El Paso, Texas.

APPROVED this _____ day of _____, 20__.


CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

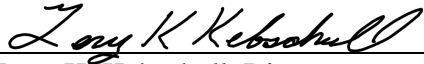
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Carlos L. Armendariz
Assistant City Attorney

APPROVED AS TO CONTENT:



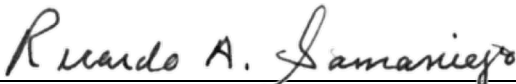
Terry K. Kebschull, Director
Department of Animal Services

(Signatures continue on the following page)

Signature page for the County of El Paso, Interlocal Agreement between the
City of El Paso and the County of El Paso, Texas.


APPROVED this 26th day of August, 2024.

COUNTY OF EL PASO




Ricardo A. Samaniego
County Judge

ATTEST:



Delia Briones
County Clerk

APPROVED AS TO FORM:



Claudia J. Aranda
Assistant County Attorney



Schedule C Proposal

Line No.	Department	Fee Description	Detail	FY23 Adopted	Proposed Change
1002	Animal Services	Municipal Contract Fees - Impoundment	Class A: Dog, Cat, Exotic, Ferret not requiring capture by division personnel, Each Animal	\$60	\$110
1003	Animal Services	Municipal Contract Fees - Impoundment	Class B: Goats, Sheep, Lambs, Pigs Sows, Shoats, Calves, Foals and Animals of the same Approximate Size and Weight, Each Animal	\$60	No Change
1004	Animal Services	Municipal Contract Fees - Impoundment	Class C: Horses, Ponies, Mules and Animals of Same Size and Weight, Each Animal	\$85	No Change
1005	Animal Services	Municipal Contract Fees - Impoundment	Class D: Exotic Animals: Requiring Capture by Division Personnel, Each Animal	\$85	No Change
1006	Animal Services	Municipal Contract Fees - Handling	Daily Fee Class A	\$18 per day	\$27 per day
1007	Animal Services	Municipal Contract Fees - Handling	Daily Fee Class B	\$23 per day	\$33 per day
1008	Animal Services	Municipal Contract Fees - Handling	Daily Fee Class C	\$23 per day	\$33 per day
1009	Animal Services	Municipal Contract Fees - Handling	Daily Fee Class D	\$23 per day	\$33 per day
1010	Animal Services	Municipal Contract Fees - Quarantine		\$18 per day	\$27 per day

TITLE 7 of the El Paso Municipal Code

7.12.020. Registration, vaccination, and microchips required.

A. Dogs, cats and ferrets shall be registered, vaccinated and have an implanted microchip as provided in this title.

1. No person who is a resident of the city shall have within the city for more than thirty days any dog, cat or ferret four months of age or older unless such dog, cat or ferret is currently registered with the program.

2. No person who is not a resident of the city shall have within the city any dog, cat or ferret for more than ninety days unless such dog, cat or ferret is currently registered with program.

3. No dog, cat or ferret shall be registered unless it has a current vaccination as is required by the director and an implanted microchip. A registration certificate and tag may be obtained from veterinarians who have obtained authority from the program to issue them, or from an employee at the center upon presentation of a certificate of current vaccination and evidence of microchip.

4. No person shall have within the city any dog, cat or ferret four months of age or older for more than ten days unless such dog, cat or ferret is currently vaccinated against rabies.

5. An ear tipped cat that has been processed through the trap-neuter-return protocol shall be exempt from the registration and microchip requirements of this chapter. A person who requests that the program implant a microchip into or register an ear tipped cat that has been processed through the trap-neuter-return protocol, shall pay the applicable fee authorized by City Council for said service.

6. All city contracts involving other municipalities or government entities must be consistent with the requirements of this chapter.



Legislation Text

File #: 24-1344, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

District 8

Economic and International Development, Karina Brasgalla, (915) 212-0094

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

That the City Council approve the recommendation of the Board of Directors of the El Paso Downtown Management District that the following persons be named directors of the District for the terms indicated:

Nominee	Term#	Expiration Date
Nadia Baem	2	August 2027
Edgar Lopez	2	August 2027
Michael Parra	1*	August 2027
Mark Osborn	2	August 2027
Kelly Tomblin	1	August 2027
Robert (Beto) Burton	1	August 2027
Kathrin Berg	1	August 2027

*Indicates candidate was appointed to a partial term and is being nominated for their first full term.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024

CONTACT PERSON(S) NAME AND PHONE NUMBER: Karina Brasgalla, (915) 212-0094

DISTRICT(S) AFFECTED: 8

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

SUBJECT:

That the City Council approve the recommendation of the Board of Directors of the El Paso Downtown Management District that the following persons be named directors of the District for the terms indicated:

Nominee	Term#	Expiration Date
Nadia Baem	2	August 2027
Edgar Lopez	2	August 2027
Michael Parra	1*	August 2027
Mark Osborn	2	August 2027
Kelly Tomblin	1	August 2027
Robert (Beto) Burton	1	August 2027
Kathrin Berg	1	August 2027

* Indicates candidate was appointed to a partial term and is being nominated for their first full term.

BACKGROUND / DISCUSSION:

The Downtown Management District (DMD), Board of Directors met on August 22, 2024 and nominated seven individuals to fill expiring terms on its 21-member Board. As provided in Chapter 375 of the Local Government Code, the Board recommends the above-noted persons and requests that the nominees be considered for approval by the City Council Agenda.

All nominees are qualified to serve on the Board in accordance with the qualifications established by Chapter 375 as follows: are at least 18 years old, and are connected within the District as either (1) a resident, (2) owner of property, (3) owner of stock on property, as an individual or in a corporate capacity, (4) owner of a beneficial interest in a trust that owns property, or (5) be an agent, employee or tenant of the owners listed in categories 2, 3 or 4.

PRIOR COUNCIL ACTION:


Downtown Management District (DMD), Board of Directors - Reappointments – September 12, 2023

AMOUNT AND SOURCE OF FUNDING:

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, by resolution dated September 3, 1996, the City of El Paso approved of the creation of the El Paso Downtown Management District ("District");

WHEREAS, pursuant to Chapter 375 of the Texas Local Government Code ("Code") the District was legally created by order of the Texas Natural Resources Conservation Commission on March 10, 1997;

WHEREAS, pursuant to Section 375.064(a) of the Code, the Board of Directors of the District ("Board") convened a meeting open to the public on August 22, 2024 for the purpose of recommending a slate of persons to serve as members of the Board; and

WHEREAS, pursuant to Section 375.064(b) of the Code, the City Council is required to approve or disapprove recommendations submitted by the Board.

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

That the City Council approve the recommendation of the Board of Directors of the El Paso Downtown Management District that the following persons be named directors of the District for the terms indicated:

<u>Nominee</u>	<u>Term #</u>	<u>Expiration Date</u>
Nadia Baem	2	August 2027
Edgar Lopez	2	August 2027
Michael Parra	1*	August 2027
Mark Osborn	2	August 2027
Kelly Tomblin	1	August 2027
Robert (Beto) Burton	1	August 2027
Kathrin Berg	1	August 2027

*Indicates candidate was appointed to a partial term and is being nominated for his/her first full term.

(Signatures begin on the following page)

APPROVED this the _____ day of _____ 2024.

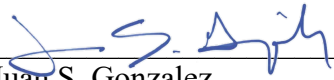
THE CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:


Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Karina Brasgalla, Interim Director
Economic & International Development



MEMO

TO: Mr. Cary Westin, Interim City Manager
Ms. Karina Brasgalla, Interim Economic Development Director
Ms. Karla Nieman, City Attorney
Dionne Mack, Deputy City Manager

FROM: Joe Gudenrath, Executive Director
El Paso Downtown Management District

DATE: August 26, 2024

SUBJECT: Item for City Council Agenda – DMD Board Member Nominations

At the August 22, 2024 meeting of the Board of Directors for the El Paso Downtown Management District (DMD), the Board nominated seven individuals to fill expiring terms on its 21-member Board.

As provided in Chapter 375 of the Local Government Code, the Board recommends the following persons and requests that this item be placed on the City Council Agenda for consideration and approval, as it has in the past, so that the appointments may be final as soon as possible.

<u>Nominee</u>	<u>Term#</u>	<u>Expiration Date</u>
Nadia Baem	2	August 2027
Edgar Lopez	2	August 2027
Michael Parra	1*	August 2027
Mark Osborn	2	August 2027
Kelly Tomblin	1	August 2027
Robert (Beto) Burton	1	August 2027
Kathrin Berg	1	August 2027

* Indicates candidate was appointed to a partial term and is being nominated for his/her first full term.

All nominees are qualified to serve on the Board in accordance with the qualifications established by Chapter 375 as follows: are at least 18 years old, and are connected within the District as either (1) a resident, (2) owner of property, (3) owner of stock on property, as an individual or in a corporate capacity, (4) owner of a beneficial interest in a trust that owns property, or (5) be an agent, employee or tenant of the owners listed in categories 2, 3 or 4.

I am including information for each of the nominated individuals to provide background information for the City Council. Should you have any questions, I can be reached at 915-240-3116 or by email at jgudenrath@elpasodmd.org. Thank you for your consideration.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1400, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Mayor Oscar Leeser, (915) 212-0021

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Chief Peter Pacillas to the El Paso County 911 District Board of Managers by Mayor Oscar Leeser.



Board Appointment Form

City Clerk's Office

Appointing Office		Mayor Oscar Leeser
Agenda Placement		Consent
Date of Council Meeting		10/08/24
Name of Board		El Paso County 911 District Board of Managers
Agenda Posting Language		
Re-appointment of Chief Peter Pacillas to the El Paso County 911 District Board of Managers by Mayor Oscar Leeser.		
Appointment Type		Regular
Member Qualifications		
City of El Paso		
Nominee Name		Peter Pacillas
Nominee Email Address		[REDACTED]
Nominee Residential Address		[REDACTED]
Nominee Primary Phone Number		[REDACTED]
Residing District		District 2
City Employed Relatives		N/A
Board Membership		
N/A		
Real estate owned in El Paso County		
N/A		
Previous Appointee		Peter Pacillas
Reason for Vacancy		Term Expired
Date of Appointment		10/08/24
Term Begins On		08/01/24
Term Expires On		07/31/26
Term		Second Term



El Paso Police Department

MAYOR

Oscar Leeser

Chief of Police Peter F. Pacillas – Biography

CITY COUNCIL

District 1

Brian Kennedy

District 2

Alexsandra Anello

District 3

Cassandra Hernandez

District 4

Joe Molinar

District 5

Isabel Salcido

District 6

Art Fierro

District 7

Henry Rivera

District 8

Chris Canales

INTERIM

CITY MANAGER

Cary Westin



Chief Peter F. Pacillas has been with the El Paso Police Department for 38 years during which time has served in the ranks of patrol officer, sergeant, lieutenant, interim commander, and assistant chief. He is a graduate of Mountain State University where he obtained a Bachelor of Science in Organizational Leadership Magna Cum Laude, Chief Pacillas has served tours of duty at the Central Patrol Station, Tactical Division, Northeast Substation, Pebble Hills Regional

Command, Training Academy, Support Services Division, Directed Investigation Division and the bureau assistant for Training, Special Operations, HR/Payroll, COVID response, and Regional Operations. Along with these duties, he also served collateral duties on the department’s Bomb Squad and SWAT Team. Chief Pacillas has served on the Rio Grande Council of Governments – First Responders Committee, International Association Chiefs of Police Committee, Texas Tactical Police Officers Association board, El Paso Suicide Prevention Coalition, El Paso Coalition – Team 21 Committee, and the El Paso Dioceses Finance Council. Chief Pacillas was appointed on October 2, 2023, oversees over 1,300 civilian and sworn personnel, is responsible for the safety and security for over 249 square miles and a population over 650,000. He has received awards for Meritorious Service, Regional Command of Year, Supervisor of the Year and Medal of Valor.

Chief Pacillas is a lifelong El Paso resident with his wife of 33 years, [REDACTED].



Peter F. Pacillas – Chief of Police

Chief Gregory K. Allen Police Headquarters

911 N. Raynor | El Paso, TX 79903

Office (915) 212-4000 | www.elpasotexas.gov/police





El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1401, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Mayor Oscar Leeser, (915) 212-0021

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Mario D'Agostino to the El Paso County 911 District Board of Managers by Mayor Oscar Leeser.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1387, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Representative Art Fierro, (915) 212-0006

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Martha Isabel Aguayo to the Zoning Board of Adjustment by Representative Art Fierro, District 6, as a regular member.



Board Appointment Form

City Clerk's Office

Appointing Office	Representative Art Fierro, District 6
Agenda Placement	Consent
Date of Council Meeting	10/08/24
Name of Board	Zoning Board of Adjustment
Agenda Posting Language	
Re-appointment of Martha Isabel Aguayo to the Zoning Board of Adjustment by Representative Art Fierro, District 6, as a regular member.	
Appointment Type	Regular
Member Qualifications	
Martha Aguayo is a realtor. She was a publisher at Apartment Finder Magazine and CoStar and an instructor at El Paso Community College and University of Phoenix.	
Nominee Name	Martha Isabel Aguayo
Nominee Email Address	[REDACTED]
Nominee Residential Address	[REDACTED]
Nominee Primary Phone Number	[REDACTED]
Residing District	District 7
City Employed Relatives	N/A
Board Membership	
Zoning Board of Adjustment	
Real estate owned in El Paso County	
[REDACTED]	
Previous Appointee	Martha Isabel Aguayo
Reason for Vacancy	Term Expired
Date of Appointment	10/08/24
Term Begins On	10/01/24
Term Expires On	09/30/26
Term	Second Term



Martha Isabel Aguayo



Education: Bachelor of Arts - 1994

Major: Journalism – Minor: Marketing
University of Texas at El Paso

Master's Degree in Organizational Management (MAOM) - 2001
University of Phoenix, Santa Teresa, New Mexico

Education Hours - Real Estate | All Related – 1,106

Work Experience:

Real Estate Industry - 2016 - Present

- REALTOR® - Home Pros Real Estate Group – Residential and Commercial
- Sales and Marketing Specialist – El Paso and Fort Bliss Map

Publisher – June 2003 to April 2016

- Apartment Finder Magazine and CoStar – El Paso, Texas

Part-Time Faculty/Instructor – August 2002 to 2012 and January-2022 to Present
El Paso Community College and University of Phoenix

- Classes in Real Estate, Marketing, Sales, and Leadership

Television and Radio Sales – 1980 to 2003

Languages: Bilingual in English and Spanish

Member of these Associations, Committees and Boards

- UTEP Alumni Association – Past President and Centennial Member
- Greater El Paso Association of Realtors – 2024 Board of Directors and
Governmental Affairs Committee Member
- Texas REALTORS® Leadership Program - 2023 TRLP Graduate
- District #1 - El Paso Zoning Board of Adjustment Member
- EPCC - Continuing Education Real Estate Instructor
- El Paso Chamber - Leadership of El Paso Class XL



UTEP Martha Isabel Aguayo Endowed Scholarship: <https://givingto.utep.edu/Aguayo>
<https://www.utep.edu/giving/impact/donor-stories/aguayob.html>



Martha Isabel Aguayo



REVIEWS

5 starstarstarstarstar

Martha is an excellent realtor agent.

Martha had the patience on the whole process of finding our dream house, Always available to help answering any questions I had. My family and I we are really thankful with her we appreciate everything you did for us and definitely we will keep working with you on our next investment properties.

Review submitted by David Isaac Rodriguez (Seller) on 28 Dec 2023



Buying a house was an amazing experience thanks to Martha! She was always helpful, talked to us through the whole process, she explained every document we had to sign and negotiated for our best interest once we started the process of buying. I can't imagine a better realtor, she is truly honest and warm. Thank you Martha!

Alejandra G. Duran And CI

May 10, 2024

New Review

1300 Sabrina Lyn Drive, Las Palmas, El Paso, El Paso County, TX, 79936

Starstarstarstarstar

Outstanding Professional Agent!

Martha Aguayo is an accomplished, efficient, timely, committed, professional. We couldn't have asked for a better realtor. She represented our interests as if our property was hers, our family was hers, our priorities were hers. I felt like we engaged a family member to sell our mother's home. We did!

Posted by Fran Ford Jacques (Seller) on 02 Jul 2024



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1332, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Elisa Morales to the Women's Rights Commission by Representative Cassandra Hernandez, District 3.



Board Appointment Form

City Clerk's Office

Appointing Office	Representative Cassandra Hernandez, District 3
Agenda Placement	Consent
Date of Council Meeting	10/08/24
Name of Board	Women's Rights Commission
Agenda Posting Language	
Re-appointment of Elisa Morales to the Women's Rights Commission by Representative Cassandra Hernandez, District 3.	
Appointment Type	Regular
Member Qualifications	
Collaborated with the Communications Department to ensure continuity in public-facing messaging and Commissioner's messaging.	
Nominee Name	Elisa Morales
Nominee Email Address	[REDACTED]
Nominee Residential Address	[REDACTED]
Nominee Primary Phone Number	[REDACTED]
Residing District	District 3
City Employed Relatives	N/A
Board Membership	
Currently serving on the Women's Rights Commission Board.	
Real estate owned in El Paso County	
N/A	
Previous Appointee	Elisa Morales
Reason for Vacancy	Term Expired
Date of Appointment	10/08/24
Term Begins On	09/01/24
Term Expires On	08/21/26
Term	Second Term

Elisa Morales

A resourceful and versatile professional with a proven track record of building key relationships, leveraging organizational assets, crafting informative and resonant communications, and a strategic disposition.

Writing: [Academic](#) / Technical / Informative / Blogs / [White Papers](#) / [Op-eds](#)

Policy: Local / State / Federal / Analysis / Research

Communications: Collaterals / Social Media / [Presentations](#) / Speeches / Talking points

Work History

Federal Reserve Bank of Dallas - El Paso Branch – Outreach Advisor El Paso, TX April 2022 – Present

- *Connector between the Dallas Fed and the 11K District:* Build relationships with key stakeholders. Plan and coordinate 360 visits. Convene roundtables (themes include non-profit, real estate, manufacturing, energy, business) and business leader meetings to collect anecdotal economic data.
- *Elevate Dallas Fed thought leadership:* Identify speaking and engagement opportunities that position the Dallas Fed as experts on the economy, in the energy industry, and on U.S.-Mexico economic dynamics. Promote economic education and financial literacy to K-16 stakeholders. Build individualized platforms for Dallas Fed Executives that leverage their role and expertise.
- *Collaborate:* Collaborate with Branch leadership to identify Board of Directors pipeline candidates. Collaborate with Federal Reserve Education (FRE) colleagues to provide professional development opportunities to all FRE system colleagues.
- *Strategy:* Contribute to the development of the Dallas Fed's Mexico Initiative. Plan Executive visits to Mexico. Contribute to the change management of a newly restructured department. Build strategic external relationships with stakeholders in the District, specifically in the energy, trade, manufacturing, transportation and logistics, agriculture, and real estate industries, and in the non-profit and education ecosystem. Develop executive briefing documents and curate internal process documents.
- Communications Chair for the Everyday Leadership Team and participate in the HOLA ERG Mentor Program.

Texas Department of State Health Services – Program Specialist VII El Paso & Austin, TX 2020 – 2022

- *Project Management:* created processes that tracked the progress and completion of legislatively mandated reports.
- Analyzed epidemiological public health data and curated speeches and presentations for community members and policy makers.
- Collaborated with the Communications Department to ensure continuity in public facing messaging and Commissioner's messaging.

United Way of El Paso County – Director El Paso, TX 2017 – 2020

- Directed a bi-national and multi-state (West Texas, Southern New Mexico, Cd. Juarez) public health initiative.
- Provided grantee management, outreach, capacity building, and coalition building.

Office of U.S. Senator Tom Udall (NM) – Legislative Aide Washington, D.C. 2016 – 2016

- Managed legislative portfolio: health, education, Indian Health System, Bureau of Indian Education, Social Security, Postal Services, and Appropriations.
- Composed vote and policy recommendations, memos, talking points, and briefing documents.

Work History (cont.)

Congressional Hispanic Caucus Institute - Congressional Fellow	Washington, D.C.	2015 – 2016
<ul style="list-style-type: none">Leadership and Policy Program: worked in two Congressional offices, produced a policy white paper, facilitated a congressional briefing on healthcare and economic impacts, participated in a leadership exchange program with the Japanese Embassy that included a visit to Japan to learn their government structure and Japanese culture. <i>Senate Committee on Health, Education, Labor & Pensions, Office of Chairman Sen. Lamar Alexander</i>Health Policy Team: research and policy analysis, prepared hearing documents, met with stakeholders, briefed Senator for hearings, key meetings, and mark-ups. <i>Office of Representative Robert 'Beto' O'Rourke (TX-16)</i>Assisted with research and drafted healthcare policy positions, attended briefings and hearings.		
El Paso Behavioral Health System – Liaison	El Paso, TX	2014 – 2015
<ul style="list-style-type: none">Built business partnerships, liaised with community agencies, assisted in planning of new outpatient clinic.		
VITAS Hospice – Community Liaison	San Antonio, TX	2013 – 2014
<ul style="list-style-type: none">Liaised with providers and insurance companies developed business partnerships increased patient census.		
Medtronic Diabetes, Inc. – Diabetes Therapy Associate	San Antonio, TX	2011 – 2013
<ul style="list-style-type: none">Durable medical device sales. Outreach to healthcare systems and providers.		
University of Texas Health Science Center San Antonio – Researcher	San Antonio, TX	2006 – 2011
<ul style="list-style-type: none">Social science researcher, analysis, data management, and member of cross functional research teams.		
Hispanic Scholarship Fund – Program Coordinator	San Antonio, TX	2007 - 2009
<ul style="list-style-type: none">Directed three statewide scholarship and peer mentoring programs in Texas. Developed strategic partnerships with academic institutions and national non-profits.		

Education

American University Washington College of Law - Certificate: Non-Profit Board Governance

Texas A&M University – San Antonio - Master of Business Administration

- Study Abroad Seminar in Brazil: biodiversity and urban planning
- Study Abroad Seminar in Ireland: technology clusters

The University of Texas at San Antonio - Bachelor of Liberal Arts in Psychology and Criminal Justice

- Federal Bureau of Investigation Internship Program (Secret Clearance)
- Hispanic Scholarship Fund Peer Mentor

Volunteerism & Professional Development

2023 – Current: Paso del Norte Health Foundation - Grant reviewer

2022 – Current: City of El Paso Women's Rights Commission – Committee Member

2017- Current: Congressional Hispanic Caucus Institute – fellowship applicant reviewer and interviewer

2017: Korn Ferry Hay Group - leadership development

2016 – Current: Quijotes of San Antonio – Medical Mission Volunteer



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1402, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Mayor Oscar Leaser, (915) 212-0021

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Daniel James Veale to the Greater El Paso Civic, Convention and Tourism Advisory Board by Mayor Oscar Leaser.



Board Appointment Form

City Clerk's Office

Appointing Office	Mayor Oscar Leeser
Agenda Placement	Consent
Date of Council Meeting	10/08/24
Name of Board	Greater El Paso Civic, Convention and Tourism Advisory Board
Agenda Posting Language	
Appointment of Daniel James Veale to the Greater El Paso Civic, Convention and Tourism Advisory Board by Mayor Oscar Leeser.	
Appointment Type	Regular
Member Qualifications	
See attached BIO.	
Nominee Name	Daniel James Veale
Nominee Email Address	[REDACTED]
Nominee Residential Address	[REDACTED]
Nominee Primary Phone Number	[REDACTED]
Residing District	District 2
City Employed Relatives	N/A
Board Membership	
N/A	
Real estate owned in El Paso County	
[REDACTED]	
Previous Appointee	Gina Roe-Davis
Reason for Vacancy	Term Expired
Date of Appointment	10/08/24
Term Begins On	09/05/24
Term Expires On	05/27/26
Term	First Term

Daniel James Veale

Daniel James Veale is a proud native El Pasoan and currently serves as the Director of Marketing and Public Information Officer for El Paso Children's Hospital. Daniel Veale has over a decade of career accomplishments, which include senior level marketing positions in the athletic departments at Southern Methodist University (SMU), and most recently, the University of Texas at El Paso (UTEP). He also served as the Director of Development for the nationally syndicated radio show Kidd Kraddick Morning Show and their non-profit, Kidd's Kids, in Dallas, Texas. Daniel holds a Bachelor of Arts Degree in Corporate Communications from SMU where he was Team Captain of the Division 1 Swimming & Diving Varsity Team and holds a Masters of Business Administration from UTEP. Over the past few years, Veale was named one of the original El Paso's Top 30 Professionals Under 30, UTEP Alumni's 35 under 35 and has served as a key liaison to the City of El Paso, County of El Paso, and Fort Bliss.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1378, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Louis Edwards to the Historic Landmark Commission by Representative Cassandra Hernandez, District 3.



Board Appointment Form

City Clerk's Office

Appointing Office	Representative Cassandra Hernandez, District 3
Agenda Placement	Consent
Date of Council Meeting	10/08/24
Name of Board	Historic Landmark Commission
Agenda Posting Language	
Appointment of Louis Edwards to the Historic Landmark Commission by City Representative Cassandra Hernandez, District 3.	
Appointment Type	Regular
Member Qualifications	
See Resume.	
Nominee Name	Louis Edwards
Nominee Email Address	[REDACTED]
Nominee Residential Address	[REDACTED]
Nominee Primary Phone Number	[REDACTED]
Residing District	District 8
City Employed Relatives	No
Board Membership	
Zoning Board of Adjustments 2022-2024	
Real estate owned in El Paso County	
N/A	
Previous Appointee	Paulina Lagos
Reason for Vacancy	Term Expired
Date of Appointment	10/08/24
Term Begins On	10/25/24
Term Expires On	10/24/26
Term	First Term

LOUIS EDWARDS



Licensed Architect

Texas [#25842]
New Mexico [#6455]
Florida [#AR100656]

Master of Architecture

University of Houston [2013 - 2015]
Study Abroad: Chile (2014), Mexico (2015)

Bachelor of Environmental Design

Texas A&M University [2006 - 2010]
Minor: Regional & Urban Planning
Study Away: Montana State University

Riverside High School [2006 - 2010]

Vocational Pathway: Architectural Design

City of El Paso Zoning Adjustments

Board Member

Downtown El Paso Management District

Committee Member

Progress321

Member

Toastmasters

Member

The Earthbuilders Guild

Member

Earthen Construction Initiative

Member

Wilson & Company, Inc.

Project Manager [2023 - Current]
El Paso, Texas

Practise leader for the West Texas and Southern New Mexico region.

Luis Vidal + Architects

[2016 - 2023]
Houston, Texas [2016 - 2017]
Denver, Colorado [2017 - 2019]
Irving, Texas [2019 - 2021]
El Paso, Texas [2021 - Current]

Terminal-D South Expansion

Dallas Fort Worth International Airport
Co-Architect-of-Record & Junior Project Manager
New 4-gate expansion at DFW airport, incorporating the latest aviation technologies.
Joint Venture: Luis Vidal + Architects, ARUP, and Harrison Kornberg Architects.
Project Delivery Method: Contractor Manager at Risk (CMAR)
Project Area: 150,000-sqft.
Construction Cost: \$194-million
Sustainability: LEED Silver Rating (Equivalent)

Great Hall Project

Denver International Airport
Staff Architect
Complete renovation of Jepperson Hall at Denver Airport.
Contract under Great Hall Builders.
Project Delivery Method: Public-Private-Partnership (PPP)
Project Area: 1,000,000-sqft.
Project Cost: \$450-million

Cisneros Design Studio

Intern-Architect [2014 - 2016]
Houston, Texas

Project management and design for small-scale commercial, custom residential, and Class-A corporate interiors.

Interfield Group

Intern-Architect [2012 - 2014]
Houston, Texas

Platting for private land developers, structural & engineering pre-design, architectural design, permitting.

Strand Systems Engineering

Drafter [2012]
Irving, Texas

Structural engineering designer for spec housing for major home developers in the North Texas area.

Allpro Consulting Group

Drafter [2011 - 2012]
Dallas, Texas

Telecommunications design and site surveying.
Worked with major domestic telecommunication companies.

Underwood Engineering

Drafter & Rodman [2010 - 2011]
Las Cruces, New Mexico

Civil Engineering projects throughout southern New Mexico.

SiteWork Engineering

Drafter [SUMMER 2006 & 2008]
El Paso, Texas

Civil Engineering projects throughout El Paso; Public and Private works.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1380, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Representative Isabel Salcido, (915) 212-0005

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Cynthia Alarcon Retana to the Women's Rights Commission by Representative Isabel Salcido, District 5.



Board Appointment Form

City Clerk's Office

Appointing Office	Representative Isabel Salcido, District 5
Agenda Placement	Regular
Date of Council Meeting	10/08/24
Name of Board	Women's Rights Commission
Agenda Posting Language	
Appointment of Cynthia Alarcon Retana to the Women's Rights Commission by Representative Isabel Salcido, District 5.	
Appointment Type	Regular
Member Qualifications	
See Attached Resume	
Nominee Name	Cynthia Alarcon Retana
Nominee Email Address	[REDACTED]
Nominee Residential Address	[REDACTED]
Nominee Primary Phone Number	[REDACTED]
Residing District	District 5
City Employed Relatives	N/A
Board Membership	
N/A	
Real estate owned in El Paso County	
N/A	
Previous Appointee	Isabel Chacon
Reason for Vacancy	Term Expired
Date of Appointment	10/08/24
Term Begins On	09/01/24
Term Expires On	08/31/26
Term	First Term

CYNTHIA RETANA

SUMMARY OF QUALIFICATIONS

Leveraging a comprehensive background in educational and leadership expertise, administrative acumen, and a steadfast commitment to equity and inclusion, to effectively develop and implement policies, programs, and initiatives that support students with diverse learning needs. Passionate about fostering inclusive practices, driving strategic planning, and ensuring compliance with legal requirements to enhance educational outcomes for all students.

Expertise:

- Monitor and Evaluate Programs
- Development and Implementation of Comprehensive Services and Programs
- Budget Development and Management
- Leadership Support and Mentoring
- Special Populations
- Stakeholder Collaboration
- Curriculum Development
- Principal and Teacher Evaluation
- Compliance and Evaluation
- Grant Management
- Bilingual in Spanish

EDUCATION

Master of Education

University of Texas at El Paso

Bachelor of Interdisciplinary Studies

University of Texas at El Paso

Doctoral Candidate

Texas A&M-Commerce

PROFESSIONAL EXPERIENCE

ECTOR COUNTY INDEPENDENT SCHOOL DISTRICT

2021 – 2024

Executive Director of Leadership
Odessa, TX

- Direct supervision and mentorship of 17 campus principals in Ector County Independent School District (ECISD) including its various programs, policies, procedures, budget and financial services, curriculum/instruction, and campus data for grades PK3-12.
- Collaborate with all stakeholders to build vision, set priorities, and develop long and short-range plans for the day-to-day operation of campuses and district initiatives.
- Plan and coordinate bi-monthly leadership professional development for campus principals aligned with district and board improvement goals to include reviewing and setting policy.
- Facilitate communication and collaboration with the board of education and establish and maintain effective relationships with school personnel, while engaging with the external community.

- Assist in the creation of instructional systems designed for high student achievement to ensure not only enhancing student learning but improving teacher performance and planning for classroom high yield instructional practices.
- Align and meet with Special Education Department to plan and present to campuses and monitor Sped. programs for implementation and accuracy.
- Work with district and building administrators to identify, collect, analyze, and use relevant data to identify strengths to sustain and weaknesses to address.

SOCORRO INDEPENDENT SCHOOL DISTRICT
Assistant Superintendent of Schools

2018 - 2021

El Paso, TX

- Direct supervision and mentorship of campus principals in the Socorro Independent School District (SISD) including its various programs, policies/procedures, budget and financial services, curriculum/instruction, and campus data for grades PK 3-12.
- Collaborate with all stakeholders to set priorities and develop long and short-range plans for the day-to-day operation of campuses and district initiatives.
- Facilitate communication with the Superintendent and district board members and establish and maintain effective relationships with school personnel, while engaging with the external community.
- Assist in the creation of instructional systems designed for high student achievement to ensure not only enhancing student learning but improving teacher performance and planning for classroom high yield instructional practices.
- Work with district and building administrators to identify, collect, analyze, and use relevant data to identify strengths to sustain and weaknesses to address.
- Create, evaluate, and revise policy and ensure compliance district wide.
- Create and monitor yearly budgets at the district and campus levels.

SOCORRO INDEPENDENT SCHOOL DISTRICT
Principal/ Counselor
EL Paso, TX

2010 – 2018

- Hire effective personnel and ensure all policies and laws regarding hiring practices are followed.
- Provide Professional Development.
- Act as a Liaison to our parents and community.
- Managed school logistics and budgets. Set learning goals for students and teachers based on state curricula. Monitored and reported on teacher performance; presented data based on school performance to campus, district, and community stakeholders. Provided professional development, mentoring, and learning opportunities to faculty based on data and campus needs assessment.
- Researched new resources and techniques to improve teaching and best classroom practices. Interviewed and hired potential new school personnel. Attended conferences to gain knowledge on educational trends; reviewed and implemented school policies based on trends and campus needs and goals.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1337, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

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 A)

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Maria O. Pasillas, (915) 212-1737

DISTRICT(S) AFFECTED: All

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

SUBGOAL: 6.11 Provide efficient and effective services to taxpayers

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

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 A).

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Approve property tax overpayment refunds greater than \$2,500.00, per the Texas Property Tax Code, Sec. 31.11 – Refunds of Overpayments or Erroneous Payments.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Council has considered this previously on a routine basis.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Tax Office
SECONDARY DEPARTMENT: N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:


Maria O. Pasillas

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

TAX REFUNDS
October 8, 2024

1. GECU, in the amount of \$39,243.07 made an overpayment on December 30, 2023 of 2023 taxes.
(Geo. #H774-000-0040-0400)
2. Joseph R. Vargas, in the amount of \$3,639.33 made an overpayment on December 30, 2021 of 2021 taxes.
(Geo. # E054-999-0460-2100)

Laura D. Prine
City Clerk



Maria O. Pasillas, RTA
Tax Assessor Collector



CITY TAX OFFICE

SEP 17 2024

MARIA O. PASILLAS, RTA
CITY OF EL PASO TAX ASSESSOR COLLECTOR
221 N. KANSAS, STE 300
EL PASO, TX 79901

PH: (915) 212-0106 FAX: (915) 212-0107 Email: taxforms@elpasotexas.gov

GECU REAL ESTATE DEPT
PO BOX 20998
EL PASO, TX 79998-0998

OP ✓
+2500

Geo No. H774-000-0040-0400	Prop ID 708528
Legal Description of the Property BLK 4 HORIZON MARKETPLACE REPLAT B LOT 4 12598 ROJAS DR 79928	
OWNER: RIVER OAKS (MONTWOOD) LTD	

2023 OVERAGE AMOUNT \$39,243.07 ✓

6: COUNTY OF EL PASO, 7: EL PASO COMMUNITY COLLEGE, 8: UNIVERSITY MEDICAL CENTER OF EL PASO, 9: SOCORRO ISD, 15: EMERG. SERVICES DIST #1, 35: PASEO DEL ESTE MUD#1

Dear Taxpayer:

Our records indicate that an overpayment exists on the property tax account listed above as of the date of this letter. If you paid the taxes on this account and believe you are entitled to a refund, please complete the application below, sign it, and return it to our office. If the taxes were paid by your mortgage/title company or any other party, you must obtain a written letter of release in order for the refund to be issued in your name. If you did not make the payment(s) on this account, please forward this letter to the person who paid these taxes. You may also request the transfer of this overpayment to other tax accounts and/or tax years in the space provided or by attaching an additional sheet if necessary. Your application for refund must be submitted within three years from the date of the overpayment, or you waive the right to the refund (Sec. 31.11c). Governing body approval is required for refunds in excess of \$2500.

APPLICATION FOR PROPERTY TAX REFUND: This application must be completed, signed, and submitted with supporting documentation to be valid.

Step 1. Identify the refund recipient. Show information for whomever will be receiving the refund.	Who should the refund be issued to:			
	Name: <u>GECU - ATTN: VANESSA RUIZ Accounting Manager</u>			
	Address: <u>PO BOX 20998</u>			
	City, State, Zip: <u>EL PASO TX 79998</u>			
	Daytime Phone No.:	<u>915 774-8318</u>	E-Mail Address: <u>vanessa.ruiz@geca.com</u>	
Step 2. Provide payment information. <u>Please attach copy of cancelled check, original receipt, online payment confirmation or bank/credit card statement.</u>	Payment made by:	Check No.	Date Paid	Amount Paid
	Check Payment	125249	12/30/2023	\$1,299,002.27
	TOTAL AMOUNT PAID (sum of the above amounts)			
Step 3. Provide reason for this refund. Please list any accounts and/or years that you intended to pay with this overage.	Please check one of the following:			
	<input checked="" type="checkbox"/>	I paid this account in error and I am entitled to the refund.		
	<input type="checkbox"/>	I overpaid this account. Please refund the excess to the address listed in Step 1.		
	<input type="checkbox"/>	I want this payment applied to next year's taxes.		
	This payment should have been applied to other tax account(s) and/or year(s), escrow (listed below):			
Step 4. Sign the form. Unsigned applications cannot be processed.	By signing below, I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct. (If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under the Texas Penal Code, Sec. 37.10.)			
	SIGNATURE OF REQUESTOR (REQUIRED)		PRINTED NAME & DATE	
	<u>[Signature]</u>		<u>Vanessa Ruiz 09/17/24</u>	
TAX OFFICE USE ONLY:	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	By: <u>N.H.</u>	Date: <u>9-17-24</u>



TAX OFFICE RECEIVED

MARIA O. PASILLAS, RTA
CITY OF EL PASO TAX ASSESSOR COLLECTOR
221 N. KANSAS, STE 300
EL PASO, TX 79901

SEP 03 2024

PH: (915) 212-0106 FAX: (915) 212-0107 Email: taxforms@elpasotexas.gov

Geo No. E054-999-0460-2100	Prop ID 148130
Legal Description of the Property 46 EAST GLEN LOT 11 2024 OCEAN SIDE DR 79936	
OWNER: DURAN TERIO G & GIANNINA E	
2021 OVERAGE AMOUNT \$3,639.33	

STUART C. COX, TRUSTEE
1760 N. LEE TREVINO DR.
EL PASO, TX 79936-0000

OP ✓
+2500

1: CITY OF EL PASO, 5: YSLETA ISD, 6: COUNTY OF EL PASO, 7: EL PASO COMMUNITY COLLEGE, 8: UNIVERSITY MEDICAL CENTER OF EL PASO

Dear Taxpayer:

Our records indicate that an overpayment exists on the property tax account listed above as of the date of this letter. If you paid the taxes on this account and believe you are entitled to a refund, please complete the application below, sign it, and return it to our office. If the taxes were paid by your mortgage/title company or any other party, you must obtain a written letter of release in order for the refund to be issued in your name. If you did not make the payment(s) on this account, please forward this letter to the person who paid these taxes. You may also request the transfer of this overpayment to other tax accounts and/or tax years in the space provided or by attaching an additional sheet if necessary. Your application for refund must be submitted within three years from the date of the overpayment, or you waive the right to the refund (Sec. 31.11c). Governing body approval is required for refunds in excess of \$2500.

APPLICATION FOR PROPERTY TAX REFUND: This application must be completed, signed, and submitted with supporting documentation to be valid.

Step 1. Identify the refund recipient. Show information for whomever will be receiving the refund.	Who should the refund be issued to:			
	Name: Joseph R. Vargas			
	Address: 2024 Ocean Side Dr. *			
	City, State, Zip: El Paso, TX 79936 ✓			
Step 2. Provide payment information. Please attach copy of cancelled check, original receipt, online payment confirmation or bank/credit card statement.	Daytime Phone No.:	E-Mail Address:		
	Payment made by:	Check No.	Date Paid	Amount Paid
	Check Payment	397643	12/30/2021	\$4,289.86
	Case # 18-31026			
Step 3. Provide reason for this refund. Please list any accounts and/or years that you intended to pay with this overage.	TOTAL AMOUNT PAID (sum of the above amounts)			
	Please check one of the following:			
	<input type="checkbox"/>	I paid this account in error and I am entitled to the refund.		
	<input checked="" type="checkbox"/>	I overpaid this account. Please refund the excess to the address listed in Step 1. ✓		
Step 4. Sign the form. Unsigned applications cannot be processed.	<input type="checkbox"/> I want this payment applied to next year's taxes.			
	<input type="checkbox"/> This payment should have been applied to other tax account(s) and/or year(s), escrow (listed below):			
	By signing below, I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct. (If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under the Texas Penal Code, Sec. 37.10.)			
	SIGNATURE OF REQUESTOR (REQUIRED)		PRINTED NAME & DATE	
JMC 9/12/24		Stuart Cox 8-27-24		
TAX OFFICE USE ONLY: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied By: NIN Date: 9-9-24 ✓				


ATTACHMENT A

TAX REFUNDS

October 8, 2024

1. GECU, in the amount of \$39,243.07 made an overpayment on December 30, 2023 of 2023 taxes.
(Geo. #H774-000-0040-0400)
2. Joseph R. Vargas, in the amount of \$3,639.33 made an overpayment on December 30, 2021 of 2021 taxes.
(Geo. # E054-999-0460-2100)

Laura D. Prine
City Clerk



Maria O. Pasillas, RTA
Tax Assessor Collector



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1351, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

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 exceeding the three (3) year limit. (See Attachment B)

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Maria O. Pasillas, (915) 212-1737

DISTRICT(S) AFFECTED: All

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

SUBGOAL: 6.11 Provide efficient and effective services to taxpayers

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

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 exceeding the three (3) year limit. (See Attachment B)

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Approve property tax overpayment refunds exceeding the statutory three (3) year limit, per the Texas Property Tax Code, Sec. 31.11 – Refunds of Overpayments or Erroneous Payments.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Council has considered this previously on a routine basis.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Tax Office
SECONDARY DEPARTMENT: N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:


Maria O. Pasillas

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

TAX REFUNDS OVER THREE (3) YEARS
October 8, 2024

1. Power Concrete and Equipment Inc., in the amount of \$109.49, made an overpayment on January 22, 2021 of 2020 taxes.
(Geo. #18PP-999-2186-0042)
2. Peraton Enterprise Solutions LLC through Perspecta Engineering Inc., in the amount of \$18.12, made an overpayment on March 31, 2021 of 2020 taxes.
(Geo. #1541-999-1310-9834)
3. J & S Auto Sales, in the amount of \$63.70, made an overpayment on February 1, 2021 of 2020 taxes.
(Geo. #1999-000-0007-0014)
4. Maria I & Francisco Garcia, in the amount of \$44.25, made an overpayment on March 18, 2021 of 2020 taxes.
(Geo. #E864-000-0080-2200)
5. Idaho Housing through Lereta LLC, in the amount of \$100.00, made an overpayment on November 18, 2020 of 2020 taxes.
(Geo. # H790-000-0220-1800)
6. Bellamy & Schultz PLLC, through Stavros & Kelly PLLC, in the amount of \$492.05, made an overpayment on November 25, 2020 of 2020 taxes.
(Geo. # U819-999-0010-1450)
7. EAN Holdings LLC through D 'Roman LLC, in the amount of \$386.29, made an overpayment on May 7, 2021 of 2020 taxes.
(Geo. # V893-999-4510-0120)
8. Charles R Sutton, in the amount of \$281.15, made an overpayment on February 1, 2021 of 2020 taxes.
(Geo. #V897-999-0810-4600)

Laura D. Prine
City Clerk



Maria O. Pasillas, RTA
Tax Assessor Collector



CITY TAX OFFICE
AUG 15 2024

MARIA O. PASILLAS, RTA
CITY OF EL PASO TAX ASSESSOR COLLECTOR
221 N. KANSAS, STE 300
EL PASO, TX 79901

PH: (915) 212-0106 FAX: (915) 212-0107 Email: taxforms@elpasotexas.gov

POWER CONCRETE & EQUIPMENT INC
C/O JORGE ARAMBULA
8570 GATEWAY BLVD E
EL PASO, TX 79907-1701

OP
+ 3 yrs

Geo No. 18PP-999-2186-0042	Prop ID 679475
Legal Description of the Property DEALER MOTOR VEH INV P145225	
8570 E GATEWAY BLVD	
OWNER: POWER CONCRETE & EQUIPMENT INC	
2020 OVERAGE AMOUNT \$109.49	

1: CITY OF EL PASO, 5: YSLETA ISD, 6: COUNTY OF EL PASO, 7: EL PASO COMMUNITY COLLEGE, 8: UNIVERSITY MEDICAL CENTER OF EL PASO

Dear Taxpayer:

Our records indicate that an overpayment exists on the property tax account listed above as of the date of this letter. If you paid the taxes on this account and believe you are entitled to a refund, please complete the application below, sign it, and return it to our office. If the taxes were paid by your mortgage/title company or any other party, you must obtain a written letter of release in order for the refund to be issued in your name. If you did not make the payment(s) on this account, please forward this letter to the person who paid these taxes. You may also request the transfer of this overpayment to other tax accounts and/or tax years in the space provided or by attaching an additional sheet if necessary. Your application for refund must be submitted within three years from the date of the overpayment, or you waive the right to the refund (Sec. 31.11c). Governing body approval is required for refunds in excess of \$2500.

APPLICATION FOR PROPERTY TAX REFUND: This application must be completed, signed, and submitted with supporting documentation to be valid.

Step 1. Identify the refund recipient. Show information for whomever will be receiving the refund.	Who should the refund be issued to:			
	Name: Power Concrete and Equipment Inc.			
	Address: 13785 Paseo Central Ave			
	City, State, Zip: El Paso TX 79928			
Daytime Phone No.: 915-633-8899		E-Mail Address: powerconcrete2009@hotmail.com		
Step 2. Provide payment information. Please attach copy of cancelled check, original receipt, online payment confirmation or bank/credit card statement.	Payment made by:	Check No.	Date Paid	Amount Paid
	Check Payment	07035	01/22/2021	\$9,916.59
	TOTAL AMOUNT PAID (sum of the above amounts)			
Step 3. Provide reason for this refund. Please list any accounts and/or years that you intended to pay with this overage.	Please check one of the following:			
	<input type="checkbox"/>	I paid this account in error and I am entitled to the refund.		
	<input checked="" type="checkbox"/>	I overpaid this account. Please refund the excess to the address listed in Step 1.		
	<input type="checkbox"/>	I want this payment applied to next year's taxes.		
<input type="checkbox"/> This payment should have been applied to other tax account(s) and/or year(s), escrow (listed below):				
Step 4. Sign the form. Unsigned applications cannot be processed.	By signing below, I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct. (If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under the Texas Penal Code, Sec. 37.10.)			
	SIGNATURE OF REQUESTOR (REQUIRED)		PRINTED NAME & DATE	
Jorge Arambula		Jorge Arambula		
TAX OFFICE USE ONLY: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied By: N.H. Date: 8-15-24				

RESOLUTION

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

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

WHEREAS, taxpayer, Power Concrete and Equipment Inc (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on January 22, 2021 in the amount of \$109.49 (One Hundred and Nine and 49/100 Dollars) for all taxing entities; and

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

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

THAT THE City finds that Power Concrete and Equipment Inc showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2020 taxes and the tax refund in the amount of \$109.49 (One Hundred and Nine and 49/100 Dollars) is approved.

APPROVED this _____ day of _____, 2024.


CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

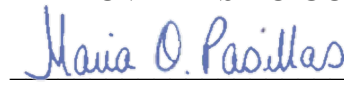
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Oscar Gomez
Assistant City Attorney

APPROVED AS TO CONTENT:



Maria Pasillas
Tax Assessor/Collector

TAX OFFICE RECEIVED

AUG 28 2024



MARIA O. PASILLAS, RTA
CITY OF EL PASO TAX ASSESSOR COLLECTOR
221 N. KANSAS, STE 300
EL PASO, TX 79901

PH: (915) 212-0106 FAX: (915) 212-0107 Email: taxforms@elpasotexas.gov

PERSPECTA ENGINEERING INC
15052 CONFERENCE CENTER DR
CHANTILLY, VA 20151

RECEIVED
AUG 13 2024

OP ✓
+ 3 yrs

Geo No. 1541-999-1310-9834	Prop ID 657255
Legal Description of the Property LEASED CMP IN TDC 30	
MISC FILE NO. 30	
OWNER: HP ENTERPRISE SERVICE LLC	

2020 OVERAGE AMOUNT \$18.12 ✓

1: CITY OF EL PASO, 6: COUNTY OF EL PASO, 7: EL PASO COMMUNITY COLLEGE, 8: UNIVERSITY MEDICAL CENTER OF EL PASO, 18: CANUTILLO ISD

Dear Taxpayer:
Our records indicate that an overpayment exists on the property tax account listed above as of the date of this letter. If you paid the taxes on this account and believe you are entitled to a refund, please complete the application below, sign it, and return it to our office. If the taxes were paid by your mortgage/title company or any other party, you must obtain a written letter of release in order for the refund to be issued in your name. If you did not make the payment(s) on this account, please forward this letter to the person who paid these taxes. You may also request the transfer of this overpayment to other tax accounts and/or tax years in the space provided or by attaching an additional sheet if necessary. Your application for refund must be submitted within three years from the date of the overpayment, or you waive the right to the refund (Sec. 31.11c). Governing body approval is required for refunds in excess of \$2500.

APPLICATION FOR PROPERTY TAX REFUND: This application must be completed, signed, and submitted with supporting documentation to be valid.

Step 1. Identify the refund recipient. Show information for whomever will be receiving the refund.	Who should the refund be issued to			
	Name: PERATON ENTERPRISE Solutions LLC			
Step 2. Provide payment information. Please attach copy of cancelled check, original receipt, online payment confirmation or bank/credit card statement.	Address: 12975 Worldgate Drive			
	City, State, Zip: Herndon, VA 20170			
	Daytime Phone No.: 571-508-1026		E-Mail Address: dawn.urista@peraton.com	
Step 3. Provide reason for this refund. Please list any accounts and/or years that you intended to pay with this overage.	Payment made by:	Check No.	Date Paid	Amount Paid
	Check Payment	40748	03/31/2021	\$135.17
	TOTAL AMOUNT PAID (sum of the above amounts)			
Step 4. Sign the form. Unsigned applications cannot be processed.	Please check one of the following:			
	<input type="checkbox"/> I paid this account in error and I am entitled to the refund.			
	<input checked="" type="checkbox"/> I overpaid this account. Please refund the excess to the address listed in Step 1. ✓			
	<input type="checkbox"/> I want this payment applied to next year's taxes.			
This payment should have been applied to other tax account(s) and/or year(s), escrow (listed below):				
By signing below, I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct. (If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under the Texas Penal Code, Sec. 37.10.)				
SIGNATURE OF REQUESTOR (REQUIRED)		PRINTED NAME & DATE		
Dawn Urista		Dawn Urista 8/15/24 ✓		
TAX OFFICE USE ONLY: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied By: N.N Date: 8-29-24				

RESOLUTION

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

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

WHEREAS, taxpayer, Peraton Enterprise Solutions LLC through Perspecta Engineering Inc (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on March 31, 2021 in the amount of \$18.12 (Eighteen and 12/100 Dollars) for all taxing entities; and

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

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

THAT THE City finds that Peraton Enterprise Solutions LLC through Perspecta Engineering Inc showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2020 taxes and the tax refund in the amount of \$18.12 (Eighteen and 12/100 Dollars) is approved.

APPROVED this _____ day of _____, 2024.

CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

Oscar Gomez
Assistant City Attorney

APPROVED AS TO CONTENT:

Maria Pasillas
Tax Assessor/Collector



CITY TAX OFFICE

Aug 16 2024

MARIA O. PASILLAS, RTA
CITY OF EL PASO TAX ASSESSOR COLLECTOR
221 N. KANSAS, STE 300
EL PASO, TX 79901

PH: (915) 212-0106 FAX: (915) 212-0107 Email: taxforms@elpasotexas.gov

J & S AUTO SALES
C/O J SINGH AUTO SALES & SALVAGE INC
PO BOX 2695
ANTHONY, TX 79821-2695

Handwritten note: OP + 3 yrs with a checkmark

Table with property details: Geo No. 1999-000-0007-0014, Prop ID 496460, Legal Description of the Property DEALER MOTOR VEH INV P52340, 8300 DONIPHAN DR, OWNER: J & S AUTO SALES, 2020 OVERAGE AMOUNT \$63.70

6: COUNTY OF EL PASO, 7: EL PASO COMMUNITY COLLEGE, 8: UNIVERSITY MEDICAL CENTER OF EL PASO, 18: CANUTILLO ISD, 27: EMERG. SERVICES DIST. #2, 38: VILLAGE OF VINTON

Dear Taxpayer:

Our records indicate that an overpayment exists on the property tax account listed above as of the date of this letter. If you paid the taxes on this account and believe you are entitled to a refund, please complete the application below, sign it, and return it to our office.

APPLICATION FOR PROPERTY TAX REFUND:

This application must be completed, signed, and submitted with supporting documentation to be valid.

Step 1. Identify the refund recipient. Show information for whomever will be receiving the refund.

Who should the refund be issued to: Name: J & S Auto Sales, Address: 8300 Doniphan Dr. Ste A, City, State, Zip: Anthony, Tx 79821, Daytime Phone No.: (915) 433-5566, E-Mail Address: jsauto@prodigy.net

Step 2. Provide payment information.

Please attach copy of cancelled check, original receipt, online payment confirmation or bank/credit card statement.

Table with payment details: Payment made by: Check Payment, Check No. 013383, Date Paid 02/01/2021, Amount Paid \$368.32, TOTAL AMOUNT PAID (sum of the above amounts)

Step 3. Provide reason for this refund.

Please list any accounts and/or years that you intended to pay with this overage.

Please check one of the following: I paid this account in error and I am entitled to the refund. I overpaid this account. Please refund the excess to the address listed in Step 1. I want this payment applied to next year's taxes. This payment should have been applied to other tax account(s) and/or year(s), escrow (listed below):

Step 4. Sign the form.

Unsigned applications cannot be processed.

By signing below, I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct. (If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under the Texas Penal Code, Sec. 37.10.)

Handwritten signature: June 8/20/24

SIGNATURE OF REQUESTOR (REQUIRED) and PRINTED NAME & DATE: Susan Singh 8/14/24

TAX OFFICE USE ONLY:

Approved [checked] Denied [] By: N.N Date: 8-16-24

Handwritten initials: Lmc

RESOLUTION

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

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

WHEREAS, taxpayer, J & S Auto Sales (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on February 1, 2021 in the amount of \$63.70 (Sixty-Three and 70/100 Dollars) for all taxing entities; and

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

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

THAT THE City finds that J & S Auto Sales showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2020 taxes and the tax refund in the amount of \$63.70 (Sixty-Three and 70/100 Dollars) is approved.

APPROVED this _____ day of _____, 2024.

CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

Oscar Gomez
Assistant City Attorney

APPROVED AS TO CONTENT:

Maria O. Pasillas
Maria Pasillas
Tax Assessor/Collector



MARIA O. PASILLAS, RTA
 CITY OF EL PASO TAX ASSESSOR COLLECTOR
 221 N. KANSAS, STE 300
 EL PASO, TX 79901

PH: (915) 212-0106 FAX: (915) 212-0107 Email: taxforms@elpasotexas.gov

CITY TAX OFFICE
 AUG 20 2024

GARCIA MARIA I & FRANCISCO
 PO BOX 1553
 FABENS, TX 79838-1553

OP
 + 3 yrs

Geo No. E864-000-0080-2200	Prop ID 296737
Legal Description of the Property 8 ENCHANTMENT #2 LOT 22	
1267 BILLS ST	
OWNER: GARCIA MARIA I & FRANCISCO	
2020 OVERAGE AMOUNT \$44.25	

6: COUNTY OF EL PASO, 7: EL PASO COMMUNITY COLLEGE, 8: UNIVERSITY MEDICAL CENTER OF EL PASO, 11: FABENS ISD, 27: EMERG. SERVICES DIST. #2, 44: EL PASO CNTY WTR CNTL IMP#4

Dear Taxpayer:

Our records indicate that an overpayment exists on the property tax account listed above as of the date of this letter. If you paid the taxes on this account and believe you are entitled to a refund, please complete the application below, sign it, and return it to our office. If the taxes were paid by your mortgage/title company or any other party, you must obtain a written letter of release in order for the refund to be issued in your name. If you did not make the payment(s) on this account, please forward this letter to the person who paid these taxes. You may also request the transfer of this overpayment to other tax accounts and/or tax years in the space provided or by attaching an additional sheet if necessary. Your application for refund must be submitted within three years from the date of the overpayment, or you waive the right to the refund (Sec. 31.11c). Governing body approval is required for refunds in excess of \$2500.

APPLICATION FOR PROPERTY TAX REFUND: This application must be completed, signed, and submitted with supporting documentation to be valid.

Step 1. Identify the refund recipient. Show information for whomever will be receiving the refund.	Who should the refund be issued to:			
	Name: <u>Maria Irma Francisco Garcia</u> ✓			
	Address: <u>1267 Bills St</u>			
	City, State, Zip: <u>Fabens TX 79838 P.O. Box 1553</u>			
Daytime Phone No.: <u>(915) 781-4917</u>		E-Mail Address:		
Step 2. Provide payment information. Please attach copy of cancelled check, original receipt, online payment confirmation or bank/credit card statement.	Payment made by:	Check No.	Date Paid	Amount Paid
	Check Payment	27280762672	03/18/2021	\$185.20
	TOTAL AMOUNT PAID (sum of the above amounts)			
Step 3. Provide reason for this refund. Please list any accounts and/or years that you intended to pay with this overage.	Please check one of the following:			
	<input type="checkbox"/>	I paid this account in error and I am entitled to the refund.		
	<input checked="" type="checkbox"/>	I overpaid this account. Please refund the excess to the address listed in Step 1. ✓		
	<input type="checkbox"/>	I want this payment applied to next year's taxes.		
This payment should have been applied to other tax account(s) and/or year(s), escrow (listed below):				
Step 4. Sign the form. Unsigned applications cannot be processed.	By signing below, I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct. (If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under the Texas Penal Code, Sec. 37.10.)			
	SIGNATURE OF REQUESTOR (REQUIRED)		PRINTED NAME & DATE	
	<u>Maria Irma Garcia</u>		<u>MARIA IRMA GARCIA</u> ✓	
TAX OFFICE USE ONLY: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied By: <u>D.N</u> Date: <u>8-21-24</u>				

RESOLUTION

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

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

WHEREAS, taxpayer, MARIA I & FRANCISCO GARCIA (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on March 18, 2021 in the amount of \$44.25 (Forty-Four and 25/100 Dollars) for all taxing entities; and

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

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

THAT THE City finds that MARIA I & FRANCISCO GARCIA showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2020 taxes and the tax refund in the amount of \$44.25 (Forty-Four and 25/100 Dollars) is approved.

APPROVED this _____ day of _____, 2024.

CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

Oscar Gomez
Assistant City Attorney

APPROVED AS TO CONTENT:

Maria O. Pasillas
Maria Pasillas
Tax Assessor/Collector

Idaho Housing - 95366867



CITY TAX OFFICE

AUG 22 2024

MARIA O. PASILLAS, RTA
CITY OF EL PASO TAX ASSESSOR COLLECTOR
221 N. KANSAS, STE 300
EL PASO, TX 79901

PH: (915) 212-0106 FAX: (915) 212-0107 Email: taxforms@elpasotexas.gov

LERETA LLC
901 CORPORATE CENTER DR
POMONA, CA 91768

OP
+ 3 yrs ✓

Geo No. H790-000-0220-1800	Prop ID 36853
Legal Description of the Property 22 HORIZON HILLS REPLAT E LOT 18 (5048.25 SQ FT) 336 VIA CUMBRE LINDA CIR	
OWNER: ACUNA JANETTE	
2020 OVERAGE AMOUNT \$100.00	

6: COUNTY OF EL PASO, 7: EL PASO COMMUNITY COLLEGE, 8: UNIVERSITY MEDICAL CENTER OF EL PASO, 9: SOCORRO ISD, 14: HORIZON REGIONAL MUD, 15: EMERG. SERVICES DIST #1

Dear Taxpayer:

Our records indicate that an overpayment exists on the property tax account listed above as of the date of this letter. If you paid the taxes on this account and believe you are entitled to a refund, please complete the application below, sign it, and return it to our office. If the taxes were paid by your mortgage/title company or any other party, you must obtain a written letter of release in order for the refund to be issued in your name. If you did not make the payment(s) on this account, please forward this letter to the person who paid these taxes. You may also request the transfer of this overpayment to other tax accounts and/or tax years in the space provided or by attaching an additional sheet if necessary. Your application for refund must be submitted within three years from the date of the overpayment, or you waive the right to the refund (Sec. 31.11c). Governing body approval is required for refunds in excess of \$2500.

APPLICATION FOR PROPERTY TAX REFUND:

This application must be completed, signed, and submitted with supporting documentation to be valid.

Step 1. Identify the refund recipient. Show information for whomever will be receiving the refund.	Who should the refund be issued to:			
	Name: Idaho Housing, c/o LERETA, LLC			
	Address: 901 CORPORATE CENTER DR			
	City, State, Zip: POMONA, CA 91768		E-Mail Address: DL-RefundApplication@lereta.com	
Step 2. Provide payment information. Please attach copy of cancelled check, original receipt, online payment confirmation or bank/credit card statement.	Payment made by:	Check No.	Date Paid	Amount Paid
	Electronic Fund Transfer	201117164205	11/18/2020	\$25,987,760.07
	TOTAL AMOUNT PAID (sum of the above amounts)			
	Please check one of the following:			
Step 3. Provide reason for this refund. Please list any accounts and/or years that you intended to pay with this overage.	<input type="checkbox"/> I paid this account in error and I am entitled to the refund.			
	<input checked="" type="checkbox"/> I overpaid this account. Please refund the excess to the address listed in Step 1.			
	<input type="checkbox"/> I want this payment applied to next year's taxes.			
	<input type="checkbox"/> This payment should have been applied to other tax account(s) and/or year(s), escrow (listed below):			
Step 4. Sign the form. Unsigned applications cannot be processed.	By signing below, I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct. (If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under the Texas Penal Code, Sec. 37.10.)			
	SIGNATURE OF REQUESTOR (REQUIRED)		PRINTED NAME & DATE	
	<i>Sherry James</i>		Sherry James, August 19, 2024	
TAX OFFICE USE ONLY:	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	By: <i>N.H</i>	Date: <i>8-22-24</i>

RESOLUTION

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

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

WHEREAS, taxpayer, Idaho Housing through Lereta LLC (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on November 18, 2020 in the amount of \$100 (One Hundred and No/100 Dollars) for all taxing entities; and

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

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

THAT THE City finds that Idaho Housing through Lereta LLC showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2020 taxes and the tax refund in the amount of \$100 (One Hundred and No/100 Dollars) is approved.

APPROVED this _____ day of _____, 2024.

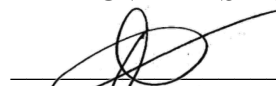
CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:


Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Oscar Gomez
Assistant City Attorney

APPROVED AS TO CONTENT:



Maria Pasillas
Tax Assessor/Collector



MARIA O. PASILLAS, RTA
 CITY OF EL PASO TAX ASSESSOR COLLECTOR
 221 N. KANSAS, STE 300
 EL PASO, TX 79901

PH: (915) 212-0106 FAX: (915) 212-0107 Email: taxforms@elpasotexas.gov

CITY TAX OFFICE
 AUG 16 2024

STAVROS & KELLY PLLC
 7200 N MO PAC EXPY STE 310
 AUSTIN, TX 78731

Geo No. U819-999-0010-1450	Prop ID 219369
Legal Description of the Property 1 UPPER VALLEY TR 14-G (0.299 AC) 220 SIESTA WAY	
OWNER: NAMOCA ENTERPRISES LLC	
2020 OVERAGE AMOUNT \$492.05	

OP ✓
 + 3 yrs ✓

1: CITY OF EL PASO, 3: EL PASO ISD, 6: COUNTY OF EL PASO, 7: EL PASO COMMUNITY COLLEGE, 8: UNIVERSITY MEDICAL CENTER OF EL PASO

Dear Taxpayer:

Our records indicate that an overpayment exists on the property tax account listed above as of the date of this letter. If you paid the taxes on this account and believe you are entitled to a refund, please complete the application below, sign it, and return it to our office. If the taxes were paid by your mortgage/title company or any other party, you must obtain a written letter of release in order for the refund to be issued in your name. If you did not make the payment(s) on this account, please forward this letter to the person who paid these taxes. You may also request the transfer of this overpayment to other tax accounts and/or tax years in the space provided or by attaching an additional sheet if necessary. Your application for refund must be submitted within three years from the date of the overpayment, or you waive the right to the refund (Sec. 31.11c). Governing body approval is required for refunds in excess of \$2500.

APPLICATION FOR PROPERTY TAX REFUND: This application must be completed, signed, and submitted with supporting documentation to be valid.

Step 1. Identify the refund recipient. Show information for whomever will be receiving the refund.	Who should the refund be issued to:			
	Name: <u>Bellamy & Schultz, PLLC (fka Stavros & Kelly, PLLC)</u>			
	Address: <u>7200 N. Mo Pac Expy., Ste. 310</u>			
	City, State, Zip: <u>Austin, TX 78731</u>		Daytime Phone No.: <u>(512) 344-6011</u>	
		E-Mail Address: <u>finance@srbslaw.com</u>		
Step 2. Provide payment information. Please attach copy of cancelled check, original receipt, online payment confirmation or bank/credit card statement.	Payment made by:	Check No.	Date Paid	Amount Paid
	Check Payment	1024	11/25/2020	\$492.05
	TOTAL AMOUNT PAID (sum of the above amounts)			
Step 3. Provide reason for this refund. Please list any accounts and/or years that you intended to pay with this overage.	Please check one of the following:			
	<input type="checkbox"/> I paid this account in error and I am entitled to the refund.			
	<input checked="" type="checkbox"/> I overpaid this account. Please refund the excess to the address listed in Step 1. ✓			
	<input type="checkbox"/> I want this payment applied to next year's taxes.			
<input type="checkbox"/> This payment should have been applied to other tax account(s) and/or year(s), escrow (listed below):				
Step 4. Sign the form. Unsigned applications cannot be processed.	By signing below, I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct. (If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under the Texas Penal Code, Sec. 37.10.)			
	SIGNATURE OF REQUESTOR (REQUIRED) <u>Carolina Rawls</u>		PRINTED NAME & DATE <u>Carolina Rawls 8/12/2024</u>	
TAX OFFICE USE ONLY: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied By: <u>N/A</u> Date: <u>8-16-24</u>				

RESOLUTION

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

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

WHEREAS, taxpayer, Bellamy & Schultz PLLC, through Stavros & Kelly PLLC, (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on November 25, 2020 in the amount of \$492.05 (Four Hundred and Ninety-Two and 5/100 Dollars) for all taxing entities; and

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

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

THAT THE City finds that Bellamy & Schultz PLLC, through Stavros & Kelly PLLC, showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2020 taxes and the tax refund in the amount of \$492.05 (Four Hundred and Ninety-Two and 5/100 Dollars) is approved.

APPROVED this _____ day of _____, 2024.

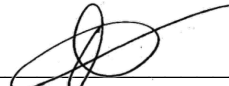
CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

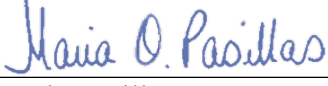
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Oscar Gomez
Assistant City Attorney

APPROVED AS TO CONTENT:



Maria Pasillas
Tax Assessor/Collector



CITY TAX OFFICE
AUG 26 2024

MARIA O. PASILLAS, RTA
CITY OF EL PASO TAX ASSESSOR COLLECTOR
221 N. KANSAS, STE 300
EL PASO, TX 79901

PH: (915) 212-0106 FAX: (915) 212-0107 Email: taxforms@elPASOTexas.gov

D'ROMAN LLC
PO BOX 961941
EL PASO, TX 79996-1941

Geo No. V893-999-4510-0120	Prop ID 167876
Legal Description of the Property	
451 VISTA DEL SOL #103 PT OF 1 BEG 373.94 FT SW OF NEC (138.06' ON ST-190.98' ON SLY-137.95' ON WLY-196.70' ON NLY) (26700.73 SQ FT)	
1545 ZARAGOZA RD	
OWNER: D'ROMAN LLC	
2020 OVERAGE AMOUNT \$386.29	

OP ✓
+ 3 yrs

1: CITY OF EL PASO, 6: COUNTY OF EL PASO, 7: EL PASO COMMUNITY COLLEGE, 8: UNIVERSITY MEDICAL CENTER OF EL PASO, 9: SOCORRO ISD

Dear Taxpayer:

Our records indicate that an overpayment exists on the property tax account listed above as of the date of this letter. If you paid the taxes on this account and believe you are entitled to a refund, please complete the application below, sign it, and return it to our office. If the taxes were paid by your mortgage/title company or any other party, you must obtain a written letter of release in order for the refund to be issued in your name. If you did not make the payment(s) on this account, please forward this letter to the person who paid these taxes. You may also request the transfer of this overpayment to other tax accounts and/or tax years in the space provided or by attaching an additional sheet if necessary. Your application for refund must be submitted within three years from the date of the overpayment, or you waive the right to the refund (Sec. 31.11c). Governing body approval is required for refunds in excess of \$2500.

APPLICATION FOR PROPERTY TAX REFUND: This application must be completed, signed, and submitted with supporting documentation to be valid.

Step 1. Identify the refund recipient. Show information for whomever will be receiving the refund.	Who should the refund be issued to:			
	Name: <u>EAN Holdings, LLC.</u> ✓			
	Address: <u>4601 Columbine Ave NE</u> ✓			
	City, State, Zip: <u>Albuquerque, NM 87113</u>			
Step 2. Provide payment information. Please attach copy of cancelled check, original receipt, online payment confirmation or bank/credit card statement.	Daytime Phone No.: <u>505-880-9797</u>		E-Mail Address: <u>monica.villarreal@em.com</u>	
	Payment made by:	Check No.	Date Paid	Amount Paid
	Check Payment	0000357618	03/08/2021	\$21,439.40
	TOTAL AMOUNT PAID (sum of the above amounts)			
	Please check one of the following:			
Step 3. Provide reason for this refund. Please list any accounts and/or years that you intended to pay with this overage.	<input type="checkbox"/> I paid this account in error and I am entitled to the refund.			
	<input checked="" type="checkbox"/> I overpaid this account. Please refund the excess to the address listed in Step 1. ✓			
	<input type="checkbox"/> I want this payment applied to next year's taxes.			
	This payment should have been applied to other tax account(s) and/or year(s), escrow (listed below):			
Step 4. Sign the form. Unsigned applications cannot be processed.	By signing below, I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct. (If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under the Texas Penal Code, Sec. 37.10.)			
	SIGNATURE OF REQUESTOR (REQUIRED)		PRINTED NAME & DATE	
	<u>Monica Villarreal</u>		<u>Monica Villarreal 8/22/2024</u> ✓	
TAX OFFICE USE ONLY:	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	By: <u>N.W</u>	Date: <u>8-26-24</u> ✓

RESOLUTION

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

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

WHEREAS, taxpayer, EAN Holdings LLC through D’Roman LLC (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on May 7, 2021 in the amount of \$386.29 (Three Hundred and Eighty-Six and 29/100 Dollars) for all taxing entities; and

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

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

THAT THE City finds that EAN Holdings LLC through D’Roman LLC showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2020 taxes and the tax refund in the amount of \$386.29 (Three Hundred and Eighty-Six and 29/100 Dollars) is approved.

APPROVED this _____ day of _____, 2024.

CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

Oscar Gomez
Assistant City Attorney

APPROVED AS TO CONTENT:

Maria O. Pasillas
Maria Pasillas
Tax Assessor/Collector

CITY TAX OFFICE
AUG 29 2024



CITY TAX OFFICE
AUG 29 2024

MARIA O. PASILLAS, RTA
CITY OF EL PASO TAX ASSESSOR COLLECTOR
221 N. KANSAS, STE 300
EL PASO, TX 79901

PH: (915) 212-0106 FAX: (915) 212-0107 Email: taxforms@elpasotexas.gov

CHARLES R SUTTON
27705 LAKE ORA DR
HOLDEN, LA 70744

Geo No. V897-999-0810-4600	Prop ID 40388
Legal Description of the Property 81 VISTA HILLS #23 LOT 46 (5720.00 SQ FT) 2405 TIRRES PL	
OWNER: SUTTON CHARLES R & MARIA J	

OP +3yrs

2020 OVERAGE AMOUNT \$281.15

1: CITY OF EL PASO, 6: COUNTY OF EL PASO, 7: EL PASO COMMUNITY COLLEGE, 8: UNIVERSITY MEDICAL CENTER OF EL PASO, 9: SOCORRO ISD

Dear Taxpayer:

Our records indicate that an overpayment exists on the property tax account listed above as of the date of this letter. If you paid the taxes on this account and believe you are entitled to a refund, please complete the application below, sign it, and return it to our office. If the taxes were paid by your mortgage/title company or any other party, you must obtain a written letter of release in order for the refund to be issued in your name. If you did not make the payment(s) on this account, please forward this letter to the person who paid these taxes. You may also request the transfer of this overpayment to other tax accounts and/or tax years in the space provided or by attaching an additional sheet if necessary. Your application for refund must be submitted within three years from the date of the overpayment, or you waive the right to the refund (Sec. 31.11c). Governing body approval is required for refunds in excess of \$2500.

APPLICATION FOR PROPERTY TAX REFUND: This application must be completed, signed, and submitted with supporting documentation to be valid.

Step 1. Identify the refund recipient. Show information for whomever will be receiving the refund.	Who should the refund be issued to:			
	Name:			
	Address:			
	City, State, Zip:			
Step 2. Provide payment information. Please attach copy of cancelled check, original receipt, online payment confirmation or bank/credit card statement.	Daytime Phone No.:		E-Mail Address:	
	Payment made by:	Check No.	Date Paid	Amount Paid
	Check Payment	438	02/01/2021	\$4,297.77
	TOTAL AMOUNT PAID (sum of the above amounts)			
Step 3. Provide reason for this refund. Please list any accounts and/or years that you intended to pay with this overage.	Please check one of the following:			
	<input checked="" type="checkbox"/> I paid this account in error and I am entitled to the refund.			
	<input type="checkbox"/> I overpaid this account. Please refund the excess to the address listed in Step 1.			
	<input type="checkbox"/> I want this payment applied to next year's taxes.			
Step 4. Sign the form. Unsigned applications cannot be processed.	This payment should have been applied to other tax account(s) and/or year(s), escrow (listed below):			
	By signing below, I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct. (If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under the Texas Penal Code, Sec. 37.10.)			
	SIGNATURE OF REQUESTOR (REQUIRED)		PRINTED NAME & DATE	
[Signature]		CHARLES SUTTON		

TAX OFFICE USE ONLY: Approved Denied By: N.H. Date: 9-3-24

RESOLUTION

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

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

WHEREAS, taxpayer, Charles R Sutton (“Taxpayer”) has applied for a refund with the tax assessor for their 2020 property taxes that were overpaid on February 1, 2021 in the amount of \$281.15 (Two Hundred and Eighty-One and 15/100 Dollars) for all taxing entities; and

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

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

THAT THE City finds that Charles R Sutton showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2020 taxes and the tax refund in the amount of \$281.15 (Two Hundred and Eighty-One and 15/100 Dollars) is approved.

APPROVED this _____ day of _____, 2024.

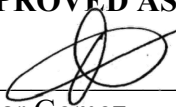
CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:


Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Oscar Gomez
Assistant City Attorney

APPROVED AS TO CONTENT:




Maria Pasillas
Tax Assessor/Collector

ATTACHMENT B
TAX REFUNDS OVER THREE (3) YEARS
October 8, 2024

1. Power Concrete and Equipment Inc., in the amount of \$109.49, made an overpayment on January 22, 2021 of 2020 taxes.
(Geo. #18PP-999-2186-0042)
2. Peraton Enterprise Solutions LLC through Perspecta Engineering Inc., in the amount of \$18.12, made an overpayment on March 31, 2021 of 2020 taxes.
(Geo. #1541-999-1310-9834)
3. J & S Auto Sales, in the amount of \$63.70, made an overpayment on February 1, 2021 of 2020 taxes.
(Geo. #1999-000-0007-0014)
4. Maria I & Francisco Garcia, in the amount of \$44.25, made an overpayment on March 18, 2021 of 2020 taxes.
(Geo. #E864-000-0080-2200)
5. Idaho Housing through Lereta LLC, in the amount of \$100.00, made an overpayment on November 18, 2020 of 2020 taxes.
(Geo. # H790-000-0220-1800)
6. Bellamy & Schultz PLLC, through Stavros & Kelly PLLC, in the amount of \$492.05, made an overpayment on November 25, 2020 of 2020 taxes.
(Geo. # U819-999-0010-1450)
7. EAN Holdings LLC through D 'Roman LLC, in the amount of \$386.29, made an overpayment on May 7, 2021 of 2020 taxes.
(Geo. # V893-999-4510-0120)
8. Charles R Sutton, in the amount of \$281.15, made an overpayment on February 1, 2021 of 2020 taxes.
(Geo. #V897-999-0810-4600)

Laura D. Prine
City Clerk



Maria O. Pasillas, RTA
Tax Assessor Collector



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1335, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Representative Cassandra Hernandez in the amount of \$2,000 from Pablo Duran.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1388, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Representative Cassandra Hernandez in the amounts of \$500 from Cristian Lira and \$2000 from Pablo Lopez.



File #: 24-1383, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Representative Brian Kennedy, (915) 212-1000

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

For notation pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Mayor Pro Tempore Kennedy in the amounts of \$5,000 from Dennece Knight, \$500 from David Austin, \$1,000 from Suzanne Dipp, \$500 from Richard Nacim, \$3,000 from Thomas Georges, \$2,500 from William Kastrin, \$1,000 from Enrique Escobar, \$1,000 from Sharon & Phil Robinet, \$1,000 from Silvestre Reyes, \$500 from Lorraine Fender, \$500 from Andrew Avila, \$1,000 from Dennis & Donna Neesen, and \$500 from Bruce King.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1390, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Representative Isabel Salcido, (915) 212-0005

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Representative Isabel Salcido in the amounts of \$30,000.00 from Salvador Robledo, \$1,000.00 from Elvira Salcido and \$1,000.00 from Erica Salcido.



File #: 24-1391, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Representative Josh Acevedo, (915) 212-0002

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

For notation pursuant to Section 2.92.080 of the City Code: receipt of contributions by Representative Josh Acevedo in the amounts of \$1,000 from Deborah Kastrin, \$1,000 from Edward C. Houghton, IV, \$1,000 from Steve Ortega, \$2,500 from Woody L. and Gayle G. Hunt, \$2,500 from L. Frederick Francis, \$100 from Roger Martinez, \$250 from Bill Burton, \$1,000 from Kirk Robinson, \$100 from Peter Spier, \$250 from Juan Uribe, \$1,000 from Georgina Williams, and \$250 from Francisco Ortega.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1368, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Isabel Ceballos Otten, Candidate for District 2, in the amounts of a \$2,500.00 personal loan from Isabel Ceballos Otten to the campaign, \$500.00 from Joseph C. Pickett Campaign fund, \$1,000.00 from G. Malooly, and \$2,500.00 in-kind from Andrew Lira.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

RECEIVED
By City Clerk's Office at 11:58 am, Sep 30, 2024

AGENDA DATE: October 8, 2024

CANDIDATE NAME: Isabel Ceballos Otten

OFFICE SOUGHT: City Council District 2

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

SUBGOAL: 6.8 Support Transparent and Inclusive Government

SUBJECT:

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by _____ Isabel Ceballos Otten _____ in the amount of \$ _____ 2,500 personal loan _____ from Isabel Ceballos Otten to the campaign, 500.00 From Joseph C Pickett Campaign fund, 1,000 G Malooly, 2,500 in-kind from Andrew Lira

YOU MAY INCLUDE ADDITIONAL AMOUNTS AND CONTRIBUTORS' NAMES AS NEEDED IN THIS BOX

BACKGROUND / DISCUSSION:

Ordinance 019620 adopted on April 23, 2024 amended Section 2.92.080 (E) to require candidates to provide notice of contributions of \$500.00 or more for notation on the consent agenda of the City Council meeting in the same manner as members of City Council.

PRIOR COUNCIL ACTION:

Ordinance 019581 adopted on December 12, 2023 enacted the same requirement for City Council Members.

AMOUNT AND SOURCE OF FUNDING:

N/A

*****REQUIRED AUTHORIZATION*****



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1369, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Alejandra Chavez, Candidate for District 1, in the amounts of \$1,000 from Salvador Perches, \$500 from Adair and Donald Margo, \$500 from Maria and Sergio Alvarez, \$1,000 from Ryan McCrory, \$500 from Amy O'Rourke, and a \$1,396.43 in-kind from Ann Lilly.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

RECEIVED
By City Clerk's Office at 2:29 pm, Sep 30, 2024

AGENDA DATE: _____

CANDIDATE NAME: _____

OFFICE SOUGHT: _____

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

SUBGOAL: 6.8 Support Transparent and Inclusive Government

SUBJECT:

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions
by _____, Candidate for the Office of
in the amount of \$_____ from

YOU MAY INCLUDE ADDITIONAL AMOUNTS AND CONTRIBUTORS' NAMES AS NEEDED IN THIS BOX

BACKGROUND / DISCUSSION:

Ordinance 019620 adopted on April 23, 2024 amended Section 2.92.080 (E) to require candidates to provide notice of contributions of \$500.00 or more for notation on the consent agenda of the City Council meeting in the same manner as members of City Council.

PRIOR COUNCIL ACTION:

Ordinance 019581 adopted on December 12, 2023 enacted the same requirement for City Council Members.

AMOUNT AND SOURCE OF FUNDING:

N/A

*****REQUIRED AUTHORIZATION*****



Legislation Text

File #: 24-1370, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Monica Reyes, Candidate for District 1, in the amounts of \$526.63 from Angel Olivas, \$3,247.50 (In Kind) from Silvestre Reyes, Jr., \$526.63 from Norma Carpenter, \$526.63 from Cindy Jimenez Turner, \$1,052.95 from Priscilla Terrazas, \$1,064.37 (In Kind) from Sylvia Borunda Firth, \$1,000.00 from Melissa N. Ramirez, \$500.00 from Miguel Zaragoza Lopez, \$30,000.00 (Loan to Campaign) from Monica Reyes, \$1,000.00 from Jorge A. Valenzuela, \$1,000.00 from Shane Edmonson, \$500.00 from Rosalva Saenz, \$5,000.00 from Fred Loya, \$1,000.00 from Mr.& Mrs. Frank Spencer, \$500.00 from Frank Spencer, III, and \$500.00 from Aguayo Chiropractic.

RECEIVED

By City Clerk's Office at 7:09 am, Oct 01, 2024

**CITY OF EL PASO, TEXAS
AGENDA ITEM AGENDA
SUMMARY FORM**

AGENDA DATE: October 1, 2024

CANDIDATE NAME: Monica Reyes

OFFICE SOUGHT: District 1 City Representative

STRATEGIC GOAL: Goal 6 Set the Standard for Sound Governance and Fiscal Management **SUBGOAL:**

.8 Support Transparent and Inclusive Government

SUBJECT:

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions

by Monica Reyes, Candidate for the Office of District 1 City Representative in the amount of **\$47,944.71** from:

Angel Olivas \$526.63
Silvestre Reyes, Jr. \$3,247.50 (In Kind)
Norma Carpenter \$526.63
Cindy Jimenez Turner \$526.63
Priscilla Terrazas \$1,052.95
Sylvia Borunda Firth \$1,064.37 (In Kind)
Melissa N. Ramirez \$1,000.00
Miguel Zaragoza Lopez \$500.00
Monica Reyes \$30,000.00 (Loan to Campaign)
Jorge A. Valenzuela \$1,000.00
Shane Edmonson \$1,000.00
Rosalva Saenz \$500.00
Fred Loya \$5,000.00
Mr. & Mrs. Frank Spencer \$1,000.00
Frank Spencer, III \$500.00
Aguayo Chiropractic \$500.00

YOU MAY INCLUDE ADDITIONAL AMOUNTS AND CONTRIBUTORS' NAMES AS NEEDED IN THIS BOX

BACKGROUND / DISCUSSION:

Ordinance 019620 adopted on April 23, 2024 amended Section 2.92.080 (E) to require candidates to provide notice of contributions of \$500.00 or more for notation on the consent agenda of the City Council meeting in the same manner as members of City Council.

PRIOR COUNCIL ACTION:

Ordinance 019581 adopted on December 12, 2023 enacted the same requirement for City Council Members.

AMOUNT AND SOURCE OF FUNDING:

N/A

*****REQUIRED AUTHORIZATION*****



Legislation Text

File #: 24-1379, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Renard Johnson, candidate for Mayor, in the amounts of \$500.00 from Brian Allen, \$10,000.00 from Alvin Johnson, \$10,000.00 from Julio Chiu, \$500.00 from Dee Margo, \$500.00 from Susan Drewry, \$1,000.00 from Keith Mahar, \$500.00 from Christina DeVore, \$500.00 from John Panahi, \$500.00 from Jose Villarreal, \$5,000.00 from Edward Escudero, \$1,000.00 from Jaime Mart, \$500.00 from Rodolfo Laucirica, \$2,500.00 from Chris Lyons, \$500.00 from Alec Mahar, \$5,000.00 from Miguel Fernandez, \$500.00 from Demetrius McDaniel, \$500.00 from Richard Porras, \$1,000.00 from Thomas Hutchinson, \$1,500.00 from Nancy and Stuart Shiloff, \$3,000.00 from Julio Chiu, \$500.00 from Bruce Gulbas, \$500.00 from Daniel Kasuga, \$500.00 from Monique/Steffen Poessiger, \$2,000.00 from Amy O'Rourke, \$500.00 from David Wysong, \$500.00 from Cecilia Mesta, \$1,000.00 from Alvin Johnson, \$500.00 from David Alvidrez, \$2,500.00 from Judith Robison, \$1,000.00 from Lisa Peisen, \$5,000.00 from Pamela Agullo, \$500.00 from Leonard Goodman, and \$2,000.00 from Brent Harris.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

RECEIVED
By City Clerk's Office at 11:45 am, Oct 01, 2024

AGENDA DATE: _____

CANDIDATE NAME: _____

OFFICE SOUGHT: _____

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

SUBGOAL: 6.8 Support Transparent and Inclusive Government

SUBJECT:

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by _____ in the amount of \$ _____ from

YOU MAY INCLUDE ADDITIONAL AMOUNTS AND CONTRIBUTORS' NAMES AS NEEDED IN THIS BOX

BACKGROUND / DISCUSSION:

Ordinance 019620 adopted on April 23, 2024 amended Section 2.92.080 (E) to require candidates to provide notice of contributions of \$500.00 or more for notation on the consent agenda of the City Council meeting in the same manner as members of City Council.

PRIOR COUNCIL ACTION:

Ordinance 019581 adopted on December 12, 2023 enacted the same requirement for City Council Members.

AMOUNT AND SOURCE OF FUNDING:

N/A

*****REQUIRED AUTHORIZATION*****



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1382, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Cynthia Trejo, candidate for District 4, in the amounts of \$1,000.00 from Edward Escudero and \$2,500.00 from Woody Hunt.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

RECEIVED
By City Clerk's Office at 4:39 pm, Oct 01, 2024

AGENDA DATE: October 8, 2024

CANDIDATE NAME: Cynthia Trejo

OFFICE SOUGHT: City Council Representative District 4

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

SUBGOAL: 6.8 Support Transparent and Inclusive Government

SUBJECT:

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by
__Cynthia4District4 Campaign_____ in the amount of \$_____ from

Edward Escudero \$1,000.00

Woody Hunt \$2,500.00

BACKGROUND / DISCUSSION:

Ordinance 019620 adopted on April 23, 2024 amended Section 2.92.080 (E) to require candidates to provide notice of contributions of \$500.00 or more for notation on the consent agenda of the City Council meeting in the same manner as members of City Council.

PRIOR COUNCIL ACTION:

Ordinance 019581 adopted on December 12, 2023 enacted the same requirement for City Council Members.

AMOUNT AND SOURCE OF FUNDING:

N/A

*****REQUIRED AUTHORIZATION*****



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1389, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

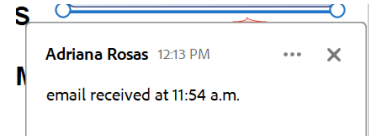
City Clerk's Office, Laura D. Prine, (915) 212-0049

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions by Ivan Niño, Candidate for District 5 in the amounts of \$500.00 from Pedro Nino, \$600.00 from Wendy Nino, \$500.00 Javier Iglesias, and \$2,500.00 from L. Frederick Francis.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**



AGENDA DATE: _____

CANDIDATE NAME: _____

OFFICE SOUGHT: _____

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

SUBGOAL: 6.8 Support Transparent and Inclusive Government

SUBJECT:

For notation pursuant to Section 2.92.080 of the City Code: receipt of campaign contributions

by _____, Candidate for the Office of

in the amount of \$_____ from

YOU MAY INCLUDE ADDITIONAL AMOUNTS AND CONTRIBUTORS' NAMES AS NEEDED IN THIS BOX

BACKGROUND / DISCUSSION:

Ordinance 019620 adopted on April 23, 2024 amended Section 2.92.080 (E) to require candidates to provide notice of contributions of \$500.00 or more for notation on the consent agenda of the City Council meeting in the same manner as members of City Council.

PRIOR COUNCIL ACTION:

Ordinance 019581 adopted on December 12, 2023 enacted the same requirement for City Council Members.

AMOUNT AND SOURCE OF FUNDING:

N/A



File #: 24-1360, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092
Streets and Maintenance, Richard J. Bristol, (915) 212-3306

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

The linkage to the Strategic Plan is subsection: 6.5 Deliver services timely and effectively with focus on continual improvement.

Award Summary:

The award of solicitation 2024-0095R Title Services to the following suppliers: 1) Lone Star Title Company of El Paso, Inc. and 2) WestStar Bank Holding Company, Inc. and Subsidiaries dba WestStar Title, LLC for a total estimated amount of \$300,000.00. This contract will assist with title search and closing services needs for real estate transactions.

Department: Streets and Maintenance

Award to Supplier 1: Lone Star Title Company of El Paso, Inc.

City & State: El Paso, TX

Item(s): Title Search/Report Services

Initial Term: 3 Years

Option Terms: 2 Years

Total Contract Time: 5 Years

Award to Supplier 2: WestStar Bank Holding Company, Inc. and Subsidiaries dba WestStar Title, LLC

City & State: El Paso, TX

Item(s): Title Search/Report Services and Title and closing Services

Initial Term: 3 Years

Option Terms: 2 Years

Total Contract Time: 5 Years

Total Estimated Award: \$300,000.00

Account(s) 532-1000-32080-521110

Funding Source(s): General Fund

District(s): All

This was a Request for Proposals Procurement service contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated 1) Lone Star Title Company of El Paso, Inc. and 2) WestStar Bank Holding Company, Inc. and Subsidiaries dba WestStar Title, LLC the highest ranked offerors based on the evaluation factors established in the evaluation criteria for this procurement.

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

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

Additionally, it is requested that the City Attorney's Office review and that the City Manager or designee be authorized to execute any related contract documents and agreements necessary to effectuate this award.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024

PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:

Richard J. Bristol, Streets & Maintenance Director, (915) 212-3306
K. Nicole Cote, Managing Director (915) 212-1092

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: Strategic Goal 6 - Set the Standard for Sound Governance and Fiscal Management

SUBGOAL: 6.5 – Deliver services timely and effectively with focus on continual improvement

SUBJECT:

The award of solicitation 2024-0095R Title Services to the following suppliers: 1) Lone Star Title Company of El Paso, Inc. and 2) WestStar Bank Holding Company, Inc. and Subsidiaries dba WestStar Title, LLC for a total estimated amount of \$300,000.00.

BACKGROUND / DISCUSSION:

This award will help to establish on call agreements with title services companies to improve efficiencies in obtaining title searches and closing services for real estate transactions.

SELECTION SUMMARY:

Solicitation was advertised on November 7, 2023 and November 14, 2023. The solicitation was posted on City website on November 7, 2023. There were a total number in five (5) viewers online; two (2) proposals were received, both being from local suppliers. An Inadequate Competition Survey was conducted.

CONTRACT VARIANCE:

N/A

PROTEST

No protest received for this requirement.

PRIOR COUNCIL ACTION:

Not applicable.

AMOUNT AND SOURCE OF FUNDING:

Amount: \$300,000.00

Funding Source: General Fund

Account: 532-1000-32080-521110


HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Streets and Maintenance

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



Richard J. Bristol, Streets & Maintenance Director

Project Form
Request for Proposals

*****Posting Language Below*****

Please place the following item on the Consent Agenda for the City Council of October 8, 2024.

Strategic Goal 6 - Set the Standard for Sound Governance and Fiscal Management

The linkage to the Strategic Plan is subsection: 6.5 Deliver services timely and effectively with focus on continual improvement

Award Summary:

The award of solicitation 2024-0095R Title Services to the following suppliers: 1) Lone Star Title Company of El Paso, Inc. and 2) WestStar Bank Holding Company, Inc. and Subsidiaries dba WestStar Title, LLC for a total estimated amount of \$300,000.00. This contract will assist with title search and closing services needs for real estate transactions.

Department:	Streets and Maintenance
Award to Supplier 1:	Lone Star Title Company of El Paso, Inc.
City & State:	El Paso, TX
Item(s):	Title Search/Report Services
Initial Term:	3 Years
Option Terms:	2 Years
Total Contract Time:	5 Years
Award to Supplier 2:	WestStar Bank Holding Company, Inc. and Subsidiaries dba WestStar Title, LLC
City & State:	El Paso, TX
Item(s):	Title Search/Report Services and Title and closing Services
Initial Term:	3 Years
Option Terms:	2 Years
Total Contract Time:	5 Years
Total Estimated Award:	\$300,000.00
Account(s)	532-1000-32080-521110
Funding Source(s):	General Fund
District(s):	All

This was a Request for Proposals Procurement service contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated 1) Lone Star Title Company of El Paso, Inc. and 2) WestStar Bank Holding Company, Inc. and Subsidiaries dba WestStar Title, LLC the highest ranked offerors based on the evaluation factors established in the evaluation criteria for this procurement.

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

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

Additionally, it is requested that the City Attorney's Office review and that the City Manager or designee be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Request for Proposal

Solicitation: 2024-0095R Title Services

	MAX POINTS	Lone Star Title Company of El Paso, Inc	Weststar Title, LLC
Factor A - Price Proposal			
Price proposal Part I	20	18.43	20.00
Price proposal Part II	20	0.00	20.00
Factor B - Understanding of Scope of Work			
Score	25	23.33	23.33
Factor C - Prior Experience			
Score	25	23.33	24.33
Factor D - References			
Score	10	8.93	10.00
Factor E - Qualifications and Capabilities of Assigned Key Personnel			
Score	20	16.67	16.00
Total Part I	100	90.70	93.67
Ranking Part I		2	1
Total Part II	100	Deemed Non-Responsive for Part II	93.67
Ranking Part II			1

Online View for 2024-0095R Title Services

No.	Participant Name	City	State
1	Access Communications Group, LLC	El Paso	TX
2	Lone Star Title Company of El Paso, Inc.	El Paso	TX
3	North America Procurement Council Inc., PBC	Grand Junction	CO
4	Sustainability Solutions Group USA, Inc.	Wilmington	DE
5	Weststar Title, LLC (Weststar Bank Holding Company, Inc., dba Weststar Title)	El Paso	TX

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND DONATIONS FORM

In compliance with Title 2, Chapter 2.92, Section 2.92.080

Introduction:

Individuals or entities benefiting by a City Council Agenda item must disclose contributions or donations made to current members of Council under the City's Ethics Code. The information on this form is being captured for transparency purposes and will be noted on the relevant City Council Agenda. **Contributions and Donations do NOT disqualify an applicant from doing business with the City.**

Definitions:

- "Contribution" A direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by the Texas Election Code, and a guarantee of a loan or extension of credit.
- "Contributor" A person making a contribution, including the contributor's spouse.
- "Donation" Cash and the value of any in-kind contributions or gifts to the council member for use by their office or in their district.
- "Donor" An individual and spouse, a business entity, or an individual who owns a business entity in whole or in part, or is operated by the individual, that is the subject of a council agenda item.
- "Benefiting" Shall include but not be limited to any contract, bid award, franchise, permit, zoning or rezoning, and other award that council will vote on.

Instructions: Please read and complete this form carefully. If you have made campaign contributions or donations to any current City Council member(s) totaling an aggregate of \$500 or more during their campaign(s) or term(s) of City office, you are required to disclose the information as specified below. If you have not made such contributions or donations past the limit specified in the ordinance, you are required to affirm your compliance with the municipal code. Please submit this completed form along with your application or proposal to the relevant city department. Failure to disclose campaign contributions or donations as required by the ordinance may result in a violation of the City's Ethics Code requirements, and sanctions under the Ethics Code 2.92.

Contributor / Donor Information:

Full Name	<u>John C. Martin</u>
Business Name	<u>Lone Star Title Company of El Paso, Inc.</u>
Agenda Item Type	<u>New Contract</u>
Relevant Department	<u>Streets and Maintenance</u>

Disclosure Affirmation: Please check the appropriate box below to indicate whether you have made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office specified in Section 2.92.080 of the El Paso Municipal Code.

I have **NOT** made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office, as specified in Section 2.92.080 of the El Paso Municipal Code.

OR

I have made campaign contributions or donations totaling an aggregate of \$500 or more to the following City Council member(s) during their campaign(s) or term(s) of City office:

OFFICE	CURRENT COUNCIL MEMBER NAME	AMOUNT (\$)
Mayor		
District 1		
District 2		
District 3		
District 4		
District 5		
District 6		
District 7		
District 8		

Declaration: I hereby affirm that the information provided in this disclosure form is true and accurate to the best of my knowledge. I understand that this disclosure is required by Title 2, Chapter 2.92 of the El Paso Municipal Code and is subject to verification by the city authorities. Further, I understand that upon submission of this form, I must disclose any subsequent contributions or donations prior to the relevant council meeting date.

Signature: _____ Date: 9/26/2024

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND DONATIONS FORM

In compliance with Title 2, Chapter 2.92, Section 2.92.080

Introduction:

Individuals or entities benefiting by a City Council Agenda item must disclose contributions or donations made to current members of Council under the City's Ethics Code. The information on this form is being captured for transparency purposes and will be noted on the relevant City Council Agenda. **Contributions and Donations do NOT disqualify an applicant from doing business with the City.**

Definitions:

- "Contribution" A direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by the Texas Election Code, and a guarantee of a loan or extension of credit.
- "Contributor" A person making a contribution, including the contributor's spouse.
- "Donation" Cash and the value of any in-kind contributions or gifts to the council member for use by their office or in their district.
- "Donor" An individual and spouse, a business entity, or an individual who owns a business entity in whole or in part, or is operated by the individual, that is the subject of a council agenda item.
- "Benefiting" Shall include but not be limited to any contract, bid award, franchise, permit, zoning or rezoning, and other award that council will vote on.

Instructions: Please read and complete this form carefully. If you have made campaign contributions or donations to any current City Council member(s) totaling an aggregate of \$500 or more during their campaign(s) or term(s) of City office, you are required to disclose the information as specified below. If you have not made such contributions or donations past the limit specified in the ordinance, you are required to affirm your compliance with the municipal code. Please submit this completed form along with your application or proposal to the relevant city department. Failure to disclose campaign contributions or donations as required by the ordinance may result in a violation of the City's Ethics Code requirements, and sanctions under the Ethics Code 2.92.

Contributor / Donor Information:

Full Name	<u>Janette Coon</u>
Business Name	<u>Weststar Title, LLC</u>
Agenda Item Type	<u>New Contract</u>
Relevant Department	<u>Streets and Maintenance</u>

Disclosure Affirmation: Please check the appropriate box below to indicate whether you have made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office specified in Section 2.92.080 of the El Paso Municipal Code.



I have **NOT** made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office, as specified in Section 2.92.080 of the El Paso Municipal Code.

OR



I have made campaign contributions or donations totaling an aggregate of \$500 or more to the following City Council member(s) during their campaign(s) or term(s) of City office:

OFFICE	CURRENT COUNCIL MEMBER NAME	AMOUNT (\$)
Mayor		
District 1		
District 2		
District 3		
District 4		
District 5		
District 6		
District 7		
District 8		

Declaration: I hereby affirm that the information provided in this disclosure form is true and accurate to the best of my knowledge. I understand that this disclosure is required by Title 2, Chapter 2.92 of the El Paso Municipal Code and is subject to verification by the city authorities. Further, **I understand that upon submission of this form, I must disclose any subsequent contributions or donations prior to the relevant council meeting date.**

Signature: janette.coon@weststar-title.com

Digitally signed by
 janette.coon@weststar-title.com
 Date: 2024.09.26 16:28:24 -06'00'

Date: 9-26-2024



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1392, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Members of the City Council, Representative Josh Acevedo, (915) 212-0002

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action to approve and adopt a letter by the El Paso City Council in support of the U.S. General Services Administration's (GSA) identification of Alternative 4 for the Bridge of the Americas port project in El Paso, Texas before the 45-day public comment period, which ends on November 4, 2024, pending review and approval from the City Attorney's Office.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT: Mayor & Council

AGENDA DATE: October 8, 2024

CONTACT PERSON NAME AND PHONE NUMBER: Representative Josh Acevedo – 915-212-0002

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL

Goal 8 – Nurture & Promote a Healthy, Sustainable Community

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Approve and adopt a letter by the El Paso City Council in support of the U.S. General Services Administration’s (GSA) identification of Alternative 4 for the Bridge of the Americas port project in El Paso, Texas before the 45-day public comment period, which ends on November 4, 2024.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

The purpose of this proposal is to support the GSA’s identification of Alternative 4 for the multilevel modernization of the Bridge of the Americas to accommodate pedestrian and non-commercial vehicle traffic, with the elimination of commercial cargo traffic. After multiple public comment periods, residents in the surrounding neighborhood of the Bridge of the Americas have cited health and safety concerns caused by commercial cargo traffic. After numerous public meetings, the GSA is in agreement that this is a public health issue.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

*****REQUIRED AUTHORIZATION*****



File #: 24-1399, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Members of the City Council, Representative Chris Canales, (915) 212-0008

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action that the City of El Paso supports the Application by Project Amistad to the to the U.S. Environmental Protection Agency (EPA) Fiscal Year (FY) 2024 Community Change grant program requesting funds in the amount of \$20,000,000.00 for the Pollution Reduction Strategy: Mobility and Transportation Options for Preventing Air Pollution and Improving Public Health and Climate Resilience-Track 1; and authorizing the City Manager or designee to provide a letter of support.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT: Mayor and Council

AGENDA DATE: 10/08/2024 (Regular Agenda)

CONTACT PERSON NAME AND PHONE NUMBER: Rep. Chris Canales, 915-212-0008

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL:

Goal 8 - Nurture & Promote a Healthy, Sustainable Community

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

That the City of El Paso supports the Application by Project Amistad to the to the U.S. Environmental Protection Agency (EPA) Fiscal Year (FY) 2024 Community Change grant program requesting funds in the amount of \$20,000,000.00 for the Pollution Reduction Strategy: Mobility and Transportation Options for Preventing Air Pollution and Improving Public Health and Climate Resilience-Track 1.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

N/A

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

*****REQUIRED AUTHORIZATION*****



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1322, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

International Bridges, Carlos Olmedo, (915) 212-7508

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Update Council on the International Bridges Crossborder Survey.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Carlos Olmedo, PhD, (915)212-7509, olmedocx@elpasotexas.gov

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: Goal 1 - Cultivate an environment conducive to strong economic development.

SUBGOAL: Subgoal 1.2 – Enhance visitor revenue opportunities.

SUBJECT:
Update council on the International Bridges Crossborder survey.

BACKGROUND / DISCUSSION:
The International Bridges Department will present Council with the findings from the International Bridges Crossborder Survey on the social and expenditure activities of travelers through the City's ports of entry.

PRIOR COUNCIL ACTION:
International cooperation agreement with El Colegio de la Frontera approved April 2023.

AMOUNT AND SOURCE OF FUNDING:
Funding source: Department 564 – Fund 3360 – Division 64870
(\$266,157 for 25 months and \$262,628 option to extend another 24 months).

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES NO

PRIMARY DEPARTMENT: International Bridges
SECONDARY DEPARTMENT: N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD: Roberto Tinajero, M.S., Director for international Bridges



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1342, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Environmental Services Department, Nicholas Ybarra, (915) 212-6000

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

An Ordinance granting to River Elms, LLC a non-exclusive franchise for waste containers on sidewalks and other City property.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Environmental Services

AGENDA DATE: October 8, 2024

PUBLIC HEARING DATE: October 22, 2024

CONTACT PERSON NAME AND PHONE NUMBER: Nicholas Ybarra, Director 915-212-6000

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: Goal 3 – Promote the Visual Image of El Paso

SUBJECT:

APPROVE AN ORDINANCE GRANTING TO RIVER ELMS, LLC A NON-EXCLUSIVE FRANCHISE FOR WASTE CONTAINERS ON SIDEWALKS AND OTHER CITY PROPERTY

BACKGROUND / DISCUSSION:

This is a renewal of a currently existing franchise.

A franchise agreement is required for the placement of solid waste containers on City property. The Ordinance, acknowledged by the franchisee, identifies standards to be maintained for the placement, maintenance, and use for advertising of the solid waste containers at locations identified in the ordinance.

PRIOR COUNCIL ACTION:

The current Ordinance was approved by Council on October 18, 2019.

AMOUNT AND SOURCE OF FUNDING:

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

ORDINANCE NO. _____

**AN ORDINANCE GRANTING TO RIVER ELMS, LLC A
NON-EXCLUSIVE FRANCHISE FOR WASTE
CONTAINERS ON SIDEWALKS AND OTHER CITY
PROPERTY**

WHEREAS, RIVER ELMS, LLC desires to place waste containers on sidewalks and other City property in accordance with El Paso City Code Section 13.20.120; and

WHEREAS, the City of El Paso (the “City”) desires to allow RIVER ELMS, LLC to place waste containers on sidewalks and other City property.

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

1. There is hereby granted to RIVER ELMS, LLC, hereinafter called “Grantee,” and his assigns, a non-exclusive franchise under El Paso City Code 13.20.120 to place and maintain up to 150 “waste containers” meeting the criteria discussed herein, on sidewalks and other City property. The size of the waste containers shall not exceed thirty-six (36) inches in height and thirty-six (36) inches in width, or as otherwise specified in the El Paso City Code, and the design and construction of the waste containers shall be subject to prior approval by the Director for the Department of Environmental Services (the “Director”) of the City. The waste containers must be durable and attractively constructed and shall at all times be maintained by Grantee in such condition as not to constitute a hazard to persons or property, or impede in any way the flow of vehicular or pedestrian traffic, with five feet of free and unobstructed passage around the waste container. The specific, fixed locations for Grantee’s waste containers are on Exhibit “A”, however, if the Traffic Engineer determines that any of the locations or container placements do not meet these requirements or hinders pedestrian or vehicular traffic, the Traffic Engineer shall direct Grantee to relocate or

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remove such waste containers in conformity with this franchise and City Code. Grantee shall comply with the sign regulations contained in City Code Section 20.18.020C, and shall register any new locations with the City’s Planning Department if any changes to Exhibit “A” are sought after City Council approvals this franchise. This franchise does not grant the right to locate waste containers on property owned or controlled by the Texas Department of Transportation (TxDOT). The location of any waste containers on property or right of way not owned or controlled by the City of El Paso must be by separate agreement with the appropriate entity.

2. The term of this franchise shall be a five-year period beginning October 22, 2024, unless the agreement is otherwise terminated as provided herein. If Grantee is not in default of this agreement, the Grantee may request a one-year extension in writing no later than ninety (90) days before the end of the term, unless or until cancelled or terminated as provided for herein. The City Manager or designee is authorized to approve this option to extend.

3. Grantee may use the space on the waste containers for advertising reputable and reliable business concerns that contract for the space. Grantee will not be prohibited from placing any advertisement on the waste containers based on content. This agreement does not allow advertising for any illegal business or activity, a political party, the candidacy of any person for political office, or that is of a character deemed by the City Council to be improper for exhibition in the public streets or parks when judged by contemporary community standards.

4. If any improvements are to be constructed or repairs made, whether by the City or a utility company, on any sidewalk or other City property where Grantee has placed any waste containers, Grantee shall, upon written notice from the Director, remove any waste containers located on the affected City property. The Director shall give Grantee fourteen days written notice of the date

when the construction of improvements on such City property is to begin, and Grantee shall remove such waste containers prior to the commencement of construction.

5. During the life of this franchise, Grantee shall maintain, repair or replace the waste containers as necessary, and shall keep them reasonably clean, in neat and attractive appearance, and free of odors. Grantee may change the design of the waste containers if it deems advisable, but such changes shall be subject to prior approval of the Director.

5.1 The Director or designee will provide the Grantee with written notice of illegally placed or unsafe waste containers in accordance with City Code 13.20.120. In the case of an imminent public health or safety hazard, after twenty-four hours have passed and the illegally placed or unsafe waste containers have not been removed by the Grantee, the Director or designee may require the repair, removal and/or replacement of the illegally placed or any unsafe waste containers or other waste containers found to be in violation of any applicable franchise. All expenses related to such removal, including, but not limited to, storage and disposal, shall be reimbursed by the Grantee.

5.2 If there is a problem with the waste container(s) other than what is mentioned in section 5.1, the Director or designee will provide written notice to the Grantee of the problem with the waste container(s), and if the problem is not cured within seven days of that notice, the Director or designee can order the removal of said waste container(s). All expenses related to such removal, including, but not limited to, storage and disposal, shall be reimbursed by the Grantee.

6. As part of the consideration for the grant of this franchise, Grantee agrees during the term hereof:

6.1 To collect all refuse from the waste containers on a schedule to be approved by the Director within five days of the City's approval of this ordinance and within the timeframe subsequently approved by the Director after any change to the initially approved schedule.

6.2 To dispose of such refuse in a legal and proper manner including, but not limited to applicable City ordinance.

7. If Grantee collects and disposes of the refuse or uses his own employees to collect and dispose of the refuse, Grantee shall obtain, pay for and keep in effect a City commercial hauler's

license, and shall comply with all laws, codes and ordinances applicable to the collection, hauling and disposal of refuse. Grantee may contract with a permitted hauler to collect and dispose of the refuse.

8. Grantee is deemed, at all times, an independent contractor and is responsible for his own acts. GRANTEE AGREES TO INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY, ITS OFFICERS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL LOSS, LIABILITY, DAMAGE, EXPENSE OR CLAIM OF ANY NATURE WHATSOEVER ARISING OUT OF OR INCIDENT TO THIS FRANCHISE, WHICH ARE THE RESULT OF ANY ACT OR OMISSION OF GRANTEE. GRANTEE SHALL GIVE THE CITY REASONABLE NOTICE OF ANY SUCH CLAIMS OR ACTIONS. GRANTEE SHALL USE LEGAL COUNSEL REASONABLY ACCEPTABLE TO THE CITY IN CARRYING OUT ITS OBLIGATIONS HEREUNDER. THE PROVISIONS OF THIS SECTION SHALL SURVIVE THE EXPIRATION OR EARLY TERMINATION OF THIS FRANCHISE.

9. During the term of this franchise, the Grantee will carry public liability insurance by a solvent insurance company authorized to do business in Texas, for the protection of itself and the City, which must be named as an additional insured. The limits of liability must be at least \$250,000 for bodily injury or wrongful death of one person, \$500,000 for more than one person in the same accident, and \$100,000 property damage. The form of the policy is subject to approval by the City and a copy, or a certificate of insurance, must be filed with the City Clerk. The policy must provide that it cannot be canceled without ten days prior notice in writing to the City Clerk.

10. Grantee must comply with all applicable laws, regulations and ordinances.

11. The City may terminate this franchise without cause, for any reason whatsoever, upon thirty (30) days written notice to Grantee.

12. Upon termination of this franchise, the City Council may either require Grantee to remove the containers or the City may acquire the containers as described. If the City opts to acquire the property of Grantee located in accordance with this Agreement, the grant hereof, and such property will be transferred to the City upon the payment by the City to Grantee of a fair valuation. The fair valuation shall be ascertained by the arbitration and appraisal of a majority of three appraisers, one of whom shall be appointed by the City of El Paso, one of whom shall be appointed by the Grantee, and one of whom shall be appointed by the first two appraisers so appointed by the City and Grantee. If said two appraisers are unable to agree on the designation of a third appraiser, or if the City or Grantee refuses for a period of thirty (30) days after notice to appoint or designate an appraiser, the County Judge of El Paso County, Texas, shall designate such appraiser. The valuation as fixed by a majority of three appraisers shall not include any payment or valuation because of any value derived from the franchise or the fact that it is or may be a going concern, duly installed and operated. If the City Council shall not desire to acquire the property by the payment of a fair valuation therefore, the property shall be removed by the Grantee without cost or expense to the City, and the sidewalk or other public place where the property was located shall be restored to its former condition.

13. This franchise may not be assigned without the prior written consent of the City, which consent will not be unreasonably withheld.

14. As consideration for this franchise, Grantee will pay to the City the annual franchise fee in the amount authorized by the El Paso City Council in Schedule C of the City's Budget Resolution,

as amended on or before the 15th day following the granting of this franchise. In addition, on March 31, June 30, September 30 and December 31 of each year during the term of this franchise, the Grantee will submit a quarterly payment in the amount authorized by City Council per waste container in service per month. By way of example, the December 31, 2024 payment shall cover the period from the date of execution to December 31, 2024, and the March 31, 2025 payment shall cover the period from January 1, 2025 to March 31, 2025. This fee will include a report listing the number of waste containers in service, their location and reason for removing a waste container. If the City does not receive one or more of the referenced franchise fees by their due date, the City shall send a written notice of default to the Grantee for lack of payment. The City will give Grantee ten calendar days from the date of such notice to pay in full or the franchise will be terminated at the end of the ten-day period. If the Grantee is found to be violating the provisions of this franchise or submitting false records listing locations or number of waste containers, the penalties listed in Section 1.08.030 of the City Code shall be pursued by the City against Grantee. All payments shall be submitted to the Comptroller of the City of El Paso, at the following address:

City of El Paso
Attn: Accounts Receivable
P.O. Box 1890
El Paso, Texas 79950-1890.

15. The City may conduct periodic audits of the waste container locations to ensure quarterly reporting is accurate. The Department of Environmental Services may also investigate any and all complaints addressing waste container condition, locations, and nuisances caused by these waste containers.

16. In addition, Grantee must allow the City to use ten percent of its advertising space on its waste containers to publicize upcoming City-sponsored events and City-related community services messages. The Grantee will meet with the Director within ten days following the execution of this ordinance and again annually as of the date of the granting of this franchise to discuss the number and location of spaces available for City use. The locations shall be fixed until such time as the City agrees to a different location. Ten percent of the Grantee's total waste containers shall be offered or made available to the city.. The Grantee reserves the right to try to solicit sponsorship for the spaces allotted for City use. The City reserves the right to approve the wording and design of such advertisements and to accept sponsors. If the Grantee does not have a sponsor for the spaces allotted for City use, the City has the option to furnish its own signs for placement by the Grantee on the waste containers. The City reserves the right to give the Grantee thirty (30) days written notice to update or change the advertisement wording or design of a space reserved for City use.

17. Grantee herein shall indicate the acceptance of the provisions of this Ordinance in writing within five days after the passage thereof.

18. Written notice to the other party may be provided at the following addresses, or at a new address as provided in writing to the nonmoving party by a party that has moved its physical location within thirty (30) days of said relocation without the necessity of amending this contract:

City: City of El Paso
Attn: City Manager
P.O. Box 1890
El Paso, Texas 79950-1890

Grantee: RIVER ELMS, LLC
Attn: Howard Goldberg
717 River Elms Court
El Paso, Texas 79922

ADOPTED this _____ day of _____, 2024.


CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

 for _____
Joyce Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:

 _____
Nicholas Ybarra, Director
Environmental Services Department

(Acceptance and Acknowledgment follow on next page)

ORDINANCE NO. _____

24 | 3595 | TRAN 591722
RIVER ELMS, LLC- Waste Container Franchise ORD
JG

ACCEPTANCE AND ACKNOWLEDGMENT

ACCEPTANCE

The above instrument, with all conditions thereof, is hereby accepted this 23 day of September, 2024.

RIVER ELMS, LLC

Howard Goldberg
By: Howard Goldberg
Its: Owner

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 23 day of September, 2024, by **Howard Goldberg**, acting as the Owner of RIVER ELMS, LLC.

Jessica Medrano Torres
Notary Public, State of Texas

Notary's Printed or Typed Name:

Jessica Medrano Torres

My Commission Expires:

July 21, 2025

ORDINANCE NO. _____
24 | 3595 | TRAN 590786
RIVER ELMS, LLC- Waste Container Franchise ORD
JG

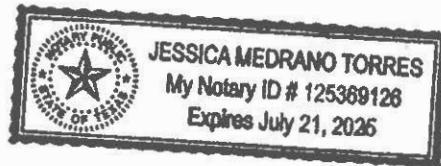


EXHIBIT “A”

Site locations for River Elms, LLC waste containers:

(See attachment)

ORDINANCE NO. _____

24 | 3595 | TRAN 591722
RIVER ELMS, LLC– Waste Container Franchise ORD
JG

EXHIBIT 'A'

Site locations for River Elms, LLC waste containers:

Main Street	Cross Street	No Authorized
MCRAE	ALBUM	3
MCRAE	SIMS	3
MEDICAL CENTER	MURCHISON	2
MESA	BRENTWOOD	3
MESA	CAMILLE	2
MESA	MESA HILLS	4
MESA	MONTECILLO	2
MESA HILLS	WALLENBERG	3
MISSOURI	DALLAS	2
MONTANA	AIRPORT	1
MONTANA	BROWN	1
MONTANA	DALLAS	1
MONTANA	GEORGE DIETER	4
MONTANA	KANSAS	1
MONTANA	LEE TREVINO	4
MONTANA	PIEDRAS	3
MONTANA	RICH BEEM	4
MONTANA	RUTHERGLEN	2
MONTANA	SAUL KLEINFELD	4
MONTANA	TIERRA ESTE	4
MONTWOOD	BRIAN MOONEY	3
MONTWOOD	BOB MITCHELL	4
MONTWOOD	FIREHOUSE	4
MONTWOOD	LAKE OMEGA	3
MONTWOOD	LOMALAND	2
MONTWOOD	MCRAE	3
MONTWOOD	ROBERT WYNN	2
MONTWOOD	VISCOUNT	2
MONTWOOD	WEDGEWOOD	3
NORTH DESERT	PASEO DEL NORTE	1
NORTH LOOP	CAROLINA	1
NORTH LOOP	GILMORE	2
NORTH LOOP	HAWKINS	4
NORTH LOOP	LEE TREVINO	1
NORTH LOOP	LOMALAND	1
NORTH LOOP	PENDALE	1
NORTH LOOP	YARBROUGH	2
NORTHWESTERN	HELEN OF TROY	4

NORTHWESTERN	PASEO DEL NORTE	4
OREGON	ARIZONA	1
OREGON	RIM	2
OREGON	SCHUSTER	3
PEBBLE HILLS	ARRAMBIDE	1
PEBBLE HILLS	LEE	3
PEBBLE HILLS	NOLAN RICHARDSON	2
PEBBLE HILLS	RICH BEEM	4
PELLICANO	BOB HOPE	2
PELLICANO	CEDAR OAK	1
PELLICANO	GENE TORRES	3
PELLICANO	LOMALAND	2
PELLICANO	PULLMAN	2
PELLICANO	TED HOUGHTON	1
PERSHING	RAYNOR	1
PERSHING	TROWBRIDGE	1
PIEDRAS	ALTURA	1
PIEDRAS	FORT BLVD.	1
PIEDRAS	MISSOURI	3
PIEDRAS	PERSHING	2
PIEDRAS	TULAROSA	2
PIEDRAS	WYOMING	2
PIEDRAS	YANDELL	1

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DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND DONATIONS FORM

In compliance with Title 2, Chapter 2.92, Section 2.92.080

Introduction:

Individuals or entities benefiting by a City Council Agenda item must disclose contributions or donations made to current members of Council under the City's Ethics Code. The information on this form is being captured for transparency purposes and will be noted on the relevant City Council Agenda. **Contributions and Donations do NOT disqualify an applicant from doing business with the City.**

Definitions:

- "Contribution" A direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by the Texas Election Code, and a guarantee of a loan or extension of credit.
- "Contributor" A person making a contribution, including the contributor's spouse.
- "Donation" Cash and the value of any in-kind contributions or gifts to the council member for use by their office or in their district.
- "Donor" An individual and spouse, a business entity, or an individual who owns a business entity in whole or in part, or is operated by the individual, that is the subject of a council agenda item.
- "Benefiting" Shall include but not be limited to any contract, bid award, franchise, permit, zoning or rezoning, and other award that council will vote on.

Instructions: Please read and complete this form carefully. If you have made campaign contributions or donations to any current City Council member(s) totaling an aggregate of \$500 or more during their campaign(s) or term(s) of City office, you are required to disclose the information as specified below. If you have not made such contributions or donations past the limit specified in the ordinance, you are required to affirm your compliance with the municipal code. Please submit this completed form along with your application or proposal to the relevant city department. Failure to disclose campaign contributions or donations as required by the ordinance may result in a violation of the City's Ethics Code requirements, and sanctions under the Ethics Code 2.92.

Contributor / Donor Information:

Full Name Howard Goldberg

Business Name River Elms, LLC

Agenda Item Type Ordinance

Relevant Department Environmental Services

Disclosure Affirmation: Please check the appropriate box below to indicate whether you have made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office specified in Section 2.92.080 of the El Paso Municipal Code.

I have **NOT** made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office, as specified in Section 2.92.080 of the El Paso Municipal Code.

OR

I have made campaign contributions or donations totaling an aggregate of \$500 or more to the following City Council member(s) during their campaign(s) or term(s) of City office:

OFFICE	CURRENT COUNCIL MEMBER NAME	AMOUNT (\$)
Mayor		
District 1		
District 2		
District 3		
District 4		
District 5		
District 6		
District 7		
District 8		

Declaration: I hereby affirm that the information provided in this disclosure form is true and accurate to the best of my knowledge. I understand that this disclosure is required by Title 2, Chapter 2.92 of the El Paso Municipal Code and is subject to verification by the city authorities. Further, I understand that upon submission of this form, I must disclose any subsequent contributions or donations prior to the relevant council meeting date.

Signature: Howard Goldberg Date: 9-9-24



Legislation Text

File #: 24-1339, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092
Airport, Tony Nevarez, (915) 474-2424

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

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

Award Summary:

Discussion and action on the award of Solicitation 2024-0503 Rubber Removal and Friction Testing to CKS Runway Services, LLC for an initial term of three (3) years for an estimated amount of \$306,000.00. The award also includes a two (2) year option for an estimated amount of \$204,000.00. The total contract time is for five (5) years for a total estimated amount of \$510,000.00. This contract for rubber removal and friction testing is necessary to maintain the skid resistance of runways, as per Federal Aviation Administration guidelines. Regular friction testing and rubber removal ensure safe aircraft landings by removing accumulated rubber from the touchdown zones, which improves braking effectiveness. This maintenance helps ensure shorter stopping distances and enhances safety, especially in wet or slippery conditions, minimizing the risk of runway incidents.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$206,002.00 for the initial term, which represents a 206.01% increase in annual quantities and adding one additional year to the initial performance period.

Department: El Paso International Airport

Award to: CKS Runway Services, LLC

City & State: Madison, MS

Item(s): All

Initial Term: 3 Years

Option Term: 2 Years

Total Contract Time: 5 Years

Annual Estimated Award: \$102,000.00

Initial Term Estimated Award: \$306,000.00

Option Term Estimated Award: \$204,000.00

Total Estimated Award \$510,000.00

File #: 24-1339, Version: 1

Account(s) 562-3000-62110-522150
Funding Source(s): Airport Operations
District(s): All

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and El Paso International Airport recommend award as indicated to CKS Runway Services, LLC the lowest responsive and responsible bidder.

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

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024

PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:

Tony Nevarez, Interim Aviation Director, (915) 474-2424
K. Nicole Cote, Managing Director (915) 212-1092

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 1: Cultivate an Environment Conducive to Strong, Economic Development

SUBGOAL: 1.4: Grow the core business of air transportation

SUBJECT:

Discussion and action on the award of solicitation 2024-0503 Rubber Removal and Friction Testing to CKS Runway Services, LLC for an initial term of three (3) years for an estimated amount of \$306,000.00. The award also includes a two (2) year option for an estimated amount of \$204,000.00. The total contract time is for five (5) years for a total estimated amount of \$510,000.00.

BACKGROUND / DISCUSSION:

This contract for rubber removal and friction testing is necessary to maintain the skid resistance of runways, as per Federal Aviation Administration guidelines. Regular friction testing and rubber removal ensure safe aircraft landings by removing accumulated rubber from the touchdown zones, which improves braking effectiveness. This maintenance helps ensure shorter stopping distances and enhances safety, especially in wet or slippery conditions, minimizing the risk of runway incidents.

SELECTION SUMMARY:

Solicitation was advertised on June 11, 2024 and June 18, 2024. The solicitation was posted on City website on June 11, 2024. There were a total fourteen (14) viewers online; two (2) bids were received; none from local suppliers. An inadequate competition survey was conducted.

CONTRACT VARIANCE:

The difference based in comparison to the previous contract is as follows: An increase of \$206,002.00 for the initial term, which represents a 206.01% increase in annual quantities and adding one additional year to the initial performance period.

PROTEST

No protest received for this requirement.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$510,000.00

Funding Source: Airport Operations

Account: 562-3000-62110-522150

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: El Paso International Airport

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



Tony Nevarez, Interim Aviation Director

Project Form
Low Bid

*****Posting Language Below*****

Please place the following item on the Regula/Consent) Agenda for the City Council of October 8, 2024.

Strategic Goal 1 - Create an Environment Conducive to Strong sustainable Economic Development

The linkage to the Strategic Plan is subsection: 1.4 Grow the core business of air transportation

Award Summary:

Discussion and action on the award of solicitation 2024-0503 Rubber Removal and Friction Testing to CKS Runway Services, LLC for an initial term of three (3) years for an estimated amount of \$306,000.00. The award also includes a two (2) year option for an estimated amount of \$204,000.00. The total contract time is for five (5) years for a total estimated amount of \$510,000.00. This contract for rubber removal and friction testing is necessary to maintain the skid resistance of runways, as per Federal Aviation Administration guidelines.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$206,002.00 for the initial term, which represents a 206.01% increase in annual quantities and adding one additional year to the initial performance period.

Department:	El Paso International Airport
Award to:	CKS Runway Services, LLC
City & State:	Madison, MS
Item(s):	All
Initial Term:	3 Years
Option Term:	2 Years
Total Contract Time:	5 Years
Annual Estimated Award:	\$102,000.00
Initial Term Estimated Award:	\$306,000.00
Option Term Estimated Award:	\$204,000.00
Total Estimated Award	\$510,000.00
Account(s)	562-3000-62110-522150
Funding Source(s):	Airport Operations
District(s):	All

This was a Low Bid Procurement - unit price contract

The Purchasing & Strategic Sourcing and El Paso International Airport Departments recommend award as indicated to CKS Runway Services, LLC the lowest responsive and responsible bidder.

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

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed



CITY OF EL PASO BID TABULATION FORM



BID TITLE: Rubber Removal and Friction Testing **BID NO:** 2024-0503

BID DATE: July 17, 2024 **DEPARTMENT:** El Paso International Airport

				CKS Runway Services, LLC Madison, MS Bidder 1 of 2			Hi-Lite Airfield Services, LLC Watertown, NY Bidder 2 of 2												
Item No.	Description	Unit of Measure	Approximate Estimate Quantity (A)	Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)	Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)	Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)							
1	Runway Rubber Removal	SF	1,040,000	\$0.07	\$ 72,800.00 Bidder Price: \$74,880.00	\$ 218,400.00 Bidder Price: \$224,640.00	\$0.14	\$ 145,600.00	\$ 436,800.00										
2	Friction Testing	EA	4	\$3,800.00	\$ 15,200.00	\$ 45,600.00	\$7,500.00	\$ 30,000.00	\$ 90,000.00										
3	Mobilization	EA	2	\$7,000.00	\$ 14,000.00	\$ 42,000.00	\$5,000.00	\$ 10,000.00	\$ 30,000.00										
Total					\$ 102,000.00 Bidder Price: \$104,080.00	\$ 306,000.00 Bidder's Price: \$312,240.00		\$ 185,600.00	\$ 556,800.00										
<u>OPTION TO EXTEND THE TERM OF THE AGREEMENT</u>																			
<p>THE CITY AT ITS SOLE DISCRETION, MAY EXERCISE ANY OPTION TO EXTEND THE TERM OF THE AGREEMENT, BY GIVING THE CONTRACTOR WRITTEN NOTICE WITHIN THE TIME PERIOD NOTED ON THE SELECTED OPTIONS. THE TERM OF THIS CONTRACT SHALL BE BASED ON ONE OF THE SELECTIONS BELOW AND UNDER THE SAME TERMS AND CONDITIONS. THE CITY MANAGER OR DESIGNEE MAY EXTEND THE OPTION TO EXTEND.</p> <p>BIDDER OFFERS THE CITY THE OPTION OF EXTENDING THE TERM OF THE CONTRACT FOR:</p>																			
TWO (2) ADDITIONAL YEARS AT THE SAME UNIT PRICE(S)				X			X												
NO OPTION OFFERED																			
AMENDMENTS ACKNOWLEDGED:				Yes			Yes												
BIDS SOLICITED: 556				LOCAL BIDS SOLICITED: 328				BIDS RECEIVED: 2				LOCAL BIDS RECEIVED: 0				NO BID: 3			
<p>NOTE: The information contained in this bid tabulation is for information only and does not constitute actual award/execution of contract.</p>																			

2024-0503 Rubber Removal and Friction Testing
View List

	<u>Participant Name</u>	<u>City</u>	<u>State</u>
1	Acebo Solutions	El paso	TX
2	CHEMTEK, INC.	Durham	NC
3	CKS Runway Services	Gluckstadt	MS
4	Construction Reporter	Albuquerque	NM
5	Delshawn Alfonzo Cruz	Baltimore	MD
6	Economy Sales & Service (Michael L Rhim)	Gasport	NY
7	Filterbuy Incorporated	Talladega	AL
8	ITech Devices Inc	Fremont	CA
9	PMI Pavement Marking, LLC (Pavement Marking, LLC)	EL PASO	TX
10	QANNEX CORP	EL PASO	TX
11	Sun City Alarm (Brandon Nichols)	El Paso	TX
12	Texas EnviroBlast LLC	El Paso	TX
13	The PlanIt Room	El Paso	TX
14	Zeraus Iluminacion	El Paso	TX

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND DONATIONS FORM

In compliance with Title 2, Chapter 2.92, Section 2.92.080

Introduction:

Individuals or entities benefiting by a City Council Agenda item must disclose contributions or donations made to current members of Council under the City's Ethics Code. The information on this form is being captured for transparency purposes and will be noted on the relevant City Council Agenda. **Contributions and Donations do NOT disqualify an applicant from doing business with the City.**

Definitions:

- "Contribution" A direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by the Texas Election Code, and a guarantee of a loan or extension of credit.
- "Contributor" A person making a contribution, including the contributor's spouse.
- "Donation" Cash and the value of any in-kind contributions or gifts to the council member for use by their office or in their district.
- "Donor" An individual and spouse, a business entity, or an individual who owns a business entity in whole or in part, or is operated by the individual, that is the subject of a council agenda item.
- "Benefiting" Shall include but not be limited to any contract, bid award, franchise, permit, zoning or rezoning, and other award that council will vote on.

Instructions: Please read and complete this form carefully. If you have made campaign contributions or donations to any current City Council member(s) totaling an aggregate of \$500 or more during their campaign(s) or term(s) of City office, you are required to disclose the information as specified below. If you have not made such contributions or donations past the limit specified in the ordinance, you are required to affirm your compliance with the municipal code. Please submit this completed form along with your application or proposal to the relevant city department. Failure to disclose campaign contributions or donations as required by the ordinance may result in a violation of the City's Ethics Code requirements, and sanctions under the Ethics Code 2.92.

Contributor / Donor Information:

Full Name

CKS Runway Services, LLC

Business Name

↗ Samuel Bryson

Agenda Item Type

2024-0503 Rubber Removal and Friction Testing

Relevant Department

Purchasing

Disclosure Affirmation: Please check the appropriate box below to indicate whether you have made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office specified in Section 2.92.080 of the El Paso Municipal Code.



I have **NOT** made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office, as specified in Section 2.92.080 of the El Paso Municipal Code.

OR



I have made campaign contributions or donations totaling an aggregate of \$500 or more to the following City Council member(s) during their campaign(s) or term(s) of City office

OFFICE	CURRENT COUNCIL MEMBER NAME	AMOUNT (\$)
Mayor		
District 1		
District 2		
District 3		
District 4		
District 5		
District 6		
District 7		
District 8		

Declaration: I hereby affirm that the information provided in this disclosure form is true and accurate to the best of my knowledge. I understand that this disclosure is required by Title 2, Chapter 2.92 of the El Paso Municipal Code and is subject to verification by the city authorities. Further, I understand that upon submission of this form, I must disclose any subsequent contributions or donations prior to the relevant council meeting date.

Signature: 

Date: 9/19/2024



Legislation Text

File #: 24-1340, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

The linkage to the Strategic Plan is subsection: 2.3 Increase public safety operational efficiency.

Award Summary:

Discussion and action on the award of Solicitation No. 2024-0076 Security Guard Services - Zoo to TriCorps Security, Inc., for a term of three (3) years for an estimated amount of \$1,459,800.00. This contract will allow the Zoo to maintain its facilities safe for the public and employees.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$202,140.00 for the annual term, which represents a 16.07% increase due to the increase in hourly rate.

Department: Zoo
Award to: TriCorps Security, Inc.
City & State: Oklahoma City, OK
Item(s): All
Initial Term:3 Years
Option Terms: NA
Total Contract Time:3 Years
Total Annual Estimated Award: \$486,600.00
Total Initial Term Estimated Award: \$1,459,800.00
Total Option Term Estimated Award: NA
Total Estimated Award: \$1,459,800.00
Account(s) 452 - 3400 - 52130 - 522120 - P5234
Funding Source(s):Zoo Operations
District(s): All

This was a Best Value Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and Zoo Department recommend award as indicated to TriCorps Security, Inc., the highest ranked bidder based on the evaluation factors established in the evaluation criteria for this procurement and to deem Carl Wayne Govan dba Texas Crime Prevention & Investigation non-responsive due to failure to submit the required bid form.

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

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

Ning
CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Joseph Montisano, Zoo Director (915) 212-2800
K. Nicole Cote, Managing Director (915) 212-1092

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 2 – Set the Standard for a Safe and Secure City

SUBGOAL: 2.3 – Increase public safety operational efficiency

SUBJECT:

Discussion and action on the award of Solicitation No. 2024-0076 Security Guard Services - Zoo to TriCorps Security, Inc., for a term of three (3) years for an estimated amount of \$1,459,800.00. This contract will allow the Zoo to maintain its facilities safe for the public and employees.

BACKGROUND / DISCUSSION:

The Contractor shall provide security services as described herein for the El Paso Zoo.

SELECTION SUMMARY:

Solicitation was advertised on December 12, 2023. The solicitation was posted on City website on December 12, 2023. There were a total number in twenty-four (24) viewers online; eleven (11) bids were received; four (4) from local suppliers.

CONTRACT VARIANCE:

The difference based in comparison to the previous contract is as follows: An increase of \$202,140.00 for the annual term, which represents a 16.07% increase due to the increase in hourly rate.

PROTEST

No protest received for this requirement.

PRIOR COUNCIL ACTION:

Not applicable.

AMOUNT AND SOURCE OF FUNDING:

Amount: \$2,451,000.00

Funding Source: Zoo Operations

Account: 452 – 3400 – 52130 – 522120 – P5234

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Zoo

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

Guillermo Diaz For Joseph Montisano

Joseph Montisano, Zoo Director



Project Form
Best Value Bid

*****Posting Language Below*****

Please place the following item on the Regular Agenda for the City Council of October 8, 2024.

Strategic Goal 2 - Set the Standard for a Safe and Secure City

The linkage to the Strategic Plan is subsection: 2.3 Increase public safety operational efficiency

Award Summary:

Discussion and action on the award of Solicitation No. 2024-0076 Security Guard Services - Zoo to TriCorps Security, Inc., for a term of three (3) years for an estimated amount of \$1,459,800.00. This contract will allow the Zoo to maintain its facilities safe for the public and employees.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$202,140.00 for the annual term, which represents a 16.07% increase due to the increase in hourly rate.

Department:	Zoo
Award to:	TriCorps Security, Inc.
City & State:	Oklahoma City, OK
Item(s):	All
Initial Term:	3 Years
Option Terms:	NA
Total Contract Time:	3 Years
Total Annual Estimated Award:	\$486,600.00
Total Initial Term Estimated Award:	\$1,459,800.00
Total Option Term Estimated Award:	NA
Total Estimated Award:	\$1,459,800.00
Account(s)	452 – 3400 – 52130 – 522120 – P5234
Funding Source(s):	Zoo Operations
District(s):	All

This was a Best Value Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and Zoo Department recommend award as indicated to TriCorps Security, Inc., the highest ranked bidder based on the evaluation factors established in the evaluation criteria for this procurement and to deem Carl Wayne Govan dba Texas Crime Prevention & Investigation non-responsive due to failure to submit the required bid form.

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

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

CITY OF EL PASO BEST VALUE SCORESHEET

PROJECT: 2024-0076 Security Guard Services - Zoo

Evaluation of Submittal

	TriCorps Security, Inc. El Paso, TX	Trans America Protection Corporation El Paso, TX	Signal 88, LLC dba Signal 88 Security Omaha, NE	Night Eyes Protection Services, Inc. El Paso, TX	Blackstone Security Services of Texas, Inc. Dallas, TX	iGuard Protective Services North Hollywood, CA	Omar Chavez dba Guardia Worldwide, LLC El Paso, TX	Mike Garcia Merchant Security, LLC El Paso, TX	United Protective Services Los Angeles, CA	Vets Securing America, Inc. dba Vets Securing America San Antonio, TX	Carl Wayne Govan dba Texas Crime Prevention & Investigation Dallas, TX
Factor A - Price											
MAX POINTS	35										
	\$ 486,600.00	\$ 406,500.00	\$ 517,786.00	\$ 466,900.00	\$ 503,829.00	\$ 684,350.00	\$ 453,226.00	\$ 420,625.00	\$ 643,950.00	\$ 740,733.00	
	29.24	35.00	27.48	30.47	28.24	20.49	31.39	33.83	22.09	19.21	
Factor B - Experience – Comparable Contracts											
	30										
	28.67	22.33	20.33	23.00	26.33	21.33	24.67	24.00	28.33	21.67	
Factor C - References											
	25										
	25.00	21.67	20.00	25.00	15.00	23.33	8.33	0.00	15.00	0.00	
Factor D - Employee Medical Benefit and Incentives											
	10										
	8.00	2.00	8.00	2.00	8.00	2.00	0.00	2.00	0.00	0.00	
TOTAL SCORE	100	90.90	81.00	80.81	80.47	77.57	67.16	64.39	59.83	57.43	40.87
Rank	1	2	3	4	5	6	7	8	9	10	

Offer deemed Non-Responsive.
Not Evaluated



CITY OF EL PASO
BID TABULATION FORM



BID TITLE: Security Guard Services - Zoo BID NO: 2024-0076
 BID DATE: January 17, 2024 DEPARTMENT: ZOO

				Blackstone Security Services of Texas, Inc. Dallas, TX Bidder 1 of 11			Omar Chavez dba Guardia Worldwide, LLC Paso, TX Bidder 2 of 11			iGuard Protective Services North Hollywood, CA Bidder 3 of 11			Mike Garcia Merchant Security, LLC El Paso, TX Bidder 4 of 11		
Item No.	Description	Unit of Measure	Approximate Estimate Quantities (A)	Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)	Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)	Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)	Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)
1	Standard Operations - Security Guard Unarmed Security Guard Services	Hourly	19000	\$ 18.87	\$ 358,530.00	\$ 1,075,590.00	\$ 16.75	\$ 318,250.00	\$ 954,750.00	\$ 25.50	\$ 484,500.00	\$ 1,453,500.00	\$ 15.75	\$ 299,250.00	\$ 897,750.00
2	Standard Operations - Shift Supervisor Unarmed Security Guard Services	Hourly	3000	\$ 18.87	\$ 56,610.00	\$ 169,830.00	\$ 18.75	\$ 56,250.00	\$ 168,750.00	\$ 30.00	\$ 90,000.00	\$ 270,000.00	\$ 15.75	\$ 47,250.00	\$ 141,750.00
3	Standard Operations - Security Guard (Part-Time, 6 Months) Unarmed Security Guard Services	Hourly	1200	\$ 18.87	\$ 22,644.00	\$ 67,932.00	\$ 16.75	\$ 20,100.00	\$ 60,300.00	\$ 25.50	\$ 30,600.00	\$ 91,800.00	\$ 15.75	\$ 18,900.00	\$ 56,700.00
4	Unarmed Security Guard Services (As needed Basis)	Hourly	3500	\$ 18.87	\$ 66,045.00	\$ 198,135.00	\$ 16.75	\$ 58,625.00	\$ 175,875.00	\$ 25.50	\$ 89,250.00	\$ 267,750.00	\$ 15.75	\$ 55,125.00	\$ 165,375.00
Total					\$ 503,829.00	\$ 1,511,487.00		\$ 453,225.00	\$ 1,359,675.00		\$ 694,350.00	\$ 2,083,050.00		\$ 420,525.00	\$ 1,261,575.00

<p align="center"><u>OPTION TO EXTEND THE TERM OF THE AGREEMENT</u></p> <p>THE CITY AT ITS SOLE DISCRETION, MAY EXERCISE ANY OPTION TO EXTEND THE TERM OF THE AGREEMENT, BY GIVING THE CONTRACTOR WRITTEN NOTICE WITHIN THE TIME PERIOD NOTED ON THE SELECTED OPTIONS. THE TERM OF THIS CONTRACT SHALL BE BASED ON ONE OF THE SELECTIONS BELOW AND UNDER THE SAME TERMS AND CONDITIONS. THE CITY MANAGER OR DESIGNEE MAY EXTEND THE OPTION TO EXTEND.</p> <p>BIDDER OFFERS THE CITY THE OPTION OF EXTENDING THE TERM OF THE CONTRACT FOR:</p>				
TWO (2) ADDITIONAL YEARS AT THE SAME UNIT PRICE(S)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
NO OPTION OFFERED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AMENDMENTS ACKNOWLEDGED:	YES	YES	YES	YES

BIDS SOLICITED: 268 LOCAL BIDS SOLICITED: 92 BIDS RECEIVED: 11 LOCAL BIDS RECEIVED: 4 NO BID: 3

NOTE: The information contained in this bid tabulation is for information only and does not constitute actual award/execution of contract.



CITY OF EL PASO

BID TABULATION FORM



BID TITLE: Security Guard Services - Zoo BID NO: 2024-0076
 BID DATE: January 17, 2024 DEPARTMENT: ZOO

Item No.	Description	Unit of Measure	Approximate Estimate Quantities (A)	NightEyes Protective Services, Inc. El Paso, TX Bidder 5 of 11			Signal 88, LLC dba Signal 88 Security Omaha, NE of 11 Bidder 6			Carl W Govan dba Texas Crime Prevention & Investigation Dallas, TX Bidder 7 of 11			Trans America Protection Corporation Paso, TX Bidder 8 of 11		
				Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)	Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)	Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)	Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)
1	Standard Operations - Security Guard Unarmed Security Guard Services	Hourly	19000	\$ 17.00	\$ 323,000.00	\$ 969,000.00	\$ 18.88	\$ 358,720.00	\$ 1,076,160.00	Bid Form Not Provided	Bid Form Not Provided	Bid Form Not Provided	\$ 15.00	\$ 285,000.00	\$ 855,000.00
2	Standard Operations - Shift Supervisor Unarmed Security Guard Services	Hourly	3000	\$ 19.00	\$ 57,000.00	\$ 171,000.00	\$ 21.88	\$ 65,640.00	\$ 196,920.00	Bid Form Not Provided	Bid Form Not Provided	Bid Form Not Provided	\$ 17.00	\$ 51,000.00	\$ 153,000.00
3	Standard Operations - Security Guard (Part-Time, 6 Months) Unarmed Security Guard Services	Hourly	1200	\$ 17.00	\$ 20,400.00	\$ 61,200.00	\$ 19.88	\$ 23,856.00	\$ 71,568.00	Bid Form Not Provided	Bid Form Not Provided	Bid Form Not Provided	\$ 15.00	\$ 18,000.00	\$ 54,000.00
4	Unarmed Security Guard Services (As needed Basis)	Hourly	3500	\$ 19.00	\$ 66,500.00	\$ 199,500.00	\$ 19.88	\$ 69,580.00	\$ 208,740.00	Bid Form Not Provided	Bid Form Not Provided	Bid Form Not Provided	\$ 15.00	\$ 52,500.00	\$ 157,500.00
Total					\$ 466,900.00	\$ 1,400,700.00		\$ 517,796.00	\$ 1,553,388.00		Bid Form Not Provided	Bid Form Not Provided		\$ 406,500.00	\$ 1,219,500.00

<p style="text-align: center;"><u>OPTION TO EXTEND THE TERM OF THE AGREEMENT</u></p> <p>THE CITY AT ITS SOLE DISCRETION, MAY EXERCISE ANY OPTION TO EXTEND THE TERM OF THE AGREEMENT, BY GIVING THE CONTRACTOR WRITTEN NOTICE WITHIN THE TIME PERIOD NOTED ON THE SELECTED OPTIONS. THE TERM OF THIS CONTRACT SHALL BE BASED ON ONE OF THE SELECTIONS BELOW AND UNDER THE SAME TERMS AND CONDITIONS. THE CITY MANAGER OR DESIGNEE MAY EXTEND THE OPTION TO EXTEND.</p> <p>BIDDER OFFERS THE CITY THE OPTION OF EXTENDING THE TERM OF THE CONTRACT FOR:</p>			
TWO (2) ADDITIONAL YEARS AT THE SAME UNIT PRICE(S)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NO OPTION OFFERED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AMENDMENTS ACKNOWLEDGED:	YES	YES	YES

BIDS SOLICITED: 268 LOCAL BIDS SOLICITED: 92 BIDS RECEIVED: 11 LOCAL BIDS RECEIVED: 4 NO BID: 3

NOTE: The information contained in this bid tabulation is for information only and does not constitute actual award/execution of contract.



CITY OF EL PASO

BID TABULATION FORM



BID TITLE: Security Guard Services - Zoo BID NO: 2024-0076
 BID DATE: January 17, 2024 DEPARTMENT: ZOO

Item No.	Description	Unit of Measure	Approximate Estimate Quantities (A)	TriCorps Security, Inc. Oklahoma City, OK Bidder 9 of 11			United Protective Services Los Angeles, CA Bidder 10 of 11			Vets Securing America, Inc. dba Vets Securing America San Antonio, TX Bidder 11 of 11			Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)
				Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)	Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)	Price (B)	Yearly Total (C = A X B) (C)	3 Year Total (D = C X 3) (D)			
1	Standard Operations - Security Guard Unarmed Security Guard Services	Hourly	19000	\$ 18.00	\$ 342,000.00	\$ 1,026,000.00	\$ 23.50	\$ 446,500.00 Bidder \$448,500.00	\$ 1,339,500.00	\$ 27.49	\$ 522,310.00	\$ 1,566,930.00	\$ -		\$ -
2	Standard Operations - Shift Supervisor Unarmed Security Guard Services	Hourly	3000	\$ 20.00	\$ 60,000.00	\$ 180,000.00	\$ 29.00	\$ 87,000.00	\$ 261,000.00	\$ 29.74	\$ 89,220.00	\$ 267,660.00	\$ -	\$ -	\$ -
3	Standard Operations - Security Guard (Part-Time, 6 Months) Unarmed Security Guard Services	Hourly	1200	\$ 18.00	\$ 21,600.00	\$ 64,800.00	\$ 23.50	\$ 28,200.00	\$ 84,600.00	\$ 27.49	\$ 32,988.00	\$ 98,964.00	\$ -	\$ -	\$ -
4	Unarmed Security Guard Services (As needed Basis)	Hourly	3500	\$ 18.00	\$ 63,000.00	\$ 189,000.00	\$ 23.50	\$ 82,250.00	\$ 246,750.00	\$ 27.49	\$ 96,215.00	\$ 288,645.00	\$ -	\$ -	\$ -
Total					\$ 486,600.00	\$ 1,459,800.00		\$ 643,950.00	\$ 1,931,850.00		\$ 740,733.00	\$ 2,222,199.00		\$ -	\$ -

<p style="text-align: center;"><u>OPTION TO EXTEND THE TERM OF THE AGREEMENT</u></p> <p>THE CITY AT ITS SOLE DISCRETION, MAY EXERCISE ANY OPTION TO EXTEND THE TERM OF THE AGREEMENT, BY GIVING THE CONTRACTOR WRITTEN NOTICE WITHIN THE TIME PERIOD NOTED ON THE SELECTED OPTIONS. THE TERM OF THIS CONTRACT SHALL BE BASED ON ONE OF THE SELECTIONS BELOW AND UNDER THE SAME TERMS AND CONDITIONS. THE CITY MANAGER OR DESIGNEE MAY EXTEND THE OPTION TO EXTEND.</p> <p>BIDDER OFFERS THE CITY THE OPTION OF EXTENDING THE TERM OF THE CONTRACT FOR:</p>			
TWO (2) ADDITIONAL YEARS AT THE SAME UNIT PRICE(S)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO OPTION OFFERED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
AMENDMENTS ACKNOWLEDGED:	YES	YES	YES

BIDS SOLICITED: 268 LOCAL BIDS SOLICITED: 92 BIDS RECEIVED: 11 LOCAL BIDS RECEIVED: 4 NO BID: 3

NOTE: The information contained in this bid tabulation is for information only and does not constitute actual award/execution of contract.

6. Viewers List

2024-0076 Security Guard Services - Zoo
Viewer's List

<u>No.</u>	<u>Participant Name</u>	<u>Response Dat</u>	<u>Response Status</u>	<u>City</u>	<u>State</u>
1	Construction Reporter		Viewed	Albuquerque	NM
2	Diamond Business Services, Inc ASI# 550053		Viewed	Amarillo	TX
3	Unlimited Security Specialists TX, Inc.		Viewed	Austin	TX
4	Providers International	01/17/2024	No Bid	Carmichael	CA
5	Texas Crime Prevention & Investigation	12/13/2023	Submitted	Dallas	TX
6	Guardia Worldwide L.L.C.	01/17/2024	Submitted	El Paso	TX
7	Mike Garcia Merchant Security, LLC	01/17/2024	Submitted	El Paso	TX
8	NIGHT EYES PROTECTIVE SERVICES, INC	01/16/2024	Submitted	El Paso	TX
9	Blackstone Security Services, Inc. of Texas	01/14/2024	Submitted	EL PASO	TX
10	Signal 88 Security of El Paso (Woody Family Enterprises, LLC)	01/12/2024	Submitted	El Paso	TX
11	WOFFORD TRUCK PARTS (TE EL PASO,LLC)	01/04/2024	No Bid	EL PASO	TX
12	TRANS AMERICA PROTECTION CORP	12/18/2023	Submitted	el paso	TX
13	Covenant Special Projects, LLC		Unsubmitted	El Paso	TX
14	Genesis Security L.L.C		Viewed	El Paso	TX
15	Good Guard Texas, Inc. (Good Guard Security, Inc.)		Viewed	El Paso	TX
16	Texas Boombox Factory (Texas boombox Factory)		Viewed	El Paso	TX
17	OPS Inc Security Services		Unsubmitted	Houston	TX
18	Texas Patrol		Viewed	Italy	TX
19	United Protective Services	01/16/2024	Submitted	Los Angeles, CA 90014	CA
20	NTS Senior Services		Viewed	McKinney	TX
21	TriCorps Security, Inc	01/17/2024	Submitted	Oklahoma City	OK
22	Vets Securing America, Inc (Vets Securing America)	01/16/2024	Submitted	San Antonio	TX
23	Universal Protection Service, LP dba Allied Universal Security Services		Viewed	Santa Ana	CA
24	Unipak Corp.	01/10/2024	No Bid	West Long Branch	NJ

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND DONATIONS FORM

In compliance with Title 2, Chapter 2.92, Section 2.92.080

Introduction:

Individuals or entities benefiting by a City Council Agenda item must disclose contributions or donations made to current members of Council under the City's Ethics Code. The information on this form is being captured for transparency purposes and will be noted on the relevant City Council Agenda. **Contributions and Donations do NOT disqualify an applicant from doing business with the City.**

Definitions:

- "Contribution" A direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by the Texas Election Code, and a guarantee of a loan or extension of credit.
- "Contributor" A person making a contribution, including the contributor's spouse.
- "Donation" Cash and the value of any in-kind contributions or gifts to the council member for use by their office or in their district.
- "Donor" An individual and spouse, a business entity, or an individual who owns a business entity in whole or in part, or is operated by the individual, that is the subject of a council agenda item.
- "Benefiting" Shall include but not be limited to any contract, bid award, franchise, permit, zoning or rezoning, and other award that council will vote on.

Instructions: Please read and complete this form carefully. If you have made campaign contributions or donations to any current City Council member(s) totaling an aggregate of \$500 or more during their campaign(s) or term(s) of City office, you are required to disclose the information as specified below. If you have not made such contributions or donations past the limit specified in the ordinance, you are required to affirm your compliance with the municipal code. Please submit this completed form along with your application or proposal to the relevant city department. Failure to disclose campaign contributions or donations as required by the ordinance may result in a violation of the City's Ethics Code requirements, and sanctions under the Ethics Code 2.92.

Contributor / Donor Information:

Full Name	<u>Jack Rosenberg</u>
Business Name	<u>TriCorps Security, Inc.</u>
Agenda Item Type	<u>2024-0076 Security Guard Services - Zoo</u>
Relevant Department	<u>Zoo</u>

Disclosure Affirmation: Please check the appropriate box below to indicate whether you have made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office specified in Section 2.92.080 of the El Paso Municipal Code.



I have **NOT** made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office, as specified in Section 2.92.080 of the El Paso Municipal Code.

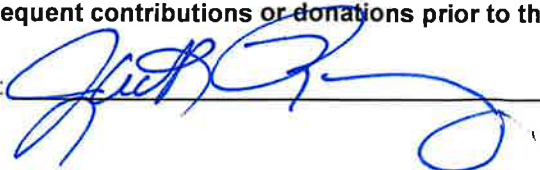
OR



I have made campaign contributions or donations totaling an aggregate of \$500 or more to the following City Council member(s) during their campaign(s) or term(s) of City office:

OFFICE	CURRENT COUNCIL MEMBER NAME	AMOUNT (\$)
Mayor		
District 1		
District 2		
District 3		
District 4		
District 5		
District 6		
District 7		
District 8		

Declaration: I hereby affirm that the information provided in this disclosure form is true and accurate to the best of my knowledge. I understand that this disclosure is required by Title 2, Chapter 2.92 of the El Paso Municipal Code and is subject to verification by the city authorities. Further, I understand that upon submission of this form, I must disclose any subsequent contributions or donations prior to the relevant council meeting date.

Signature:  Date: September 20, 2024



Legislation Text

File #: 24-1341, Version: 2

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092

Police, Chief Peter Pacillas, (915) 212-1092

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

The linkage to the Strategic Plan is subsection: 2.4 Improve motorist safety and traffic management solutions.

Award Summary:

Discussion and action on the award of Solicitation No. 2024-0605 Police Ordered and Non-Consent Towing (Re-Bid) to 1) AD Wrecker Service, Inc., dba AD Towing & Recovery, 2) Chacon Business Group, Inc. dba Chacon Towing, 3) Raul Fernandez Jr. dba El Paso Dependable Towing LLC, 4) Kamel Towing, Inc., and 5) Sohle Express Towing, Inc., for an initial term of three (3) years for an estimated amount of \$2,451,000.00. The award also includes a one (1), two (2) year option for an estimated amount of \$1,634,000.00. The total amount of the contract, including the initial term plus the option for a total of five (5) years, is for an estimated amount of \$4,085,000.00 on a rotation and as needed basis. This contract will allow the Police department to receive services in response to accidents and to transport vehicles to the El Paso Police Department Municipal Vehicle Storage Facility.

Contract Variance:

The difference based in comparison to the previous contract is as follows: A decrease of \$486,898.50 annual term, which represents a 16.57% decrease due to the short-term contract only for 6 months and to make sure there was enough capacity until new contract is awarded.

Department: Police

Award to Supplier 1: AD Wrecker Service, Inc., dba AD Towing & Recovery

City & State: El Paso, TX

Item(s): All

Initial Term: 3 Years

Option Terms: 2 Years

Total Contract Time: 5 Years

Annual Estimated Award: \$163,400.00

Initial Term Estimated Award: \$490,200.00

Option Term Estimated Award: \$326,800.00

Total Estimated Award: \$817,000.00

Award to Supplier 2: Chacon Business Group, Inc. dba Chacon Towing

City & State: Atascosa, TX

Item(s): All

Initial Term: 3 Years

Option Terms: 2 Years

Total Contract Time: 5 Years

Annual Estimated Award: \$163,400.00

Initial Term Estimated Award: \$490,200.00

Option Term Estimated Award: \$326,800.00

Total Estimated Award: \$817,000.00

Award to Supplier 3: Raul Fernandez Jr. dba El Paso Dependable Towing LLC

City & State: El Paso, TX

Item(s): Group 1 - Item 1 - GVW 10,000 lbs or less

Group 1 - Item 3 - GVW 25,000 lbs and over

Group 2

Initial Term: 3 Years

Option Terms: 2 Years

Total Contract Time: 5 Years

Annual Estimated Award: \$163,400.00

Initial Term Estimated Award: \$490,200.00

Option Term Estimated Award: \$326,800.00

Total Estimated Award: \$817,000.00

Award to Supplier 4: Kamel Towing, Inc.

City & State: El Paso, TX

Item(s): All

Initial Term: 3 Years

Option Terms: 2 Years

Total Contract Time: 5 Years

Annual Estimated Award: \$163,400.00

Initial Term Estimated Award: \$490,200.00

Option Term Estimated Award: \$326,800.00

Total Estimated Award: \$817,000.00

Award to Supplier 5: Sohle Express Towing, Inc.

City & State: El Paso, TX

Item(s): All

Initial Term: 3 Years

Option Terms: 2 Years

Total Contract Time: 5 Years

Annual Estimated Award: \$163,400.00

Initial Term Estimated Award: \$490,200.00

Option Term Estimated Award: \$326,800.00

Total Estimated Award: \$817,000.00

Total Annual Estimated Award: \$817,000.00

Total Initial Term Estimated Award: \$2,451,000.00 5 vendors

Total Option Term Estimated Award: \$1,634,000.00

Total Estimated Award: \$4,085,000.00

Account(s) 321 - 2811 - 21280 - 522070

Funding Source(s): Police Tow Lot
District(s): All

This was a Best Value Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and Police Department recommend award as indicated to 1) AD Wrecker Service, Inc., dba AD Towing & Recovery, 2) Chacon Business Group, Inc. dba Chacon Towing, 3) Raul Fernandez Jr. dba El Paso Dependable Towing LLC, 4) Kamel Towing, Inc., and 5) Sohle Express Towing, Inc., the highest ranked bidders based on the evaluation factors established in the evaluation criteria for this procurement and to deem 3H Towing LLC non-responsive for not filling out the bid form and Moises Garcia dba Moy's Towing Services LLC for failure to submit the required surety letter.

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

Additionally, it is requested that the City Attorney's Office review and that the City Manager or designee be authorized to execute any related contract documents and agreements necessary to effectuate this award.

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Peter Pacillas, Police Chief (915) 212-4305
K. Nicole Cote, Managing Director (915) 212-1092

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 2 – Set the Standard for a Safe and Secure City

SUBGOAL: 2.4 – Improve motorist safety and traffic management solutions

SUBJECT:

Discussion and action on the award of Solicitation No. 2024-0605 Police Ordered and Non-Consent Towing (Re-Bid) to 1) AD Wrecker Service, Inc., dba AD Towing & Recovery, 2) Chacon Business Group, Inc. dba Chacon Towing, 3) Raul Fernandez Jr. dba El Paso Dependable Towing LLC, 4) Kamel Towing, Inc., and 5) Sohle Express Towing, Inc., for an initial term of three (3) years for an estimated amount of \$2,451,000.00. The award also includes a one (1), two (2) year option for an estimated amount of \$1,634,000.00. The total amount of the contract, including the initial term plus the option for a total of five (5) years, is for an estimated amount of \$4,085,000.00 on a rotation and as needed basis. This contract will allow the Police department to receive services in response to accidents and to transport vehicles to the El Paso Police Department Municipal Vehicle Storage Facility.

BACKGROUND / DISCUSSION:

This solicitation is for police-ordered and non-consent towing services for the El Paso Police Department. All awarded vendors will be placed on a rotational list for each group. Each vendor will be contacted in order from the beginning of the list to the end then repeating.

SELECTION SUMMARY:

Solicitation was advertised on July 7, 2024. The solicitation was posted on City website on July 7, 2024. There were a total number in twenty-one (21) viewers online; ten (10) bids were received; eight (8) from local suppliers.

CONTRACT VARIANCE:

The difference based in comparison to the previous contract is as follows: A decrease of \$486,898.50 annual term, which represents a 16.57% decrease due to the short-term contract only for 6 months and to make sure there was enough capacity until new contract is awarded.

PROTEST

No protest received for this requirement.

PRIOR COUNCIL ACTION:

Not applicable.

AMOUNT AND SOURCE OF FUNDING:

Amount: \$2,451,000.00

Funding Source: Police Tow Lot

Account: 321 – 2811 – 21280 – 522070

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

2024-0605 Police Ordered and Non-Consent Towing (Re-Bid)
Revised 1/23/2023-V3 – Previous Versions Obsolete

PRIMARY DEPARTMENT: Police
SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



Peter Pacillas, Police Chief

Project Form
Best Value Bid

*****Posting Language Below*****

Please place the following item on the Regular Agenda for the City Council of October 8, 2024.

Strategic Goal 2 - Set the Standard for a Safe and Secure City

The linkage to the Strategic Plan is subsection: 2.4 Improve motorist safety and traffic management solutions

Award Summary:

Discussion and action on the award of Solicitation No. 2024-0605 Police Ordered and Non-Consent Towing (Re-Bid) to 1) AD Wrecker Service, Inc., dba AD Towing & Recovery, 2) Chacon Business Group, Inc. dba Chacon Towing, 3) Raul Fernandez Jr. dba El Paso Dependable Towing LLC, 4) Kamel Towing, Inc., and 5) Sohle Express Towing, Inc., for an initial term of three (3) years for an estimated amount of \$2,451,000.00. The award also includes a one (1), two (2) year option for an estimated amount of \$1,634,000.00. The total amount of the contract, including the initial term plus the option for a total of five (5) years, is for an estimated amount of \$4,085,000.00 on a rotation and as needed basis. This contract will allow the Police department to receive services in response to accidents and to transport vehicles to the El Paso Police Department Municipal Vehicle Storage Facility.

Contract Variance:

The difference based in comparison to the previous contract is as follows: A decrease of \$486,898.50 annual term, which represents a 16.57% decrease due to the short-term contract only for 6 months and to make sure there was enough capacity until new contract is awarded.

Department:	Police
Award to Supplier 1:	AD Wrecker Service, Inc., dba AD Towing & Recovery
City & State:	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option Terms:	2 Years
Total Contract Time:	5 Years
Annual Estimated Award:	\$163,400.00
Initial Term Estimated Award:	\$490,200.00
Option Term Estimated Award:	\$326,800.00
Total Estimated Award:	\$817,000.00

Award to Supplier 2:	Chacon Business Group, Inc. dba Chacon Towing
City & State:	Atascosa, TX
Item(s):	All
Initial Term:	3 Years
Option Terms:	2 Years
Total Contract Time:	5 Years
Annual Estimated Award:	\$163,400.00
Initial Term Estimated Award:	\$490,200.00
Option Term Estimated Award:	\$326,800.00
Total Estimated Award:	\$817,000.00

Award to Supplier 3: Raul Fernandez Jr. dba El Paso Dependable Towing

City & State: LLC
 El Paso, TX
 Item(s): Group 1 - Item 1 - GVW 10,000 lbs or less
 Group 1 - Item 3 - GVW 25,000 lbs and over
 Group 2
 Initial Term: 3 Years
 Option Terms: 2 Years
 Total Contract Time: 5 Years
 Annual Estimated Award: \$163,400.00
 Initial Term Estimated Award: \$490,200.00
 Option Term Estimated Award: \$326,800.00
 Total Estimated Award: \$817,000.00

Award to Supplier 4: Kamel Towing, Inc.
 City & State: El Paso, TX
 Item(s): All
 Initial Term: 3 Years
 Option Terms: 2 Years
 Total Contract Time: 5 Years
 Annual Estimated Award: \$163,400.00
 Initial Term Estimated Award: \$490,200.00
 Option Term Estimated Award: \$326,800.00
 Total Estimated Award: \$817,000.00

Award to Supplier 5: Sohle Express Towing, Inc.
 City & State: El Paso, TX
 Item(s): All
 Initial Term: 3 Years
 Option Terms: 2 Years
 Total Contract Time: 5 Years
 Annual Estimated Award: \$163,400.00
 Initial Term Estimated Award: \$490,200.00
 Option Term Estimated Award: \$326,800.00
 Total Estimated Award: \$817,000.00

Total Annual Estimated Award: \$817,000.00
 Total Initial Term Estimated Award: \$2,451,000.00 5 vendors
 Total Option Term Estimated Award: \$1,634,000.00
 Total Estimated Award: \$4,085,000.00
 Account(s) 321 – 2811 – 21280 – 522070
 Funding Source(s): Police Tow Lot
 District(s): All

This was a Best Value Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and Police Department recommend award as indicated to 1) AD Wrecker Service, Inc., dba AD Towing & Recovery, 2) Chacon Business Group, Inc. dba Chacon Towing, 3) Raul Fernandez Jr. dba El Paso Dependable Towing LLC, 4) Kamel Towing, Inc., and 5) Sohle Express Towing, Inc., the highest ranked bidders based on the evaluation factors established in the evaluation criteria for this procurement and to deem 3H Towing LLC non-responsive for not filling out the bid form and Moises Garcia dba Moy's Towing Services LLC for failure to submit the required surety letter.

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

Additionally, it is requested that the City Attorney's Office review and that the City Manager or designee be authorized to execute any related contract documents and agreements necessary to effectuate this award.

In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

CITY OF EL PASO BEST VALUE SCORESHEET

PROJECT: 2024-0369 Police Ordered and Non-Consent Towing

Evaluation of Submittal

		3H Towing LLC El Paso, TX	AD Wrecker Service, Inc. dba AD Towing & Recovery El Paso, TX	Chacon Business Group, Inc. dba Chacon Towing Atascosa, TX	Raul Fernandez Jr. dba El Paso Dependable Towing LLC El Paso, TX	Kamel Towing, Inc. El Paso, TX	Kings Towing LLC El Paso, TX	Moises Garcias dba Moy's Towing Services LLC Canutillo, TX	Pantusa Towing & Recovery, LLC El Paso, TX	Skyhawk T&R, LLC dba Skyhawk Towing El Paso, TX	Sohle Express Towing, Inc. El Paso, TX	
Factor A - Price												
Factor A - Offeror's Fee Proposal Group 1 - Item 1 - GVW 10,000 lbs or less	35	Offer deemed Non-Responsive. Not Evaluated	\$100.00	\$85.00	\$100.00	\$100.00	\$100.00	Offer deemed Non-Responsive. Not Evaluated	\$100.00	\$100.00	\$100.00	
			29.75	35.00	29.75	29.75	29.75		29.75	29.75	29.75	
Factor A - Offeror's Fee Proposal Group 1 - Item 2 - GVW 10,001 - 24,999 lbs	35		\$325.00	\$300.00	\$350.00	\$350.00	\$350.00		\$350.00	\$350.00	\$350.00	\$350.00
			32.31	35.00	30.00	30.00	30.00		30.00	30.00	30.00	30.00
Factor A - Offeror's Fee Proposal Group 1 - Item 3 - GVW 25,000 lbs and over	35		\$400.00	\$395.00	NA	\$450.00	\$450.00		\$450.00	\$450.00	\$450.00	\$450.00
			34.56	35.00	NA	30.72	30.72		30.72	30.72	30.72	30.72
Factor B - Experience – Comparable Contracts												
	30		24.17	25.83	21.00	23.67	21.67		21.67	26.00	14.00	21.83
Factor C - References												
	25		25.00	16.67	25.00	25.00	16.67		16.67	0.00	0.00	25.00
Factor D - Employee Medical Benefit and Incentives												
	10		2.00	6.00	2.00	2.00	0.00		0.00	6.00	2.00	2.00
TOTAL SCORE												
Factor A - Offeror's Fee Proposal Group 1 - Item 1 - GVW 10,000 lbs or less	100	\$100.00	\$85.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	
		80.92	83.50	77.75	80.42	68.09	68.09	61.75	45.75	78.58		
Rank		2	1	5	3	6	6	7	8	4		
Factor A - Offeror's Fee Proposal Group 1 - Item 2 - GVW 10,001 - 24,999 lbs		\$325.00	\$300.00	\$350.00	\$350.00	\$350.00	\$350.00	\$350.00	\$350.00	\$350.00	\$350.00	
		83.47	83.50	78.00	80.67	68.34	68.34	62.00	46.00	78.83		
Rank		2	1	5	3	6	6	7	8	4		
Factor A - Offeror's Fee Proposal Group 1 - Item 3 - GVW 25,000 lbs and over		\$400.00	\$395.00	NA	\$450.00	\$450.00	\$450.00	\$450.00	\$450.00	\$450.00	\$450.00	
		85.73	83.50	NA	81.39	69.06	69.06	62.72	46.72	79.56		
Rank		1	2	NA	3	5	5	6	7	4		



CITY OF EL PASO BID TABULATION FORM



Bid Title: Police Ordered and Non-Consent Towing (Re-Bid)

BID NO: 2024-0605

BID DATE: July 31, 2024

DEPARTMENT: Police Department

	3H Towing, LLC El Paso, TX Bidder 1 of 10	AD Wrecker Service, Inc. dba AD Towing & Recovery El Paso, TX Bidder 2 of 10	Chacon Business Group Inc. dba Chacon Towing Atascosa, TX Bidder 3 of 10	Raul Fernandez Jr. dba El Paso Dependable Towing LLC El Paso, TX Bidder 4 of 10	Kamel Towing, Inc. El Paso, TX Bidder 5 of 10	Kings Towing LLC El Paso, TX Bidder 6 of 10	Pantusa Towing & Recovery, LLC El Paso, TX Bidder 7 of 10
--	---	---	---	---	---	---	--

Group 1 - Towing

Item No.	Description	CITY'S COST NOT TO EXCEED	COST PER TOW	COST PER TOW	COST PER TOW	COST PER TOW	COST PER TOW	COST PER TOW	COST PER TOW
1	Any vehicle or vehicle parts/components with a gross weight or gross vehicle weight (GVW) of 10,000 pounds or less. (Tow cost includes clean-up of debris, non-hazardous spilled materials and/or cargoes regardless of type of tow truck and the use of dollies, winching or the like)	\$100.00 per tow	Left Blank	\$100.00	\$85.00	\$100.00	\$100.00	\$100.00	\$100.00
2	Any vehicle or vehicle parts/components with a gross weight or gross vehicle weight of 10,001 to 24,999 pounds. (Two costs include clean-up of debris, non-hazardous spilled materials and/or cargoes regardless of type of tow truck and the use of dollies, winching or the like)	\$350.00 per tow	Left Blank	\$325.00	\$300.00	\$350.00	\$350.00	\$350.00	\$350.00
3	Any vehicle or vehicle parts/components with a gross weight or gross vehicle weight of 25,000 pounds and over must be towed with a tow truck that shall meet all Federal, State and local laws, regulations and ordinances including highway weight limits. (Two costs include clean-up of debris, non-hazardous spilled materials and/or cargoes regardless of type of tow truck and the use of dollies, winching or the like)	\$450.00 per tow	Left Blank	\$400.00	\$395.00	NA	\$450.00	\$450.00	\$450.00

Group 2 - Labor Hourly Rate

Item No.	Description	Unit of Measure	Rate	Rate	Rate	Rate	Rate	Rate	Rate
1	Labor rate in the event of large-scale incidents	Hourly	Left Blank	\$450.00	\$145.00	\$150.00	\$100.00	\$60.00	\$140.00



CITY OF EL PASO BID TABULATION FORM



Bid Title: Police Ordered and Non-Consent Towing (Re-Bid)
BID DATE: July 31, 2024

BID NO: 2024-0605
DEPARTMENT: Police Department

<u>OPTION TO EXTEND THE TERM OF THE AGREEMENT</u>							
THE CITY AT ITS SOLE DISCRETION, MAY EXERCISE ANY OPTION TO EXTEND THE TERM OF THE AGREEMENT, BY GIVING THE CONTRACTOR WRITTEN NOTICE WITHIN THE TIME PERIOD NOTED ON THE SELECTED OPTIONS. THE TERM OF THIS CONTRACT SHALL BE BASED ON ONE OF THE SELECTIONS BELOW AND UNDER THE SAME TERMS AND CONDITIONS. THE CITY MANAGER OR DESIGNEE MAY EXTEND THE OPTION TO EXTEND. BIDDER OFFERS THE CITY THE OPTION OF EXTENDING THE TERM OF THE CONTRACT FOR:							
TWO (2) ADDITIONAL YEARS AT THE SAME UNIT PRICE(S)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
NO OPTION OFFERED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AMENDMENTS ACKNOWLEDGED:	YES	YES	YES	YES	YES	YES	YES



**CITY OF EL PASO
BID TABULATION FORM**



Bid Title: Police Ordered and Non-Consent Towing (Re-Bid)

BID NO: 2024-0605

BID DATE: July 31, 2024

DEPARTMENT: Police Department

	Moises Garcia dba Moy's Towing Services LLC Canutillo, TX Bidder 8 of 10	Skyhawk T&R LLC dba Skyhawk Towing El Paso, TX Bidder 9 of 10	Sohle Express Towing Inc. El Paso, TX Bidder 10 of 10				
--	---	---	--	--	--	--	--

Group 1 - Towing

Item No.	Description	CITY'S COST NOT TO EXCEED	COST PER TOW	COST PER TOW	COST PER TOW				
1	Any vehicle or vehicle parts/components with a gross weight or gross vehicle weight (GVW) of 10,000 pounds or less. (Tow cost includes clean-up of debris, non-hazardous spilled materials and/or cargoes regardless of type of tow truck and the use of dollies, winching or the like)	\$100.00 per tow	\$100.00	\$100.00	\$100.00				
2	Any vehicle or vehicle parts/components with a gross weight or gross vehicle weight of 10,001 to 24,999 pounds. (Two costs include clean-up of debris, non-hazardous spilled materials and/or cargoes regardless of type of tow truck and the use of dollies, winching or the like)	\$350.00 per tow	NA	\$350.00	\$350.00				
3	Any vehicle or vehicle parts/components with a gross weight or gross vehicle weight of 25,000 pounds and over must be towed with a tow truck that shall meet all Federal, State and local laws, regulations and ordinances including highway weight limits. (Two costs include clean-up of debris, non-hazardous spilled materials and/or cargoes regardless of type of tow truck and the use of dollies, winching or the like)	\$450.00 per tow	NA	\$450.00	\$450.00				

Group 2 - Labor Hourly Rate

Item No.	Description	Unit of Measure	Rate	Rate	Rate	Rate	Rate	Rate	Rate
1	Labor rate in the event of large-scale incidents	Hourly	\$120.00	\$85.00	\$100.00				



CITY OF EL PASO BID TABULATION FORM



Bid Title: Police Ordered and Non-Consent Towing (Re-Bid)
BID DATE: July 31, 2024

BID NO: 2024-0605
DEPARTMENT: Police Department

<u>OPTION TO EXTEND THE TERM OF THE AGREEMENT</u>							
<p>THE CITY AT ITS SOLE DISCRETION, MAY EXERCISE ANY OPTION TO EXTEND THE TERM OF THE AGREEMENT, BY GIVING THE CONTRACTOR WRITTEN NOTICE WITHIN THE TIME PERIOD NOTED ON THE SELECTED OPTIONS. THE TERM OF THIS CONTRACT SHALL BE BASED ON ONE OF THE SELECTIONS BELOW AND UNDER THE SAME TERMS AND CONDITIONS. THE CITY MANAGER OR DESIGNEE MAY EXTEND THE OPTION TO EXTEND.</p> <p>BIDDER OFFERS THE CITY THE OPTION OF EXTENDING THE TERM OF THE CONTRACT FOR:</p>							
TWO (2) ADDITIONAL YEARS AT THE SAME UNIT PRICE(S)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
NO OPTION OFFERED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
AMENDMENTS ACKNOWLEDGED:	YES	YES	YES				

BIDS SOLICITED: 212 **LOCAL BIDS SOLICITED:** 115 **BIDS RECEIVED:** 10 **LOCAL BIDS RECEIVED:** 8 **NO BID:** 5

NOTE: The information contained in this bid tabulation is for information only and does not constitute actual award/execution of contract.

**2024-0605 Police Ordered and Non-Consent Towing Re-Bid)
Viewer's List**

<u>No.</u>	<u>Participant Name</u>	<u>Response Date</u>	<u>Response Status</u>	<u>Contact</u>	<u>City</u>	<u>State</u>
1	Adis Construction Management		Viewed		Dallas	TX
2	Milliman, Inc.		Viewed	Ryan Falls	Dallas	TX
3	3H TOWING LLC	07/31/2024	Submitted	Walter Fernandez	El Paso	TX
4	AD Towing & Recovery (AD Wrecker Service, Inc)	07/31/2024	Submitted	Monica Dominguez	El Paso	TX
5	Chacon Towing (Chacon business Group INC)	07/30/2024	Submitted	joshua chacon	El paso	TX
6	DEPENDABLE TOWING (Raul Fernandez DBA Dependable Towing)	07/31/2024	Submitted	Myrna Armenta	EL PASO	TX
7	Fastest Labs of El Paso (P & N Ventures LLC)		Viewed	Muhammad S Kahn	El Paso	TX
8	Haul-Line Brokerage, Inc.		Viewed	Dorian Cervantes	El Paso	TX
9	Kamel Towing,Inc (Kamel Towing)	07/31/2024	Submitted	Leo Manriquez	El Paso	TX
10	Kings Towing LLC (Kings Towing)	07/31/2024	Submitted	Jose Mendoza	El Paso	TX
11	Pantusa Towing	07/31/2024	Submitted	Ryan Pantusa	El Paso	TX
12	QANNEX CORP	07/15/2024	No Bid	LILY NOLASCO	EL PASO	TX
13	S&A Truckcare (Saint Laguna LLC)		Viewed	Hugo Castro	El Paso	TX
14	SKYHAWK TOWING (SKYHAWK T&R L.L.C.)	07/31/2024	Submitted	VICTORIANO MENDOZA	EL PASO	TX
15	Sohle Express Towing	07/31/2024	Submitted		El Paso	TX
16	WOFFORD TRUCK PARTS (TE EL PASO,LLC)	07/31/2024	No Bid	ruben pinon	EL PASO	TX
17	Zeraus Iluminacion	07/09/2024	No Bid	Alex Jarquin	El Paso	TX
18	LineQuest LLC.		Viewed	shawn hailey	Frisco	TX
19	Sunset Survival & First Aid Inc	07/22/2024	No Bid	Debbie Depin	Huntington Beach	CA
20	Alkane Midstream	07/26/2024	No Bid	Jeanne Mack	Mendota	MN
21	Native Power Systems Inc		Viewed	Ethel Morris	San Antonio	TX

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND DONATIONS FORM

In compliance with Title 2, Chapter 2.92, Section 2.92.080

Introduction:

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Contributor / Donor Information:

Full Name	Monica Dominguez
Business Name	AD Wrecker Service, Inc., dba AD Towing & Recovery
Agenda Item Type	2024-0605 Police Ordered and Non-Consent Towing (Re-Bid)
Relevant Department	Police

Disclosure Affirmation: Please check the appropriate box below to indicate whether you have made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office specified in Section 2.92.080 of the El Paso Municipal Code.



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OR

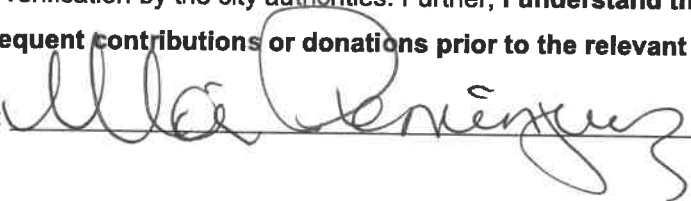


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Mayor		
District 1		
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Signature: _____



Date: _____

9-20-24

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Contributor / Donor Information:

Full Name LUIS CHACON

Business Name CHACON TOWING

Agenda Item Type Police Ordered and Non-Consent Towing

Relevant Department El Paso Police Department

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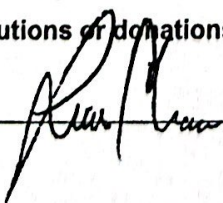
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07/24/2024

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Contributor / Donor Information:

Full Name Raul Fernandez Jr.

Business Name E1 Paso Dependable Towing LLC

Agenda Item Type 2024-0605 Police Ordered and Non Consu

Relevant Department Police Department. Towing

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Contributor / Donor Information:

Full Name Andrea Villarreal

Business Name Kamel Towing, Inc.

Agenda Item Type 2024-0605

Relevant Department Police

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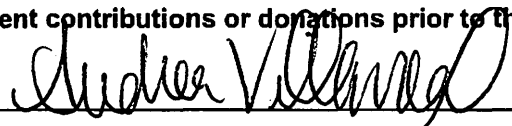
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Contributor / Donor Information:

Full Name Nathaniel Sohle

Business Name Sohle Express Towing inc

Agenda Item Type 2024-0605 Police Ordered and Non Consent towing

Relevant Department City of El Paso Purchasing and Strategic Sourcing Department

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Signature: *Sohle*

Date: 7/30/2024



Legislation Text

File #: 24-1343, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092
Information Technology, Araceli Guerra (915) 212-1401

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

The linkage to the Strategic Plan is subsection: 5.2 Leverage and expand the use of current and new technology reduce inefficiencies and improve communications.

Award Summary:

Discussion and action on the request that the Managing Director of Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order(s) for Solicitation 2025-0051 ArcGIS Enterprise to Environmental Systems Research Institute, Inc. dba Esri, the sole source provider for geographic information systems (GIS) licensing software, maintenance, and online service for a term of three (3) years for an estimated amount of \$1,085,000.00. Supplier will be required to provide an updated sole source letter and affidavit each year. This contract will provide the City with additional needed software licenses, additional professional services, and training.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$282,000.00 for the initial term, which represents a 35.12% increase due to added products and increase of online users.

Department: Information Technology

Award to: Environmental Systems Research Institute, Inc. dba Esri

City & State: Redlands, CA

Item(s): All

Initial Term: 3 Years

Option Term: NA

Total Contract Time: 3 Years

Annual Estimated Award: \$350,000.00 Year 1

\$ 365,000.00 Year 2

\$ 370,000.00 Year 3

Initial Term Estimated Award: \$1,085,000.00

Option Term Estimated Award: NA

Total Estimated Award: \$1,085,000.00

Account(s): 522150-239-1000-15240-P1506

Funding Source(s): General Fund

District(s): All

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

The Purchasing & Strategic Sourcing Department and Information Technology Department recommend award as indicated to Environmental Systems Research Institute, Inc. dba Esri under the exemption listed above.

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

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:

Araceli Guerra, Managing Director of Information Technology (915) 212-1401
K. Nicole Cote, Managing Director of Purchasing & Strategic Sourcing (915) 212-1092

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 5 - Promote Transparent and Consistent Communication Amongst All Members of the Community

SUBGOAL: 5.2 - Leverage and expand the use of current and new technology reduce inefficiencies and improve communications

SUBJECT:

Discussion and action on the request that the Managing Director of Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order(s) for solicitation 2025-0051 ArcGIS Enterprise to Environmental Systems Research Institute, Inc., dba Esri the sole source provider for geographic information systems (GIS) licensing software, maintenance, and online service for a term of three (3) years for an estimated amount of \$1,085,000.00. Supplier will be required to provide an updated sole source letter and affidavit each year. This contract will provide the City with additional needed software licenses, additional professional services, and training.

BACKGROUND / DISCUSSION:

The Department of Information Technology is seeking an enterprise license agreement (ELA) with Environmental Systems Research Institute, Inc. (ESRI). The ELA with Environmental Systems Research Institute, Inc (ESRI) will provide the City with software licenses, professional consulting services, training and maintenance. Unlimited use of core software would alleviate current strains experienced by city departments. The ELA would also include licenses for additional products and extension, rather than departments having to purchase needed products individually.

SELECTION SUMMARY:

N/A

CONTRACT VARIANCE:

The difference based in comparison to the previous contract is as follows: An increase of \$282,000.00 for the initial term, which represents a 35.12% increase due to added products and increase of online users.

PROTEST

No protest received for this requirement.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$1,085,000.00
Funding Source: 522150-239-1000-15240-P1506
Account: General Fund

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES NO

PRIMARY DEPARTMENT: Information Technology Services
SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



Araceli Guerra, Managing Director of Information Technology

Project Form
Non-Competitive

*****Posting Language Below*****

Please place the following item on the Regular Agenda for the City Council of October 8, 2024.

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

The linkage to the Strategic Plan is subsection: 5.2 Leverage and expand the use of current and new technology reduce inefficiencies and improve communications

Award Summary:

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Department:	Information Technology
Award to:	Environmental Systems Research Institute, Inc. dba Esri
City & State:	Redlands, CA
Item(s):	All
Initial Term:	3 Years
Option Term:	NA
Total Contract Time:	3 Years
Annual Estimated Award:	\$ 350,000.00 Year 1 \$ 365,000.00 Year 2 \$ 370,000.00 Year 3
Initial Term Estimated Award:	\$1,085,000.00
Option Term Estimated Award:	NA
Total Estimated Award:	\$1,085,000.00
Account(s):	522150-239-1000-15240-P1506
Funding Source(s):	General Fund
District(s):	All

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

The Purchasing & Strategic Sourcing Department and Information Technology Department recommend award as indicated to Environmental Systems Research Institute, Inc. dba Esri under the exemption listed above.



PURCHASING & STRATEGIC SOURCING DEPARTMENT

SOLE SOURCE AFFIDAVIT

THIS IS AN OFFICIAL PURCHASING DOCUMENT-RETAIN WITH PURCHASE ORDER FILE

Before me, the undersigned official, on this day, personally appeared _____ a person known to me to be the person whose signature appears below, whom after being duly sworn upon his/her oath deposed and said:

1. My name is Tamisa Greening. I am over the age of 18, have never been of a convicted crime and am competent to make this affidavit.
2. I am an authorized representative of the following company or firm: Environmental Systems Research Institute, Inc.
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
Enterprise Agreement (EA) (Esri Sole Source Letter attached)
4. Competition in providing the above named item(s) product(s), service(s) is precluded by the existence of a patent, copyright, secret process or monopoly as stated under Section 252.022, Subchapter A of the Local Governmental Code 7A or as provided for under 7B-F of the same section. Also, attached hereto is a sole source letter, which sets forth the reasons why this Vendor is a sole source provider (dated and signed).
5. There is/are no other like item(s) or product(s) available for purchase that would serve the same purpose or function.
6. **Note: This Vendor understands that by providing false information on this Sole Source Affidavit, it may be considered a non-responsible Vendor on this and future purchases and may result in discontinuation of any/all business with the City of El Paso.**

Signature

Tamisa Greening

SUBSCRIBED AND SWORN to before me on this 30 day of May 2024

see attached per CA state law

NOTARY PUBLIC

Christine Ann Walker

PRINTED NAME

May 2, 2028

MY COMMISSION EXPIRES

COMPANY NAME: Environmental Systems Research Institute, Inc.

ADDRESS, CITY, STATE & ZIP CODE 380 New York Street, Redlands, CA 923738100

PHONE: 909-793-2853 FAX NUMBER: 909-793-5953

CONTACT NAME AND TITLE: Tamisa Greening

WEB ADDRESS: www.esri.com EMAIL: tgreening@esri.com

FEDERAL TAX ID NUMBER: 95-2775732 TEXAS SALES TAX NUMBER: 19527757322

SOLE SOURCE LETTER
Environmental Systems Research Institute, Inc. (Esri)
380 New York Street
Redlands, CA 92373

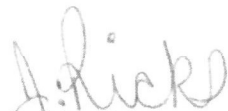


DATE: May 30, 2024
TO: City of El Paso, Texas
FROM: Jackie Ricks, Contracts Specialist I, Esri Contracts and Legal Services
RE: **Sole Source Justification for Enterprise Agreement (EA)**

This letter confirms Esri, as owner and manufacturer, is the sole source provider of all U.S. domestic Enterprise Agreements. While some products are available through value-added resellers on a unit priced basis, Esri is the only source that can grant a right to copy and deploy products in an Enterprise Agreement. An EA is a bundled package for licensing software, maintenance, and online services for redistribution within the organization. Esri products are provided with a special grant to copy and deploy specified quantities of capped items and unlimited quantities of items without a cap, during the term of the EA.

If you have further questions, please feel free to call me at our Contracts and Legal Services Department at 909-793-2853, extension 1990.

Kind regards,


Jackie Ricks

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

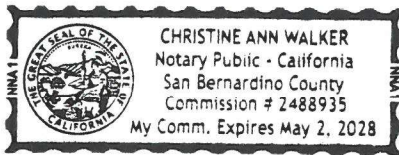
County of San Bernardino

Subscribed and sworn to (or affirmed) before me on this 30 day of May, 2024, by
Date Month Year

(1) Tamisa Greening

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



Place Notary Seal and/or Stamp Above

Signature [Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Sole Source Affidavit for the City of El Paso

Document Date: _____ Number of Pages: 3

Signer(s) Other Than Named Above: _____

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND DONATIONS FORM

In compliance with [Title 2, Chapter 2.92, Section 2.92.080](#)

Introduction:

Individuals or entities benefiting by a City Council Agenda item must disclose contributions or donations made to current members of Council under the City's Ethics Code. The information on this form is being captured for transparency purposes and will be noted on the relevant City Council Agenda. **Contributions and Donations do NOT disqualify an applicant from doing business with the City.**

Definitions:

- "Contribution" A direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by the Texas Election Code, and a guarantee of a loan or extension of credit.
- "Contributor" A person making a contribution, including the contributor's spouse.
- "Donation" Cash and the value of any in-kind contributions or gifts to the council member for use by their office or in their district.
- "Donor" An individual and spouse, a business entity, or an individual who owns a business entity in whole or in part, or is operated by the individual, that is the subject of a council agenda item.
- "Benefiting" Shall include but not be limited to any contract, bid award, franchise, permit, zoning or rezoning, and other award that council will vote on.

Instructions: Please read and complete this form carefully. If you have made campaign contributions or donations to any current City Council member(s) totaling an aggregate of \$500 or more during their campaign(s) or term(s) of City office, you are required to disclose the information as specified below. If you have not made such contributions or donations past the limit specified in the ordinance, you are required to affirm your compliance with the municipal code. Please submit this completed form along with your application or proposal to the relevant city department. Failure to disclose campaign contributions or donations as required by the ordinance may result in a violation of the City's Ethics Code requirements, and sanctions under the Ethics Code 2.92.

Contributor / Donor Information:

Full Name	Timothy Brazeal
Business Name	Environmental Systems Research Institute, Inc,
Agenda Item Type	2025-0051 ArcGIS Enterprise
Relevant Department	Information Technology

Disclosure Affirmation: Please check the appropriate box below to indicate whether you have made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office specified in Section 2.92.080 of the El Paso Municipal Code.

I have **NOT** made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office, as specified in Section 2.92.080 of the El Paso Municipal Code.

OR

I have made campaign contributions or donations totaling an aggregate of \$500 or more to the following City Council member(s) during their campaign(s) or term(s) of City office:

OFFICE	CURRENT COUNCIL MEMBER NAME	AMOUNT (\$)
Mayor		
District 1		
District 2		
District 3		
District 4		
District 5		
District 6		
District 7		
District 8		

Declaration: I hereby affirm that the information provided in this disclosure form is true and accurate to the best of my knowledge. I understand that this disclosure is required by Title 2, Chapter 2.92 of the El Paso Municipal Code and is subject to verification by the city authorities. Further, **I understand that upon submission of this form, I must disclose any subsequent contributions or donations prior to the relevant council meeting date.**

Signature: Timothy Brazeal (Aug 8, 2024 13:16 PDT)
 Manager, Commercial & Government Contracts

Date: Aug 8, 2024



Legislation Text

File #: 24-1346, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092
Purchasing and Strategic Sourcing, Veronica Gomez, (915) 224-5607

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

The linkage to the Strategic Plan is subsection: 6.7 Deliver effective and efficient processes to maximize value in obtaining goods and services.

Award Summary:

Discussion and action on the request that the Managing Director of Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order(s) for solicitation 2025-0092 Newspaper Legal Notices to Gannett Media Corp., dba Gannett Texas/New Mexico LocaliQ the sole source provider for the newspaper legal notices for a term of three (3) years for an estimated amount of \$1,200,000.00. Supplier will be required to provide an updated sole source letter and affidavit each year. This service will allow the City to publish legal notices pursuant to the State of Texas Local Government Code.

Contract Variance:

The difference based in comparison to the previous contract is as follows: A decrease of \$600,000.00 for the initial term, which represents a 33.33% decrease for the same services and historical data.

Department: Purchasing & Strategic Sourcing
Award to: Gannett Media Corp., dba Gannett Texas/New Mexico LocaliQ
City & State: Cincinnati, OH
Item(s): All
Initial Term: 3 Years
Option Term: NA
Total Contract Time: 3 Years
Annual Estimated Award: \$400,000.00
Initial Term Estimated Award: \$1,200,000.00
Option Term Estimated Award: NA
Total Estimated Award: \$1,200,000.00
Account(s): Various Accounts
Funding Source(s): Various Sources
District(s): All

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

The Purchasing & Strategic Sourcing Department recommend award as indicated to Gannett Media Corp., dba Gannett Texas/New Mexico LocalIQ under the exemption listed above.

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

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: NA

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Veronica Gomez, Assistant Director, (915) 224-5607
K. Nicole Cote, Managing Director (915) 212-1092

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 6 – Set the Standard for Sound Governance and Fiscal Management

SUBGOAL: 6.7 Deliver effective and efficient processes to maximize value in obtaining goods and services

SUBJECT:

Discussion and action on the request that the Managing Director of Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order(s) for solicitation 2025-0092 Newspaper Legal Notices to Gannett Media Corp., dba Gannett Texas/New Mexico LocalIQ the sole source provider for the newspaper legal notices for a term of three (3) years for an estimated amount of \$1,200,000.00. Supplier will be required to provide an updated sole source letter and affidavit each year. This service will allow the City to publish legal notices pursuant to the State of Texas Local Government Code.

BACKGROUND / DISCUSSION:

Requirement being sourced pursuant to Section 252.022(7)(a) items that are available from only one source and comply with the statutory designation to publish legal notices as per the Texas State Code for the El Paso County.

SELECTION SUMMARY:

NA

CONTRACT VARIANCE:

The difference based in comparison to the previous contract is as follows: A decrease of \$600,000.00 for the initial term, which represents a 33.33% decrease for the same services and historical data.

PROTEST

NA

PRIOR COUNCIL ACTION:

NA

AMOUNT AND SOURCE OF FUNDING:

Amount: \$1,200,000.00

Funding Source: Various Sources

Account: Various Accounts

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES NO

PRIMARY DEPARTMENT: Purchasing & Strategic Sourcing
SECONDARY DEPARTMENT: All

*******REQUIRED AUTHORIZATION*******

DEPARTMENT HEAD:

K. Nicole Cote

K. Nicole Cote, Managing Director

Project Form
Non-Competitive

*****Posting Language Below*****

Please place the following item on the Regular Agenda for the City Council of October 8, 2024.

Strategic Goal 6 - Set the Standard for Sound Governance and Fiscal Management

The linkage to the Strategic Plan is subsection: 6.7 Deliver effective and efficient processes to maximize value in obtaining goods and services

Award Summary:

Discussion and action on the request that the Managing Director of Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order(s) for solicitation 2025-0092 Newspaper Legal Notices to Gannett Media Corp., dba Gannett Texas/New Mexico LocaliQ the sole source provider for the newspaper legal notice for a term of three (3) years for an estimated amount of \$1,200,000.00. Supplier will be required to provide an updated sole source letter and affidavit each year. This service will allow the City to publish legal notices pursuant to the State of Texas Local Government Code.

Contract Variance:

The difference based in comparison to the previous contract is as follows: A decrease of \$600,000.00 for the initial term, which represents a 33.33% decrease for the same services and historical data.

Department:	Purchasing & Strategic Sourcing
Award to:	Gannett Media Corp., dba Gannett Texas/New Mexico LocaliQ
City & State:	Cincinnati, OH
Item(s):	All
Initial Term:	3 Years
Option Term:	NA
Total Contract Time:	3 Years
Annual Estimated Award:	\$ 400,000.00
Initial Term Estimated Award:	\$1,200,000.00
Option Term Estimated Award:	NA
Total Estimated Award:	\$1,200,000.00
Account(s):	Various Accounts
Funding Source(s):	Various Sources
District(s):	All

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

The Purchasing & Strategic Sourcing Department recommend award as indicated to Gannett Media Corp., dba Gannett Texas/New Mexico LocaliQ under the exemption listed above.

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



PURCHASING & STRATEGIC SOURCING DEPARTMENT

SOLE SOURCE AFFIDAVIT

THIS IS AN OFFICIAL PURCHASING DOCUMENT-RETAIN WITH PURCHASE ORDER FILE

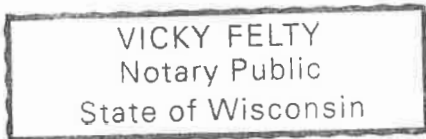
Before me, the undersigned official, on this day, personally appeared _____ a person known to me to be the person whose signature appears below, whom after being duly sworn upon his/her oath deposed and said:

1. My name is Tara Hamm. I am over the age of 18, have never been of a convicted crime and am competent to make this affidavit.
2. I am an authorized representative of the following company or firm: El Paso Times
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
Legal Notice Publishing
4. Competition in providing the above named item(s) product(s), service(s) is precluded by the existence of a patent, copyright, secret process or monopoly as stated under Section 252.022, Subchapter A of the Local Governmental Code 7A or as provided for under 7B-F of the same section. Also, attached hereto is a sole source letter, which sets forth the reasons why this Vendor is a sole source provider (dated and signed).
5. There is/are no other like item(s) or product(s) available for purchase that would serve the same purpose or function.
6. **Note: This Vendor understands that by providing false information on this Sole Source Affidavit, it may be considered a non-responsible Vendor on this and future purchases and may result in discontinuation of any/all business with the City of El Paso.**

Tara Hamm

Signature

SUBSCRIBED AND SWORN to before me on this 8 day of July 2024



Vicky Felty
NOTARY PUBLIC

Vicky Felty
PRINTED NAME
9-19-2025
MY COMMISSION EXPIRES

COMPANY NAME: El Paso Times

ADDRESS, CITY, STATE & ZIP CODE: remit address: PO Box 63167, Cincinnati OH 45263-1667

PHONE: 915-546-6200 FAX NUMBER: 877-943-0443

CONTACT NAME AND TITLE: Tara Hamm, Director

WEB ADDRESS: www.elpasotimes.com EMAIL: legals@elpasotimes.com

FEDERAL TAX ID NUMBER: 47-2390983 TEXAS SALES TAX NUMBER: _____



To Whom it May Concern-

7/8/24

In regard to the El Paso Times publishing legal notices per the Texas State Code.

The El Paso Times meets the following requirements:

- (1) devote not less than 25 percent of its total column lineage to general interest items;
- (2) be published at least once each week;
- (3) be entered as second-class postal matter in the county where published; and
- (4) have been published regularly and continuously for at least 12 months before the governmental entity or representative publishes notice

Please let me know if we can assist with anything else.

Thank you,

A handwritten signature in black ink that reads "Tara Hamm". The signature is written in a cursive, flowing style.

Tara Hamm

Director- Public Notices

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND DONATIONS FORM

In compliance with [Title 2, Chapter 2.92, Section 2.92.080](#)

Introduction:

Individuals or entities benefiting by a City Council Agenda item must disclose contributions or donations made to current members of Council under the City's Ethics Code. The information on this form is being captured for transparency purposes and will be noted on the relevant City Council Agenda. **Contributions and Donations do NOT disqualify an applicant from doing business with the City.**

Definitions:

- "Contribution" A direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by the Texas Election Code, and a guarantee of a loan or extension of credit.
- "Contributor" A person making a contribution, including the contributor's spouse.
- "Donation" Cash and the value of any in-kind contributions or gifts to the council member for use by their office or in their district.
- "Donor" An individual and spouse, a business entity, or an individual who owns a business entity in whole or in part, or is operated by the individual, that is the subject of a council agenda item.
- "Benefiting" Shall include but not be limited to any contract, bid award, franchise, permit, zoning or rezoning, and other award that council will vote on.

Instructions: Please read and complete this form carefully. If you have made campaign contributions or donations to any current City Council member(s) totaling an aggregate of \$500 or more during their campaign(s) or term(s) of City office, you are required to disclose the information as specified below. If you have not made such contributions or donations past the limit specified in the ordinance, you are required to affirm your compliance with the municipal code. Please submit this completed form along with your application or proposal to the relevant city department. Failure to disclose campaign contributions or donations as required by the ordinance may result in a violation of the City's Ethics Code requirements, and sanctions under the Ethics Code 2.92.

Contributor / Donor Information:

Full Name	<u>Tara Hamm</u>
Business Name	<u>Gannett Media Corp dba Gannett Texas/New Mexico LocalIQ</u>
Agenda Item Type	<u>2025-0092 Newspaper Legal Notices</u>
Relevant Department	<u>Purchasing & Strategic Sourcing</u>

Disclosure Affirmation: Please check the appropriate box below to indicate whether you have made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office specified in Section 2.92.080 of the El Paso Municipal Code.

I have **NOT** made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office, as specified in Section 2.92.080 of the El Paso Municipal Code.

OR

I have made campaign contributions or donations totaling an aggregate of \$500 or more to the following City Council member(s) during their campaign(s) or term(s) of City office:

OFFICE	CURRENT COUNCIL MEMBER NAME	AMOUNT (\$)
Mayor		
District 1		
District 2		
District 3		
District 4		
District 5		
District 6		
District 7		
District 8		

Declaration: I hereby affirm that the information provided in this disclosure form is true and accurate to the best of my knowledge. I understand that this disclosure is required by Title 2, Chapter 2.92 of the El Paso Municipal Code and is subject to verification by the city authorities. Further, **I understand that upon submission of this form, I must disclose any subsequent contributions or donations prior to the relevant council meeting date.**

Signature: Tara Hamm Digitally signed by Tara Hamm Date: 2024.09.17 08:10:14 -05'00' Date: 9/17/24



Legislation Text

File #: 24-1336, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

District 4

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

The linkage to the Strategic Plan is subsection: 7.2 Improve competitiveness through infrastructure improvements impacting the quality of life.

Award Summary:

Discussion and action on the award of Solicitation 2024-0341 Sean Haggerty Drive Extension and Bridge Construction to Jordan Foster Construction, LLC for a total estimated amount of \$26,003,480.41. The project will consist of construction of a new 4-lane bridge, roadway approaches, pedestrian/bicycle accommodations, aesthetic lighting, illumination, a canopy bridge structure and drainage structures.

Department: Capital Improvement

Award to: Jordan Foster Construction, LLC

City & State: El Paso, TX

Items: Base Bid I, Base Bid II, Additive Alternate 1, and Additive Alternate 2

Contract Term: 348 Working Days

Base Bid I: \$20,664,033.26

Base Bid II: \$3,419,470.32

Additive Alternate 1: \$1,242,600.00

Additive Alternate 2: \$677,376.83

Total Estimated Award: \$26,003,480.41

Accounts: 190-4743-38290-580270-PCP21TRAN04

190-4930-99999-580270-PCP21TRAN04

190-4970-38230-580270-PCP21TRAN04

190-4950-38170-580270-PCP21TRAN04

Funding Sources: 2018 Certificates of Obligations

El Paso Water Utilities

Capital Projects - Texas Department of Transportation

District: 4

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Jordan Foster Construction, LLC the lowest responsive and responsible bidder.

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

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

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

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024

PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:

Yvette Hernandez, City Engineer, (915) 212-1860

Joaquin Rodriguez, CID Grant Funded Programs Director (915) 268-5148

K. Nicole Cote, Managing Director (915) 212-1092

DISTRICT(S) AFFECTED: 4

STRATEGIC GOAL: No. 7: Enhance and Sustain El Paso's Infrastructure Network

SUBGOAL: 7.2 Improve competitiveness through infrastructure improvements impacting the quality of life

SUBJECT:

Discussion and action on the award of solicitation 2024-0341 Sean Haggerty Drive Extension and Bridge Construction to Jordan Foster Construction, LLC for a total estimated amount of \$26,003,480.41.

BACKGROUND / DISCUSSION:

The project will consist of construction of a new 4-lane bridge, roadway approaches, pedestrian/bicycle accommodations, aesthetic lighting, illumination, a canopy bridge structure and drainage structures.

SELECTION SUMMARY:

Solicitation was advertised on May 28, 2024, June 4, 2024, and June 11, 2024. The solicitation was posted on City website on May 28, 2024. There were a total thirty-five (35) viewers online; three (3) bids were received; all from local suppliers.

CONTRACT VARIANCE:

N/A

PROTEST

No protest received for this requirement.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$26,003,480.41

Funding Source: 2018 Certificates of Obligations

El Paso Water Utilities

Capital Projects - Texas Department of Transportation

Account: 190-4743-38290-580270-PCP21TRAN04

190-4930-99999-580270-PCP21TRAN04

190-4970-38230-580270-PCP21TRAN04

190-4950-38170-580270-PCP21TRAN04

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Capital Improvement

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

Yvette Hernandez

Yvette Hernandez, City Engineer

Project Form
Low Bid

*****Posting Language Below *****
Please place the following item on the Regular Agenda for the City Council of October 8, 2024

Strategic Goal 7 - Enhance and Sustain El Paso's Infrastructure Network

The linkage to the Strategic Plan is subsection: 7.2 Improve competitiveness through infrastructure improvements impacting the quality of life

Award Summary:

Discussion and action on the award of solicitation 2024-0341 Sean Haggerty Drive Extension and Bridge Construction to Jordan Foster Construction, LLC for a total estimated amount of \$26,003,480.41. The project will consist of construction of a new 4-lane bridge, roadway approaches, pedestrian/bicycle accommodations, aesthetic lighting, illumination, a canopy bridge structure and drainage structures.

Department:	Capital Improvement
Award to:	Jordan Foster Construction, LLC
City & State:	El Paso, TX
Items:	Base Bid I, Base Bid II, Additive Alternate 1, and Additive Alternate 2
Contract Term:	348 Working Days
Base Bid I:	\$20,664,033.26
Base Bid II:	\$3,419,470.32
Additive Alternate 1:	\$1,242,600.00
Additive Alternate 2:	\$677,376.83
Total Estimated Award:	\$26,003,480.41
Accounts:	190-4743-38290-580270-PCP21TRAN04 190-4930-99999-580270-PCP21TRAN04 190-4970-38230-580270-PCP21TRAN04 190-4950-38170-580270-PCP21TRAN04
Funding Sources:	2018 Certificates of Obligations El Paso Water Utilities Capital Projects - Texas Department of Transportation
District:	4

This was a Low Bid Procurement – unit price contract

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Jordan Foster Construction, LLC the lowest responsive and responsible bidder.

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

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

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

**2024-0341 Sean Haggerty Drive Extension and Bridge Construction TxDOt CSJ 0924-06611
Bid Tab Summary**

	Bidder's Name	Base Bid I	Base Bid II	Sum Total Base Bid I and II	Additive Alternate 1	Additive Alternate 2	Sum Total Base Bid I, Base Bid II, Additive Alternate 1 and Additive Alternate 2
1	Jordan Foster Construction, LLC	\$ 20,664,033.26	\$ 3,419,470.32	\$ 24,083,503.58	\$ 1,242,600.00	\$ 677,376.83	\$ 26,003,480.41
2	Dan Williams Company	\$ 21,081,792.52	\$ 4,143,325.00	\$ 25,225,117.52	\$ 2,223,000.00	\$ 677,524.75	\$ 28,125,642.27
3	International Eagle Enterprise	\$ 21,239,522.46	\$ 4,474,325.00	\$ 25,713,847.46	\$ 2,242,000.00	\$ 746,080.75	\$ 28,701,928.21



CITY OF EL PASO PRICE TABULATION



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDOT CSJ 0924-06611 **BID NUMBER:** 2024-0341
BID DATE: June 26, 2024 **Department:** Capital Improvement

						Dan Williams Company El Paso, TX Bidder 1 of 3	International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3		
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total
	Item No.	S.P. No									
Base Bid 1: BRIDGE, ROADWAY, TRAFFIC SIGNALS, ILLUMINATION, AND DRAINAGE ITEMS - TxDOT CSJ 0924-06-611											
1	100	6002	PREPARING ROW	STA	34.60	\$ 3,000.00	\$ 103,800.00	\$ 400.00	\$ 13,840.00	\$ 14,953.05	\$ 517,375.53
2	104	6001	REMOVING CONC (PAV)	SY	202.00	\$ 40.00	\$ 8,080.00	\$ 50.00	\$ 10,100.00	\$ 32.13	\$ 6,490.26
3	104	6017	REMOVING CONC (DRIVEWAYS)	SY	43.00	\$ 25.00	\$ 1,075.00	\$ 40.00	\$ 1,720.00	\$ 24.20	\$ 1,040.60
4	104	6029	REMOVING CONC (CURB OR CURB & GUTTER)	LF	3,612.00	\$ 4.00	\$ 14,448.00	\$ 8.00	\$ 28,896.00	\$ 6.58	\$ 23,766.96
5	104	6036	REMOVING CONC (SIDEWALK OR RAMP)	SY	707.00	\$ 17.00	\$ 12,019.00	\$ 30.00	\$ 21,210.00	\$ 18.65	\$ 13,185.55
6	105	6008	REMOVING STAB BASE AND ASPH PAV (6")	SY	1,206.00	\$ 8.00	\$ 9,648.00	\$ 4.00	\$ 4,824.00	\$ 8.08	\$ 9,744.48
7	105	6041	REMOVING STAB BASE AND ASPH PAV(8")	SY	6,182.00	\$ 3.00	\$ 18,546.00	\$ 4.60	\$ 28,437.20	\$ 5.79	\$ 35,793.78
8	110	6001	EXCAVATION (ROADWAY)	CY	2,587.00	\$ 15.50	\$ 40,098.50	\$ 18.00	\$ 46,566.00	\$ 19.73	\$ 51,041.51
9	110	6003	EXCAVATION (SPECIAL)	CY	8,067.00	\$ 19.00	\$ 153,273.00	\$ 16.00	\$ 129,072.00	\$ 17.19	\$ 138,671.73
10	132	6002	EMBANKMENT (FINAL)(DENS CONT)(TY A)	CY	6,159.00	\$ 11.50	\$ 70,828.50	\$ 18.00	\$ 110,862.00	\$ 22.46	\$ 138,331.14
11	276	6189	CEM TRT(PLNT MX) (CL M)(TYA)(GR1-2)(6")	SY	13,331.00	\$ 25.00	\$ 333,275.00	\$ 30.00	\$ 399,930.00	\$ 23.33	\$ 311,012.23
12	310	6001	PRIME COAT (MULTI OPTION)	GAL	2,672.00	\$ 6.00	\$ 16,032.00	\$ 8.00	\$ 21,376.00	\$ 7.66	\$ 20,467.52
13	400	6002	STRUCT EXCAV (BOX)	CY	80.00	\$ 1.00	\$ 80.00	\$ 80.00	\$ 6,400.00	\$ 74.94	\$ 5,995.20
14	400	6003	STRUCT EXCAV (PIPE)	CY	4,175.00	\$ 1.00	\$ 4,175.00	\$ 10.00	\$ 41,750.00	\$ 10.05	\$ 41,958.75
15	400	6005	CEM STABIL BKFL	CY	216.00	\$ 220.00	\$ 47,520.00	\$ 164.00	\$ 35,424.00	\$ 165.34	\$ 35,713.44
16	400	6008	CUT & RESTORE ASPH PAVING	SY	482.00	\$ 120.00	\$ 57,840.00	\$ 70.00	\$ 33,740.00	\$ 53.97	\$ 26,013.54
17	401	6001	FLOWABLE BACKFILL	CY	2,407.00	\$ 220.00	\$ 529,540.00	\$ 165.00	\$ 397,155.00	\$ 205.51	\$ 494,662.57
18	402	6001	TRENCH EXCAVATION PROTECTION	LF	1,268.00	\$ 6.50	\$ 8,242.00	\$ 8.00	\$ 10,144.00	\$ 5.81	\$ 7,367.08
19	416	6004	DRILL SHAFT (36 IN)	LF	3,916.00	\$ 325.00	\$ 1,272,700.00	\$ 385.00	\$ 1,507,660.00	\$ 307.61	\$ 1,204,600.76



**CITY OF EL PASO
PRICE TABULATION**



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDOT CSJ 0924-06611

BID NUMBER: 2024-0341

BID DATE: June 26, 2024

Department: Capital Improvement

						Dan Williams Company El Paso, TX Bidder 1 of 3		International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3	
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total
	Item No.	S.P. No									
20	416	6029	DRILL SHAFT (RDWY ILL POLE) (30 IN)	LF	88.00	\$ 385.00	\$ 33,880.00	\$ 425.00	\$ 37,400.00	\$ 384.33	\$ 33,821.04
21	416	6031	DRILL SHAFT (TRF SIG POLE) (30 IN)	LF	12.00	\$ 400.00	\$ 4,800.00	\$ 450.00	\$ 5,400.00	\$ 400.00	\$ 4,800.00
22	416	6032	DRILL SHAFT (TRF SIG POLE) (36 IN)	LF	28.00	\$ 450.00	\$ 12,600.00	\$ 500.00	\$ 14,000.00	\$ 450.00	\$ 12,600.00
23	420	6009	CL A CONC (COLLAR)	EA	39.00	\$ 800.00	\$ 31,200.00	\$ 720.00	\$ 28,080.00	\$ 2,412.08	\$ 94,071.12
24	420	6014	CL C CONC (ABUT)(HPC)	CY	94.60	\$ 950.00	\$ 89,870.00	\$ 900.00	\$ 85,140.00	\$ 1,543.38	\$ 146,003.75
25	420	6026	CL C CONC (BENT)(HPC)	CY	563.40	\$ 1,325.00	\$ 746,505.00	\$ 1,500.00	\$ 845,100.00	\$ 1,155.55	\$ 651,036.87
26	420	6038	CL C CONC (COLUMN)(HPC)	CY	328.90	\$ 1,000.00	\$ 328,900.00	\$ 1,400.00	\$ 460,460.00	\$ 1,503.77	\$ 494,589.95
27	422	6002	REINF CONC SLAB (HPC)	SF	149,132.00	\$ 25.50	\$ 3,802,866.00	\$ 22.00	\$ 3,280,904.00	\$ 21.48	\$ 3,203,355.36
28	422	6015	APPROACH SLAB	CY	237.00	\$ 615.00	\$ 145,755.00	\$ 600.00	\$ 142,200.00	\$ 463.46	\$ 109,840.02
29	423	6001	RETAINING WALL (MSE)	SF	4,796.50	\$ 90.00	\$ 431,685.00	\$ 56.00	\$ 268,604.00	\$ 81.52	\$ 391,010.68
30	425	6035	PRESTR CONC GIRDER (TX28)	LF	2,100.93	\$ 225.00	\$ 472,709.25	\$ 290.00	\$ 609,269.70	\$ 236.08	\$ 495,987.55
31	425	6039	PRESTR CONC GIRDER (TX54)	LF	18,178.96	\$ 235.00	\$ 4,272,055.60	\$ 235.00	\$ 4,272,055.60	\$ 237.59	\$ 4,319,139.11
32	427	6002	CONCRETE PAINT FINISH	SF	145,452.83	\$ 1.40	\$ 203,633.96	\$ 2.00	\$ 290,905.66	0.43	\$ 62,544.72
33	432	6003	RIPRAP (CONC)(6 IN)	CY	817.00	\$ 625.00	\$ 510,625.00	\$ 380.00	\$ 310,460.00	\$ 508.95	\$ 415,812.15
34	432	6008	RIPRAP (CONC)(CL B)(RR8&RR9)	CY	136.00	\$ 400.00	\$ 54,400.00	\$ 380.00	\$ 51,680.00	\$ 514.13	\$ 69,921.68
35	432	6033	RIPRAP (STONE PROTECTION)(18 IN)	CY	18.00	\$ 450.00	\$ 8,100.00	\$ 200.00	\$ 3,600.00	\$ 144.21	\$ 2,595.78
36	432	6045	RIPRAP (MOW STRIP)(4 IN)	CY	13.32	\$ 500.00	\$ 6,660.00	\$ 600.00	\$ 7,992.00	\$ 571.64	\$ 7,614.24
37	450	6052	RAIL (HANDRAIL)(TY F)	LF	751.00	\$ 200.00	\$ 150,200.00	\$ 155.00	\$ 116,405.00	\$ 232.42	\$ 174,547.42
38	450	6066	RAIL (TY C411) (MOD)	LF	6,530.00	\$ 165.00	\$ 1,077,450.00	\$ 380.00	\$ 2,481,400.00	\$ 178.01	\$ 1,162,405.30
39	454	6018	SEALED EXPANSION JOINT (4 IN) (SEJ - M)	LF	191.00	\$ 260.00	\$ 49,660.00	\$ 460.00	\$ 87,860.00	\$ 290.99	\$ 55,579.09
40	454	6019	SEALED EXPANSION JOINT (5 IN) (SEJ - M)	LF	381.00	\$ 260.00	\$ 99,060.00	\$ 500.00	\$ 190,500.00	\$ 300.68	\$ 114,559.08



**CITY OF EL PASO
PRICE TABULATION**



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDot CSJ 0924-06611 **BID NUMBER: 2024-0341**

BID DATE: June 26, 2024 **Department: Capital Improvement**

						Dan Williams Company El Paso, TX Bidder 1 of 3		International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3	
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total
	Item No.	S.P. No.									
41	462	6010	CONC BOX CULV (6 FT X 3 FT)	LF	540.00	\$ 500.00	\$ 270,000.00	\$ 450.00	\$ 243,000.00	\$ 608.37	\$ 328,519.80
42	464	6003	RC PIPE (CL III)(18 IN)	LF	569.00	\$ 90.00	\$ 51,210.00	\$ 70.00	\$ 39,830.00	\$ 96.17	\$ 54,720.73
43	464	6005	RC PIPE (CL III)(24 IN)	LF	535.00	\$ 110.00	\$ 58,850.00	\$ 90.00	\$ 48,150.00	\$ 114.69	\$ 61,359.15
44	464	6009	RC PIPE (CL III)(42 IN)	LF	370.00	\$ 230.00	\$ 85,100.00	\$ 225.00	\$ 83,250.00	\$ 263.61	\$ 97,535.70
45	464	6021	RC PIPE (CL IV)(42 IN)	LF	632.00	\$ 260.00	\$ 164,320.00	\$ 250.00	\$ 158,000.00	\$ 288.09	\$ 182,072.88
46	465	6003	MANH (COMPL)(PRM)(60IN)	EA	1.00	\$ 7,500.00	\$ 7,500.00	\$ 7,000.00	\$ 7,000.00	\$ 8,517.21	\$ 8,517.21
47	465	6014	INLET (COMPL)(PCO)(3FT)(LEFT)	EA	2.00	\$ 7,000.00	\$ 14,000.00	\$ 5,500.00	\$ 11,000.00	\$ 7,923.67	\$ 15,847.34
48	465	6015	INLET (COMPL)(PCO)(3FT)(RIGHT)	EA	3.00	\$ 7,000.00	\$ 21,000.00	\$ 5,500.00	\$ 16,500.00	\$ 7,730.86	\$ 23,192.58
49	465	6071	INLET (COMPL)(PSL)(RC)(4FTX4FT)	EA	3.00	\$ 6,000.00	\$ 18,000.00	\$ 5,000.00	\$ 15,000.00	\$ 7,275.43	\$ 21,826.29
50	465	6074	INLET (COMPL)(PSL)(RC)(5FTX5FT)	EA	4.00	\$ 6,500.00	\$ 26,000.00	\$ 5,500.00	\$ 22,000.00	\$ 7,728.43	\$ 30,913.72
51	465	6147	INLET(COMPL)(PSL)(SFG)(4FTX4FT-4FTX4FT)	EA	3.00	\$ 6,000.00	\$ 18,000.00	\$ 4,800.00	\$ 14,400.00	\$ 7,635.50	\$ 22,906.50
52	465	6162	INLET(COMPL)(PAZD)(FG)(5FTX5FT-4FTX4FT)	EA	3.00	\$ 7,500.00	\$ 22,500.00	\$ 6,500.00	\$ 19,500.00	\$ 8,865.66	\$ 26,596.98
53	465	6256	INLET(COMPL)(CURB)(SPL)	EA	1.00	\$ 35,000.00	\$ 35,000.00	\$ 38,000.00	\$ 38,000.00	\$ 38,203.06	\$ 38,203.06
54	466	6181	WINGWALL (PW - 1) (HW=6 FT)	EA	1.00	\$ 40,000.00	\$ 40,000.00	\$ 26,000.00	\$ 26,000.00	\$ 45,530.49	\$ 45,530.49
55	467	6388	SET (TY II) (24 IN) (RCP) (3: 1) (C)	EA	1.00	\$ 1,900.00	\$ 1,900.00	\$ 4,000.00	\$ 4,000.00	\$ 2,684.00	\$ 2,684.00
56	467	6394	SET (TY II) (24 IN) (RCP) (6: 1) (C)	EA	1.00	\$ 1,900.00	\$ 1,900.00	\$ 4,000.00	\$ 4,000.00	\$ 2,489.13	\$ 2,489.13
57	471	6007	GRATE AND FRAME (BRIDGE DRAIN)	EA	23.00	\$ 4,500.00	\$ 103,500.00	\$ 5,500.00	\$ 126,500.00	\$ 5,712.35	\$ 131,384.05
58	479	6001	ADJUSTING MANHOLES	EA	21.00	\$ 2,500.00	\$ 52,500.00	\$ 1,000.00	\$ 21,000.00	\$ 910.22	\$ 19,114.62
59	479	6006	ADJUSTING INLET (CAP)	EA	1.00	\$ 2,200.00	\$ 2,200.00	\$ 1,200.00	\$ 1,200.00	\$ 2,305.34	\$ 2,305.34
60	480	6001	CLEAN EXIST CULVERTS	EA	1.00	\$ 8,000.00	\$ 8,000.00	\$ 10,000.00	\$ 10,000.00	\$ 5,860.31	\$ 5,860.31



**CITY OF EL PASO
PRICE TABULATION**



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDOT CSJ 0924-06611 **BID NUMBER:** 2024-0341
BID DATE: June 26, 2024 **Department:** Capital Improvement

						Dan Williams Company El Paso, TX Bidder 1 of 3		International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3	
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total
	Item No.	S.P. No.									
61	481	6014	PIPE (PVC) (SCH 40) (8 IN)	LF	275.00	\$ 350.00	\$ 96,250.00	\$ 110.00	\$ 30,250.00	\$ 338.01	\$ 92,952.75
62	496	6002	REMOV STR (INLET)	EA	1.00	\$ 1,500.00	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00	\$ 3,018.62	\$ 3,018.62
63	496	6005	REMOV STR (WINGWALL)	EA	3.00	\$ 1,800.00	\$ 5,400.00	\$ 1,500.00	\$ 4,500.00	\$ 1,977.57	\$ 5,932.71
64	496	6007	REMOV STR (PIPE)	LF	274.00	\$ 25.00	\$ 6,850.00	\$ 18.00	\$ 4,932.00	\$ 38.18	\$ 10,461.32
65	496	6023	REMOVE STR (JUNCTION BOX)	EA	1.00	\$ 1,500.00	\$ 1,500.00	\$ 800.00	\$ 800.00	\$ 2,099.55	\$ 2,099.55
66	496	6032	REMOV STR (ROCKWALL)	EA	1.00	\$ 1,500.00	\$ 1,500.00	\$ 800.00	\$ 800.00	\$ 982.61	\$ 982.61
67	496	6072	REMOVING ROCK RIPRAP	LF	87.00	\$ 16.00	\$ 1,392.00	\$ 15.00	\$ 1,305.00	\$ 24.20	\$ 2,105.40
68	496	6099	REMOVE STR (RAIL)	LF	60.00	\$ 13.00	\$ 780.00	\$ 4.00	\$ 240.00	\$ 24.69	\$ 1,481.40
69	500	6001	MOBILIZATION	LS	1.00	\$ 2,265,000.00	\$ 2,265,000.00	\$ 1,400,000.00	\$ 1,400,000.00	\$ 2,000,000.00	\$ 2,000,000.00
70	502	6001	BARRICADES, SIGNS AND TRAFFIC HANDLING	MO	17.00	\$ 10,000.00	\$ 170,000.00	\$ 8,000.00	\$ 136,000.00	\$ 6,169.58	\$ 104,882.86
71	506	6003	ROCK FILTER DAMS (INSTALL) (TY 3)	LF	75.00	\$ 85.00	\$ 6,375.00	\$ 15.00	\$ 1,125.00	\$ 95.71	\$ 7,178.25
72	506	6011	ROCK FILTER DAMS (REMOVE)	LF	75.00	\$ 30.00	\$ 2,250.00	\$ 10.00	\$ 750.00	\$ 11.84	\$ 888.00
73	506	6020	CONSTRUCTION EXITS (INSTALL) (TY 1)	SY	357.00	\$ 32.00	\$ 11,424.00	\$ 30.00	\$ 10,710.00	\$ 24.70	\$ 8,817.90
74	506	6024	CONSTRUCTION EXITS (REMOVE)	SY	357.00	\$ 10.25	\$ 3,659.25	\$ 15.00	\$ 5,355.00	\$ 7.07	\$ 2,523.99
75	506	6038	TEMP SEDMT CONT FENCE (INSTALL)	LF	3,589.00	\$ 4.30	\$ 15,432.70	\$ 5.00	\$ 17,945.00	\$ 3.52	\$ 12,633.28
76	506	6039	TEMP SEDMT CONT FENCE (REMOVE)	LF	3,589.00	\$ 1.45	\$ 5,204.05	\$ 1.00	\$ 3,589.00	\$ 1.94	\$ 6,962.66
77	506	6042	BIODEG EROSN CONT LOGS (INSTL) (18")	LF	325.00	\$ 12.75	\$ 4,143.75	\$ 10.00	\$ 3,250.00	\$ 13.15	\$ 4,273.75
78	506	6043	BIODEG EROSN CONT LOGS (REMOVE)	LF	325.00	\$ 4.20	\$ 1,365.00	\$ 1.00	\$ 325.00	\$ 5.90	\$ 1,917.50
79	508	6001	CONSTRUCTING DETOURS	SY	134.00	\$ 60.00	\$ 8,040.00	\$ 200.00	\$ 26,800.00	\$ 26.58	\$ 3,561.72
80	512	6001	PORT CTB (FUR & INST)(SGL SLOPE)(TY 1)	LF	180.00	\$ 110.00	\$ 19,800.00	\$ 105.00	\$ 18,900.00	\$ 120.05	\$ 21,609.00



CITY OF EL PASO PRICE TABULATION



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDOT CSJ 0924-06611

BID NUMBER: 2024-0341

BID DATE: June 26, 2024

Department: Capital Improvement

						Dan Williams Company El Paso, TX Bidder 1 of 3		International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3	
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total
	Item No.	S.P. No									
81	512	6009	PORT CTB (FUR & INST)(LOW PROF)(TY 1)	LF	1,045.00	\$ 95.00	\$ 99,275.00	\$ 90.00	\$ 94,050.00	\$ 119.79	\$ 125,180.55
82	512	6010	PORT CTB (FUR & INST)(LOW PROF)(TY 2)	LF	80.00	\$ 95.00	\$ 7,600.00	\$ 90.00	\$ 7,200.00	\$ 119.79	\$ 9,583.20
83	512	6025	PORT CTB (MOVE)(SGL SLP)(TY 1)	LF	120.00	\$ 11.00	\$ 1,320.00	\$ 11.00	\$ 1,320.00	\$ 4.00	\$ 480.00
84	512	6033	PORT CTB (MOVE)(LOW PROF)(TY 1)	LF	820.00	\$ 4.50	\$ 3,690.00	\$ 8.00	\$ 6,560.00	\$ 7.39	\$ 6,059.80
85	512	6034	PORT CTB (MOVE)(LOW PROF)(TY 2)	LF	80.00	\$ 4.50	\$ 360.00	\$ 8.00	\$ 640.00	\$ 7.40	\$ 592.00
86	512	6037	PORT CTB (STKPL)(SGL SLP)(TY 1)	LF	180.00	\$ 22.00	\$ 3,960.00	\$ 50.00	\$ 9,000.00	\$ 4.84	\$ 871.20
87	512	6045	PORT CTB (STKPL)(LOW PROF)(TY 1)	LF	1,045.00	\$ 10.00	\$ 10,450.00	\$ 15.00	\$ 15,675.00	\$ 10.63	\$ 11,108.35
88	512	6046	PORT CTB (STKPL)(LOW PROF)(TY 2)	LF	80.00	\$ 17.00	\$ 1,360.00	\$ 15.00	\$ 1,200.00	\$ 10.63	\$ 850.40
89	514	6001	PERM CTB (SGL SLOPE) (TY 1) (42)	LF	1,621.00	\$ 95.00	\$ 153,995.00	\$ 85.00	\$ 137,785.00	\$ 77.44	\$ 125,530.24
90	529	6002	CONC CURB (TY II)	LF	88.00	\$ 45.00	\$ 3,960.00	\$ 15.00	\$ 1,320.00	\$ 36.73	\$ 3,232.24
91	529	6008	CONC CURB & GUTTER (TY II)	LF	6,408.00	\$ 20.00	\$ 128,160.00	\$ 20.00	\$ 128,160.00	\$ 21.83	\$ 139,886.64
92	530	6004	DRIVEWAYS (CONC)	SY	461.00	\$ 95.00	\$ 43,795.00	\$ 70.00	\$ 32,270.00	\$ 70.23	\$ 32,376.03
93	531	6002	CONC SIDEWALKS (5")	SY	1,249.00	\$ 75.00	\$ 93,675.00	\$ 40.00	\$ 49,960.00	\$ 56.29	\$ 70,306.21
94	531	6004	CURB RAMPS (TY 1)	EA	2.00	\$ 1,700.00	\$ 3,400.00	\$ 1,200.00	\$ 2,400.00	\$ 1,610.96	\$ 3,221.92
95	531	6005	CURB RAMPS (TY 2)	EA	1.00	\$ 1,850.00	\$ 1,850.00	\$ 1,200.00	\$ 1,200.00	\$ 1,860.48	\$ 1,860.48
96	531	6006	CURB RAMPS (TY 3)	EA	2.00	\$ 2,500.00	\$ 5,000.00	\$ 1,200.00	\$ 2,400.00	\$ 1,947.59	\$ 3,895.18
97	531	6010	CURB RAMPS (TY 7)	EA	13.00	\$ 1,700.00	\$ 22,100.00	\$ 1,200.00	\$ 15,600.00	\$ 1,573.65	\$ 20,457.45
98	531	6030	CURB RAMPS (TY 21)	SY	1.00	\$ 2,000.00	\$ 2,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,978.44	\$ 1,978.44
99	531	6052	CONCRETE SIDEWALK WITH WALL	CY	147.00	\$ 625.00	\$ 91,875.00	\$ 600.00	\$ 88,200.00	\$ 586.24	\$ 86,177.28
100	542	6001	REMOVE METAL BEAM GUARD FENCE	LF	808.00	\$ 5.50	\$ 4,444.00	\$ 4.00	\$ 3,232.00	\$ 4.00	\$ 3,232.00



CITY OF EL PASO PRICE TABULATION



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDOt CSJ 0924-06611 **BID NUMBER:** 2024-0341

BID DATE: June 26, 2024 **Department:** Capital Improvement

						Dan Williams Company El Paso, TX Bidder 1 of 3		International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3	
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total
	Item No.	S.P. No									
101	545	6003	CRASH CUSH ATTEN (MOVE & RESET)	EA	2.00	\$ 800.00	\$ 1,600.00	\$ 800.00	\$ 1,600.00	\$ 1,985.00	\$ 3,970.00
102	545	6005	CRASH CUSH ATTEN (REMOVE)	EA	2.00	\$ 800.00	\$ 1,600.00	\$ 800.00	\$ 1,600.00	\$ 1,985.00	\$ 3,970.00
103	545	6006	CRASH CUSH ATTEN (INSTL)(L)(N)(TL2)	EA	2.00	\$ 35,000.00	\$ 70,000.00	\$ 15,000.00	\$ 30,000.00	\$ 16,600.00	\$ 33,200.00
104	545	6012	CRASH CUSH ATTEN (INSTL)(R)(N)(TL2)	EA	2.00	\$ 16,500.00	\$ 33,000.00	\$ 15,000.00	\$ 30,000.00	\$ 35,100.00	\$ 70,200.00
105	550	6003	CHAIN LINK FENCE (REMOVE)	LF	251.00	\$ 6.00	\$ 1,506.00	\$ 2.00	\$ 502.00	\$ 7.40	\$ 1,857.40
106	550	6006	GATE (REMOVE)	EA	4.00	\$ 750.00	\$ 3,000.00	\$ 500.00	\$ 2,000.00	\$ 277.49	\$ 1,109.96
107	552	6009	GATE (SPECIAL)	EA	2.00	\$ 6,000.00	\$ 12,000.00	\$ 6,000.00	\$ 12,000.00	\$ 7,200.00	\$ 14,400.00
108	610	6004	RELOCATE RD IL ASM (TRANS-BASE)	EA	2.00	\$ 3,335.00	\$ 6,670.00	\$ 3,670.00	\$ 7,340.00	\$ 3,335.00	\$ 6,670.00
109	610	6214	IN RD IL (TY SA) 40T-8 (250W EQ) LED	EA	1.00	\$ 5,585.00	\$ 5,585.00	\$ 6,140.00	\$ 6,140.00	\$ 5,580.44	\$ 5,580.44
110	618	6023	CONDT (PVC) (SCH 40) (2")	LF	1,410.00	\$ 19.50	\$ 27,495.00	\$ 21.50	\$ 30,315.00	\$ 19.50	\$ 27,495.00
111	618	6025	CONDT (PVC) (SCH 40) (2") (CONC ENCSE)	LF	1,700.00	\$ 33.00	\$ 56,100.00	\$ 36.50	\$ 62,050.00	\$ 32.89	\$ 55,913.00
112	618	6047	CONDT (PVC) (SCH 80) (2") (BORE)	LF	1,015.00	\$ 34.50	\$ 35,017.50	\$ 37.50	\$ 38,062.50	\$ 34.23	\$ 34,743.45
113	618	6054	CONDT (PVC) (SCH 80) (3") (BORE)	LF	320.00	\$ 40.35	\$ 12,912.00	\$ 45.00	\$ 14,400.00	\$ 40.35	\$ 12,912.00
114	618	6062	CONDT (RM) (3/4")	LF	75.00	\$ 32.15	\$ 2,411.25	\$ 35.50	\$ 2,662.50	\$ 32.13	\$ 2,409.75
115	620	6008	ELEC CONDR (NO.8) INSULATED	LF	10,925.00	\$ 2.50	\$ 27,312.50	\$ 2.75	\$ 30,043.75	\$ 2.50	\$ 27,312.50
116	620	6012	ELEC CONDR (NO.4) INSULATED	LF	900.00	\$ 3.90	\$ 3,510.00	\$ 4.50	\$ 4,050.00	\$ 3.90	\$ 3,510.00
117	624	6002	GROUND BOX TY A (122311)W/APRON	EA	10.00	\$ 1,585.00	\$ 15,850.00	\$ 1,740.00	\$ 17,400.00	\$ 1,580.19	\$ 15,801.90
118	628	6041	ELC SRV TY D 240/480 060(NS)SS(E)GC(O)	EA	1.00	\$ 10,700.00	\$ 10,700.00	\$ 11,800.00	\$ 11,800.00	\$ 10,692.00	\$ 10,692.00
119	644	6001	IN SM RD SN SUP&AM TY10BWG(1)SA(P)	EA	21.00	\$ 855.00	\$ 17,955.00	\$ 1,000.00	\$ 21,000.00	\$ 855.00	\$ 17,955.00
120	644	6076	REMOVE SM RD SN SUP&AM	EA	10.00	\$ 450.00	\$ 4,500.00	\$ 400.00	\$ 4,000.00	\$ 450.00	\$ 4,500.00



**CITY OF EL PASO
PRICE TABULATION**



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDot CSJ 0924-06611 **BID NUMBER:** 2024-0341
BID DATE: June 26, 2024 **Department:** Capital Improvement

						Dan Williams Company El Paso, TX Bidder 1 of 3		International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3	
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total
	Item No.	S.P. No									
121	662	6065	WK ZN PAV MRK REMOV (W)6"(DOT)	LF	164.00	\$ 3.00	\$ 492.00	\$ 5.40	\$ 885.60	\$ 1.05	\$ 172.20
122	662	6067	WK ZN PAV MRK REMOV (W)6"(SLD)	LF	4,058.00	\$ 2.50	\$ 10,145.00	\$ 4.50	\$ 18,261.00	\$ 1.02	\$ 4,139.16
123	662	6071	WK ZN PAV MRK REMOV (W)8"(SLD)	LF	462.00	\$ 3.75	\$ 1,732.50	\$ 6.75	\$ 3,118.50	\$ 2.16	\$ 997.92
124	662	6073	WK ZN PAV MRK REMOV (W)12"(SLD)	LF	0.00	\$ 6.25	\$ -	\$ 11.25	\$ -	\$ 1.00	\$ -
125	662	6075	WK ZN PAV MRK REMOV (W)24"(SLD)	LF	186.00	\$ 12.50	\$ 2,325.00	\$ 22.50	\$ 4,185.00	\$ 6.35	\$ 1,181.10
126	662	6080	WK ZN PAV MRK REMOV (W)(ARROW)	EA	4.00	\$ 265.00	\$ 1,060.00	\$ 477.00	\$ 1,908.00	\$ 163.55	\$ 654.20
127	662	6081	WK ZN PAV MRK REMOV (W)(DBL ARROW)	EA	4.00	\$ 270.00	\$ 1,080.00	\$ 486.00	\$ 1,944.00	\$ 176.63	\$ 706.52
128	662	6090	WK ZN PAV MRK REMOV (W)(WORD)	EA	2.00	\$ 385.00	\$ 770.00	\$ 693.00	\$ 1,386.00	\$ 270.83	\$ 541.66
129	662	6094	WK ZN PAV MRK REMOV (Y)4"(DOT)	LF	358.00	\$ 2.75	\$ 984.50	\$ 4.95	\$ 1,772.10	0.96	\$ 343.68
130	662	6098	WK ZN PAV MRK REMOV (Y)6"(SLD)	LF	8,411.00	\$ 2.54	\$ 21,363.94	\$ 4.57	\$ 38,438.27	\$ 1.03	\$ 8,663.33
131	666	6006	REFL PAV MRK TY I (W)4"(DOT)(100MIL)	LF	370.00	\$ 2.07	\$ 765.90	\$ 3.73	\$ 1,380.10	\$ 2.62	\$ 969.40
132	666	6030	REFL PAV MRK TY I (W)8"(DOT)(100MIL)	LF	33.00	\$ 3.65	\$ 120.45	\$ 6.57	\$ 216.81	\$ 3.21	\$ 105.93
133	666	6036	REFL PAV MRK TY I (W)8"(SLD)(100MIL)	LF	600.00	\$ 1.95	\$ 1,170.00	\$ 3.51	\$ 2,106.00	\$ 3.07	\$ 1,842.00
134	666	6048	REFL PAV MRK TY I (W)24"(SLD)(100MIL)	LF	987.00	\$ 8.66	\$ 8,547.42	\$ 15.59	\$ 15,387.33	\$ 7.20	\$ 7,106.40
135	666	6054	REFL PAV MRK TY I (W)(ARROW)(100MIL)	EA	8.00	\$ 150.00	\$ 1,200.00	\$ 270.00	\$ 2,160.00	\$ 228.96	\$ 1,831.68
136	666	6078	REFL PAV MRK TY I (W)(WORD)(100MIL)	EA	4.00	\$ 170.00	\$ 680.00	\$ 306.00	\$ 1,224.00	\$ 242.05	\$ 968.20
137	666	6105	REFL PAV MRK TY I (W)(BIKE ARW)(100MIL)	EA	12.00	\$ 136.00	\$ 1,632.00	\$ 244.80	\$ 2,937.60	\$ 215.88	\$ 2,590.56
138	666	6111	REFL PAV MRK TY I (W)(BIKE SYML)(100MIL)	EA	12.00	\$ 215.00	\$ 2,580.00	\$ 387.00	\$ 4,644.00	\$ 196.25	\$ 2,355.00
139	666	6132	REFL PAV MRK TY I (Y)6"(DOT)(100MIL)	LF	90.00	\$ 3.35	\$ 301.50	\$ 6.03	\$ 542.70	\$ 2.94	\$ 264.60
140	666	6167	REFL PAV MKR TY II (W) 4" (BRK)	LF	1,740.00	\$ 0.36	\$ 626.40	\$ 0.65	\$ 1,131.00	\$ 1.90	\$ 3,306.00



**CITY OF EL PASO
PRICE TABULATION**



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDot CSJ 0924-06611 **BID NUMBER:** 2024-0341

BID DATE: June 26, 2024 **Department:** Capital Improvement

						Dan Williams Company El Paso, TX Bidder 1 of 3		International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3	
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total
	Item No.	S.P. No									
141	666	6168	REFL PAV MRK TY II (W) 4" (DOT)	LF	370.00	\$ 0.57	\$ 210.90	\$ 1.03	\$ 381.10	\$ 1.90	\$ 703.00
142	666	6170	REFL PAV MRK TY II (W) 4" (SLD)	LF	6,954.00	\$ 0.30	\$ 2,086.20	\$ 0.54	\$ 3,755.16	\$ 0.85	\$ 5,910.90
143	666	6171	REFL PAV MRK TY II (W) 6" (BRK)	LF	150.00	\$ 0.52	\$ 78.00	\$ 0.94	\$ 141.00	\$ 2.03	\$ 304.50
144	666	6174	REFL PAV MRK TY II (W) 6" (SLD)	LF	6,785.00	\$ 0.45	\$ 3,053.25	\$ 0.81	\$ 5,495.85	\$ 0.98	\$ 6,649.30
145	666	6176	REFL PAV MRK TY II (W) 8" (DOT)	LF	33.00	\$ 1.15	\$ 37.95	\$ 2.05	\$ 67.65	\$ 2.81	\$ 92.73
146	666	6178	REFL PAV MRK TY II (W) 8" (SLD)	LF	600.00	\$ 0.65	\$ 390.00	\$ 1.10	\$ 660.00	\$ 2.62	\$ 1,572.00
147	666	6182	REFL PAV MRK TY II (W) 24" (SLD)	LF	987.00	\$ 5.00	\$ 4,935.00	\$ 8.98	\$ 8,863.26	\$ 4.25	\$ 4,194.75
148	666	6184	REFL PAV MRK TY II (W) (ARROW)	EA	8.00	\$ 98.00	\$ 784.00	\$ 176.40	\$ 1,411.20	\$ 163.55	\$ 1,308.40
149	666	6192	REFL PAV MRK TY II (W) (WORD)	EA	4.00	\$ 90.00	\$ 360.00	\$ 162.00	\$ 648.00	\$ 176.63	\$ 706.52
150	666	6200	REFL PAV MRK TY II (W) (BIKE ARROW)	EA	12.00	\$ 80.00	\$ 960.00	\$ 144.00	\$ 1,728.00	\$ 150.46	\$ 1,805.52
151	666	6202	REFL PAV MRK TY II (W) (BIKE SYMBOL)	EA	12.00	\$ 85.00	\$ 1,020.00	\$ 153.00	\$ 1,836.00	\$ 157.00	\$ 1,884.00
152	666	6207	REFL PAV MRK TY II (Y) 4" (SLD)	LF	4,075.00	\$ 0.40	\$ 1,630.00	\$ 0.65	\$ 2,648.75	\$ 0.79	\$ 3,219.25
153	666	6209	REFL PAV MRK TY II (Y) 6" (DOT)	LF	90.00	\$ 0.80	\$ 72.00	\$ 1.39	\$ 125.10	\$ 1.96	\$ 176.40
154	666	6210	REFL PAV MRK TY II (Y) 6" (SLD)	LF	1,360.00	\$ 0.45	\$ 612.00	\$ 0.81	\$ 1,101.60	\$ 0.98	\$ 1,332.80
155	666	6300	RE PM W/RET REQ TY I (W)4"(BRK)(100MIL)	LF	1,740.00	\$ 1.05	\$ 1,827.00	\$ 1.89	\$ 3,288.60	\$ 1.31	\$ 2,279.40
156	666	6303	RE PM W/RET REQ TY I (W)4"(SLD)(100MIL)	LF	6,954.00	\$ 0.80	\$ 5,563.20	\$ 1.44	\$ 10,013.76	\$ 1.24	\$ 8,622.96
157	666	6306	RE PM W/RET REQ TY I (W)6"(BRK)(100MIL)	LF	150.00	\$ 1.40	\$ 210.00	\$ 2.52	\$ 378.00	\$ 1.44	\$ 216.00
158	666	6315	RE PM W/RET REQ TY I (Y)4"(SLD)(100MIL)	LF	4,075.00	\$ 0.80	\$ 3,260.00	\$ 1.44	\$ 5,868.00	\$ 1.24	\$ 5,053.00
159	666	6321	RE PM W/RET REQ TY I (Y)6"(SLD)(100MIL)	LF	160.00	\$ 2.00	\$ 320.00	\$ 3.58	\$ 572.80	\$ 1.54	\$ 246.40
160	666	6343	REF PROF PAV MRK TY I(W)6"(SLD)(100MIL)	LF	6,785.00	\$ 1.35	\$ 9,159.75	\$ 2.39	\$ 16,216.15	\$ 2.42	\$ 16,419.70



CITY OF EL PASO PRICE TABULATION



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDOT CSJ 0924-06611

BID NUMBER: 2024-0341

BID DATE: June 26, 2024

Department: Capital Improvement

						Dan Williams Company El Paso, TX Bidder 1 of 3		International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3	
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total
	Item No.	S.P. No									
161	666	6347	REF PROF PAV MRK TY I(Y)6"(SLD)(100MIL)	LF	1,200.00	\$ 1.40	\$ 1,680.00	\$ 2.47	\$ 2,964.00	\$ 2.42	\$ 2,904.00
162	666	6437	PAVEMENT SEALER (SOLID GREEN BLOCK)	SF	500.00	\$ 1.55	\$ 775.00	\$ 2.75	\$ 1,375.00	\$ 4.25	\$ 2,125.00
163	668	6128	PREFAB PAV MRK TY C (GRN)(SLD)(BLOCK)	SF	500.00	\$ 8.10	\$ 4,050.00	\$ 14.58	\$ 7,290.00	\$ 12.89	\$ 6,445.00
164	672	6009	REFL PAV MRKR TY II-A-A	EA	60.00	\$ 5.90	\$ 354.00	\$ 10.55	\$ 633.00	\$ 6.54	\$ 392.40
165	672	6010	REFL PAV MRKR TY II-C-R	EA	127.00	\$ 5.90	\$ 749.30	\$ 10.55	\$ 1,339.85	\$ 5.69	\$ 722.63
166	677	6001	ELIM EXT PAV MRK & MRKS (4")	LF	4,182.00	\$ 0.55	\$ 2,300.10	\$ 0.94	\$ 3,931.08	0.50	\$ 2,091.00
167	677	6003	ELIM EXT PAV MRK & MRKS (8")	LF	1,094.00	\$ 0.90	\$ 984.60	\$ 1.55	\$ 1,695.70	0.55	\$ 601.70
168	677	6005	ELIM EXT PAV MRK & MRKS (12")	LF	830.00	\$ 2.55	\$ 2,116.50	\$ 4.59	\$ 3,809.70	0.65	\$ 539.50
169	677	6007	ELIM EXT PAV MRK & MRKS (24")	LF	195.00	\$ 5.10	\$ 994.50	\$ 9.18	\$ 1,790.10	0.86	\$ 167.70
170	677	6008	ELIM EXT PAV MRK & MRKS (ARROW)	EA	8.00	\$ 110.00	\$ 880.00	\$ 198.00	\$ 1,584.00	\$ 65.42	\$ 523.36
171	677	6009	ELIM EXT PAV MRK & MRKS (DBL ARROW)	EA	2.00	\$ 125.00	\$ 250.00	\$ 225.00	\$ 450.00	\$ 209.34	\$ 418.68
172	677	6012	ELIM EXT PAV MRK & MRKS (WORD)	EA	5.00	\$ 117.00	\$ 585.00	\$ 210.60	\$ 1,053.00	\$ 74.58	\$ 372.90
173	678	6001	PAV SURF PREP FOR MRK (4")	LF	13,139.00	\$ 0.25	\$ 3,284.75	\$ 0.41	\$ 5,386.99	0.27	\$ 3,547.53
174	678	6002	PAV SURF PREP FOR MRK (6")	LF	8,385.00	\$ 0.30	\$ 2,515.50	\$ 0.49	\$ 4,108.65	0.37	\$ 3,102.45
175	678	6004	PAV SURF PREP FOR MRK (8")	LF	633.00	\$ 0.75	\$ 474.75	\$ 1.33	\$ 841.89	0.46	\$ 291.18
176	678	6008	PAV SURF PREP FOR MRK (24")	LF	987.00	\$ 2.65	\$ 2,615.55	\$ 4.77	\$ 4,707.99	0.60	\$ 592.20
177	678	6009	PAV SURF PREP FOR MRK (ARROW)	EA	8.00	\$ 74.00	\$ 592.00	\$ 133.20	\$ 1,065.60	\$ 28.78	\$ 230.24
178	678	6016	PAV SURF PREP FOR MRK (WORD)	EA	4.00	\$ 78.00	\$ 312.00	\$ 140.40	\$ 561.60	\$ 32.71	\$ 130.84
179	678	6026	PAV SURF PREP FOR MRK (BIKE ARROW)	EA	12.00	\$ 67.00	\$ 804.00	\$ 120.60	\$ 1,447.20	\$ 22.24	\$ 266.88
180	678	6028	PAV SURF PREP FOR MRK (BIKE SYMBOL)	EA	12.00	\$ 67.00	\$ 804.00	\$ 120.60	\$ 1,447.20	\$ 26.17	\$ 314.04



CITY OF EL PASO PRICE TABULATION



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDOT CSJ 0924-06611 **BID NUMBER:** 2024-0341
BID DATE: June 26, 2024 **Department:** Capital Improvement

						Dan Williams Company El Paso, TX Bidder 1 of 3		International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3	
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total
	Item No.	S.P. No									
181	680	6003	INSTALL HWY TRF SIG (SYSTEM)	EA	1.00	\$ 45,000.00	\$ 45,000.00	\$ 44,245.00	\$ 44,245.00	\$ 40,221.30	\$ 40,221.30
182	680	6004	REMOVING TRAFFIC SIGNALS	EA	1.00	\$ 5,500.00	\$ 5,500.00	\$ 6,050.00	\$ 6,050.00	\$ 5,500.00	\$ 5,500.00
183	681	6001	TEMP TRAF SIGNALS	EA	1.00	\$ 150,000.00	\$ 150,000.00	\$ 133,895.00	\$ 133,895.00	\$ 121,719.60	\$ 121,719.60
184	682	6001	VEH SIG SEC (12")LED(GRN)	EA	8.00	\$ 405.00	\$ 3,240.00	\$ 440.00	\$ 3,520.00	\$ 401.20	\$ 3,209.60
185	682	6002	VEH SIG SEC (12")LED(GRN ARW)	EA	4.00	\$ 420.00	\$ 1,680.00	\$ 460.00	\$ 1,840.00	\$ 417.00	\$ 1,668.00
186	682	6003	VEH SIG SEC (12")LED(YEL)	EA	8.00	\$ 405.00	\$ 3,240.00	\$ 445.00	\$ 3,560.00	\$ 404.80	\$ 3,238.40
187	682	6004	VEH SIG SEC (12")LED(YEL ARW)	EA	8.00	\$ 405.00	\$ 3,240.00	\$ 440.00	\$ 3,520.00	\$ 400.65	\$ 3,205.20
188	682	6005	VEH SIG SEC (12")LED(RED)	EA	12.00	\$ 420.00	\$ 5,040.00	\$ 460.00	\$ 5,520.00	\$ 419.78	\$ 5,037.36
189	682	6018	PED SIG SEC (LED)(COUNTDOWN)	EA	9.00	\$ 790.00	\$ 7,110.00	\$ 870.00	\$ 7,830.00	\$ 789.25	\$ 7,103.25
190	682	6047	LOUVER (12") (ADJUSTABLE)	EA	20.00	\$ 425.00	\$ 8,500.00	\$ 465.00	\$ 9,300.00	\$ 423.45	\$ 8,469.00
191	682	6049	BACKPLATE W/REFL BRDR(4 SEC)	EA	4.00	\$ 305.00	\$ 1,220.00	\$ 335.00	\$ 1,340.00	\$ 303.00	\$ 1,212.00
192	682	6060	BACKPLATE W/REFL BRDR(3 SEC)	EA	8.00	\$ 275.00	\$ 2,200.00	\$ 305.00	\$ 2,440.00	\$ 275.00	\$ 2,200.00
193	684	6007	TRF SIG CBL (TY A)(12 AWG)(2 CONDR)	LF	1,761.00	\$ 2.50	\$ 4,402.50	\$ 2.75	\$ 4,842.75	\$ 2.50	\$ 4,402.50
194	684	6010	TRF SIG CBL (TY A)(12 AWG)(5 CONDR)	LF	2,165.00	\$ 3.15	\$ 6,819.75	\$ 3.43	\$ 7,425.95	\$ 3.12	\$ 6,754.80
195	684	6012	TRF SIG CBL (TY A)(12 AWG)(7 CONDR)	LF	234.00	\$ 3.40	\$ 795.60	\$ 3.74	\$ 875.16	\$ 3.40	\$ 795.60
196	684	6017	TRF SIG CBL (TY A)(12 AWG)(12 CONDR)	LF	680.00	\$ 3.00	\$ 2,040.00	\$ 3.28	\$ 2,230.40	\$ 2.98	\$ 2,026.40
197	686	6029	INS TRF SIG PL AM (S)1 ARM(28')	EA	1.00	\$ 11,500.00	\$ 11,500.00	\$ 12,630.00	\$ 12,630.00	\$ 11,479.50	\$ 11,479.50
198	686	6041	INS TRF SIG PL AM(S)1 ARM(40')	EA	1.00	\$ 18,000.00	\$ 18,000.00	\$ 19,335.00	\$ 19,335.00	\$ 17,575.00	\$ 17,575.00
199	686	6045	INS TRF SIG PL AM(S)1 ARM(44')	EA	1.00	\$ 18,000.00	\$ 18,000.00	\$ 19,355.00	\$ 19,355.00	\$ 17,594.00	\$ 17,594.00
200	687	6001	PED POLE ASSEMBLY	EA	6.00	\$ 3,900.00	\$ 23,400.00	\$ 4,290.00	\$ 25,740.00	\$ 3,900.00	\$ 23,400.00



**CITY OF EL PASO
PRICE TABULATION**



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDOt CSJ 0924-06611						BID NUMBER: 2024-0341					
BID DATE: June 26, 2024						Department: Capital Improvement					
						Dan Williams Company El Paso, TX Bidder 1 of 3		International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3	
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total
	Item No.	S.P. No									
201	688	6001	PED DETECT PUSH BUTTON (APS)	EA	10.00	\$ 1,035.00	\$ 10,350.00	\$ 1,140.00	\$ 11,400.00	\$ 1,035.00	\$ 10,350.00
202	688	6003	PED DETECTOR CONTROLLER UNIT	EA	1.00	\$ 5,000.00	\$ 5,000.00	\$ 5,500.00	\$ 5,500.00	\$ 5,000.00	\$ 5,000.00
203	740	6004	ANTI - GRAFFITI COATING(PERMENENT-TY II)	SF	4,797.00	\$ 1.15	\$ 5,516.55	\$ 3.00	\$ 14,391.00	0.97	\$ 4,653.09
204	3077	6022	SP MIXES SP-C SAC-A PG70-22	TON	2,203.00	\$ 130.00	\$ 286,390.00	\$ 115.00	\$ 253,345.00	\$ 113.55	\$ 250,150.65
205	5009	6002	STONE MASONRY (ROCK WALL)	SF	90.00	\$ 110.00	\$ 9,900.00	\$ 100.00	\$ 9,000.00	\$ 45.00	\$ 4,050.00
206	6001	6001	PORTABLE CHANGEABLE MESSAGE SIGN	DAY	343.00	\$ 75.00	\$ 25,725.00	\$ 150.00	\$ 51,450.00	\$ 75.00	\$ 25,725.00
207	6027	6003	CONDUIT (PREPARE)	LF	1,205.00	\$ 5.00	\$ 6,025.00	\$ 5.50	\$ 6,627.50	\$ 5.00	\$ 6,025.00
208	6027	6008	GROUND BOX (PREPARE)	EA	4.00	\$ 550.00	\$ 2,200.00	\$ 605.00	\$ 2,420.00	\$ 550.00	\$ 2,200.00
209	6185	6002	TMA (STATIONARY)	DAY	343.00	\$ 190.00	\$ 65,170.00	\$ 150.00	\$ 51,450.00	\$ 270.00	\$ 92,610.00
210	6306	6001	VIVDS PROSR SYS	EA	1.00	\$ 6,500.00	\$ 6,500.00	\$ 7,150.00	\$ 7,150.00	\$ 6,500.00	\$ 6,500.00
211	6306	6002	VIVDS CAM ASSY FXD LNS	EA	4.00	\$ 7,500.00	\$ 30,000.00	\$ 8,250.00	\$ 33,000.00	\$ 7,500.00	\$ 30,000.00
212	6306	6005	VIVDS CNTRL SOFTWARE	EA	1.00	\$ 2,150.00	\$ 2,150.00	\$ 2,340.00	\$ 2,340.00	\$ 2,126.75	\$ 2,126.75
213	6306	6006	VIVDS TEMPORARY	EA	4.00	\$ 10,000.00	\$ 40,000.00	\$ 10,895.00	\$ 43,580.00	\$ 9,902.64	\$ 39,610.56
214	6306	6007	VIVDS CABLING	LF	861.00	\$ 2.90	\$ 2,496.90	\$ 3.25	\$ 2,798.25	\$ 2.90	\$ 2,496.90
215	ELP1	0001	CUSTOM STREET ILLUMINATION POLE ASSEMBLY BRIDGE	EA	12.00	\$ 12,000.00	\$ 144,000.00	\$ 13,150.00	\$ 157,800.00	\$ 11,951.70	\$ 143,420.40
216	ELP1	0002	CUSTOM STREET POLE ASSEMBLY APPROACH	EA	8.00	\$ 13,000.00	\$ 104,000.00	\$ 14,175.00	\$ 113,400.00	\$ 12,884.30	\$ 103,074.40
Sum Total Base Bid 1 (Items 1-216)							\$ 21,081,792.52		\$ 21,239,522.46		\$ 20,664,033.26



CITY OF EL PASO PRICE TABULATION



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDOT CSJ 0924-06611

BID NUMBER: 2024-0341

BID DATE: June 26, 2024

Department: Capital Improvement

						Dan Williams Company El Paso, TX Bidder 1 of 3		International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3	
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total
	Item No.	S.P. No									
Base Bid 2: WATERLINE RELOCATION - EL PASO WATER UTILITIES TxDOT CSJ 0924-06-611											
1	402	6001	TRENCH EXCAVATION PROTECTION	LF	6,785.00	\$ 2.00	\$ 13,570.00	\$ 5.00	\$ 33,925.00	\$ 2.90	\$ 19,676.50
2	500	6001	MOBILIZATION	LS	1.00	\$ 250,000.00	\$ 250,000.00	\$ 150,000.00	\$ 150,000.00	\$ 250,000.00	\$ 250,000.00
3	7016	6004	WATER MAIN (PVC)(C-900)(8")	LF	60.00	\$ 300.00	\$ 18,000.00	\$ 250.00	\$ 15,000.00	\$ 282.25	\$ 16,935.00
4	7016	6010	WATER MAIN(DIP)(PC 350)(12")	LF	3,045.00	\$ 185.00	\$ 563,325.00	\$ 165.00	\$ 502,425.00	\$ 126.54	\$ 385,314.30
5	7016	6011	WATER MAIN(DIP)(PC 350)(16")	LF	2,435.00	\$ 245.00	\$ 596,575.00	\$ 235.00	\$ 572,225.00	\$ 197.80	\$ 481,643.00
6	7016	6031	REMOVE EXIST WATER PIPE (12")	LF	500.00	\$ 35.00	\$ 17,500.00	\$ 20.00	\$ 10,000.00	\$ 46.92	\$ 23,460.00
7	7016	6032	REMOVE EXIST WATER PIPE (16")	LF	515.00	\$ 35.00	\$ 18,025.00	\$ 20.00	\$ 10,300.00	\$ 51.84	\$ 26,697.60
8	7016	6033	ADDITIONAL FITTINGS	LB	3,250.00	\$ 40.00	\$ 130,000.00	\$ 4.00	\$ 13,000.00	\$ 5.81	\$ 18,882.50
9	7016	6091	CASING (STEEL) (24 IN) (BORED)	LF	365.00	\$ 680.00	\$ 248,200.00	\$ 850.00	\$ 310,250.00	\$ 574.94	\$ 209,853.10
10	7016	6093	CASING (STEEL) (30 IN) (BORED)	LF	365.00	\$ 765.00	\$ 279,225.00	\$ 1,100.00	\$ 401,500.00	\$ 783.16	\$ 285,853.40
11	7016	6098	CASING (STEEL) (48 IN) (BORED)	LF	230.00	\$ 1,300.00	\$ 299,000.00	\$ 1,800.00	\$ 414,000.00	\$ 1,326.81	\$ 305,166.30
12	7016	6138	WATER MAIN (DIP)(PC 350)(24")	LF	2,265.00	\$ 385.00	\$ 872,025.00	\$ 380.00	\$ 860,700.00	\$ 338.15	\$ 765,909.75
13	7016	6156	3-INCH COMB. AIR RELEASE / VACUUM VALVE WITH MANHOLE	EA	6.00	\$ 31,700.00	\$ 190,200.00	\$ 30,000.00	\$ 180,000.00	\$ 27,403.56	\$ 164,421.36
14	7016	6164	16-INCH GATE VALVE WITH MANHOLE	EA	3.00	\$ 30,100.00	\$ 90,300.00	\$ 26,000.00	\$ 78,000.00	\$ 26,150.29	\$ 78,450.87



CITY OF EL PASO PRICE TABULATION



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDOT CSJ 0924-06611 **BID NUMBER:** 2024-0341
BID DATE: June 26, 2024 **Department:** Capital Improvement

						Dan Williams Company El Paso, TX Bidder 1 of 3		International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3	
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total
	Item No.	S.P. No									
15	7016	6204	REMOVE EXISTING GATE VALVE	EA	3.00	\$ 3,540.00	\$ 10,620.00	\$ 1,000.00	\$ 3,000.00	\$ 4,743.20	\$ 14,229.60
16	7016	EPW1	24-INCH GATE VALVE WITH MANHOLE	EA	3.00	\$ 60,000.00	\$ 180,000.00	\$ 45,000.00	\$ 135,000.00	\$ 47,162.07	\$ 141,486.21
17	7016	EPW2	12-INCH BLOW OFF VALVE WITH MANHOLE	EA	1.00	\$ 16,500.00	\$ 16,500.00	\$ 12,000.00	\$ 12,000.00	\$ 12,191.80	\$ 12,191.80
18	7016	EPW3	16-INCH BLOW OFF VALVE WITH MANHOLE	EA	1.00	\$ 17,950.00	\$ 17,950.00	\$ 16,000.00	\$ 16,000.00	\$ 13,225.55	\$ 13,225.55
19	7016	EPW4	24-INCH BLOW OFF VALVE WITH MANHOLE	EA	2.00	\$ 21,000.00	\$ 42,000.00	\$ 18,000.00	\$ 36,000.00	\$ 15,333.69	\$ 30,667.38
20	7016	EPW5	CATHODIC PROTECTION (12" DIP)	LS	1.00	\$ 55,000.00	\$ 55,000.00	\$ 56,000.00	\$ 56,000.00	\$ 35,882.00	\$ 35,882.00
21	7016	EPW6	CATHODIC PROTECTION (16" DIP)	LS	1.00	\$ 55,000.00	\$ 55,000.00	\$ 52,000.00	\$ 52,000.00	\$ 32,749.00	\$ 32,749.00
22	7016	EPW7	CATHODIC PROTECTION (24" DIP)	LS	1.00	\$ 55,000.00	\$ 55,000.00	\$ 52,000.00	\$ 52,000.00	\$ 31,657.00	\$ 31,657.00
23	7016	EPW8	REMOVE EXISTING GATE VALVE & MANHOLE	EA	1.00	\$ 5,310.00	\$ 5,310.00	\$ 1,000.00	\$ 1,000.00	\$ 6,880.58	\$ 6,880.58
24	7016	EPW9	30-INCH ACCESS MANWAYS WITH PRE-CAST MANHOLE	EA	4.00	\$ 30,000.00	\$ 120,000.00	\$ 140,000.00	\$ 560,000.00	\$ 17,059.38	\$ 68,237.52
Sum Total Base Bid 2: (Items 1-24)							\$ 4,143,325.00		\$ 4,474,325.00		\$ 3,419,470.32
Sum Total Base Bid 1 + Base Bid 2							\$ 25,225,117.52		\$ 25,713,847.46		\$ 24,083,503.58



CITY OF EL PASO PRICE TABULATION



BID TITLE: Sean Haggerty Drive Extension and Bridge Construction TxDOT CSJ 0924-06611										BID NUMBER: 2024-0341		
BID DATE: June 26, 2024										Department: Capital Improvement		
					Dan Williams Company El Paso, TX Bidder 1 of 3		International Eagle Enterprise El Paso, TX Bidder 2 of 3		Jordan Foster Construction, LLC El Paso, TX Bidder 3 of 3			
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	
	Item No.	S.P. No										
Additive Alternate 1: BRIDGE AESTHETIC CANOPIES - TxDOT CSJ 0924-06-611												
1	442	6007	STR STEEL (MISC NON - BRIDGE)	LB	380,000.00	\$ 5.85	\$ 2,223,000.00	\$ 5.90	\$ 2,242,000.00	\$ 3.27	\$ 1,242,600.00	
Sum Total Additive Alternate 1 (Item 1)							\$ 2,223,000.00		\$ 2,242,000.00		\$ 1,242,600.00	
Additive Alternate 2: ACCENT ILLUMINATION - CITY OF EL PASO												
Item No.	Item Code		Description	Unit	Approx QTY	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	Price (ONLY 2 DECIMALS)	Total	
	Item No.	S.P. No										
1	618	6023	CONDT (PVC) (SCH 40) (2")	LF	1,175.00	\$ 19.50	\$ 22,912.50	\$ 21.50	\$ 25,262.50	\$ 19.50	\$ 22,912.50	
2	618	6025	CONDT (PVC) (SCH 40) (2") (CONC ENCSE)	LF	1,580.00	\$ 32.90	\$ 51,982.00	\$ 36.25	\$ 57,275.00	\$ 32.89	\$ 51,966.20	
3	618	6047	CONDT (PVC) (SCH 80) (2") (BORE)	LF	165.00	\$ 34.25	\$ 5,651.25	\$ 37.70	\$ 6,220.50	\$ 34.23	\$ 5,647.95	
4	618	6062	CONDT (RM) (3/4")	LF	2,010.00	\$ 32.15	\$ 64,621.50	\$ 35.40	\$ 71,154.00	\$ 32.13	\$ 64,581.30	
5	620	6008	ELEC CONDR (NO.8) INSULATED	LF	6,905.00	\$ 2.50	\$ 17,262.50	\$ 2.75	\$ 18,988.75	\$ 2.50	\$ 17,262.50	
6	624	6002	GROUND BOX TY A (122311)W/APRON	EA	7.00	\$ 1,585.00	\$ 11,095.00	\$ 1,740.00	\$ 12,180.00	\$ 1,580.19	\$ 11,061.33	
7	ELP2	0001	LED LIGHTING SYSTEM	EA	1.00	\$ 504,000.00	\$ 504,000.00	\$ 555,000.00	\$ 555,000.00	\$ 503,945.05	\$ 503,945.05	
Sum Total Additive Alternate 2: (Line Items 1-7)							\$ 677,524.75		\$ 746,080.75		\$ 677,376.83	
Bid Bond							YES		YES		YES	
Amendments Acknowledged							YES		YES		YES	

NOTE: The information contained in this bid tabulation is for information only and does not constitute actual award/execution of contract.

2024-0341 Sean Haggerty Drive Extension and Bridge Construction TxDOT CSJ: 0924-06-611
View List

	<u>Participant Name</u>	<u>City</u>	<u>State</u>
1	2H LLC	Horizon City	TX
2	AAORSI	Dayton	OH
3	Alejandro Motta (Tri-State Electric)	Vinton	TX
4	Alkane Midstream	Mendota	MN
5	Amtek USA, Austin	Houston	TX
6	Caballero Electric Co	El Paso	TX
7	City of El Paso Capital Improvement Department	El Paso	TX
8	City of El Paso Strategic Partners	El Paso	TX
9	City of El Paso PM Humphrey	El Paso	TX
10	CJCS	El Paso	TX
11	ConstructConnect	Cincinnati	OH
12	Construction Reporter	Albuquerque	NM
13	Corrosion Services, LLC	Radium Springs	NM
14	Dan Williams Company	Austin	TX
15	DYER CYCLE	El Paso	TX
16	Elias Concrete Construction LLC	El Paso	TX
17	Filterbuy Incorporated	Talladega	AL
18	Globe Builders , Inc	El Paso	TX
19	Hawk Construction	El Paso	TX
20	HDR Engineering Inc.	El Paso	TX
21	Horizone Construction 1 LTD	El Paso	TX
22	International Eagle Enterprises	El Paso	TX
23	Jobe Materials	El Paso	TX
24	Jordan Foster Construction, LLC	El Paso	TX
25	Martinez Bros. Contractors, LLC	El Paso	TX
26	PMI Pavement Marking, LLC (Pavement Marking, LLC)	EL PASO	TX
27	QANNEX CORP	EL PASO	TX
28	Satarain Construction Inc	El Paso	TX
29	The PlanIt Room	El Paso	TX
30	Valor GC	El Paso	TX
31	Virtual Builders Exchange	San Antonio	TX
32	WOFFORD TRUCK PARTS (TE EL PASO,LLC)	EL PASO	TX
33	Ximalli Security Solutions	El Paso	TX
34	Zeraus Iluminacion	El Paso	TX
35	ZTEX Construction, Inc.	El Paso	TX

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND DONATIONS FORM

In compliance with [Title 2, Chapter 2.92, Section 2.92.080](#)

Introduction:

Individuals or entities benefiting by a City Council Agenda item must disclose contributions or donations made to current members of Council under the City's Ethics Code. The information on this form is being captured for transparency purposes and will be noted on the relevant City Council Agenda. **Contributions and Donations do NOT disqualify an applicant from doing business with the City.**

Definitions:

- "Contribution" A direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by the Texas Election Code, and a guarantee of a loan or extension of credit.
- "Contributor" A person making a contribution, including the contributor's spouse.
- "Donation" Cash and the value of any in-kind contributions or gifts to the council member for use by their office or in their district.
- "Donor" An individual and spouse, a business entity, or an individual who owns a business entity in whole or in part, or is operated by the individual, that is the subject of a council agenda item.
- "Benefiting" Shall include but not be limited to any contract, bid award, franchise, permit, zoning or rezoning, and other award that council will vote on.

Instructions: Please read and complete this form carefully. If you have made campaign contributions or donations to any current City Council member(s) totaling an aggregate of \$500 or more during their campaign(s) or term(s) of City office, you are required to disclose the information as specified below. If you have not made such contributions or donations past the limit specified in the ordinance, you are required to affirm your compliance with the municipal code. Please submit this completed form along with your application or proposal to the relevant city department. Failure to disclose campaign contributions or donations as required by the ordinance may result in a violation of the City's Ethics Code requirements, and sanctions under the Ethics Code 2.92.

Contributor / Donor Information:

Full Name	<u>Matthew Hardison</u>
Business Name	<u>Jordan Foster Construction, LLC</u>
Agenda Item Type	<u>N/A</u>
Relevant Department	<u>N/A</u>

Disclosure Affirmation: Please check the appropriate box below to indicate whether you have made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office specified in Section 2.92.080 of the El Paso Municipal Code.



I have **NOT** made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office, as specified in Section 2.92.080 of the El Paso Municipal Code.

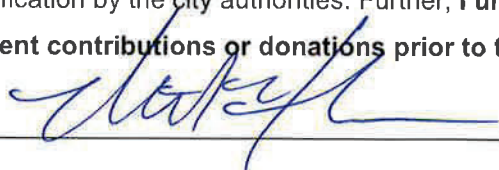
OR



I have made campaign contributions or donations totaling an aggregate of \$500 or more to the following City Council member(s) during their campaign(s) or term(s) of City office:

OFFICE	CURRENT COUNCIL MEMBER NAME	AMOUNT (\$)
Mayor		
District 1		
District 2		
District 3		
District 4		
District 5		
District 6		
District 7		
District 8		

Declaration: I hereby affirm that the information provided in this disclosure form is true and accurate to the best of my knowledge. I understand that this disclosure is required by Title 2, Chapter 2.92 of the El Paso Municipal Code and is subject to verification by the city authorities. Further, **I understand that upon submission of this form, I must disclose any subsequent contributions or donations prior to the relevant council meeting date.**

Signature: 

Date: July 10, 2024



Legislation Text

File #: 24-1338, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

Districts 3 & 7

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

The linkage to the Strategic Plan is subsection: 7.2 Improve competitiveness through infrastructure improvements impacting the quality of life.

Award Summary:

Discussion and action on the award of Solicitation 2024-0041 Intelligent Transportation System at Bridge of the Americas and Zaragoza Ports of Entry Off-System to Tri-State Electric. Ltd., for a total estimated award of \$6,947,247.99. The project consists of the construction, acquisition, and installation of Intelligent Transportation Systems (ITS) at the Bridge of the Americas (BOTA) and Zaragoza Ports of Entry to increase security measures and expedite trade.

Department: Capital Improvement

Award to: Tri-State Electric. Ltd.

City & State: Vinton, TX

Item(s): Base Bid I

Contract Term: 180 Standard Workweek Days

Base Bid I: \$6,947,247.99

Total Estimated Award: \$6,947,247.99

Account(s): 190-4950-580270-38170- PCP18IB005- GS9023TMFG

Funding Source(s): Texas Mobility Fund Grant

District(s): 3 & 7

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Tri-State Electric. Ltd. 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.

**AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 08, 2024
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Yvette Hernandez, City Engineer, (915) 212-1860
K. Nicole Cote, Managing Director (915) 212-1092

DISTRICT(S) AFFECTED: 3, 7

STRATEGIC GOAL: No. 7 – Enhance and Sustain El Paso's Infrastructure Network

SUBGOAL: 7.2 – Improve competitiveness through infrastructure improvements impacting the quality of life

SUBJECT:

Discussion and action on the award of Solicitation 2024-0041 Intelligent Transportation System at Bridge of the Americas and Zaragoza Ports of Entry Off-System to Tri-State Electric. Ltd., for a total estimated award of \$6,947,247.99

BACKGROUND / DISCUSSION:

The project consists of the construction, acquisition, and installation of Intelligent Transportation Systems (ITS) at the Bridge of the Americas (BOTA) and Zaragoza Ports of Entry. This Off-System portion of project will be contained on City and Federal right of way, and other property that is outside the state highway system, to increase security measures and expedite trade. The proposed project will improve agencies' ability to communicate real-time traffic conditions to the traveling public, improve traffic operations at the ports, improve the reliability and efficiency of ports, which are a major component in the freight infrastructure network, and reduce congestion.

SELECTION SUMMARY:

Solicitation was advertised on May 21, 2024, May 28, 2024 and June 4, 2024. The solicitation was posted on City website on May 21, 2024. There was a total of thirty-nine (39) views online; three (3) bids were received; two (2) from local suppliers.

CONTRACT VARIANCE:

N/A

PROTEST

No protest received for this requirement.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$6,947,247.99
Funding Source: Texas Mobility Fund Grant
Account: 190-4950-580270-38170- PCP18IB005- GS9023TMFG

2024-0041 Intelligent Transportation System at Bridge of the Americas and Zaragoza Ports of Entry Off-System

Revised 1/23/2023-V3 – Previous Versions Obsolete


HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Capital Improvement

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



Yvette Hernandez, City Engineer

Project Form
Low Bid

*****Posting Language Below*****

Please place the following item on the Regular Agenda for the City Council Meeting of October 08, 2024.

Strategic Goal 7 - Enhance and Sustain El Paso's Infrastructure Network

The linkage to the Strategic Plan is subsection: 7.2 Improve competitiveness through infrastructure improvements impacting the quality of life

Award Summary:

Discussion and action on the award of Solicitation 2024-0041 Intelligent Transportation System at Bridge of the Americas and Zaragoza Ports of Entry Off-System to Tri-State Electric. Ltd., for a total estimated award of \$6,947,247.99. The project consists of the construction, acquisition, and installation of Intelligent Transportation Systems (ITS) at the Bridge of the Americas (BOTA) and Zaragoza Ports of Entry to increase security measures and expedite trade.

Department:	Capital Improvement
Award to:	Tri-State Electric. Ltd.
City & State:	Vinton, TX
Item(s):	Base Bid I
Contract Term:	180 Standard Workweek Days
Base Bid I:	\$6,947,247.99
Total Estimated Award:	\$6,947,247.99
Account(s):	190-4950-580270-38170- PCP18IB005- GS9023TMFG
Funding Source(s):	Texas Mobility Fund Grant
District(s):	3 & 7

This was a Low Bid Procurement – unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Tri-State Electric. Ltd. 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.

Bid Tab Summary

2024-0041 Intellegent Transportation System at Bridge of the Americas and Zaragoza Ports of Entry Off-System

	<u>Contractor</u>	<u>Total: Base Bid I</u>
1	Tri-State Electric, Ltd	\$6,947,247.99
2	El Paso A.R.C Electric, Inc.	\$7,443,660.45
3	Martinez Bros. Contractors, LLC	\$8,344,865.70



CITY OF EL PASO BID TABULATION



BID TITLE: Intelligent Transportation System at Bridge of the Americas and Zaragoza Ports of Entry Off-System TxDot CSJ 0924-06-619

BID NUMBER: 2024-0041

BID DATE: June 26, 2024

DEPARTMENT: Capital Improvement

	El Paso A.R.C. Electric, Inc. El Paso, TX. Bidder 1 of 3	Martinez Bros. Contractors, LLC El Paso, TX Bidder 2 of 3	Tri-State Electric, Ltd Vinton, TX Bidder 3 of 3
--	---	--	---

BASE BID I: Unit Price Schedule - TXDOT: CSJ 0924-06-619

No.	Item No.	S.P. NO.	Unit	Approx Qty.	Description	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)
1	416	6005	LF	446	DRILL SHAFT (42 IN)	\$ 850.00	\$ 379,100.00	\$ 720.00	\$ 321,120.00	\$ 620.22	\$ 276,618.12
2	416	6006	LF	100	DRILL SHAFT (48 IN)	\$ 900.00	\$ 90,000.00	\$ 840.00	\$ 84,000.00	\$ 701.09	\$ 70,109.00
3	416	6026	LF	32	DRILL SHAFT (HIGH MAST POLE) (60 IN)	\$ 1,100.00	\$ 35,200.00	\$ 1,080.00	\$ 34,560.00	\$ 869.76	\$ 27,832.32
4	432	6001	CY	37	RIPRAP (CONC)(4 IN)	\$ 650.00	\$ 24,050.00	\$ 516.00	\$ 19,092.00	\$ 1,251.18	\$ 46,293.66
5	500	6001	LS	1	MOBILIZATION	\$ 225,000.00	\$ 225,000.00	\$ 400,000.00	\$ 400,000.00	\$ 525,000.00	\$ 525,000.00
6	502	6001	MO	10	BARRICADES, SIGNS AND TRAFFIC HANDLING	\$ 15,000.00	\$ 150,000.00	\$ 24,000.00	\$ 240,000.00	\$ 15,000.00	\$ 150,000.00
7	506	6035	EA	188	SANDBAGS FOR EROSION CONTROL	\$ 12.00	\$ 2,256.00	\$ 12.00	\$ 2,256.00	\$ 25.00	\$ 4,700.00
8	506	6038	LF	7,325	TEMP SEDMT CONT FENCE (INSTALL)	\$ 7.00	\$ 51,275.00	\$ 8.40	\$ 61,530.00	\$ 4.89	\$ 35,819.25
9	506	6039	LF	7,325	TEMP SEDMT CONT FENCE (REMOVE)	\$ 1.75	\$ 12,818.75	\$ 1.20	\$ 8,790.00	\$ 1.61	\$ 11,793.25
10	506	6040	LF	768	BIODEG EROSN CONT LOGS (INSTALL)(8")	\$ 9.00	\$ 6,912.00	\$ 9.60	\$ 7,372.80	\$ 7.17	\$ 5,506.56
11	506	6043	LF	768	BIODEG EROSN CONT LOGS (REMOVE)	\$ 1.90	\$ 1,459.20	\$ 1.20	\$ 921.60	\$ 2.59	\$ 1,989.12
12	613	6004	EA	1	HI MST IL POLE (125 FT) (100 MPH)	\$ 65,000.00	\$ 65,000.00	\$ 77,050.00	\$ 77,050.00	\$ 63,190.20	\$ 63,190.20



CITY OF EL PASO BID TABULATION



BID TITLE: Intelligent Transportation System at Bridge of the Americas and Zaragoza Ports of Entry Off-System TxDot CSJ 0924-06-619

BID NUMBER: 2024-0041

BID DATE: June 26, 2024

DEPARTMENT: Capital Improvement

	El Paso A.R.C. Electric, Inc. El Paso, TX. Bidder 1 of 3	Martinez Bros. Contractors, LLC El Paso, TX Bidder 2 of 3	Tri-State Electric, Ltd Vinton, TX Bidder 3 of 3
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BASE BID I: Unit Price Schedule - TXDOT: CSJ 0924-06-619

No.	Item No.	S.P. NO.	Unit	Approx Qty.	Description	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)
13	618	6023	LF	4,700	CONDT (PVC) (SCH 40) (2")	\$ 24.00	\$ 112,800.00	\$ 14.95	\$ 70,265.00	\$ 21.50	\$ 101,050.00
14	618	6024	LF	1,995	CONDT (PVC) (SCH 40) (2") (BORE)	\$ 32.00	\$ 63,840.00	\$ 28.75	\$ 57,356.25	\$ 37.05	\$ 73,914.75
15	618	6029	LF	12,500	CONDT (PVC) (SCH 40) (3")	\$ 28.00	\$ 350,000.00	\$ 25.30	\$ 316,250.00	\$ 27.35	\$ 341,875.00
16	618	6030	LF	7,270	CONDT (PVC) (SCH 40) (3") (BORE)	\$ 38.00	\$ 276,260.00	\$ 34.50	\$ 250,815.00	\$ 38.00	\$ 276,260.00
17	618	6070	LF	70	CONDT (RM) (2")	\$ 60.00	\$ 4,200.00	\$ 57.50	\$ 4,025.00	\$ 90.00	\$ 6,300.00
18	618	6074	LF	115	CONDT (RM) (3")	\$ 85.00	\$ 9,775.00	\$ 92.00	\$ 10,580.00	\$ 125.00	\$ 14,375.00
19	620	6002	LF	20,870	ELEC CONDR (NO.14) INSULATED	\$ 1.75	\$ 36,522.50	\$ 1.15	\$ 24,000.50	\$ 1.45	\$ 30,261.50
20	620	6008	LF	6,460	ELEC CONDR (NO.8) INSULATED	\$ 3.50	\$ 22,610.00	\$ 3.16	\$ 20,413.60	\$ 2.95	\$ 19,057.00
21	620	6010	LF	12,390	ELEC CONDR (NO.6) INSULATED	\$ 4.40	\$ 54,516.00	\$ 3.68	\$ 45,595.20	\$ 3.19	\$ 39,524.10
22	620	6012	LF	9,870	ELEC CONDR (NO.4) INSULATED	\$ 5.00	\$ 49,350.00	\$ 4.60	\$ 45,402.00	\$ 3.34	\$ 32,965.80
23	620	6014	LF	7,960	ELEC CONDR (NO.3) INSULATED	\$ 6.00	\$ 47,760.00	\$ 5.75	\$ 45,770.00	\$ 3.98	\$ 31,680.80
24	624	6002	EA	60	GROUND BOX TY A (122311)W/APRON	\$ 1,500.00	\$ 90,000.00	\$ 1,265.00	\$ 75,900.00	\$ 1,615.29	\$ 96,917.40
25	624	6028	EA	3	REMOVE GROUND BOX	\$ 500.00	\$ 1,500.00	\$ 316.25	\$ 948.75	\$ 424.04	\$ 1,272.12



CITY OF EL PASO BID TABULATION



BID TITLE: Intelligent Transportation System at Bridge of the Americas and Zaragoza Ports of Entry Off-System TxDot CSJ 0924-06-619

BID NUMBER: 2024-0041

BID DATE: June 26, 2024

DEPARTMENT: Capital Improvement

	El Paso A.R.C. Electric, Inc. El Paso, TX. Bidder 1 of 3	Martinez Bros. Contractors, LLC El Paso, TX Bidder 2 of 3	Tri-State Electric, Ltd Vinton, TX Bidder 3 of 3
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BASE BID I: Unit Price Schedule - TXDOT: CSJ 0924-06-619

No.	Item No.	S.P. NO.	Unit	Approx Qty.	Description	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)
26	628	6128	EA	2	ELC SRV TY D 120/240 060(NS)GS(N)GC(O)	\$ 10,000.00	\$ 20,000.00	\$ 9,200.00	\$ 18,400.00	\$ 9,000.00	\$ 18,000.00
27	628	6129	EA	1	ELC SRV TY D 120/240 060(NS)GS(N)GC(U)	\$ 15,000.00	\$ 15,000.00	\$ 8,625.00	\$ 8,625.00	\$ 9,000.00	\$ 9,000.00
28	628	6174	EA	13	ELC SRV TY D 120/240 070(NS)GS(N)GC(O)	\$ 10,000.00	\$ 130,000.00	\$ 9,200.00	\$ 119,600.00	\$ 9,000.00	\$ 117,000.00
29	650	6014	EA	8	INS OH SN SUP (20 FT BAL TEE)	\$ 56,750.00	\$ 454,000.00	\$ 64,350.00	\$ 514,800.00	\$ 55,000.00	\$ 440,000.00
30	650	6025	EA	5	INS OH SN SUP (25 FT CANT)	\$ 61,100.00	\$ 305,500.00	\$ 70,200.00	\$ 351,000.00	\$ 53,998.00	\$ 269,990.00
31	6001	6001	DAY	154	PORTABLE CHANGEABLE MESSAGE SIGN	\$ 250.00	\$ 38,500.00	\$ 300.00	\$ 46,200.00	\$ 395.00	\$ 60,830.00
32	6003	6001	LS	1	ITS SYSTEM SUPPORT EQUIPMENT	\$ 136,275.00	\$ 136,275.00	\$ 42,000.00	\$ 42,000.00	\$ 21,000.00	\$ 21,000.00
33	6004	6031	LF	540	ITS COM CBL (ETHERNET)	\$ 7.50	\$ 4,050.00	\$ 14.40	\$ 7,776.00	\$ 5.00	\$ 2,700.00
34	6007	6011	LF	26,070	FIBER OPTIC CBL (SNGLE-MODE)(12 FIBER)	\$ 4.50	\$ 117,315.00	\$ 4.80	\$ 125,136.00	\$ 5.62	\$ 146,513.40
35	6007	6017	LF	17,740	FIBER OPTIC CBL (SNGLE-MODE)(144 FIBER)	\$ 6.75	\$ 119,745.00	\$ 6.00	\$ 106,440.00	\$ 7.00	\$ 124,180.00
36	6007	6023	EA	46	FIBER OPTIC PATCH PANEL (12 POSITION)	\$ 1,800.00	\$ 82,800.00	\$ 2,112.00	\$ 97,152.00	\$ 1,915.04	\$ 88,091.84
37	6007	6026	EA	88	FIBER OPTIC CABLE ROAD MARKER	\$ 250.00	\$ 22,000.00	\$ 300.00	\$ 26,400.00	\$ 375.00	\$ 33,000.00
38	6007	6027	EA	2	FIBER OPTIC PATCH PANEL (144 POSITION)	\$ 2,200.00	\$ 4,400.00	\$ 18,000.00	\$ 36,000.00	\$ 3,500.00	\$ 7,000.00



CITY OF EL PASO BID TABULATION



BID TITLE: Intelligent Transportation System at Bridge of the Americas and Zaragoza Ports of Entry Off-System TxDot CSJ 0924-06-619

BID NUMBER: 2024-0041

BID DATE: June 26, 2024

DEPARTMENT: Capital Improvement

	El Paso A.R.C. Electric, Inc. El Paso, TX. Bidder 1 of 3	Martinez Bros. Contractors, LLC El Paso, TX Bidder 2 of 3	Tri-State Electric, Ltd Vinton, TX Bidder 3 of 3
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BASE BID I: Unit Price Schedule - TXDOT: CSJ 0924-06-619

No.	Item No.	S.P. NO.	Unit	Approx Qty.	Description	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)
39	6007	6087	EA	8	FO SPLICE ENCLOSURE (TYPE 1)	\$ 2,500.00	\$ 20,000.00	\$ 3,480.00	\$ 27,840.00	\$ 3,000.00	\$ 24,000.00
40	6007	6094	EA	40	FIBER OPTIC FUSION SPLICE	\$ 45.00	\$ 1,800.00	\$ 180.00	\$ 7,200.00	\$ 250.00	\$ 10,000.00
41	6010	6002	EA	18	CCTV FIELD EQUIPMENT (DIGITAL)	\$ 25,000.00	\$ 450,000.00	\$ 19,820.40	\$ 356,767.20	\$ 7,500.00	\$ 135,000.00
42	6027	6003	LF	140	CONDUIT (PREPARE)	\$ 5.00	\$ 700.00	\$ 6.90	\$ 966.00	\$ 4.80	\$ 672.00
43	6027	6008	EA	8	GROUND BOX (PREPARE)	\$ 500.00	\$ 4,000.00	\$ 287.50	\$ 2,300.00	\$ 1,512.00	\$ 12,096.00
44	6064	6010	EA	1	ITS POLE (30 FT) (90 MPH)	\$ 25,000.00	\$ 25,000.00	\$ 9,775.00	\$ 9,775.00	\$ 13,500.00	\$ 13,500.00
45	6064	6046	EA	13	ITS POLE (55 FT) (90 MPH)	\$ 35,000.00	\$ 455,000.00	\$ 22,425.00	\$ 291,525.00	\$ 29,003.00	\$ 377,039.00
46	6064	6084	EA	14	ITS POLE MNT CAB (TY 2) (CONF 2)	\$ 5,000.00	\$ 70,000.00	\$ 5,635.00	\$ 78,890.00	\$ 7,662.33	\$ 107,272.62
47	6185	6002	DAY	154	TMA (STATIONARY)	\$ 275.00	\$ 42,350.00	\$ 468.00	\$ 72,072.00	\$ 345.67	\$ 53,233.18
48	6186	6018	EA	101	ITS GND BOX (POLY) TY 1 (243648) W/APRN	\$ 9,500.00	\$ 959,500.00	\$ 4,945.00	\$ 499,445.00	\$ 3,825.00	\$ 386,325.00
49	6186	6024	EA	11	ITS GND BOX (POLY) TY 2 (366048) W/APRN	\$ 12,500.00	\$ 137,500.00	\$ 7,590.00	\$ 83,490.00	\$ 7,400.00	\$ 81,400.00
50	*		EA	28	IP ADDRESSABLE POWER STRIP	\$ 1,750.00	\$ 49,000.00	\$ 2,123.40	\$ 59,455.20	\$ 225.00	\$ 6,300.00
51	*		LS	1	TRANSCODER	\$ 1,500.00	\$ 1,500.00	\$ 60,000.00	\$ 60,000.00	\$ 5,000.00	\$ 5,000.00



CITY OF EL PASO BID TABULATION



BID TITLE: Intelligent Transportation System at Bridge of the Americas and Zaragoza Ports of Entry Off-System TxDot CSJ 0924-06-619

BID NUMBER: 2024-0041

BID DATE: June 26, 2024

DEPARTMENT: Capital Improvement

	El Paso A.R.C. Electric, Inc. El Paso, TX. Bidder 1 of 3	Martinez Bros. Contractors, LLC El Paso, TX Bidder 2 of 3	Tri-State Electric, Ltd Vinton, TX Bidder 3 of 3
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BASE BID I: Unit Price Schedule - TXDOT: CSJ 0924-06-619

No.	Item No.	S.P. NO.	Unit	Approx Qty.	Description	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)
52	ELP1-6001		EA	13	COLOR DMS (POLE MNT CABINET)	\$ 80,785.00	\$ 1,050,205.00	\$ 204,000.00	\$ 2,652,000.00	\$ 88,000.00	\$ 1,144,000.00
53	ELP2-6001		EA	28	INSTALLATION OF FES (FIELD CABINET)	\$ 9,500.00	\$ 266,000.00	\$ 1,638.00	\$ 45,864.00	\$ 2,500.00	\$ 70,000.00
54	ELP2-6002		EA	8	INSTALLATION OF FES (HUB CABINET)	\$ 11,500.00	\$ 92,000.00	\$ 1,638.00	\$ 13,104.00	\$ 2,500.00	\$ 20,000.00
55	**ELP2-OFCl		EA	36	CITY FURNISHED ITEMS INCLUDING FIELD ETHERNET SWITCH	\$ 500.00	\$ 18,000.00	\$ 3,903.60	\$ 140,529.60	\$ 2,000.00	\$ 72,000.00
56	ELP3-6001		EA	1	HIGH MAST ASSEMBLY FOR ITS	\$ 114,316.00	\$ 114,316.00	\$ 16,100.00	\$ 16,100.00	\$ 132,800.00	\$ 132,800.00
57	ELP4-6001		EA	1	SYSTEM INTEGRATION	\$ 75,000.00	\$ 75,000.00	\$ 204,000.00	\$ 204,000.00	\$ 675,000.00	\$ 675,000.00
Sum Total Base Bid Items (1-57)						\$7,443,660.45		\$8,344,865.70		\$6,947,247.99	
Bid Bond						YES		YES		YES	
Amendments Acknowledged						YES		YES		YES	

NOTE: The information contained in this bid tabulation is for information only and does not constitute actual award/execution of contract.

**2024-0041 Intelligent Transportation System at Bridge of the Americas and Zaragoza Ports of
Entry Off-System Views List**

No.	<u>Participant Name</u>	<u>City</u>	<u>State</u>
1	A Brothers Milling, LLC.	El Paso	TX
2	Accent Landscape	El paso	TX
3	Alejandro Motta (Tri-State Electric)	Vinton	TX
4	Alfredo Castaneda	El Paso	TX
5	Allen Concrete, LLC	El Paso	TX
6	Amtek USA, Austin	Houston	TX
7	BELLA IRRIGATION, LLC	El Paso	TX
8	Caballero Electric Co	El Paso	TX
9	City of El Paso Capital Improvement Department	El Paso	TX
10	City of El Paso_PM_Humphrey	El Paso	TX
11	CJCS	El Paso	TX
12	Classic Elegance Coaches (Classic Elegance Coaches LLC)	EL Paso	TX
13	Consolidated Traffic Controls, Inc.	Arlington	TX
14	ConstructConnect	Cincinnati	OH
15	Construction Reporter	Albuquerque	NM
16	Dantex General Contractors	El Paso	TX
17	El Paso A.R.C. Electric, Inc.	El Paso	TX
18	G.R.A.C.E. Construction	El Paso	TX
19	Gladioux Trading & Marketing Company, LP	Fort Wayne	IN
20	Horizone Construction 1 LTD	El Paso	TX
21	Jobe Materials	El Paso	TX
22	Kimley-Horn and Associates, Inc.	Dallas	TX
23	King Long Lines	Lewisville	TX
24	Kings Towing LLC (Kings Towing)	El Paso	TX
25	Martinez Bros. Contractors, LLC	El Paso	TX
26	MC Services	El Paso	TX
27	MoboTrex, Inc.	Davenport	IA
28	Network Resources (EP Network Resources LLC)	El Paso, TX	TX
29	Phi-Tech, LLC.	El Paso	TX
30	RC Enterprises Inc Electrical Contractor	El Paso	TX
31	Rodriguez Transportation Group	El Paso	TX
32	Sundt Construction, Inc.	El Paso	TX
33	Sunrise SESA Technologies, Inc. (US)	Pembroke	MA
34	The Cable Source (The Cable Source Ltd. Co.)	El Paso	TX
35	The PlanIt Room	El Paso	TX
36	Tri-State Electric Ltd	Vinton	TX
37	US Quality Meats LLC	EL PASO	TX
38	WGI, Inc.	West Palm Beach	FL
39	wildcat electric supply	San Marcos	TX

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND DONATIONS FORM

In compliance with [Title 2, Chapter 2.92, Section 2.92.080](#)

Introduction:

Individuals or entities benefiting by a City Council Agenda item must disclose contributions or donations made to current members of Council under the City's Ethics Code. The information on this form is being captured for transparency purposes and will be noted on the relevant City Council Agenda. **Contributions and Donations do NOT disqualify an applicant from doing business with the City.**

Definitions:

- "Contribution" A direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by the Texas Election Code, and a guarantee of a loan or extension of credit.
- "Contributor" A person making a contribution, including the contributor's spouse.
- "Donation" Cash and the value of any in-kind contributions or gifts to the council member for use by their office or in their district.
- "Donor" An individual and spouse, a business entity, or an individual who owns a business entity in whole or in part, or is operated by the individual, that is the subject of a council agenda item.
- "Benefiting" Shall include but not be limited to any contract, bid award, franchise, permit, zoning or rezoning, and other award that council will vote on.

Instructions: Please read and complete this form carefully. If you have made campaign contributions or donations to any current City Council member(s) totaling an aggregate of \$500 or more during their campaign(s) or term(s) of City office, you are required to disclose the information as specified below. If you have not made such contributions or donations past the limit specified in the ordinance, you are required to affirm your compliance with the municipal code. Please submit this completed form along with your application or proposal to the relevant city department. Failure to disclose campaign contributions or donations as required by the ordinance may result in a violation of the City's Ethics Code requirements, and sanctions under the Ethics Code 2.92.

Contributor / Donor Information:

Full Name

Business Name

Agenda Item Type

New Contract

Relevant Department

Capital Improvement

Disclosure Affirmation: Please check the appropriate box below to indicate whether you have made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office specified in Section 2.92.080 of the El Paso Municipal Code.

I have **NOT** made campaign contributions or donations totaling an aggregate of \$500 or more to any City Council member(s) during their campaign(s) or term(s) of City office, as specified in Section 2.92.080 of the El Paso Municipal Code.

OR

I have made campaign contributions or donations totaling an aggregate of \$500 or more to the following City Council member(s) during their campaign(s) or term(s) of City office:

OFFICE	CURRENT COUNCIL MEMBER NAME	AMOUNT (\$)
Mayor		
District 1		
District 2		
District 3		
District 4		
District 5		
District 6		
District 7		
District 8		

Declaration: I hereby affirm that the information provided in this disclosure form is true and accurate to the best of my knowledge. I understand that this disclosure is required by Title 2, Chapter 2.92 of the El Paso Municipal Code and is subject to verification by the city authorities. Further, I understand that upon submission of this form, I must disclose any subsequent contributions or donations prior to the relevant council meeting date.

Signature: _____

Date: _____

9/19/2024



Legislation Text

File #: 24-1345, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

International Bridges, Roberto Tinajero, (915) 212-7509

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action that the El Paso City Council hereby approves the list of projects on Exhibit "A" attached to the Resolution, totaling \$67,435,000.00, which establishes: 1) the "Comprehensive International Bridges Capital Improvement Program" as the approved list of International Bridges Capital Improvement Program projects for FY 2025 through FY 2029; and 2) the use of the identified funding sources. Further, the El Paso City Council hereby authorizes the City Manager to make all necessary budget transfers prior to the execution of the projects.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Roberto Tinajero, (915)212-7509, TinajeroRX@elpasotexas.gov

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: Goal 1 - Cultivate an environment conducive to strong economic development.

SUBGOAL: Subgoal 1.5 – Stimulate economic growth through transit and bridges integration.

SUBJECT:

That the El Paso City Council hereby approves the list of projects on Exhibit "A" attached to the Resolution, totaling \$67,435,000.00, which establishes: 1) the "Comprehensive International Bridges Capital Improvement Program" as the approved list of International Bridges Capital Improvement Program projects for FY 2025 through FY 2029; and 2) the use of the identified funding sources. Further, the El Paso City Council hereby authorizes the City Manager to make all necessary budget transfers prior to the execution of the projects.

BACKGROUND / DISCUSSION:

In 2015, the City of El Paso took the first step to leverage international bridges for economic development purposes. Since then, the International Bridges Department (IBD) established the Bridges Steering Committee (BSC) dedicated to bridge infrastructure and process improvements at the ports of entry. Working alongside the BSC, IBD developed the first comprehensive five-year Capital Improvement Program (CIP) which was approved in 2018 followed by an approved update in 2021. Accordingly, this item requests the approval of IBD's updated five-year (FY25-29) CIP with an estimated total projects cost of \$67,435,000.00.

PRIOR COUNCIL ACTION:

December 10, 2018 – Approval of the Comprehensive International Bridges CIP for FY 2019-23.
August 30, 2021 – Approval of the Comprehensive International Bridges CIP for FY 2022-26.

AMOUNT AND SOURCE OF FUNDING:

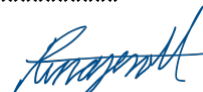
1. International Bridges – Dept. 564: 1) Fund 3360 - Division 64870; 2) Fund 3302 - Division 64880.
2. Texas Mobility Funds: Intelligent Transportation Systems at BOTA and the Zaragoza Bridge.
3. U.S. DOT RAISE grant: Ysleta POE Pedestrian and site improvements.
4. U.S. DOT RCN grant: PDN and Stanton Bridges project development study.
5. Community Project Funding FY25 (pending approval): Ysleta POE Engineering project design.

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: International Bridges
SECONDARY DEPARTMENT: N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD: Roberto Tinajero, M.S., Director for international Bridges



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

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

THAT the El Paso City Council hereby approves the list of projects on Exhibit “A” attached hereto, totaling \$67,435,000.00, which establishes: 1) the “Comprehensive International Bridges Capital Improvement Program” as the approved list of International Bridges Capital Improvement Program projects for FY 2025 through FY 2029; and 2) the use of the identified funding sources. Further, the El Paso City Council hereby authorizes the City Manager to make all necessary budget transfers prior to the execution of the projects.

APPROVED THIS _____ DAY OF _____, 2024


CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:


Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Mona M. Heydarian
Assistant City Attorney

APPROVED AS TO CONTENT:



Roberto Tinajero, Director
International Bridges Department

Exhibit “A” 5-Yr CIP - Bridges

IBD Funded Projects (FY25-29)	Budget Allocations		
	Total	IBD	Other
ITS at Zaragoza and BOTA (Off-System)	\$ 17,900,000	\$ -	\$ 17,900,000
Ysleta Pedestrian Improvements (RAISE Grant)	\$ 14,900,000	\$ 2,900,000	\$ 12,000,000
Toll Collection System Upgrades	\$ 11,000,000	\$ 11,000,000	\$ -
General Bridges / Facilities Repairs and Upgrades	\$ 5,000,000	\$ 5,000,000	\$ -
Stanton and PdN Bridges Traffic Study	\$ 500,000	\$ 500,000	\$ -
Stanton & PDN Project Development Study (RCN Grant)	\$ 2,000,000	\$ -	\$ 2,000,000
International Bridges Crossborder Survey Project	\$ 420,000	\$ 420,000	\$ -
Ysleta Modernization/Expansion Project Development Study	\$ 3,000,000	\$ -	\$ 3,000,000
Pavement Markings, Striping and Lane Dividers	\$ 1,725,000	\$ 1,725,000	\$ -
Ysleta Additional Lane and Lane Assignments	\$ 500,000	\$ 500,000	\$ -
International Bridges Inspections	\$ 260,000	\$ 260,000	\$ -
Ysleta Cargo Restroom and Breakroom Area Construction	\$ 600,000	\$ 600,000	\$ -
E-Fast Pass Dedicated Lane at Stanton Design and Construction	\$ 600,000	\$ 600,000	\$ -
Stanton/PDN E-Fast Pass Office Design and Construction	\$ 770,000	\$ 770,000	\$ -
Stanton Building Improvements Design and Construction	\$ 660,000	\$ 660,000	\$ -
City 1 Parking Lot Improvements	\$ 100,000	\$ 100,000	\$ -
PDN Parking Lot Improvements	\$ 100,000	\$ 100,000	\$ -
Ysleta E-Fast Pass Office Expansion Design and Construction	\$ 2,000,000	\$ 2,000,000	\$ -
Ysleta Building Improvements Design and Construction	\$ 600,000	\$ 600,000	\$ -
Grant Matching Funding	\$ 4,000,000	\$ 4,000,000	\$ -
Parking Meters Improvements and Equipment Upgrades	\$ 800,000	\$ 800,000	\$ -
	Total	IBD	Other
 In-progress projects	\$ 67,435,000	\$ 32,535,000	\$ 34,900,000



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1367, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

City Manager's Office, Omar Martinez, (915) 479-0341
Capital Improvement Department, Yvette Hernandez, (915) 212-1860

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action on a Resolution authorizing the submission of an application to the Office of the Governor Texas Military Preparedness Commission Fiscal Year 2025 Defense Economic Adjustment Assistance Grant (DEAAG) program requesting funds in the amount of \$3,000,000.00, with a \$6,514,523.00 match from the City, for the Fire Station 12 Reconstruction Project.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME Omar Martinez, Assist. Director of Legislative Affairs, 915-479-0341
Yvette Hernandez, City Engineer, 915-212-1860
AND PHONE NUMBER:

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: No 2: Set the Standard for a Safe and Secure City

SUBJECT:

Discussion and action on a Resolution authorizing the submission of an application to the Office of the Governor Texas Military Preparedness Commission Fiscal Year 2025 Defense Economic Adjustment Assistance Grant (DEAAG) requesting funds in the amount of \$3,000,000.00, with a \$6,514,523.00 required match from the City, for the Fire Station 12 Reconstruction Project.

BACKGROUND / DISCUSSION:

The City of El Paso and Fort Bliss continue developing joint programs, projects, and Intergovernmental Service Agreements (IGSA). \$6,514,523 in Capital Project Funds were allocated to the Fire Station 12 Reconstruction Project. In 2024, the Project was selected for funding part of the FY25 Community Project Funding (CPF) appropriations process with the Office of Congressman Tony Gonzales. The Project was selected to receive \$3 million, with an expected approval date of June 2025.

PRIOR COUNCIL ACTION:

City Council 4/23/2024 approved submission of FY25 CPF – [24-534](#)
City Council 9/10/2024 summarized project award – [24-1229](#)

AMOUNT AND SOURCE OF FUNDING:

\$6,514,523.00 Capital Projects Funds

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Capital Improvement

SECONDARY DEPARTMENT: Strategic and Legislative Affairs

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

Yvette Hernandez

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

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

THAT the City of El Paso City Council authorizes the submission of an application to the Office of the Governor Texas Military Preparedness Commission Fiscal Year 2025 Defense Economic Adjustment Assistance Grant (DEAAG) requesting funds in the amount of \$3,000,000.00, with a \$6,514,523.00 match from the City, for the Fire Station 12 Reconstruction Project;

THAT the City Manager, or designee, is authorized to sign any documents necessary for the proper submission of the Application;

THAT the City Manager, or designee, is authorized to sign any documents necessary to accept a grant resulting from the Application, after consultation with the City Attorney’s Office;

THAT the City Manager, or designee, is authorized to sign any documents related to a grant resulting from the Application, including, but not limited to, revisions to the project scope of work, revisions that increase, decrease or de-obligate program funds, revisions to the operation plan, and documents to reject, amend, correct, and/or terminate the grant;

THAT the City Manager, or designee, is authorized to explore funding sources and partnerships that leverage the strength of the Application and any grant resulting from the Application.

APPROVED this _____ day of _____ 2024.

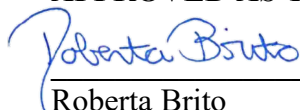
CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

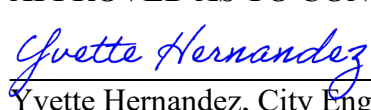
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Roberta Brito
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Yvette Hernandez, City Engineer
Capital Improvement Department



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 24-1311, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

City Manager's Office, Robert Cortinas, (915) 212-1067

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action on the Resolution that the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2024 by Paseo Del Este Municipal Utility District No. 1 with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: City Manager's Office

AGENDA DATE: October 8, 2024

PUBLIC HEARING DATE: N/A

CONTACT PERSON NAME AND PHONE NUMBER: Robert Cortinas, Chief Financial Officer (915) 212-1067

DISTRICT(S) AFFECTED: All Districts

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

SUBGOAL: 6.5

SUBJECT:

Discussion and action on the resolution that the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2024 by Paseo Del Este Municipal Utility District No. 1 with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

BACKGROUND/ DISCUSSION:

On December 3, 2002 the City Council of the City of **El Paso** ('City") consented to the creation of Paseo Del Este Municipal Utility Districts Nos. 1 through 9 ("Districts") in the City of **El Paso's** Extraterritorial Jurisdiction. The City's conditions for the creation of the Districts was that the City is to review and approve the Districts' bonds and notes prior to issuance and may place restrictions on the terms and provisions of each of the District's bonds and notes issued to provide service to the land and conditions on the sale of the District's bonds and notes to the extent such restrictions and conditions do not generally render the bonds and notes of the Districts unmarketable.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING: N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, on December 3, 2002 the City Council of the City of El Paso ('City") consented to the creation of Paseo Del Este Municipal Utility Districts Nos. 1 through 9 ("Districts") in the City of El Paso's Extraterritorial Jurisdiction; and

WHEREAS, the City's consent to the creation of the Districts was subject to several conditions; and

WHEREAS, one of the City's conditions for the creation of the Districts was that the City is to review and approve the Districts' bonds and notes prior to issuance and may place restrictions on the terms and provisions of each of the District's bonds and notes issued to provide service to the land and conditions on the sale of the District's bonds and notes to the extent such restrictions and conditions do not generally render the bonds and notes of the Districts unmarketable; and

WHEREAS, Paseo Del Este Municipal District No. One ("M.U.D. No. 1") requested review and approval of the issuance of the Unlimited Tax Bonds, Series 2024 Bonds Utility by M.U.D. No. 1 (the "Series 2024 Bonds"); and

WHEREAS, the City reviewed the proposed issuance of Series 2024 Bonds by M.U.D. No. 1 and desires to approve the issuance of the bonds.

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

That the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2024 Bonds in the estimated amount of \$1,690,000, by Paseo Del Este Municipal Utility District No. 1, with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

APPROVED THIS _____ DAY OF _____ 2024.


CITY OF EL PASO:

Oscar Lesser
Mayor

ATTEST:


Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Robert Cortinas
Chief Financial Officer

PRELIMINARY OFFICIAL STATEMENT DATED _____, 2024

THE DELIVERY OF THE BONDS IS SUBJECT TO THE OPINION OF BOND COUNSEL AS TO THE VALIDITY OF THE BONDS AND TO THE EFFECT THAT INTEREST ON THE BONDS IS EXCLUDABLE FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES UNDER STATUTES, REGULATIONS, COURT DECISIONS, AND PUBLISHED RULINGS EXISTING ON THE DATE THEREOF, SUBJECT TO THE MATTERS DESCRIBED UNDER "TAX EXEMPTION" HEREIN, INCLUDING THE ALTERNATIVE MINIMUM TAX ON CERTAIN CORPORATIONS.

THE DISTRICT EXPECTS TO DESIGNATE THE BONDS AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" FOR FINANCIAL INSTITUTIONS. SEE "TAX-EXEMPTION - QUALIFIED TAX-EXEMPT OBLIGATIONS FOR FINANCIAL INSTITUTIONS."

NEW ISSUE - Book Entry Only

\$1,690,000
PASEO DEL ESTE MUNICIPAL UTILITY DISTRICT NO. 1
(A political subdivision of the State of Texas located within El Paso County)
UNLIMITED TAX BONDS, SERIES 2024

Ratings: S&P: "_____"
"Stable Outlook"
(See "RATING:
"Municipal Bond Rating" Herein)

Dated: December 15, 2024

Due: August 15, as shown below

Principal of the Bonds will be payable at stated maturity or redemption upon presentation of the Bonds at the principal payment office of the paying agent/registrar, initially BOKF, NA, (the "Paying Agent/Registrar") in Dallas, Texas. Interest on the Bonds will accrue from the date of delivery of the Bonds (expected to be December 24, 2024), and is payable on August 15, 2025 and on each February 15 and August 15 thereafter until the earlier of maturity or redemption. The Bonds will be issued only in fully registered form in denominations of \$5,000 each or integral multiples thereof. Interest will be calculated on the basis of a 360 day year of twelve 30 day months. The Bonds are subject to redemption prior to maturity as shown below.

The Bonds will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds. Beneficial owners of the Bonds will not receive physical certificates representing the Bonds, but will receive a credit balance on the books of the nominees of such beneficial owners. So long as Cede & Co. is the registered owner of the Bonds, the principal of and interest on the Bonds will be paid by the Paying Agent/Registrar directly to DTC, which will, in turn, remit such principal and interest to its participants for subsequent disbursement to the beneficial owners of the Bonds as described herein. See "BOOK-ENTRY-ONLY SYSTEM."

MATURITIES, PRINCIPAL AMOUNTS, INTEREST RATES AND INITIAL REOFFERING YIELDS

Table with 10 columns: Due, Principal, Interest, Initial Reoffering, CUSIP, Due, Principal, Interest, Initial Reoffering, CUSIP. Rows list maturities from 2025 to 2036 with corresponding principal amounts and CUSIP numbers.

- (a) The Initial Purchasers (as defined herein) may designate on or more maturities as term bonds. See accompanying "OFFICIAL NOTICE OF SALE" and "OFFICIAL BID FORM."
(b) Initial reoffering yield represents the initial offering yield to the public which has been established by the Initial Purchaser for offers to the public and which may be subsequently changed by the Initial Purchaser and is the sole responsibility of the Initial Purchaser.
(c) Bonds maturing on or after August 15, 2031 are subject to redemption prior to maturity at the option of the District, in whole or, from time to time in part, on August 15, 2030, or on any date thereafter, at a price equal to the par value thereof plus accrued interest from the most recent interest payment date to the date fixed for redemption. See "THE BONDS - Redemption Provisions."
(d) CUSIP Numbers have been assigned to the Bonds by CUSIP Global Services and are included solely for the convenience of the purchasers of the Bonds. Neither the District nor the Initial Purchaser shall be responsible for the selection or correctness of the CUSIP Numbers set forth herein.

The Bonds, when issued, will constitute valid and legally binding obligations of Paseo del Este Municipal Utility District No. 1 (the "District" or, in its capacity as the Master District pursuant to the Master District Contract (as defined herein), the "Master District") and will be payable from the proceeds of an annual ad valorem tax, without legal limitation as to rate or amount, levied against all taxable property located within the District. The Bonds are obligations solely of the District and are not obligations of the State of Texas, El Paso County, the City of El Paso or any entity other than the District. Investment in the Bonds is subject to special considerations described herein. See "RISK FACTORS."

The Bonds are offered by the Initial Purchaser subject to prior sale, when, as and if issued by the District and accepted by the Initial Purchaser, subject, among other things, to the approval of the Bonds by the Attorney General of Texas and the approval of certain legal matters by McCall, Parkhurst & Horton L.L.P., Austin, Texas, Bond Counsel. Certain legal matters will be passed upon for the District by Locke Lord LLP, Dallas, Texas as Disclosure Counsel. Delivery of the Bonds through the facilities of DTC is expected on or about December 24, 2024.

BIDS DUE: November 20, 2024 at 8:00 A.M., Mountain Standard Time in El Paso, Texas

BID AWARD: November 20, 2024 at 10:30 A.M., Mountain Standard Time in El Paso, Texas

This Preliminary Official Statement and the information contained herein are subject to completion or amendment. These securities may not be sold nor may offers to buy be accepted prior to the time the Official Statement is delivered in final form. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of any such jurisdiction.

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The cover page hereof, this page, the appendices included herein and any addenda, supplement or amendment hereto, are part of the Official Statement.

USE OF INFORMATION IN OFFICIAL STATEMENT

No dealer, broker, salesman or other person has been authorized to give any information or to make any representations other than those contained in this Official Statement, and, if given or made, such other information or representation must not be relied upon as having been authorized by the District.

This Official Statement is not to be used in an offer to sell or the solicitation of an offer to buy in any state in which such offer or solicitation is not authorized or in which the person making such offer or solicitation is not qualified to do so or to any person to whom it is unlawful to make such offer or solicitation.

All of the summaries of the statutes, resolutions, contracts, audited financial statements, engineering and other related reports set forth in this Official Statement are made subject to all of the provisions of such documents. These summaries do not purport to be complete statements of such provisions, and reference is made to such documents, copies of which are available from Terrill & Waldrop, 810 West 10th Street, Austin, Texas 78701 upon payment of duplication costs.

This Official Statement contains, in part, estimates, assumptions and matters of opinion which are not intended as statements of fact, and no representation is made as to the correctness of such estimates, assumptions or matters of opinion, or as to the likelihood that they will be realized. Any information and expressions of opinion herein contained are subject to change without notice and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the District or other matters described herein since the date hereof. However, the District has agreed to keep this Official Statement current by amendment or sticker to reflect material changes in the affairs of the District and, to the extent that information actually comes to its attention, the other matters described in this Official Statement until delivery of the Bonds to the Initial Purchaser and thereafter only as specified in “PREPARATION OF OFFICIAL STATEMENT- Updating the Official Statement.”

* The District expects to approve audited financial statements for the fiscal year ended September 30, 2024, at its Board meeting currently anticipated to be held on January 22, 2025. Approved audited financial statements will be submitted to the MSRB (as defined herein) through its EMMA (as defined herein) system, pursuant to the District’s continuing disclosure undertakings.

OFFICIAL STATEMENT SUMMARY

The following information is qualified in its entirety by the detailed information appearing elsewhere in this Official Statement.

THE FINANCING

- The Issuer*..... Paseo del Este Municipal Utility District No. 1 (the “District”), a political subdivision of the State of Texas (the “State”), is located in El Paso County, Texas (the “County”). See “THE DISTRICT.”
- The Issue*The \$1,690,000 Unlimited Tax Bonds, Series 2024 (the “Bonds”) are issued pursuant to a resolution (the “Bond Resolution”) of the District's Board of Directors. The Bonds will be issued as fully registered bonds in denominations of \$5,000 each or integral multiples thereof, maturing on August 15 in each of the years and in the amounts set forth on the cover hereof. Interest on the Bonds accrues from the date of initial delivery of the Bonds (expected to be December 24, 2024) and is payable on August 15, 2025 and on each February 15 and August 15 thereafter until the earlier of maturity or prior redemption.
- Redemption*The Bonds maturing on and after August 15, 2031, are subject to redemption, in whole or in part, at the option of the District, prior to their maturity dates, on August 15, 2030, or on any date thereafter. Upon redemption, the Bonds will be payable at a price of par plus accrued interest to the date of redemption. See “THE BONDS - Redemption Provisions.”
- Source of Payment*.....The Bonds are payable from an annual ad valorem tax, without legal limitation as to rate or amount, levied upon all taxable property within the District (see “TAX PROCEDURES”). The Bonds are obligations of the District and are not obligations of the State, the County, the City of El Paso (the “City”) or any other political subdivision or agency other than the District. See “THE BONDS - Source of and Security for Payment.”
- Use of Proceeds* Proceeds from sale of the Bonds will be used to reimburse the Developer (as hereinafter defined) for funds advanced on behalf of the District for the District’s pro rata share of costs relating to facilities constructed by or on behalf of the District being a portion of costs of certain regional water and sanitary sewer facilities serving the District and the other “Participant Districts” as hereafter defined, including engineering costs (the “Regional Facilities”), and the cost of certain internal water, wastewater and drainage facilities serving the District (the “Internal Facilities”). Bond proceeds will also be used to pay interest to the Developer (hereinafter defined) on funds expended for the foregoing, including engineering costs to reimburse the Developer for certain allowable creation and administrative expenses and to pay certain costs associated with the issuance of the Bonds. See “THE SYSTEM - Use and Distribution of Bond Proceeds.”
- Payment Record*.....The District has previously issued three series of unlimited tax bonds in 2022 and 2023, of which a principal amount of \$11,375,000 currently remains outstanding prior to the issuance of the Bonds (the “Outstanding Bonds”). The District has never defaulted in payments of principal or of interest on its unlimited tax debt, which the 2022 unlimited tax bonds included 24 months of capitalized interest.
- Qualified Tax-Exempt Obligations*.....The District expects to designate the Bonds as “qualified tax-exempt obligations” for financial institutions. See “TAX EXEMPTION - Qualified Tax Exempt Obligations for Financial Institutions.”
- Municipal Bond Ratings*..... S&P Global Ratings, a division of S&P Global, Inc. (“S&P”) has assigned an underlying credit rating of “_____” to the Bonds (see “RATING; Municipal Bond Rating”).
- General Counsel* Terrill & Waldrop, Austin, Texas.
- Bond Counsel*..... McCall, Parkhurst & Horton L.L.P., Austin, Texas.
- Disclosure Counsel*..... Locke Lord LLP, Dallas, Texas.
- Financial Advisor* Hilltop Securities, Inc., El Paso, Texas and Dallas, Texas.
- Engineer* TRE & Associates, LLC, Austin, Texas and El Paso, Texas.
- Risk Factors*The purchase and ownership of the Bonds are subject to special risk factors, and all prospective purchasers are urged to examine carefully the entire Official Statement for a discussion of investment risks, including particularly the section captioned “RISK FACTORS.”

THE DISTRICT

Description The District was created by division of Paseo del Este Municipal Utility District (the “Original District”) pursuant to a division order adopted by the Original District on March 27, 2003, and operates pursuant to Chapter 443, Acts of the Texas Legislature, Regular Session, 1997 (the “Act”) and Chapters 49 and 54, Texas Water Code. Prior to division, Paseo del Este Municipal Utility District was created as a Conservation and Reclamation District on May 29, 1997 by the Act. The District presently contains approximately 777.502 acres of land located in the southeast portion of the County approximately 15 miles east of the central area of the City. The District is located north of Interstate Highway 10 and east of Loop 375. Eastlake Boulevard provides access to the District. From Interstate Highway 10, exit Eastlake Boulevard and proceed east on Eastlake Boulevard. The District lies within the exclusive extraterritorial jurisdiction of the City. See “AERIAL PHOTOGRAPH” herein.

Master District Contract The District serves as the “Master District” (in such capacity, the “Master District”) pursuant to contract(s) (the “Master District Contract”) entered into between the District (as Master District) and ten other districts in the Paseo del Este development in eastern El Paso County known as Paseo del Este Municipal Utility District Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 (those ten districts and the Master District being collectively referred to as the “Participant Districts” and individually as “Participant District No. –”) with the Master District to coordinate the development of the water, sanitary sewer and drainage facilities to serve the area within all eleven Participant Districts. Under the Master District Contract, the Master District will acquire, construct, own and operate the Regional Facilities to serve the area within all eleven Participant Districts; each Participant District will acquire, construct and own its Internal Facilities serving only area within it and lease the Internal Facilities to the Master District for operation; and the Master District will provide retail water and wastewater service to all retail customers in all of the Participant Districts.

Status of Development The Participant Districts are being developed primarily for single family residential, commercial and industrial purposes, and are within the Paseo del Este development (“Paseo del Este”). Paseo del Este is being developed primarily by Hunt Communities Group, Inc. (“Hunt”) and certain affiliates thereof, and B&G/Sunrise Joint Venture (“B&G”), and is planned to include approximately 4,300 acres of land. The land in Paseo del Este was purchased from the Texas General Land Office by Hunt and affiliates thereof and B&G in varying positions in a series of transactions between 1998 and 2020. As of June 30, 2024, approximately 9,978 single family residential lots have been developed within Paseo del Este, and approximately 9,333 homes are completed or are in various stages of construction in Paseo del Este. The District includes approximately 777.502 acres (including 745.94 developable acres), of which 532.329 acres is expected to be commercial development (68%) and 245.173 acres is expected to be residential development (32%) at final build out. Within the District, there is 532.329 of commercial development in various stages of construction and 401 completed lots on which 395 homes are completed and 6 homes under construction. Commercial development in the District includes retail, industrial, food establishments, medical offices, car washes and gas stations. Tenants in the commercial portions of the District include Amazon, River Oaks, Starbucks, Speedway, Socorro Independent School District, Whataburger, Las Palmas, PetSmart, Burlington, Rack Room Shoes, Specs, Chipotle, Jamba Juice, McDonald’s, Chick-Fil-A, Cinemark, Burger King, Cracker Barrel, Mattress Firm, Hunt-Southwest (unrelated to Hunt Communities Group, Inc (“Hunt”) and others.

The development within the District includes Hillside Park at Mission Ridge Units 2-4, Horizon Marketplace, Skyview Estates and WL Crossing Phase 1 and 2 and Bill Burnett Unit One.

Of the 745.94 developable acres within the District, approximately 320.754 acres have not yet been furnished with water, sanitary sewer and storm drainage facilities. There are 31.562 undevelopable acres within the District. See “RISK FACTORS – Undeveloped Acreage” and “THE DISTRICT – Status of Development.”

The Developer Water, sewer, drainage facilities, and streets to serve land development within the District have been developed by Hunt Mission Ridge, LLC, an affiliate of Hunt. The activities of Hunt and its affiliates include development, construction, consulting and advisory. Water, sewer and drainage facilities to serve commercial portions within the District have been acquired or constructed by B&G, Pellicano 121 Development, LLC and EP Summit Investments, LLC. Hunt Mission Ridge, B&G, Pellicano 121 Development, LLC and EP Summit Investments, LLC are collectively referred to herein as the “Developer.” See “THE DEVELOPER.”

SELECTED FINANCIAL INFORMATION

Tax Year 2024 Certified Assessed Valuation	\$	801,652,566 ^(a)
District Debt:		
Gross Debt Outstanding (after the issuance of the Bonds) ("Gross Debt Outstanding")	\$	13,065,000
Estimated Overlapping Debt		17,362,761 ^(b)
Gross Debt Outstanding and Estimated Overlapping Debt	\$	30,427,761
Ratio of Gross Debt Outstanding to Tax Year 2024 Certified Assessed Valuation		1.63%
Ratio of Gross Debt Outstanding and Estimated Overlapping Debt to Tax Year 2024 Certified Assessed Valuation		3.80%
Debt Service Funds Available, as of August 21, 2024 ^(c)	\$	1,716,999.00
Capital Projects Funds Available, as of August 21, 2024.	\$	392,976.00
Operating Funds Available, as of August 21, 2024 ^(d)	\$	11,009,484.00
Tax Year 2024 Tax Rates:		
Debt Service	\$	0.1014
Contract		0.2900
Maintenance and Operations		0.3586
Total	\$	0.7500 /\$100 A.V.
Average Annual Debt Service Requirements (2025 - 2048) of the Bonds ("Average Requirement")	\$	816,439
Tax rate required to pay Projected Average Requirement based upon Tax Year 2024		
Certified Assessed Valuation at a 98% collection rate		0.1039 /\$100 A.V.
Status of Water Connections as of June 30, 2024:		
Single-family residential - completed and occupied	401	
Single-family residential - completed and vacant	0	
Single-family residential - under construction - builder	6	
Commercial	41	
Other (Irrigation)	51	
Total Connections	499	

-
- (a) As certified by the El Paso Central Appraisal District (the "Appraisal District"). Represents the taxable assessed valuation within the District as of January 1, 2024. See "TAX PROCEDURES."
 - (b) See "ESTIMATED OVERLAPPING DEBT STATEMENT" herein.
 - (c) See "PRO-FORMA DEBT SERVICE REQUIREMENTS."
 - (d) Such amount includes proceeds of an annual ad valorem contract tax levied by each Participant District and paid to the District (as Master District) pursuant to the Master District Contract. See "RISK FACTORS – District Operations and Contract Tax" and "TAX DATA – Contract Tax."

PRELIMINARY OFFICIAL STATEMENT

\$1,690,000

PASEO DEL ESTE MUNICIPAL UTILITY DISTRICT NO. 1

(A political subdivision of the State of Texas located within El Paso County)

UNLIMITED TAX BONDS, SERIES 2024

This Official Statement provides certain information in connection with the issuance by Paseo del Este Municipal Utility District No. 1 (the “District” or, in its capacity as the Master District pursuant to the Master District Contract, the “Master District”) of its \$1,690,000 Unlimited Tax Bonds, Series 2024 (the “Bonds”).

The Bonds are issued pursuant to the Texas Constitution, Chapter 443, Acts of the Texas Legislature, Regular Session, 1997 (the “Act”) and Chapters 49 and 54 of the Texas Water Code, as amended, a resolution authorizing the issuance of the Bonds (the “Bond Resolution”) adopted by the Board of Directors of the District (the “Board”), and an order of the Texas Commission on Environmental Quality (the “TCEQ”).

This Official Statement includes descriptions, among others, of the Bonds and the Bond Resolution, and certain other information about the District and the Developer of land within the District. All descriptions of documents contained herein are only summaries and are qualified in their entirety by reference to each document. Copies of documents may be obtained from Terrill & Waldrop, 810 West 10th Street, Austin, Texas 78701 upon payment of the costs of duplication therefor.

RISK FACTORS

General

The Bonds, which are obligations of the District and not obligations of the State of Texas (the “State”), El Paso County (the “County”), the City of El Paso (the “City”), or any other political entity other than the District, will be secured by a continuing, direct, annual ad valorem tax levied, without legal limitation as to rate or amount, on all taxable property within the District. The ultimate security for payment of the principal of and interest on the Bonds depends on the ability of the District to collect from the property owners within the District all taxes levied against the property or, in the event of foreclosure, on the value of the taxable property with respect to taxes levied by the District and by other taxing authorities. See “THE BONDS - Source of and Security for Payment.” The collection by the District of delinquent taxes owed to it and the enforcement by the Registered Owners of the District's obligation to collect sufficient taxes may be a costly and lengthy process. Furthermore, the District cannot and does not make any representations that continued development of taxable property within the District will accumulate or maintain taxable values sufficient to justify continued payment of taxes by property owners or that there will be a market for the property in the District or that owners of the property in the District will have the ability to pay taxes. See “Registered Owners' Remedies and Bankruptcy Limitations” below.

Dependence on Principal Taxpayers

The District's tax base is concentrated in a small number of taxpayers. As reflected in this Official Statement under the caption “TAX DATA – Principal Taxpayers,” the District's ten principal taxpayers in 2024 owned approximately 79.30 of the assessed value of property, including personal property, located in the District. The District cannot represent that its tax base will in the future be (i) distributed among a significantly larger number of taxpayers or (ii) less concentrated in property owned by a relatively small number of property owners than it is currently. Failure by one or more of the District's principal property owners to make full and timely payments of taxes due may have an adverse effect on the investment quality or security of the Bonds. If any one or more of the principal District taxpayers did not pay taxes due, the District might need to levy additional taxes or use other debt service funds available to meet its debt service requirements, the availability of which is uncertain. See “RISK FACTORS – Tax Collection Limitations”.

The District can make no representation that the taxable property values in the District will increase in the future or will maintain a value sufficient to support the proposed District tax rate or to justify continued payment of taxes by property owners. In 2024, the District levied a total tax rate of \$0.75 per \$100 of assessed valuation composed of a debt service tax of \$0.1014, maintenance tax rate of \$0.3586 and a contract tax rate of \$0.2900.

Factors Affecting Taxable Values and Tax Payments

Economic Factors and Interest Rates: A substantial percentage of the taxable value of the District results from the current market value of single-family residences, undeveloped land and developed lots which are currently being marketed by the Developer (as defined herein) to builders for the construction of primary residences. The market value of such homes and lots is related to general economic conditions affecting the demand for residences. Demand for lots of this type and the construction of residential dwellings thereon can be significantly affected by factors such as interest rates, credit availability (see “Credit Markets and Liquidity in the Financial Markets” below), construction costs, energy availability and the prosperity and demographic characteristics of the urban center toward which the marketing of lots is directed. Decreased levels of construction activity would tend to restrict the growth of property values in the District or could adversely impact such values. See “THE DISTRICT - Status of Development.”

Future development and construction in the District are highly dependent on the availability of financing. Lenders generally have become more selective in making real estate loans throughout the nation, including in Texas. Because of the numerous and changing factors affecting the availability of funds, the District is unable to assess the future availability of such funds to potential home builders and home purchasers.

Credit Markets and Liquidity in the Financial Markets: Interest rates and the availability of mortgage and development funding have a direct impact on the construction activity, particularly short-term interest rates at which the Developer is able to obtain financing for development costs. Interest rate levels may affect the ability of a landowner with undeveloped property to undertake and complete construction activities within the District. Because of the numerous and changing factors affecting the availability of funds, the District is unable to assess the future availability of such funds for continued construction within the District. In addition, since the District is located approximately 15 miles east of the central downtown business district of the City, the success of development within the District and growth of District taxable property values are, to a great extent, a function of the El Paso metropolitan and regional economies and national credit and financial markets. A downturn in the economic conditions in the El Paso area and/or decline in the nation’s real estate and financial markets could continue to adversely affect development and home- building plans in the District and restrain the growth of the District’s property tax base.

Competition: The demand for and construction of single-family homes in the District, which is 15 miles east from downtown El Paso, could be affected by competition from other residential developments, including other residential developments located in the northwestern, northeastern and far eastern portion of the El Paso area market. In addition to competition for new home sales from other developments, there are numerous previously-owned homes in the area of the District. Such homes could represent additional competition for new homes proposed to be sold within the District.

The competitive position of the builders in the sale of single-family residential homes within the District is affected by most of the factors discussed in this section. Such a competitive position directly affects the growth and maintenance of taxable values in the District and tax revenues to be received by the District. The District can give no assurance that building and marketing programs in the District by the Developer will be implemented or, if implemented, will be successful.

Landowner Obligation to the District: There are no commitments from or obligations of any developer or any landowner to the District to proceed at any particular rate or according to any specified plan with the construction of improvements in the District, and there is no restriction on any landowner's right to sell its land. Failure to develop undeveloped land or construct taxable improvements on developed lots or developed tracts of land would restrict the rate of growth of taxable values in the District. The District cannot and does not make any representations that over the life of the Bonds, taxable property within the District will increase or maintain its taxable value. See “Undeveloped Acreage” below.

Dependence on Principal Taxpayers: The ability of any principal taxpayer to make full and timely payments of taxes levied against its property by the District and similar taxing authorities will directly affect the District's ability to meet its debt service obligations. If, for any reason, any one or more principal taxpayers do not pay taxes due or do not pay in a timely manner, the District may need to levy additional taxes or use other funds available for debt service purposes. However, the District has not covenanted in the Bond Resolution, nor is it required by Texas law, to maintain any particular balance in its Debt Service Fund or any other funds to allow for any such delinquencies. Therefore, failure by one or more principal taxpayers to pay their taxes on a timely basis in amounts in excess of the District's available funds could have a material adverse effect upon the District's ability to pay debt service on the Bonds on a current basis. See “TAX DATA – Principal Taxpayers.”

Impact on District Tax Rates: Assuming no further development, the value of the land and improvements currently within the District will be the major determinant of the ability or willingness of District property owners to pay their taxes. The 2024 certified assessed valuation (the “2024 Certified Assessed Valuation”) of the District (see “SELECTED FINANCIAL INFORMATION”) is \$801,652,566. After issuance of the Bonds, the projected maximum annual debt service requirement will be \$865,650 (2040) (the “Projected Maximum Annual Debt Service”) and the projected average annual debt service requirement will be \$816,439.33 (2025-

2048) (the “Projected Average Annual Debt Service”). Assuming no increase or decrease from the 2024 Certified Assessed Valuation and no use of funds other than tax collections, a tax rate of \$0.1102 per \$100 assessed valuation at a 98% collection rate would be necessary to pay the Projected Maximum Annual Debt Service requirement of \$865,650 and a tax rate of \$0.1039 per \$100 assessed valuation at a 98% collection rate would be necessary to pay the Projected Average Annual Debt Service requirement of 816,439.33 (see “SELECTED FINANCIAL INFORMATION” and “TAX DATA –Projected Tax Adequacy for Debt Service”). Such calculated rates may be higher than tax rates presently being levied in utility districts in the general vicinity of the District. Although calculations have been made regarding average and maximum tax rates necessary to pay the debt service on the Bonds based upon the 2024 Certified Assessed Valuation, the District can make no representations regarding the future level of assessed valuation within the assessed valuation does not continue to increase or in the event major taxpayers do not pay their District taxes timely. Increases in taxable values depend primarily on the continuing construction and sale of homes and other taxable improvements within the District. See “TAX PROCEDURES,” “FINANCIAL STATEMENT,” and “TAX DATA – Projected Tax Adequacy for Debt Service.”

Undeveloped Acreage

Of the 745.94 developable acres within the District, approximately 320.754 acres have not yet been furnished with water, sanitary sewer and storm drainage facilities. The District can make no assurances as to whether or when such remaining acreage will be developed. There are 31.562 undevelopable acres within the District. See “THE DISTRICT – Status of Development.”

District Operations and Contract Tax

The Master District Contract(s) between the District (as Master District) and each of the other Participant Districts designates the District as the Master District and provides that the Master District will own or lease all Regional Facilities and Internal Facilities and use them to provide retail water and wastewater service to retail customers inside each Participant District’s boundaries, including the Master District. As consideration for the right to provide such retail service, the District, acting in its capacity as the Master District, has agreed to pay each of the other Participant District’s administrative expenses to manage each Participant District pursuant to a budget process outlined below. The Master District Contract provides that each Participant District will submit annually a budget for its administrative expenses to the Master District for review and approval by the Master District. Once approved, all such expenses will be paid by the Master District. A Participant District’s budget must be approved by the Master District if it is no more than 10% higher than the average of the annual budgets of the Participant Districts Nos. 2-11. To date, each of the Participant District’s annual budgets have all been approved by the Master District.

The Master District Contract also provides that the Master District will pay its own operation and administrative expenses and the approved administrative expenses of the Participant Districts from the revenues from the Master District’s water and wastewater system. If the Master District’s water and wastewater system revenues are insufficient to pay all of those costs, the resulting deficit will be paid by all Participant Districts (including the Master District) from the proceeds of an annual ad valorem contract tax levied by each Participant District on all taxable property within its boundaries in an amount sufficient to pay each Participant District’s pro rata share of the deficit. A Participant District’s pro rata share of the deficit each year is determined by multiplying the deficit by a fraction, the numerator of which is the Participant District’s taxable assessed valuation for the year and the denominator of which is the total of the taxable assessed valuations in all the Participant Districts (including the Master District). See “THE SYSTEM - The Master District Contract.”

For the 2025 fiscal year, the District intends to pay its pro rata share of the Master District’s budgeted operating deficit from the \$0.29/\$100 assessed value contract tax levied by the District on September 11, 2024.

Future Debt

At an election held November 8, 2005, the District authorized the issuance of up to \$70,000,000 of unlimited tax debt. The District reserves in the Bond Resolution the right to issue the remaining \$56,295,000 principal amount of unlimited tax debt authorized but unissued after the issuance of the Bonds for the purpose of acquiring or constructing water, sanitary sewer and drainage facilities and the District may issue additional bonds which may be voted hereafter. The District may also issue revenue bonds and refunding bonds. See “THE BONDS - Issuance of Additional Debt” and “THE SYSTEM – Future Debt.” The issuance of such future obligations may dilute and adversely affect the investment security of the Bonds. The District does not employ any formula with regard to assessed valuations or tax collections or otherwise to limit the amount of bonds which may be issued. Any bonds issued by the District, however, must be approved by the Board of the District, the Attorney General of Texas and, with respect to bonds for water, sewer and drainage improvements, the TCEQ. After sale of the Bonds and reimbursement to the Developers of a portion of the proceeds therefrom, the District will still owe not less than approximately \$295,805 to the Developers for the costs of facilities for which the Developers have not yet been reimbursed. The District expects to sell additional bonds to reimburse the Developer for such costs. See “THE SYSTEM – Future Debt” “THE BONDS – Issuance of Additional Debt,” and “UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED.”

Environmental Regulation

Wastewater treatment and water supply facilities are subject to stringent and complex environmental laws and regulations. The Master District currently receives wholesale water and wastewater services from the El Paso Water Utilities Public Service Board (“EPWU”) for the areas within the District and the remaining Participant Districts. Facilities must comply with environmental laws at the federal, state, and local levels. These laws and regulations can restrict or prohibit certain activities that affect the environment in many ways such as:

- Requiring permits for construction and operation of water supply wells and wastewater treatment facilities;
- Restricting the manner in which wastes are released into the air, water, or soils;
- Restricting or regulating the use of wetlands or other property;
- Requiring action to prevent or mitigate pollution; and
- Imposing substantial liabilities for pollution resulting from facility operations.

Compliance with environmental laws and regulations can increase the cost of planning, designing, constructing and operating water production and wastewater treatment facilities. Sanctions against a municipal utility district or other type of district (“Utility Districts”) for failure to comply with environmental laws and regulations may include a variety of civil and criminal enforcement measures, including assessment of monetary penalties, imposition of remedial requirements, and injunctive relief as to future compliance of and the ability to operate the Utility District’s water supply, wastewater treatment, and drainage facilities. Environmental laws and regulations can also impact an area’s ability to grow and develop. It should be noted that changes in environmental laws and regulations occur frequently, and any changes that result in more stringent and costly requirements could materially impact the District.

Tax Collection Limitations

The District’s ability to make debt service payments may be adversely affected by its inability to collect ad valorem taxes. Under Texas law, the levy of ad valorem taxes by the District constitutes a lien in favor of the District on a parity with the liens of all other state and local taxing authorities on the property against which taxes are levied, and such lien may be enforced by foreclosure. The District’s ability to collect ad valorem taxes through such foreclosure may be impaired by (i) cumbersome, time-consuming and expensive collection procedures, (ii) a bankruptcy court’s stay of tax collection procedures against a taxpayer, or (iii) market conditions affecting the marketability of taxable property within the District and limiting the proceeds from a foreclosure sale of such property. While the District has a lien on taxable property within the District for taxes levied against such property, such lien can be foreclosed only in a judicial proceeding. The costs of collecting any such taxpayer’s delinquencies could substantially reduce the net proceeds to the District from a tax foreclosure sale. Finally, a bankruptcy court with jurisdiction over bankruptcy proceedings initiated by or against a taxpayer within the District pursuant to the Federal Bankruptcy Code could stay any attempt by the District to collect delinquent ad valorem taxes against such taxpayer. In addition to the automatic stay against collection of delinquent taxes afforded a taxpayer during the pendency of a bankruptcy, a bankruptcy could affect payment of taxes in two other ways: first, a debtor’s confirmation plan may allow a debtor to make installment payments on delinquent taxes for up to six years; and, second, a debtor may challenge, and a bankruptcy court may reduce, the amount of any taxes assessed against the debtor, including taxes that have already been paid. See “TAX PROCEDURES - District’s Rights in the Event of Tax Delinquencies.”

Registered Owners' Remedies and Bankruptcy Limitations

If the District defaults in the payment of principal, interest, or redemption price on the Bonds when due, or if it fails to make payments into any fund or funds created in the Bond Resolution, or defaults in the observation or performance of any other covenants, conditions, or obligations set forth in the Bond Resolution, the Registered Owners have the statutory right of a writ of mandamus issued by a court of competent jurisdiction requiring the District and its officials to observe and perform the covenants, obligations, or conditions prescribed in the Bond Resolution. Except for mandamus, the Bond Resolution does not specifically provide for remedies to protect and enforce the interests of the Registered Owners. There is no acceleration of maturity of the Bonds in the event of default and, consequently, the remedy of mandamus may have to be relied upon from year to year. Further, there is no trust indenture or trustee, and all legal actions to enforce such remedies would have to be undertaken at the initiative of, and be financed by, the Registered Owners. Statutory language authorizing local governments such as the District to sue and be sued does not waive the local government’s sovereign immunity from suits for money damages, so that in the absence of other waivers of such immunity by the Texas Legislature, a default by the District in its covenants in the Bond Resolution may not be reduced to a judgment for money damages. If such a judgment against the District were obtained, it could not be enforced by direct levy and execution against the District’s property. Further, the Registered Owners cannot themselves foreclose on property within the District or sell property within the District to enforce the tax lien on taxable property to pay the principal of and interest on the Bonds. The enforceability of the rights and remedies of the Registered Owners may further be limited by a State statute reasonably required to attain an important public purpose or by laws relating to bankruptcy, reorganization or other similar laws of general application affecting the rights of creditors of political subdivisions, such as the District.

The enforceability of the rights and remedies of Registered Owners may be limited by laws relating to bankruptcy, reorganization or other similar laws of general application affecting the rights of creditors of political subdivisions such as the District. Texas law requires municipal utility districts such as the District to obtain the approval of the TCEQ as a condition to seeking relief under Chapter 9 of the Federal Bankruptcy Code.

If a petitioning district were allowed to proceed voluntarily under Chapter 9 of the Federal Bankruptcy Code, it could file a plan for an adjustment of its debts. If such a plan were confirmed by the bankruptcy court, it could, among other things, affect Registered Owners by reducing or eliminating the amount of indebtedness, deferring or rearranging the debt service schedule, reducing or eliminating the interest rate, modifying or abrogating the collateral or security arrangements, substituting (in whole or in part) other securities, and otherwise compromising and modifying the rights and remedies of the Registered Owners' claims against a district.

A district such as the District may not be forced into bankruptcy involuntarily.

Continuing Compliance with Certain Covenants

The Bond Resolution contains covenants by the District intended to preserve the exclusion from gross income of interest on the Bonds. Failure by the District to comply with such covenants in the Bond Resolution on a continuous basis prior to maturity of the Bonds could result in interest on the Bonds becoming taxable retroactively to the date of original issuance. See "TAX EXEMPTION—Opinion."

Marketability

The District has no agreement with the Initial Purchaser (as defined herein) regarding the reoffering yields or prices of the Bonds and has no control over trading of the Bonds in the secondary market. Moreover, there is no assurance that a secondary market will be made in the Bonds. If there is a secondary market, the difference between the bid and asked price of the Bonds may be greater than the difference between the bid and asked price of bonds of comparable maturity and quality issued by more traditional issuers as such bonds are generally bought, sold or traded in the secondary market. Additionally, there are no assurances that if a secondary market for the Bonds were to develop, that any such secondary market would not be disrupted by other economic events.

The failure by the District to comply with its agreement to provide the information and notices required by Rule 15c(2)-12 of the Securities and Exchange Commission ("Rule 15c2-12") could possibly inhibit the sale of the Bonds in the secondary market. See "CONTINUING DISCLOSURE OF INFORMATION."

The Effect of FIRREA on Tax Collections of the District

The Financial Institutions Reform, Recovery and Enforcement Act of 1989 ("FIRREA") contains certain provisions which affect the time for protesting property valuations, the fixing of tax liens and the collection of penalties and interest on delinquent taxes on real property owned by the Federal Deposit Insurance Corporation ("FDIC") when the FDIC is acting as the conservator or receiver of an insolvent financial institution.

Under FIRREA, real property held by the FDIC is still subject to ad valorem taxation, but such act states that (i) no real property of the FDIC shall be subject to foreclosure or sale without the consent of the FDIC and no involuntary liens shall attach to such property, (ii) the FDIC shall not be liable for any penalties, interest, or fines, including those arising from the failure to pay any real or personal property tax when due, and (iii) notwithstanding failure of a person to challenge an appraisal in accordance with state law, such value shall be determined as of the period for which such tax is imposed.

To the extent that the FDIC attempts to enforce the same, these provisions may affect the timeliness of collection of taxes on property, if any, owned by the FDIC in the District and may prevent the collection of penalties and interest on such taxes or may affect the valuation of such property.

Changes in Tax Legislation

Certain tax legislation, whether currently proposed or proposed in the future, may directly or indirectly reduce or eliminate the benefit of the exclusion of interest on the Bonds from gross income for federal income tax purposes. Any proposed legislation, whether or not enacted, may also affect the value and liquidity of the Bonds. Prospective purchasers of the Bonds should consult with their own tax advisors with respect to any proposed, pending or future legislation.

Matters Relating to EPWU Wholesale Water and Wastewater Contract

For a discussion of matters relating to the District's wholesale water and wastewater contract with EPWU, see "THE SYSTEM – Rate Dispute with EPWU Under EPWU Wholesale Water and Wastewater Contract." No assurance can be given on the outcome of such rate dispute or effect of an exercise of remedies by EPWU. Exercise of remedies under the District's wholesale water and wastewater contract with EPWU as described under would have on the rate of development or growth of the tax base in the Master District or the Participant Districts.

THE BONDS

General

Following is a description of some of the terms and conditions of the Bonds, which description is qualified in its entirety by reference to the Bond Resolution of the Board authorizing the issuance and sale of the Bonds. The Bond Resolution authorizes the issuance and sale of the Bonds and prescribes the terms, conditions, and provisions for the payment of the principal of and interest on the Bonds by the District.

The Bonds will be dated December 15, 2024, and will accrue interest from the date of initial delivery of the Bonds (expected to be December 24, 2024). Interest is payable on each August 15 and February 15 commencing August 15, 2025, until the earlier of maturity or prior redemption. The Bonds mature on August 15 in the amounts and years shown on the cover page of this Official Statement. Interest calculations are based on a 360-day year comprised of twelve 30-day months. The Bonds will be issued only in fully registered form in denominations of \$5,000 each or integral multiples thereof.

Authority for Issuance

At a bond election held within the District on November 8, 2005, the voters of the District authorized the issuance of a total of \$70,000,000 principal amount of unlimited tax bonds for water, wastewater and drainage facilities. See “Issuance of Additional Debt” and “UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED” below. The Bonds are the fourth issuance of debt by the District. The TCEQ has authorized the District to sell the Bonds for the purposes described in “THE SYSTEM - Use and Distribution of Bond Proceeds.”

The Bonds are issued by the District pursuant to the terms and provisions of the Bond Resolution, an Order of the TCEQ, Article XVI, Section 59 of the Texas Constitution, the Act and Chapters 49 and 54 of the Texas Water Code, as amended.

Source of and Security for Payment

While the Bonds or any part of the principal thereof or interest thereon remain outstanding and unpaid, the District covenants in the Bond Resolution to levy an annual ad valorem tax, without legal limitation as to rate or amount, upon all taxable property in the District sufficient to pay the principal of and interest on the Bonds, with full allowance being made for delinquencies and costs of collection.

The Bonds are obligations of the District and are not the obligations of the State, the County, the City or any entity other than the District.

Record Date

The record date for the interest payable on the Bonds on any interest payment date means the close of business on the last day of the preceding month whether or not a business day.

Funds

In the Bond Resolution, the Debt Service Fund is created, and the proceeds from all taxes levied, assessed and collected for and on account of the Bonds authorized by the Bond Resolution shall be deposited, as collected, in such fund.

Proceeds from sale of the Bonds, including interest earnings thereon, shall be deposited into the Capital Projects Fund, to pay the costs of acquiring or constructing Internal Facilities or the District’s pro rata share of capacity in Regional Facilities (as defined herein), for paying the District’s pro rata share of creation and administrative costs of all Participant Districts and for paying the costs of issuing the Bonds. See “THE SYSTEM - Use and Distribution of Bond Proceeds” for a more complete description of the use of Bond proceeds.

No Arbitrage

The District will certify as of the date the Bonds are delivered and paid for that, based upon all facts and estimates now known or reasonably expected to be in existence on the date the Bonds are delivered and paid for, the District reasonably expects that the proceeds of the Bonds will not be used in a manner that would cause the Bonds, or any portion of the Bonds, to be “arbitrage bonds” under the Internal Revenue Code of 1986, as amended (the “Code”), and the regulations prescribed thereunder. Furthermore, all officers, employees, and agents of the District have been authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the District as of the date the Bonds are delivered and paid for. In particular, all or any officers of the District are authorized to certify to the facts and circumstances and reasonable expectations of the District on the date the Bonds are delivered and paid for regarding the amount and use of the proceeds of the Bonds. Moreover, the District covenants in the Bond Resolution that it shall make such use of the proceeds of the Bonds, regulate investment of proceeds of the Bonds, and take such other and further actions and follow such procedures, including, without limitation, calculating the yield on the Bonds, as may be required so that the Bonds shall not become “arbitrage bonds” under the Code and the regulations prescribed from time to time thereunder.

Redemption Provisions

Optional Redemption: The District reserves the right, at its option, to redeem Bonds having stated maturities on and after August 15, 2031, in whole or in part in principal amounts of \$5,000 or any integral multiple thereof, on August 15, 2030, or any date thereafter, at the par value thereof plus accrued thereon to the date fixed for redemption.

If fewer than all of the Bonds are redeemed at any time, the particular maturities of Bonds to be redeemed shall be selected by the District. If less than all the Bonds of any maturity are redeemed at any time, the particular Bonds within a maturity to be redeemed shall be selected by the Paying Agent/Registrar by lot or other customary method of selection (or by DTC in accordance with its procedures while the Bonds are in book-entry-only form).

Mandatory Sinking Fund Redemption: In the event the Bonds are structured as "term" bonds, such term bonds will be subject to mandatory sinking fund redemption in accordance with the applicable provisions of the Bond Resolution and will be described in the final Official Statement.

Notice of Redemption: Notice of any optional redemption identifying the Bonds to be redeemed in whole or in part shall be given by the Paying Agent/Registrar at least thirty (30) days prior to the date fixed for optional redemption by sending written notice by first class mail to the Registered Owner of each Bond to be redeemed in whole or in part at the address shown on the register. Such notices shall state the redemption date, the redemption price, and the place at which the Bonds are to be surrendered for payment and, if fewer than all the Bonds outstanding within any one maturity are to be redeemed, the numbers of the Bonds or the portions thereof to be redeemed. Any notice given shall be conclusively presumed to have been duly given, whether or not the Registered Owner receives such notice. By the date fixed for redemption, due provision shall be made with the Paying Agent/Registrar for payment of the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest to the date fixed for redemption. When Bonds have been called for redemption in whole or in part and due provision has been made to redeem the same as herein provided, the Bonds or portions thereof so redeemed shall no longer be regarded as outstanding except for the purpose of receiving payment solely from the funds so provided for redemption, and the rights of the Registered Owners to collect interest that would otherwise accrue after the redemption date on any Bond or portion thereof called for redemption shall terminate on the date fixed for redemption.

Paying Agent/Registrar

The Board has appointed BOKF, NA, Dallas, Texas, as the initial Paying Agent/Registrar (the "Paying Agent/Registrar") for the Bonds. The principal of and interest on the Bonds shall be paid to DTC, which will make distribution of the amounts so paid to the beneficial owners of the Bonds. See "BOOK-ENTRY-ONLY SYSTEM."

Registration and Transfer

So long as any Bonds remain outstanding, the Paying Agent/Registrar shall keep the register at its principal payment office and, subject to such reasonable regulations as it may prescribe, the Paying Agent/Registrar shall provide for the registration and transfer of Bonds in accordance with the terms of the Bond Resolution. While the Bonds are in the Book-Entry-Only System, the Bonds will be registered in the name of Cede & Co. and will not be transferred. See "BOOK-ENTRY-ONLY SYSTEM."

Replacement of Paying Agent/Registrar

Provision is made in the Bond Resolution for replacement of the Paying Agent/Registrar. If the Paying Agent/Registrar is replaced by the District, the new paying agent/registrar shall act in the same capacity as the previous Paying Agent/Registrar. Any paying agent/registrar selected by the District shall be a national or state banking institution, a corporation organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers, and subject to supervision or examination by federal or state authority, to act as Paying Agent/Registrar for the Bonds.

Issuance of Additional Debt

The District may issue additional bonds, with the approval of the TCEQ in the case of bonds issued for water, sewer and drainage purposes, necessary to provide and maintain improvements and facilities consistent with the purposes for which the District was created. After issuance of the Bonds, the District will have \$56,295,000 of unlimited tax bonds authorized but unissued for water, sanitary sewer and drainage purposes. The Bond Resolution imposes no limitation on the amount of additional parity bonds which may be authorized for issuance by the District's voters or the amount of bonds ultimately issued by the District. See "THE SYSTEM - Future Debt" and "UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED."

The District is empowered, among other things, to purchase, construct, operate and maintain all works, improvements, facilities and plants necessary for the supply and distribution of water; the collection, transportation, and treatment of wastewater; and the control and diversion of storm water. The District may issue bonds and other forms of indebtedness to purchase or construct such facilities or acquire contract rights therefor. The District is also empowered to establish, operate, and maintain fire-fighting facilities, independently or with one or more conservation and reclamation districts after approval by the City, the TCEQ and the voters of the District.

Annexation by the City of El Paso

The District lies wholly within the extraterritorial jurisdiction of the City, and may be annexed by the City in accordance with existing Texas law. Under prior Texas law, a municipality could annex and dissolve a municipal utility district located within its extraterritorial jurisdiction without consent of the district or its residents. Under House Bill 347 approved during the 86th Regular Legislative Session ("HB 347"), (a) a municipality may annex a district with a population of less than 200 residents only if: (i) the municipality obtains consent to annex the area through a petition signed by more than 50% of the registered voters of the district, and (ii) if the registered voters in the area to be annexed do not own more than 50% of the land in the area, a petition has been signed by more than 50% of the landowners consenting to the annexation; and (b) a municipality may annex a district with a population of 200 residents or more only if: (i) such annexation has been approved by a majority of those voting in an election held for that purpose within the area to be annexed, and (ii) if the registered voters in the area to be annexed do not own more than 50% of the land in the area, a petition has been signed by more than 50% of the landowners consenting to the annexation. Notwithstanding the foregoing, a municipality may annex an area if each owner of land in the area requests the annexation. As of June 30, 2024, the District had an estimated population of 1,346, thus triggering the voter approval and/or landowner consent requirements discussed in clause (b) above. The described election and petition process may not apply, however, during the term of a strategic partnership agreement between a municipality and a district specifying the procedures for annexation of all or a portion of the District. At present, the District and the City have not entered into (and do not currently have plans to enter into) any such strategic partnership agreement.

If the District is annexed, the City must assume the District's assets and obligations (including the Bonds) and dissolve the District within ninety (90) days. Annexation of territory by the City and dissolution of the District is a policy-making matter within the discretion of the Mayor and City Council of the City, subject to HB 347, and therefore, the District makes no representation that the City will ever annex the District and assume its debt, nor does the District make any representation concerning the ability of the City to pay debt service on the District's bonds if annexation were to occur.

Remedies in Event of Default

Other than a writ of mandamus, the Bond Resolution does not provide a specific remedy for a default. If the District defaults, a Registered Owner could petition for a writ of mandamus issued by a court of competent jurisdiction compelling and requiring the District and the District's officials to observe and perform the covenants, obligations or conditions prescribed in the Bond Resolution. Such remedy might need to be enforced on a periodic basis. Based on recent Texas court decisions, it is unclear whether §Section 49.066, Texas Water Code, effectively waives governmental immunity of a municipal utility district for suits for money damages. Even if a judgment against the District for money damages could be obtained, it could not be enforced by direct levy and execution against the District's property. Further, the Registered Owners cannot themselves foreclose on property within the District or sell property within the District to enforce the tax lien on taxable property to pay the principal of and interest on the Bonds. The enforcement of a claim for payment on the Bonds would be subject to the applicable provisions of the federal bankruptcy laws, any other similar laws affecting the rights of creditors of political subdivisions, and general principles of equity which permit the exercise of judicial discretion. Certain traditional legal remedies also may not be available. See "RISK FACTORS - Registered Owners' Remedies and Bankruptcy Limitations."

Legal Investment and Eligibility to Secure Public Funds in Texas

Pursuant to Section 49.186, Texas Water Code, the Bonds, whether rated or unrated, are (a) legal investments for banks, savings banks, trust companies, building and loan associations, savings and loan associations, insurance companies, fiduciaries, and trustees and (b) legal investments for the public funds of cities, towns, villages, school districts, and other political subdivisions or public agencies of the State. The Bonds are also eligible under the Public Funds Collateral Act, Chapter 2257, Texas Government Code, to secure deposits of public funds of the State or any political subdivision or public agency of the State and are lawful and sufficient security for those deposits to the extent of their market value. Most political subdivisions in the State are required to adopt investment guidelines under the Public Funds Investment Act, Chapter 2256, Texas Government Code, and such political subdivisions may impose other, more stringent requirements in order for the Bonds to be legal investments for such entity's funds or to be eligible to serve as collateral for their funds.

No representation is made that the Bonds will be suitable for or acceptable to financial or public entities for investment purposes. No representation is made concerning other laws, rules, regulations, or investment criteria which might apply to or which might be utilized by any of such persons or entities to limit the acceptability or suitability of the Bonds for any of the foregoing purposes. Prospective purchasers are urged to carefully evaluate the investment quality of the Bonds as to the suitability or acceptability of the Bonds for investment or collateral purposes.

Defeasance

The Bond Resolution provides that the District may discharge its obligations to the Registered Owners of any or all of the Bonds to pay principal, interest and redemption price thereon in any manner permitted by law. Under current Texas law, such discharge may be accomplished either (i) by depositing with the Comptroller of Public Accounts of the State a sum of money equal to the principal of, premium, if any, and all interest to accrue on the Bonds to maturity or redemption or (ii) by depositing with any place of payment (paying agent) of the Bonds or other obligations of the District payable from revenues or from ad valorem taxes or both, or with a commercial bank or trust company designated in the proceedings authorizing such discharge, amounts sufficient to provide for the payment and/or redemption of the Bonds; provided that such deposits may be invested and reinvested only in (a) direct obligations of the United States of America, (b) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the governing body of the District adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (c) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the District adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and which mature and/or bear interest payable at such times and in such amounts as will be sufficient to provide for the scheduled payment and/or redemption of the Bonds.

Upon such deposit as described above, such bonds shall no longer be regarded as outstanding or unpaid. After firm banking and financial arrangements for the discharge and final payment or redemption of the Bonds have been made as described above, all rights of the District to initiate proceedings to call the Bonds for redemption or take any other action amending the terms of the Bonds are extinguished; provided, however, that the right to call the Bonds for redemption is not extinguished if the District: (i) in the proceedings providing for the firm banking and financial arrangements, expressly reserves the right to call the Bonds for redemption; (ii) gives notice of the reservation of that right to the owners of the Bonds immediately following the making of the firm banking and financial arrangements; and (iii) directs that notice of the reservation be included in any redemption notices that it authorizes.

There is no assurance that the current law will not be changed in the future in a manner which would permit investments other than those described above to be made with amounts deposited to defease the Bonds.

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BOOK-ENTRY-ONLY SYSTEM

This section describes how ownership of the Bonds is to be transferred and how the principal of and interest on the Bonds are to be paid to and credited by The Depository Trust Company, New York, New York, (“DTC”) while the Bonds are registered in its nominee name. The information in this section concerning DTC and the Book-Entry-Only System has been provided by DTC for use in disclosure documents such as this Official Statement. The District and the Financial Advisor believe the source of such information to be reliable, but neither of the District nor the Financial Advisor takes any responsibility for the accuracy or completeness thereof.

The District cannot and does not give any assurance that (1) DTC will distribute payments of debt service on the Bonds, or redemption or other notices, to DTC Participants, (2) DTC Participants or others will distribute debt service payments paid to DTC or its nominee (as the registered owner of the Bonds), or redemption or other notices, to the Beneficial Owners, or that they will do so on a timely basis, or (3) DTC will serve and act in the manner described in this Official Statement. The current rules applicable to DTC are on file with the Securities and Exchange Commission, and the current procedures of DTC to be followed in dealing with DTC Participants are on file with DTC.

DTC will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC’s partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered certificate will be issued for each maturity of the Bonds, in the aggregate principal amount of such maturity, and will be deposited with DTC.

DTC, the world’s largest depository, is a limited-purpose trust company organized under the New York Banking Law, a “banking organization” within the meaning of the New York Banking Law, a member of the Federal Reserve System, a “clearing corporation” within the meaning of the New York Uniform Commercial Code, and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 2.2 million issues of U.S. and non-U.S. equity, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC’s participants (“Direct Participants”) deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants’ accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation (“DTCC”). DTCC, in turn, is owned by a number of Direct Participants of DTC and Members of the National Securities Clearing Corporation, Fixed Income Clearing Corporation, and Emerging Markets Clearing Corporation (NSCC, FICC, and EMCC, also subsidiaries of DTCC), as well as by the New York Stock Exchange, Inc., the American Stock Exchange LLC, and the National Association of Securities Dealers, Inc. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing companies that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (“Indirect Participants”). DTC has a rating of: “AA+” from S&P Global Ratings. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC’s records. The ownership interest of each actual purchaser of each Bond (“Beneficial Owner”) is in turn to be recorded on the Direct and Indirect Participants’ records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC’s partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC’s records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Bonds, such as redemptions, tenders, defaults, and proposed amendments to the Bond documents. For example, Beneficial Owners of Bonds may wish to ascertain that the nominee holding the Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the Paying Agent/Registrar and request that copies of notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all of the Bonds within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

The District may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Bonds unless authorized by a Direct Participant in accordance with DTC's Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the District as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Principal, interest and redemption payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the District or the Paying Agent/Registrar, on the payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Paying Agent/Registrar, or the District, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of principal, interest and redemption payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the District or the Paying Agent/Registrar, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the District or the Paying Agent/Registrar. Under such circumstances, in the event that a successor depository is not obtained, printed certificates for the Bonds are required to be printed and delivered

Use of Certain Terms in Other Sections of this Official Statement. In reading this Official Statement it should be understood that while the Bonds are in the Book-Entry-Only System, references in other sections of this Official Statement to registered owners should be read to include the person for which the Participant acquires an interest in the Bonds, but (i) all rights of ownership must be exercised through DTC and the Book-Entry-Only System, and (ii) except as described above, notices that are to be given to registered owners under the Bond Resolution will be given only to DTC.

Information concerning DTC and the Book-Entry-Only System has been obtained from DTC and is not guaranteed as to accuracy or completeness by, and is not to be construed as a representation by, the District or the Financial Advisor.

THE DISTRICT

General

The District is a conservation and reclamation district created by division of Paseo del Este Municipal Utility District pursuant to a division order adopted by the Original District on March 27, 2003 and operates pursuant to the Act and Chapters 49 and 54, Texas Water Code. Prior to division, Paseo del Este Municipal Utility District was created as a Conservation and Reclamation District by the Act. The District is located wholly within the extraterritorial jurisdiction of the City.

The District is empowered, among other things, to purchase, construct, operate and maintain all works, improvements, facilities and plants, and contract rights therefore, necessary for the supply and distribution of water; the collection, transportation, and treatment of wastewater; and the control and diversion of storm water. The District may issue bonds and other forms of indebtedness to purchase or construct such facilities or contract rights therefor. The District is also empowered to establish, operate, and maintain fire-fighting facilities, independently or with one or more conservation and reclamation districts after approval by the City, the TCEQ and the voters of the District.

The TCEQ exercises continuing supervisory jurisdiction over the District. The District is required to observe certain requirements of the City which limit the purposes for which the District may sell bonds to the acquisition, construction, and improvement of waterworks, wastewater, and drainage facilities or contract rights therefor, and the refunding of outstanding debt obligations; place restrictions on the terms and provisions and conditions on the sale of the District's bonds so long as such restraints and conditions do not render the bonds unmarketable; require approval by the City of District construction plans; and permit connections only to platted lots and reserves which have been approved by the City. Construction and operation of the District's drainage system are subject to the regulatory jurisdiction of additional government agencies. See "THE SYSTEM."

The District presently contains approximately 777.502 acres of land located in the southeast portion of El Paso County approximately 15 miles east of the central area of the City. The District is located southeast of Interstate Highway 10 and east of Loop 375. Eastlake Boulevard provides access to the District. From Interstate Highway 10, exit Eastlake Boulevard and proceed east on Eastlake Boulevard. See "AERIAL PHOTOGRAPH" herein.

Validation of Creation of Participant Districts

The creation of the Original District and its division into Participant District Nos. 1-9 has been validated by a final judgment of the County Court-at-Law of El Paso County, Texas. Likewise, creation of Participant District Nos. 10 and 11 has been validated by a final judgment of the District Court of El Paso County, Texas. Each of the Participant Districts, including the District, has held a confirmation, bond, refunding bond, maintenance tax and contract tax election. All such election propositions have been approved by voters of the Participant Districts, including the District.

Status of Development

The District is being developed primarily for single family residential, commercial and industrial purposes, and is within the Paseo del Este development (“Paseo del Este”). Paseo del Este is being developed primarily by Hunt Communities Group, Inc. (“Hunt”) and certain affiliates thereof, and B&G/Sunrise Joint Venture (“B&G”), and is planned to include approximately 4,300 acres of land. The land in Paseo del Este was purchased from the Texas General Land Office by Hunt and affiliates thereof and B&G varying positions in a series of transactions between 1998 and 2020. As of June 30, 2024, approximately 9,978 single family residential lots have been developed within Paseo del Este, and approximately 9,333 homes are completed or are in various stages of construction in Paseo del Este. The District includes approximately 777.502 acres (including 745.94 developable acres), of which 532.329 acres is expected to be commercial development (68%) and 245.173 acres is expected to be residential development (32%) at final build out. Within the District, there are 532.329 acres of commercial development in various stages of construction and 401 completed lots on which 395 homes are completed and 6 homes are under construction. Commercial development in the District includes retail, industrial, food establishments, medical offices, car washes and gas stations. Tenants in the commercial portions of the District include Amazon, River Oaks, Starbucks, Speedway, Socorro Independent School District, Whataburger, Las Palmas, PetSmart, Burlington, Rack Room Shoes, Specs, Chipotle, Jamba Juice, McDonald’s, Chick-Fil-A, Cinemark, Burger King, Cracker Barrel, Mattress Firm, Hunt-Southwest (unrelated to Hunt Communities Group, Inc (“Hunt”) and others.

The development within the District includes Hillside Park at Mission Ridge Units 2-4, Horizon Marketplace, Skyview Estates and WL Crossing Phase 1 and 2 and Bill Burnett Unit One.

Of the 745.94 developable acres within the District, approximately 320.754 acres have not yet been furnished with water, sanitary sewer and storm drainage facilities. There are 31.562 undevelopable acres within the District. See “RISK FACTORS – Undeveloped Acreage”

Community Facilities

Community facilities are located in the general vicinity of the District. Neighborhood shopping facilities, including supermarkets, pharmacies, cleaners, restaurants, banking facilities and other retail and service establishments are located within five miles of the District along areas adjacent to Loop 375. Fire protection for residents of the District is provided by the El Paso County Emergency Services District No. 1. Police protection is provided by the El Paso County Sheriff. Medical care for District residents is available from various facilities in the City within 15 miles of the District. The land within the District is located within the boundaries of Socorro Independent School District, and children within the District attend elementary and middle schools of Socorro Independent School District located within two (2) miles of the District.

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MANAGEMENT

Board of Directors

The District is governed by the Board of Directors, consisting of five directors, which has control over and management supervision of all affairs of the District. None of the Directors listed below reside within the District; however, each Director owns a small parcel of land in the District. Directors are elected by the voters within the District for four-year staggered terms. Director elections are held in May in odd numbered years. The Directors and Officers of the District are listed below:

<u>Name</u>	<u>Title</u>	<u>Term Expires</u>
Jack Holford	President	9/30/2024 ^(a)
Dan Roark	Vice-President	2027
Ken Mills	Secretary	2025
Sid Covington	Assistant Secretary	2027
L. Gus Haddad	Assistant Secretary	2025

(a) Director Holford has submitted his resignation from the Board effective September 30, 2024. The Board will appoint a new Board member and offices will be reorganized at the September 25, 2024, Board meeting.

While the District does not employ any full time employees, it has contracted for certain services as follows:

Tax Assessor/Collector

Land and improvements within the District are appraised for ad valorem taxation purposes by the Appraisal District. The District's Tax Assessor/Collector is agreed upon by virtue of the interlocal agreement between the City and the District and the District has appointed the City Tax Assessor/Collector to serve in this capacity for the District.

Operations

The District contracts with Inframark, LLC for maintenance and operation of the District's System.

Bookkeeper

The District has engaged Municipal Accounts & Consulting, L.P., to serve as the District's bookkeeper.

Engineer

The consulting engineer for the District is TRE & Associates, LLC. (the "Engineer").

General Counsel

The District engages Terrill & Waldrop as General Counsel. Ronald J. Freeman, the District's previous General Counsel, is now Of Counsel to Terrill & Waldrop. Mr. Freeman, in a separate, individual capacity is also Of Counsel to the firm of McCall, Parkhurst & Horton L.L.P. The fees payable to General Counsel are not contingent upon the issuance sale and delivery of the Bonds.

Bond Counsel

The District has engaged McCall, Parkhurst & Horton L.L.P., Austin, Texas as Bond Counsel. The fees payable to Bond Counsel are contingent upon the issuance, sale and delivery of the Bonds.

Disclosure Counsel

The District has engaged Locke Lord LLP, Dallas, Texas, as Disclosure Counsel. The fees payable to Disclosure Counsel are contingent upon the sale, issuance and delivery of the Bonds.

Financial Advisor

Hilltop Securities, Inc., El Paso, Texas and Dallas, Texas (the "Financial Advisor") serves as financial advisor to the District. The fee to be paid the Financial Advisor is contingent upon sale and delivery of the Bonds.

Auditor

The District's financial statements for the fiscal year ending September 30, 2023 have been audited by West, Davis & Company, LLP.

THE DEVELOPER

Role of a Developer

In general, the activities of a landowner or developer in a district such as the District include designing the project, defining a marketing program and setting building schedules; securing necessary governmental approvals and permits for development; arranging for the construction of roads and the installation of utilities; and selling or leasing improved tracts or commercial reserves to other Developer or third parties. In most instances, a landowner or developer will be required by the TCEQ to pay thirty percent (30%) of the cost of placing the water distribution, wastewater collection, and storm drainage facilities in a district, exclusive of water supply and storage and wastewater treatment plants of which the district incurs one hundred percent (100%) of the cost. While a developer is required by the TCEQ to pave streets, a developer is under no obligation to a district to undertake development activities according to any particular plan or schedule. Furthermore, there is no restriction on a developer's right to sell any or all of the land which the developer owns within a district. In addition, the developer is ordinarily the major taxpayer within the district during the early stages of development. The relative success or failure of a developer to perform in the above-described capacities may affect the ability of a district to collect sufficient taxes to pay debt service and retire bonds.

Neither the Developer (as hereinafter defined) nor any of its affiliates, is obligated to pay principal of or interest on the Bonds. See "RISK FACTORS - Factors Affecting Taxable Values and Tax Payments." Furthermore, neither the Developer nor any of its affiliates has any binding commitment to the District to carry out any plan of development, and the furnishing of information relating to the proposed development by the Developer should not be interpreted as such a commitment. Prospective purchasers are encouraged to inspect the District in order to acquaint themselves with the nature of development that has occurred or is occurring within the boundaries of the District.

The Developer

Major water, sewer and drainage facilities and streets to serve residential development within the District have been developed by Hunt Mission Ridge, LLC, an affiliate of Hunt. The activities of Hunt and its affiliates include development, construction, consulting and advisory. Water, sewer and drainage facilities to serve commercial portions within the District have been acquired or constructed by B&G, Pellicano 121 Development, LLC and EP Summit Investments, LLC. The activities of Hunt and its affiliates include investment management, mortgage banking, direct lending, loan servicing, asset management, property management, development, construction, consulting and advisory.

Land within the District is a portion of the development known as Paseo del Este. The Participant Districts have been formed and include approximately 4,300 acres of land in Paseo del Este, including the land on the District. See "THE DISTRICT - Status of Development."

The Developer is not responsible for, liable for, and has made no commitment for payment of the Bonds or other obligations of the District. The Developer may sell or otherwise dispose of its property within the District, or any other assets, at any time. See "RISK FACTORS - Factors Affecting Taxable Values and Tax Payments - Landowner Obligation to the District".

Developer Reimbursement Agreements

Each Participant District, including the District, has entered into reimbursement agreements with the Developer of the regional water and sanitary sewer facilities serving the District and the other Participant Districts, including engineering costs (the "Regional Facilities") serving all Participant Districts pursuant to which the Participant District agrees to reimburse the Developer for the Participant District's pro rata share of the costs of the Regional Facilities based on the Participant District's total ultimate estimated connections as compared to the total connections in all eleven Participant Districts. In addition, such reimbursement agreements contemplate the Participant District will reimburse the Developer for the Participant District's pro rata share of (i) the Developer costs for creation of all eleven Participant Districts and (ii) the administrative and operation advances to all eleven Participant Districts by the Developer, with each Participant District's pro rata share of such expenses based on the ratio of 1 to 11. Finally, each Participant District, including the District, has entered into reimbursement agreements with the Developer of the Internal Facilities serving the specific Participant District pursuant to which the Participant District agrees to reimburse the Developer for the Internal Facilities serving only the specific Participant District. Before such Internal Facilities are purchased by a Participant District, the Developer leases them to the Master District for its use in serving the retail customers within the Participant District.

THE SYSTEM

Regulation

According to the Engineer, the District's water supply and distribution, wastewater collection, and storm drainage facilities (collectively, the "System") have been designed in accordance with accepted engineering practices and the then current requirements of various entities having regulatory or supervisory jurisdiction over the construction and operation of such facilities. The construction of the System was required to be accomplished in accordance with the standards and specifications of the District, the TCEQ and EPWU and is subject to inspection by each such entity. Operation of the System is conducted by the Master District; however, EPWU operates the water treatment and storage and sewer treatment facilities providing wholesale service to the Master District. The Public Utility Commission of Texas is the regulatory authority of the District's certificate of convenience and necessity and has limited appellate jurisdiction to review the District's retail rates. The regulations and requirements of entities exercising regulatory jurisdiction over the System are subject to further development and revision which, in turn, could require additional expenditures by the District in order to achieve compliance. In particular, additional or revised requirements in the future in connection with any permit held by the EPWU for the wastewater treatment plant from which the District receives service could result in the need to construct additional facilities in the future.

The Master District Contract

The District and the remaining Participant Districts have each entered into a "Master District Contract" with the Master District to coordinate the development of the water, sanitary sewer and drainage facilities to serve the area within all eleven Participant Districts. Under the Master District Contract, the Master District will acquire, construct, own and operate the Regional Facilities to serve the area within all eleven Participant Districts; each Participant District will acquire, construct and own its Internal Facilities serving only area within it and lease the Internal Facilities to the Master District for operation; and the Master District will provide retail water and wastewater service to all retail customers in all of the Participant Districts.

Master District Facilities

Source of Water Supply: The District receives its water supply pursuant to the Paseo del Este Wholesale Potable Water Supply and Wastewater Treatment and Transportation Contract (the "Water Supply and Wastewater Agreement") between the Master District and EPWU. Pursuant to terms of the Water Supply and Wastewater Agreement, which expires in 2063, EPWU is obligated to provide wholesale water to meet the needs of the area served by the Master District, including land within the boundaries of the District. EPWU currently supplies water to the Master District facilities from its existing three million gallon elevated storage tank and 12.3 MGD booster pump station. The major components of the EPWU's system serving the Master District's water supply system will serve the anticipated 16,995 equivalent single-family connections and contractually up to 20,000 equivalent single-family connections committed to the Master District, of which 1,818 are allocated to the District. As of June 30, 2024, the Master District (as Master District) is serving approximately 10,125 active water connections across its entire service area, of which 460 are within the District (as a Participant District). According to the Engineer, the District's currently allocated water supply capacity (1,818 equivalent single family connections) is sufficient to serve the District at ultimate build-out.

In order to fully provide water supply to all of the Participant Districts in Paseo del Este, the Master District Facilities will need to be expanded from time to time to meet the demand for such facilities.

Source of Wastewater Treatment: The District is provided wastewater treatment capacity by EPWU through the Water Supply and Wastewater Agreement. Pursuant to the terms of the Water Supply and Wastewater Agreement, EPWU is obligated to provide wholesale wastewater service to meet the needs of the area served by the Master District, including land within the boundaries of the District. The agreement expires in 2063. Wastewater flows are routed to EPWU's Bustamante plant, which has a current permitted capacity of 39 MGD. Current wastewater treatment capacity can serve the anticipated 16,995 equivalent single-family connections and contractually up to 20,000 equivalent single-family connections committed to the Master District. As of June 30, 2024, the Master District (as Master District) is serving approximately 9,978 active wastewater connections across its entire service area, of which 409 are within the District (as a Participant District). The Master District currently receives wholesale water and wastewater services from the EPWU for the areas within Participant Districts. According to the Engineer, the District's currently allocated wastewater treatment capacity (1,818 single family equivalent connections) is sufficient to serve the District at ultimate build-out.

Distribution and Wastewater Collection: Water distribution facilities consist of waterlines ranging in size from 8-inch to 16-inch, generally located within the rights-of-way. These water distribution facilities supply water from the EPWU to each Participant District's internal facilities.

The current wastewater collection facilities include sanitary sewer lines ranging in size from 8-inch to 27-inch generally located within the rights-of-way of collector roads. These collection lines collect wastewater from each Participant District and transport it to an EPWU wastewater interceptor.

Drainage: The Master District will provide the Participant Districts with drainage facilities when it is determined that the facilities benefit two or more Participant Districts. These Regional Facilities will be capable of handling a 100-year storm event and will include storm sewers, drainage channels and retention ponds.

Internal Water Distribution, Wastewater Collection and Storm Drainage Facilities

Internal water distribution, wastewater collection and storm drainage facilities (“Internal Facilities”) have been constructed within the District, funded by the Developer to support the ongoing development. This includes approximately 532.329 commercial acres and 245.173 single family residential acres, encompassing 745.94 acres of developable land.

In the District’s capacity as the Master District, the Master District operates and maintains the water, wastewater, drainage, park and landscaping facilities serving all of the areas within the Participant Districts and provides retail water, wastewater and solid waste services to all retail customers within the Participant Districts. The Master District’s FY 2025 projected revenue budget for providing those services for FY 2025 is approximately \$_____. Those costs will be paid for by (i) the revenues from the Master District’s retail customers in all of the Participant Districts and (ii) the Contract Taxes paid by all of the Participant Districts.

Rate Dispute with EPWU Wholesale Water and Wastewater Contract

All water provided by the Master District to its retail customers is obtained pursuant to the Master District’s wholesale water and sewer service contract with EPWU. The wholesale contract provides that annually, on or about April 1 of each year, EPWU will establish a rate for wholesale water and sewer service to the Master District pursuant to a methodology agreed to in the wholesale contract. For the last four years, the Master District received notices from EPWU that the wholesale water and wastewater rates to the District would be increasing.

The Master District believes the actions by EPWU to increase the wholesale water rate in 2021, 2022, 2023, and 2024 are a breach of the wholesale contract because EPWU arbitrarily deviated from the agreed-upon methodology prescribed by the wholesale contract. Accordingly, the Master District filed petitions (the “Rate Petitions”) with the Texas Public Utility Commission (the “PUC”) requesting that the PUC review the rates attempted to be imposed by EPWU for wholesale water service provided pursuant to the wholesale contract and revise the rate, if appropriate. The PUC has accepted jurisdiction of the Master District’s Rate Petitions.

Both the Master District and EPWU agree that this is a contractual dispute because they do not agree on whether EPWU’s wholesale water charges are being charged as agreed upon pursuant to the wholesale contract. Accordingly, on November 16, 2021, the District filed suit against EPWU in Cause No. 2021DCV3996 in the 210th District Court of El Paso County seeking a declaration by the court of the rights and responsibilities of the District and EPWU under the wholesale contract, with particular regard to the disputed wholesale water charges. The four PUC wholesale water rate appeal matters initiated by the District at PUC are abated pending the resolution of that suit, but the District is vigorously prosecuting both legal proceedings. On March 12, 2024, the District received a favorable Order on Cross-Motions for Summary Judgment (“Order”) concurring with the District’s position that the wholesale water charges by EPWU were improperly calculated for 2021-2022 and 2022-2023 (using the same method applied to calculate charges noticed by EPWU to be effective for 2023-2024 and 2024-2025), but other issues in that proceeding are not yet finally adjudicated. Recently, EPWU filed a notice of appeal that the District maintains was premature.

Meanwhile, for all water received from EPWU pursuant to the wholesale contract from April 1, 2021 to December 2023, the Master District refused to pay the increased rate by EPWU and instead paid for water at the wholesale rate that was in effect prior to April 1, 2021. In December 2023, the District made a catch-up payment to EPWU in the amount of \$665,667.18 which was equivalent to what the District found the charges should have been if the EPWU charges had been calculated consistently with the wholesale contract dating back to April 1, 2021. The catch-up payment covered April 2021 to October 2023. Since that payment, the District has continued to pay what it has determined to be the undisputed portion of EPWU’s wholesale water charges. As of May 2024, the difference between what EPWU billed the District and what the District has paid was approximately \$3,351,411.52.

EPWU has counterclaimed for past amounts it claims are due. The District has, and continues to, set aside reserve funds for the deficiency claim by EPWU in the event of a PUC or court ruling that the District owes such funds to EPWU. In addition, the District is required, pursuant to the Master District Contract, to maintain a three-month operation and maintenance reserve fund. Currently, the District has approximately \$11,009,483.71 in the operation and maintenance reserve fund. This includes \$3,328,558.88 of escrowed funds for the litigation with EPWU. The District has fully funded the reserve amount of \$5,358,373.25 based on the 2024 approved budget. The moneys in the operation and maintenance reserve fund are available to pay any additional charges from EPWU that may be imposed either by the PUC or a court.

Use and Distribution of Bond Proceeds

The estimated use and distribution of Bond proceeds is shown below. Of proceeds to be received from sale of the Bonds, \$1,713,339 is estimated for construction costs, and \$301,662 is estimated for non-construction costs. The actual amounts to be reimbursed by the District and the non-construction costs, including Developer Interest, will be finalized after sale of the Bonds and review by an independent auditor.

In the event approved estimated amounts exceed actual costs, the difference comprises a surplus which may be expended for uses in accordance with the rules of the TCEQ. In the event actual costs exceed previously approved estimated amounts and contingencies, additional TCEQ approval and the issuance of additional bonds may be required.

<u>Construction Costs</u>	<u>District's Share</u>
A. District Facilities	
1. Hillside Park at Mission Ridge Unit 5.....	\$ 99,787
2. Hillside Park at Mission Ridge Unit 6.....	884,124
District Engineering	112,089
Total District Facilities	<u>\$ 1,096,000</u>
B. Regional Facilities	
3. Painted Sky at Mission Ridge Unit 3.....	110,306
Regional Engineering.....	17,279
Total Regional Facilities	<u>\$ 127,585</u>
 TOTAL CONSTRUCTION COSTS (72% of BIR)	 <u>\$ 1,223,585</u>
 <u>Non-Construction Costs</u>	
Administrative Advantages.....	\$ 82,977
Legal Fees.....	33,800
Fiscal Fees (1.25%).....	21,125
Developer Interest.....	146,796
Capitalized Interest.....	-
Bond Discount (3%)	50,700
Bond Issuance Expenses.....	65,102
Bond Application Report Costs	60,000
Attorney General's Fee (0.10%).....	1,690
TCEQ Bond Issuance Fee (0.25%).....	<u>4,225</u>
 TOTAL NON-CONSTRUCTION COSTS (28% of BIR)	 <u>\$ 466,415</u>
 TOTAL BOND ISSUE REQUIREMENT (BIR)	 <u>\$ 1,690,000</u>

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Future Debt

In addition to the costs of facilities being financed with proceeds from sale of the Bonds, the Developer has financed the engineering and construction of certain other Internal (District) Facilities and Regional Facilities. After reimbursement from sale of the Bonds, the Developer will have expended approximately \$295,805 (as of August 15, 2024) for design, construction and acquisition of the District’s share of Regional Facilities not yet reimbursed and \$0 (as of August 15, 2024) for District Facilities not yet reimbursed. It is anticipated that proceeds from future issues of District bonds will be used, in part, to reimburse the Developer for the District’s pro rata share of the costs of the Regional Facilities and all of the costs of the District Facilities and future costs of developing currently undeveloped land, to the extent allowed by the TCEQ.

UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED

<u>Date of Authorization</u>	<u>Purpose</u>	<u>Amount Authorized</u>	<u>Issued to Date</u>	<u>Amount Unissued</u>
11/8/2005	Water, Sanitary Sewer and Drainage	\$70,000,000	\$13,705,000*	\$56,295,000

* Includes the Bonds.

FINANCIAL STATEMENT

Tax Year 2024 Certified Assessed Valuation	\$801,652,566 ^(a)
District Debt:	
Currently Outstanding Bonds	\$ 11,375,000
The Bonds	\$ 1,690,000
Gross Debt Outstanding (after issuance of the Bonds)	\$ 13,065,000
Ratio of Gross Debt Outstanding to 2024 Certified Assessed Valuation	1.63%

Approximate Area of District – 777.502 acres (745.94 developable acres)

(a) As certified by the Appraisal District. Represents the assessed valuation within the District as of January 1, 2024. 3 See “TAX PROCEDURES.”

Cash and Investment Balances (as of August, 21, 2024)

Operating Fund	Cash and Temporary Investments	\$11,009,484
Capital Projects	Cash and Temporary Investments	\$ 392,976
Debt Service Fund	Cash and Temporary Investments	\$ 1,716,999

See “SELECTED FINANCIAL INFORMATION, including footnote (e) therein relating specifically to the Operating Fund Balance.”

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ESTIMATED OVERLAPPING DEBT STATEMENT

Expenditures of the various taxing entities within the territory of the District are paid out of ad valorem taxes levied by such entities on properties within the District. Such entities are independent of the District and may incur borrowings to finance their expenditures. This statement of direct and estimated overlapping ad valorem tax bonds (“Tax Debt”) was developed from information contained in the “Texas Municipal Reports” published by the Municipal Advisory Council of Texas. Except for the amounts relating to the District, the District has not independently verified the accuracy or completeness of such information, and no person should rely upon such information as being accurate or complete. Furthermore, certain of the entities listed may have issued additional bonds since the date hereof, and such entities may have programs requiring the issuance of substantial amounts of additional bonds, the amount of which cannot be determined. The following table reflects the estimated share of the overlapping Tax Debt of the District.

<u>Taxing Jurisdiction</u>	<u>Outstanding Bonds</u>	<u>As of</u>	<u>Overlapping</u>	
			<u>Percent</u>	<u>Amount</u>
El Paso County	\$ 238,897,284	7/31/2024	0.56%	1,337,825
El Paso County Hospital District	301,115,000	7/31/2024	0.56%	1,686,244
Socorro Independent School District	735,317,573	7/31/2024	1.95%	14,338,693
Total Estimated Overlapping Debt.....				\$ 17,362,761
The District.....				\$ 13,065,000 ^(a)
Total Direct and Estimated Overlapping Debt.....				\$ 30,427,761
Ratio of Total Direct and Estimated Overlapping Debt to 2024 Certified Assessed Valuation.....				3.80%

(a) Includes the Bonds.

Overlapping Tax Rates for Tax Year 2023*

<u>Taxing Jurisdiction</u>	<u>2023 Tax Rate per \$100 Assessed Valuation</u>
The District	\$ 0.750000
El Paso County	0.458889
El Paso County Emergency Services District No. 1	0.100000
El Paso Community College District	0.115717
Socorro Independent School District	1.249712
University Medical Center	0.235650
Total Overlapping Tax Rate	\$ 2.909968

*The District will approve the 2024 Tax Rate at the September 11, 2024 meeting.

TAX DATA

Tax Collections

The following statement of tax collections sets forth in condensed form the historical tax collection experience of the District. This summary has been prepared for inclusion herein, based upon information from District records. Reference is made to these records for further and more complete information.

Tax Year	Assessed Valuation	Tax Rate	Tax Levy	Current Collections		Total Collections		Fiscal Year Ending
				Amount	Percent	Amount	Percent	
2020	\$ 18,884,374	0.7500	141,633	151,770	107.16%	151,770	107.16%	9/30/2021
2021	80,067,590	0.7500	600,507	620,372	103.31%	616,011	102.58%	9/30/2022
2022	377,333,988	0.7500	2,830,005	2,825,911	99.86%	2,825,352	99.84%	9/30/2023 ^(a)
2023	587,808,131	0.7500	4,408,561	4,537,336	102.92%	4,536,090	102.89%	9/30/2024
2024	801,652,566	0.7500	6,012,394	NA	NA	NA	NA	9/30/2025

(a) Tax Collections billed on October 1. Collections are as of July 31, 2024
 Taxes are due October 1 and become delinquent if not paid before February 1 of the year following the year in which imposed. No split payments are allowed and no discounts are allowed.

Tax Rate Distribution

	2024	2023	2022	2021	2020
Debt Service	\$0.1014	\$0.2056	\$0.2112	\$0.0000	\$0.0000
Contract ^(a)	0.2900	0.2900	0.2900	0.2900	0.2900
Maintenance and Operations	0.3586	0.2544	0.2488	0.4600	0.4600
Total	\$0.7500	\$0.7500	\$0.7500	\$0.7500	\$0.7500

(a) See “RISK FACTORS – District Operations and Contract Tax” and “– Contract Tax” below.

Tax Rate Limitations

Debt Service: Unlimited (no legal limit as to rate or amount). Maintenance and Operations: \$1.00 per \$100 assessed valuation.

Debt Service Tax

The Board covenants in the Bond Resolution to levy and assess, for each year that all or any part of the Bonds remain outstanding and unpaid, a tax adequate to provide funds to pay the principal of and interest on the Bonds. In connection with the approval of the Bonds, the TCEQ has approved an initial debt service rate of at most \$0.30 per \$100 assessed valuation.

Contract Tax

Under the Master District Contract, each Participant District has agreed to levy and collect a tax (the “Contract Tax”) to make payments to the Master District for (i) the Participant District’s pro rata share of any operating deficits incurred by the Master District and (ii) the debt service on any bonds issued by the Master District for Regional Facilities payable from the Contract Tax (“Master District Bonds”), with the Participant District’s pro rata share based on the Participant District’s total taxable assessed valuation as compared to the total taxable assessed valuation in all eleven Participant Districts. However, the Master District Contract contemplates that the Master District would not issue Master District Bonds for purposes of reimbursing the Developer for the initial construction of the Regional Facilities. The District, in its capacity as Master District, is currently in the process of issuing its first series of contract tax revenue bonds in the expected aggregate principal amount of \$6,255,000 (for projects unrelated to Developer reimbursement), with closing currently expected in the third quarter of calendar year 2024. The District will be obligated to pay its pro rata share of the debt service on such contract tax revenue bonds from its contract tax. The District has approved a total tax rate of \$0.7500 per \$100 of Assessed Valuation for Tax year 2024, as follows: \$0.1014 for debt service tax, \$0.2900 for contract tax and \$0.3586 for maintenance and operations tax.

Maintenance Tax

The Board of Directors of the District has the statutory authority to levy and collect an annual ad valorem tax for maintenance of the District's improvements, if such maintenance tax is authorized by vote of the District's electors. On November 8, 2005, the Board was authorized to levy such a maintenance tax in an amount not to exceed \$1.00 per \$100 of assessed valuation. For the Tax Year 2024, the Board has levied a maintenance tax in the amount of \$0.3586 per \$100 assessed valuation. Such tax is in addition to taxes which the District is authorized to levy for paying principal and interest on the District's bonds.

Tax Exemptions

As discussed in the section titled "TAX PROCEDURES" herein, certain property in the District may be exempt from taxation by the District. The District does not exempt any percentage of the market value of any residential homesteads from taxation.

Additional Penalties

The District has contracted with a delinquent tax attorney to collect delinquent taxes. Pursuant to the contract and in accordance with the Texas Property Tax Code, the District recovers certain costs, expenses and fees associated with tax collection suits, including reasonable attorney's fees in the amount of twenty percent (20%) of the total amount of taxes, penalties, and interest due to the District.

Principal Taxpayers

The following list of principal taxpayers is based upon the 2024 tax roll, which reflects ownership at January 1, 2024.

<u>Name of Taxpayer</u>	<u>Nature of Property</u>	2024 Taxable Assessed Valuation	% of Taxable Assessed Valuation
Amazon.com Services LLC	Warehouse/Distribution	\$ 237,619,797	29.64%
Emerald Pass 12101 Project LLC	Developer	163,735,587	20.42%
SL6 EP Industrial LP	Warehouse/Distribution	58,575,000	7.31%
DI El Paso Logistics Park LP	Warehouse/Distribution	32,994,531	4.12%
CPREIF Rojas LLC	Warehouse/Distribution	30,308,200	3.78%
Logika Properties LLC	Developer	28,715,610	3.58%
CH DOF I-Crep I El Paso Bill Burnett LLC	Commercial	28,500,000	3.56%
ROP Eastlake LLC	Developer	27,808,516	3.47%
River Oaks (Montwood) LTD	Developer	15,225,766	1.90%
Texas M-H LLC	Developer	12,201,092	1.52%
		<u>\$ 635,684,099</u>	<u>79.30%</u>

Summary of Assessed Valuation

The following summary of the Assessed Valuation is provided by the Appraisal District based on information contained in the 2020-2024 tax rolls of the District. Differences in totals may vary slightly from other information herein due to differences in dates of data.

	<u>2024</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>
Land and Improvements	\$ 539,792,950	\$ 374,888,528	\$ 273,110,096	\$ 80,651,709	\$ 21,948,195
Personal Property	412,478,304	386,758,915	110,020,892	3,245,829	640,614
Exemptions	(150,618,688)	(173,839,312)	(5,797,000)	(3,829,948)	(3,704,435)
Total Assessed Valuation	<u>\$ 801,652,566</u>	<u>\$ 587,808,131</u>	<u>\$ 377,333,988</u>	<u>\$ 80,067,590</u>	<u>\$ 18,884,374</u>

Projected Tax Adequacy for Debt Service

Assuming (i) a tax collection rate similar to the collection rate of the District in years past, (ii) no increase or decrease in assessed valuation over the 2024 Certified Assessed Valuation, (iii) no use of available funds, and (iv) utilization of a tax rate necessary to pay the District’s projected average annual debt service requirements on the Bonds and the District’s outstanding bonds, the District expects that sufficient funds will be generated to pay both the Projected Average Annual Debt Service and Projected Maximum Annual Debt Service shown below.

Average Annual Debt Service (2025-2048)	\$	816,439.33
Maximum Annual Debt Service (2040).....	\$	865,650.00

TAX PROCEDURES

Authority to Levy Taxes

The Board is authorized to levy an annual ad valorem tax, without legal limitation as to rate or amount, on all taxable property within the District in an amount sufficient to pay the principal of and interest on the Bonds, and any additional bonds payable from taxes which the District may hereafter issue (see “RISK FACTORS - Future Debt”) and to pay the expenses of assessing and collecting such taxes. The District agrees in the Bond Resolution to levy such a tax from year to year as described more fully herein under “THE BONDS - Source of and Security for Payment.” Under Texas law, the Board may also levy and collect an annual ad valorem tax for the operation and maintenance of the District and its water and wastewater system and for the payment of certain contractual obligations. See “TAX DATA.”

Property Tax Code and County-Wide Appraisal District

The Texas Property Tax Code (the “Property Tax Code”) specifies the taxing procedures of all political subdivisions of the State, including the District. The District must also follow tax procedures found in the Texas Water Code. These statutory provisions are complex and are not fully summarized here.

The Property Tax Code requires, among other matters, county-wide appraisal and equalization of taxable property values and establishes in each county of the State an appraisal district with the responsibility for recording and appraising property for all taxing units within a county and an appraisal review board with responsibility for reviewing and equalizing the values established by the appraisal district. The Appraisal District has the responsibility for appraising property for all taxing units within the County, including the District. Such appraisal values are subject to review and change by the El Paso County Appraisal Review Board (the “Appraisal Review Board”).

Property Subject to Taxation by the District

General: Except for certain exemptions provided by Texas law, all real property, tangible personal property held or used for the production of income, mobile homes, and certain categories of intangible personal property with a tax situs in the District are subject to taxation by the District; however, no effort is expected to be made by the Appraisal District to include on a tax roll tangible or intangible personal property not devoted to commercial or industrial use. Principal categories of exempt property include, but are not limited to: property owned by the State or its political subdivisions if the property is used for public purposes; property exempt from ad valorem taxation by federal law; income producing tangible personal property or mineral interest with a taxable value of less than \$500; certain property used for the control of air, water or land pollution; solar and wind powered energy devices; certain non-profit cemeteries, farm products owned by the producer; and certain property owned by qualified charitable, religious, veterans, youth development, fraternal organizations, designated historical sites, travel trailers, and most individually owned automobiles. Goods, wares, ores and merchandise (other than oil, gas, or petroleum products) that are acquired in or imported into the state and forwarded out of state within 175 days thereafter are also exempt. Article VIII, Section 1-a of the Texas Constitution grants a \$3,000 homestead exemption for all homesteads taxed by counties for farm-to-market roads and flood control purposes. Property owned by a disabled veteran or by the spouse of certain children of a deceased disabled veteran or a veteran who died while on active duty is partially exempt to between \$5,000 and \$12,000 of assessed value depending upon the disability rating of the veteran. A veteran who receives a disability rating of 100% is entitled to an exemption for the full value of the veteran’s residence homestead. Additionally, subject to certain conditions, the surviving spouse or a disabled veteran who is entitled to an exemption for the full value of the veteran's residence homestead is also entitled to an exemption from taxation of the total appraised value of the same property to which the disabled veteran's exemption applied. The surviving spouse of a member of the armed services who was killed in action is entitled to an exemption from taxation of the total appraised value of the surviving spouse's residence homestead where certain condition are met and, subject to certain conditions, an exemption up to the same amount may be transferred to a subsequent residence homestead of the surviving spouse.

The surviving spouse of a first responder who was killed or fatally injured in the line of duty is, subject to certain conditions, entitled to an exemption of the total appraised value of the surviving spouse's residence homestead, and, subject to certain conditions, an exemption up to the same amount may be transferred to a subsequent residence homestead of the surviving spouse. Also partially exempt are residence homesteads of certain persons who are disabled or at least 65 years old, not less than \$3,000 of appraised value or such higher amount as the Board or the District's voters may approve. Subject to certain conditions, the surviving spouse of a person 65 or older is entitled to an exemption for the same property in an amount equal to that which the deceased spouse was qualified. The District's tax assessor is authorized by statute to disregard exemptions for the disabled and elderly if granting the exemption would impair the District's obligation to pay tax-supported debt incurred prior to adoption of the exemption by the District. The District's tax assessor/collector is authorized by statute to disregard such exemptions for the elderly and disabled if granting the exemptions would impair the District's obligation to pay tax supported debt incurred prior to adoption of the exemptions by the District. See "TAX DATA."

Residential Homestead Exemptions: The Property Tax Code authorizes the governing body of each political subdivision in the State to exempt up to twenty percent (20%) (not less than \$5,000) of the appraised value of residential homesteads from ad valorem taxation. Where ad valorem taxes have previously been pledged for the payment of debt, the governing body of a political subdivision may continue to levy and collect taxes against the exempt value of the homesteads until the debt is discharged, if the cessation of the levy would impair the obligations of the contract by which the debt was created. The adoption of a homestead exemption may be considered each year, but must be adopted before July 1. The District has not adopted a general residential homestead exemption. See "TAX DATA."

Freeport Goods Exemption: Freeport goods are goods, wares, merchandise, other tangible personal property and ores, other than oil, natural gas and other petroleum products, which have been acquired or brought into the state for assembling, storing, manufacturing, repair, maintenance, processing or fabricating purposes, or used to repair or maintain aircraft of a certified air carrier, and shipped out of the state within one hundred seventy-five (175) days. Freeport goods are exempt from taxation by the District.

Goods-in-Transit Exemptions: A "Goods-in-Transit Exemption" may apply to certain tangible personal property that is acquired in or imported into Texas for assembling, storing, manufacturing or fabrication purposes which is destined to be forwarded to another location in Texas not later than 175 days after acquisition or importation, so long as the location where said goods are detained is not directly or indirectly owned by the owner of the goods. The District has not taken action to allow taxation of goods-in-transit, and accordingly, the exemption is available within the District. However, the District may determine in the future to take action to tax exempt goods-in-transit personal property. A taxpayer may not claim both a Freeport Goods Exemption and a Goods-in-Transit Exemption on the same property.

Tax Abatement

The County may designate all or part of the area within the District as a reinvestment zone. Thereafter, the County, Socorro Independent School District, the District, and, if the District is annexed and dissolved, the City, at the option and discretion of each entity, may enter into tax abatement agreements with owners of property within the zone. Prior to entering into a tax abatement agreement, each entity must adopt guidelines and criteria for establishing tax abatement, which each entity will follow in granting tax abatement to owners of property. The tax abatement agreements may exempt from ad valorem taxation by each of the applicable taxing jurisdictions, including the District, for a period of up to ten (10) years, all or any part of any increase in the assessed valuation of property covered by the agreement over its assessed valuation in the year in which the agreement is executed, on the condition that the property owner make specified improvements or repairs to the property in conformity with the terms of the tax abatement. Each taxing jurisdiction has discretion to determine terms for its tax abatement agreements without regard to the terms approved by the other taxing jurisdictions.

Temporary Exemption for Qualified Property Damaged by a Disaster

The Property Tax Code provides for a temporary exemption from ad valorem taxation of a portion of the appraised value of certain property that is at least 15% damaged by a disaster and located within an area declared to be a disaster area by the governor of the State of Texas. This temporary exemption is automatic if the disaster is declared prior to a taxing unit, such as the District, adopting its tax rate for the tax year. A taxing unit, such as the District, may authorize the exemption at its discretion if the disaster is declared after the taxing unit has adopted its tax rate for the tax year. The amount of the exemption is based on the percentage of damage and is prorated based on the date of the disaster. Upon receipt of an application submitted within the eligible timeframe by a person who qualifies for a temporary exemption under the Property Tax Code, the Appraisal District is required to complete a damage assessment and assign a damage assessment rating to determine the amount of the exemption. The temporary exemption amounts established under the Property Tax Code range from 15% for property less than 30% damaged to 100% for property that is a total loss. Any such temporary exemption granted for disaster-damaged property expires on January 1 of the first year in which the property is reappraised.

Valuation of Property for Taxation

Generally, property in the District must be appraised by the Appraisal District at market value as of January 1 of each year. Once an appraisal roll is prepared and finally approved by the Appraisal Review Board, it is used by the District in establishing its tax rolls and tax rate. Generally, assessments under the Property Tax Code are to be based on one hundred percent (100%) of market value, as such is defined in the Property Tax Code. In determining market value, either the replacement cost or the income or the market data method of valuation may be used, whichever is appropriate. Nevertheless, certain land may be appraised at less than market value under the Property Tax Code. Increases in the appraised value of residence homesteads are limited by the Texas Constitution to 10 percent annually regardless of the market value of the property.

The Property Tax Code permits land designated for agricultural use, open space or timberland to be appraised at its value based on the land's capacity to produce agricultural or timber products rather than at its market value. Substantially all of the undeveloped land in the District is valued based on agricultural use. The Property Tax Code permits under certain circumstances that residential real property inventory held by a person in the trade or business be valued at the price all such property would bring if sold as a unit to a purchaser who would continue the business. Provisions of the Property Tax Code are complex and are not fully summarized here. Landowners wishing to avail themselves of the agricultural use, open space or timberland designation or residential real property inventory designation must apply for the designation and the appraiser is required by the Property Tax Code to act on each claimant's right to the designation individually. A claimant may waive the special valuation as to taxation by some political subdivisions while claiming it as to another. If a claimant receives the agricultural use designation and later loses it by changing the use of the property or selling it to an unqualified owner, the District can collect taxes based on the new use, including taxes for the previous three (3) years for agricultural use and taxes for the previous five (5) years for open space land and timberland.

The Property Tax Code requires the Appraisal District to implement a plan for periodic reappraisal of property to update appraisal values. The plan must provide for appraisal of all real property in the Appraisal District at least once every three (3) years. It is not known what frequency of reappraisal will be utilized by the Appraisal District or whether reappraisals will be conducted on a zone or county-wide basis. The District, however, at its expense has the right to obtain from the Appraisal District a current estimate of appraised values within the District or an estimate of any new property or improvements within the District. While such current estimate of appraised values may serve to indicate the rate and extent of growth of taxable values within the District, it cannot be used for establishing a tax rate within the District until such time as the Appraisal District chooses formally to include such values on its appraisal roll.

District and Taxpayer Remedies

Under certain circumstances taxpayers and taxing units (such as the District) may appeal the orders of the Appraisal Review Board by filing a timely petition for review in State district court. In such event, the value of the property in question will be determined by the court or by a jury if requested by any party. Additionally, taxing units may bring suit against the Appraisal District to compel compliance with the Property Tax Code. The Property Tax Code also establishes a procedure for notice to property owners of reappraisals reflecting increased property value, appraisals which are higher than renditions, and appraisals of property not previously on an appraisal roll.

Rollback of Operation and Maintenance Tax Rate

During the 86th Regular Legislative Session, Senate Bill 2 ("SB 2") was passed and signed by the Governor, with an effective date (as to those provisions discussed herein) of January 1, 2020, and the provisions described herein are effective beginning with the 2020 tax year. See "SELECTED FINANCIAL INFORMATION" for a description of the District's Year 2024 total tax rate. Debt service and contract tax rates cannot be reduced by a rollback election held within any of the districts described below.

SB 2 classifies municipal utility districts differently based on their current operation and maintenance tax rate or on the percentage of projected build-out that a district has completed. Districts that have adopted an operation and maintenance tax rate for the current year that is 2.5 cents or less per \$100 of taxable value are classified herein as "Special Taxing Units." Districts that have financed, completed, and issued bonds to pay for all land, improvements and facilities necessary to serve at least 95% of the projected build-out of the district are classified as "Developed Districts." Districts that do not meet either of the classifications previously discussed can be classified herein as "Developing Districts." The impact each classification has on the ability of a district to increase its maintenance and operations tax rate pursuant to SB 2 is described for each classification below.

Special Taxing Units

Special Taxing Units that adopt a total tax rate that would impose more than 1.08 times the amount of the total tax imposed by such district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, are required to hold an election within the district to determine whether to approve the adopted total tax rate. If the adopted total tax rate is not approved at the election, the total tax rate for a Special Taxing Unit is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.08 times the amount of operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, subject to certain homestead exemptions.

Developed Districts

Developed Districts that adopt a total tax rate that would impose more than 1.035 times the amount of the total tax imposed by the district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, plus any unused increment rates, as calculated and described in Section 26.013 of the Tax Code, are required to hold an election within the district to determine whether to approve the adopted total tax rate. If the adopted total tax rate is not approved at the election, the total tax rate for a Developed District is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.035 times the amount of operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, subject to certain homestead exemptions, plus any unused increment rates. In addition, if any part of a Developed District lies within an area declared for disaster by the Governor of Texas or President of the United States, alternative procedures and rate limitations may apply for a temporary period. If a district qualifies as both a Special Taxing Unit and a Developed District, the district will be subject to the operation and maintenance tax threshold applicable to Special Taxing Units.

Developing Districts

Districts that do not meet the classification of a Special Taxing Unit or a Developed District can be classified as Developing Districts. The qualified voters of these districts, upon the Developing District's adoption of a total tax rate that would impose more than 1.08 times the amount of the total tax imposed by such district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, are authorized to petition for an election to reduce the operation and maintenance tax rate. If an election is called and passes, the total tax rate for Developing Districts is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.08 times the amount of operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, subject to certain homestead exemptions.

The District

A determination as to a district's status as a Special Taxing Unit, Developed District or Developing District will be made by the Board of Directors on an annual basis. With respect to the District's Year 2024 tax rate, the District has been classified as a Developed District. The District cannot give any assurances as to what its classification will be at any point in time or whether the District's future tax rates will result in a total tax rate that will reclassify the District into a new classification and new election calculation.

Levy and Collection of Taxes

The District is responsible for the levy and, unless it elects to transfer such functions to another governmental entity, collection of its taxes. By September 1 of each year, or as soon thereafter as practicable, the rate of taxation is set by the Board of Directors based upon: a) the valuation of property within the District as of the preceding January 1, and b) the amount required to be raised for debt service, maintenance purposes and authorized contractual obligations. Taxes are due October 1, or when billed, whichever comes later, and become delinquent if not paid before February 1 of the year following the year in which imposed. A delinquent tax incurs a penalty of six percent (6%) of the amount of the tax for the first calendar month it is delinquent, plus one percent (1%) for each additional month or portion of a month the tax remains unpaid prior to July 1 of the year in which it becomes delinquent. If the tax is not paid by July 1 of the year in which it becomes delinquent, the tax incurs a total penalty of twelve percent (12%) regardless of the number of months the tax has been delinquent and incurs an additional penalty for collection costs of an amount established by the District and a delinquent tax attorney. For those taxes billed at a later date and that become delinquent on or after June 1, they will also incur an additional penalty for collection costs of an amount established by the District and a delinquent tax attorney. The delinquent tax accrues interest at a rate of one percent (1%) for each month or portion of a month it remains unpaid. The Property Tax Code makes provisions for the split payment of taxes, discounts for early payment and the postponement of the delinquency date of taxes under certain circumstances which, at the option of the District, may be rejected.

The District's tax collector is required to enter into an installment payment agreement with any person who is delinquent on the payment of tax on a residence homestead for payment of tax, penalties and interest, if the person requests an installment agreement and has not entered into an installment agreement with the collector in the preceding 24 months. The installment agreement must provide for payments to be made in monthly installments and must extend for a period of at least 12 months and no more than 36 months. Additionally, the owner of a residential homestead property who is (i) sixty-five (65) years of age or older, (ii) disabled, or (iii) a disabled veteran, is entitled by law to pay current taxes on a residential homestead in installments without penalty or to defer the payment of taxes during the time of ownership. In the instance of tax deferral, a tax lien remains on the property and interest continue to accrue during the period of deferral.

District's Rights in the Event of Tax Delinquencies

Taxes levied by the District are a personal obligation of the owner of the property as of January 1 of the year for which the tax is imposed. On January 1 of each year, a tax lien attaches to property to secure the payment of all state and local taxes, penalties, and interest ultimately imposed for the year on the property. The lien exists in favor of the State and each local taxing unit, including the District, having power to tax the property. The District's tax lien is on a parity with tax liens of such other taxing units (see "ESTIMATED OVERLAPPING DEBT STATEMENT - Overlapping Tax Rates for Year 2023"). A tax lien on real property takes priority over the claim of most creditors and other holders of liens on the property encumbered by the tax lien, whether or not the debt or lien existed before the attachment of the tax lien; however, whether a lien of the United States is on a parity with or takes priority over a tax lien of the District is determined by applicable federal law. Personal property under certain circumstances is subject to seizure and sale for the payment of delinquent taxes, penalty, and interest.

At any time after taxes on property become delinquent, the District may file suit to foreclose the lien securing payment of the tax, to enforce personal liability for the tax, or both. In filing a suit to foreclose a tax lien on real property, the District must join other taxing units that have claims for delinquent taxes against all or part of the same property. Collection of delinquent taxes may be adversely affected by the cost of suit and sale, by the amount of taxes owed to other taxing units, by the effects of market conditions on the foreclosure sale price, by taxpayer redemption rights (a taxpayer may redeem property within six (6) months for commercial property and two (2) years for residential and all other types of property after the purchaser's deed issued at the foreclosure sale is filed in the county records) or by bankruptcy proceedings which restrict the collection of taxpayer debts. The District's ability to foreclose its tax lien or collect penalties or interest on delinquent taxes may be limited on property owned by a financial institution which is under receivership or conservatorship by the FDIC. See "RISK FACTORS – The Effect of FIRREA on Tax Collections of the District."

2023 Legislative Session

On July 13, 2023, during the Second Special Session, the Texas Legislature passed Senate Bill 2, which, among other things, includes provisions that prohibit an appraisal district from increasing the appraised value of real property during the 2024 tax year on non-homestead properties (the "subjected property") whose appraised values are not more than \$5 million dollars (the "maximum property value") to an amount not to exceed the lesser of: (1) the market value of the subjected property for the most recent tax year that the market value was determined by the appraisal office or (2) the sum of: (a) 20 percent of the appraised value of the subjected property for the preceding tax year; (b) the appraised value of the subjected property for the preceding tax year; and (c) the market value of all new improvements to the subjected property (collectively, the "appraisal cap"). After the 2024 tax year, through December 31, 2026, the maximum property value cap may be increased or decreased by the product of the preceding state fiscal year's increase or decrease in the consumer price index, as applicable, to the maximum property value. The appraisal cap took effect on January 1, 2024.

GENERAL FUND OPERATIONS

General

The Bonds are payable from the levy of an ad valorem tax, without legal limitation as to rate or amount, upon all taxable property in the District. Neither revenues of the Master District's System Facilities nor surplus revenues, if any, of the District's general fund are pledged to the payment of the Bonds but are available for any lawful purpose including payment of debt service on the Bonds, at the discretion and upon action of the Board. It is not expected that significant net revenue, if any, will be available for payment of debt service on the Bonds.

Contract Tax

Under the Master District Contract, each Participant District has agreed to levy and collect the Contract Tax to make payments to the Master District for (i) the Participant District's pro rata share of any operating deficits incurred by the Master District and (ii) the debt service on any Master District Bonds, with the Participant District's pro rata share based on the Participant District's total taxable assessed valuation as compared to the total taxable assessed valuation in all eleven Participant Districts. However, the Master District Contract contemplates that the Master District would not issue Master District Bonds for purposes of reimbursing the Developer for the initial construction of the Regional Facilities. Thus, for the foreseeable future, the District contemplates levying a Contract Tax only for its pro rata share of the operating deficits of the Master District. The District approved the following tax rates at its August board meeting, and levied such rates as final at its September 11, 2024 Board meeting: \$0.7500 per \$100 of Assessed Valuation for Tax Year 2024, as follows: \$0.1014 for debt service tax, \$0.2900 for contract tax and \$0.3586 for maintenance tax.

District Operation and Maintenance Expense

The Master District provides retail water and sanitary sewer service to all customers in the area within all eleven Participant Districts, including the District, but does not expect that the revenues collected by the Master District will generate surplus revenues for payment of debt service on the Bonds and such revenues are specifically not pledged to payment of the Bonds.

Operating Statement

The following statement sets forth in condensed form the historical results of operation of the District's General Fund. Accounting principles customarily employed in the determination of net revenues have been observed and in all instances exclude depreciation. Such summary is based upon information obtained from the District's audited financial statements and the District's bookkeeping records. Reference is made to such statements and records for further and more complete information.

	Fiscal Year Ended September 30, 2023				
	2023	2022	2021	2020	2019
Revenues:					
Water Service	\$ 2,768,074	\$ 2,633,299	\$ 2,087,331	\$ 1,818,629	\$1,654,061
Wastewater Service	1,013,616	896,042	706,775	462,774	379,254
Basic Service	8,091,115	7,037,100	5,907,524	4,602,499	3,686,687
Service Penalties	247,290	189,927	100,079	95,007	155,293
Connection Fees	700,756	891,680	944,660	985,027	909,394
Property Taxes	937,084	377,820	93,086	79,454	81,551
Contract Taxes	1,092,470	238,191	58,685	50,091	45,872
Contract Taxes from Participant Districts	5,252,102	4,216,793	3,412,068	2,922,969	2,318,749
Interest on Temporary Investments	344,804	44,081	5,725	97,467	51,908
Total Revenues	<u>\$20,447,311</u>	<u>\$16,524,933</u>	<u>\$13,315,933</u>	<u>\$11,113,917</u>	<u>\$9,282,769</u>
Expenditures:					
Water Purchased	\$ 4,078,929	\$ 3,274,208	\$ 3,710,703	\$ 3,136,567	\$2,470,941
Wastewater Services	2,400,664	2,102,779	1,788,782	1,773,974	1,762,810
Solid Waste Disposal	2,101,640	1,884,683	1,645,680	1,393,038	1,160,642
Connection Fees	994,890	901,924	743,727	623,045	530,086
Disconnection Fees	121,706	124,020	107,310	46,165	37,645
Repairs and Maintenance	4,339,091	2,917,321	2,725,011	2,424,707	2,037,762
Legal Fees	244,604	174,353	169,687	137,242	64,650
Engineering Fees	444,553	295,054	166,756	158,283	100,906
Audit Fees	25,000	25,000	21,500	18,500	12,000
Accounting Fees	146,942	86,373	79,113	73,672	70,200
Management Fees	461,963	377,730	256,262	110,159	111,983
Consulting Fees	266,897	207,715	146,133	-	-
Tax Assessor/Collector	45,122	9,709	1,817	1,472	1,550
Director Salaries and Payroll Taxes	12,169	11,142	13,402	15,502	8,881
Insurance	2,710	2,052	1,597	1,585	1,585
Office Rent and Utilities	41,123	36,107	33,787	29,826	17,907
Printing and Postage	50,268	78,806	91,784	68,967	76,324
Legal Notices	1,645	1,674	1,040	1,898	840
Miscellaneous	73,892	39,260	10,137	28,508	9,230
Participant District Expenses	1,055,184	883,722	887,145	800,134	793,589
Capital Expenditures	932,932	152,765	58,650	788,867	257,006
Total Expenditures	<u>\$17,841,924</u>	<u>\$13,586,397</u>	<u>\$12,660,023</u>	<u>\$11,632,111</u>	<u>\$9,526,537</u>
Change in Net Position	<u>\$ 2,605,387</u>	<u>\$ 2,938,536</u>	<u>\$ 655,910</u>	<u>\$ (518,194)</u>	<u>\$ (243,768)</u>
Fund Balance/Net Position - Beginning	4,519,572	1,581,036	925,126	1,443,320	1,687,088
Fund Balance/Net Position - Ending	<u>\$ 7,124,959</u>	<u>\$ 4,519,572</u>	<u>\$ 1,581,036</u>	<u>\$ 925,126</u>	<u>\$1,443,320</u>

PRO-FORMA DEBT SERVICE REQUIREMENTS

Fiscal Year Ending, 30-Sep	Outstanding Debt Service	The Bonds ⁽¹⁾			Total Debt Service
		Principal	Interest	Total	
2025	731,294	70,000	63,375	133,375	864,669
2026	731,694	50,000	81,000	131,000	862,694
2027	731,894	55,000	78,500	133,500	865,394
2028	731,319	55,000	75,750	130,750	862,069
2029	735,519	55,000	73,000	128,000	863,519
2030	733,544	60,000	70,250	130,250	863,794
2031	736,094	60,000	67,250	127,250	863,344
2032	742,588	55,000	64,250	119,250	861,838
2033	738,263	65,000	61,500	126,500	864,763
2034	738,663	65,000	58,250	123,250	861,913
2035	742,700	65,000	55,000	120,000	862,700
2036	745,975	65,000	51,750	116,750	862,725
2037	748,588	65,000	48,500	113,500	862,088
2038	750,438	65,000	45,250	110,250	860,688
2039	751,625	70,000	42,000	112,000	863,625
2040	752,150	75,000	38,500	113,500	865,650
2041	752,013	75,000	34,750	109,750	861,763
2042	751,213	80,000	31,000	111,000	862,213
2043	754,450	80,000	27,000	107,000	861,450
2044	751,475	90,000	23,000	113,000	864,475
2045	757,950	85,000	18,500	103,500	861,450
2046	758,250	90,000	14,250	104,250	862,500
2047	242,725	95,000	9,750	104,750	347,475
2048	156,750	100,000	5,000	105,000	261,750
Total	\$ 16,767,169	\$ 1,690,000	\$ 1,137,375	\$ 2,827,375	\$ 19,594,544

Average Annual Debt Service (2025-2048).	\$ 816,439
Maximum Annual Debt Service (2040).	\$ 865,650

(1) Interest on the Bonds calculated at a rate of 5% per annum for purposes of illustration only. *Preliminary, subject to change.*

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LEGAL MATTERS

Legal Proceedings

Issuance of the Bonds is subject to the approving legal opinion of the Attorney General of Texas to the effect that the Bonds are valid and binding obligations of the District payable from the proceeds of an annual ad valorem tax levied, without legal limit as to rate or amount, upon all taxable property within the District. Issuance of the Bonds is also subject to the legal opinion of McCall, Parkhurst & Horton L.L.P. (“Bond Counsel”), based upon examination of a transcript of the proceedings incident to authorization and issuance of the Bonds, to the effect that the Bonds are valid and binding obligations of the District payable from the sources and enforceable in accordance with the terms and conditions described therein, except to the extent that the enforceability thereof may be affected by governmental immunity, bankruptcy, insolvency, reorganization, moratorium, or other similar laws affecting creditors' rights or the exercise of judicial discretion in accordance with general principles of equity. Bond Counsel's legal opinion will also address the matters described below under “TAX EXEMPTION”. Such opinions will express no opinion with respect to the sufficiency of the security for or the marketability of the Bonds. In connection with the issuance of the Bonds, Bond Counsel has been engaged by, and only represents, the District.

The legal fees to be paid Bond Counsel for services rendered in connection with the issuance of the Bonds are based upon a percentage of Bonds actually issued, sold and delivered, and therefore, such fees are contingent upon the sale and delivery of the Bonds.

The various legal opinions to be delivered concurrently with the delivery of the Bonds express the professional judgment of the attorneys rendering the opinions as to the legal issues explicitly addressed therein. In rendering a legal opinion, the attorney does not become an insurer or guarantor of the expression of professional judgment, of the transaction opined upon, or of the future performance of the parties to the transaction, nor does the rendering of an opinion guarantee the outcome of any legal dispute that may arise out of the transaction.

Bond Counsel has reviewed the information appearing in this Official Statement under “THE BONDS,” “THE DISTRICT – General” (excluding the last paragraph thereof), “MANAGEMENT – Bond Counsel,” “TAX PROCEDURES,” “LEGAL MATTERS – Legal Proceedings” (insofar as such section relates to the legal opinion of Bond Counsel), and “TAX EXEMPTION” (insofar as such section relates to the legal opinion of Bond Counsel) and “CONTINUING DISCLOSURE OF INFORMATION” (except under the subheading “Compliance with Prior Undertakings”) solely to determine if such information, insofar as it relates to matters of law, is true and correct, and whether such information fairly summarizes the provisions of the documents referred to therein. Bond Counsel has not, however, independently verified any of the factual information contained in this Official Statement nor has it conducted an investigation of the affairs of the District for the purpose of passing upon the accuracy or completeness of this Official Statement. No person is entitled to rely upon Bond Counsel's limited participation as an assumption of responsibility for or an expression of opinion of any kind with regard to the accuracy or completeness of any information contained herein.

No Material Adverse Change

The obligations of the Initial Purchaser to take and pay for the Bonds, and of the District to deliver the Bonds, are subject to the condition that, up to the time of delivery of and receipt of payment for the Bonds, there shall have been no material adverse change in the financial condition of the District from that set forth or contemplated in the Preliminary Official Statement as amended or supplemented through the date of sale.

No-Litigation Certificate

The District will furnish the Initial Purchaser a certificate, executed by both the President and Secretary of the Board, and dated as of the date of delivery of the Bonds, to the effect that no litigation of any nature is pending, or to its knowledge threatened, either in state or federal courts, contesting or attacking the Bonds; restraining or enjoining the levy, assessment and collection of ad valorem taxes to pay the interest or the principal of the Bonds; in any manner questioning the authority or proceedings for the issuance, execution or delivery of the Bonds; or affecting the validity of the Bonds or the title of the present officers of the District.

TAX EXEMPTION

Opinion

On the date of initial delivery of the Bonds, Bond Counsel will render its opinion that, in accordance with statutes, regulations, published rulings and court decisions existing on the date thereof (“Existing Law”), (1) interest on the Bonds for federal income tax purposes will be excludable from the “gross income” of the holders thereof and (2) the Bonds will not be treated as “specified private activity bonds” the interest on which would be included as an alternative minimum tax preference item under section 57(a)(5) of the Code. Except as stated above, Bond Counsel to the District will express no opinion as to any other federal, state or local tax consequences of the purchase, ownership or disposition of the Bonds. See “APPENDIX B – Form of Bond Counsel’s Opinion.”

In rendering its opinion, Bond Counsel to the District will rely upon (a) the District’s federal tax certificate and (b) covenants of the District with respect to arbitrage, the application of the proceeds to be received from the issuance and sale of the Bonds and certain other matters. Failure of the District to comply with these representations or covenants could cause the interest on the Bonds to become includable in gross income retroactively to the date of issuance of the Bonds.

The Code and the regulations promulgated thereunder contain a number of requirements that must be satisfied subsequent to the issuance of the Bonds in order for interest on the Bonds to be, and to remain, excludable from gross income for federal income tax purposes. Failure to comply with such requirements may cause interest on the Bonds to be included in gross income retroactively to the date of issuance of the Bonds. The opinion of Bond Counsel is conditioned on compliance by the District with the covenants and the requirements described in the preceding paragraph, and Bond Counsel has not been retained to monitor compliance with these requirements subsequent to the issuance of the Bonds.

Bond Counsel’s opinion represents its legal judgment based upon its review of Existing Law and the reliance on the aforementioned information, representations and covenants. Bond Counsel’s opinion is not a guarantee of a result. The Existing Law is subject to change by the Congress and to subsequent judicial and administrative interpretation by the courts and the Department of the Treasury. There can be no assurance that such Existing Law or the interpretation thereof will not be changed in a manner which would adversely affect the tax treatment of the purchase, ownership or disposition of the Bonds.

A ruling was not sought from the Internal Revenue Service by the District with respect to the Bonds or the facilities financed or refinanced with the proceeds of the Bonds. Bond Counsel’s opinion represents its legal judgment based upon its review of Existing Law and the representations of the District that it deems relevant to render such opinion and is not a guarantee of a result. No assurances can be given as to whether the Internal Revenue Service will commence an audit of the Bonds, or as to whether the Internal Revenue Service would agree with the opinion of Bond Counsel. If an audit is commenced, under current procedures the Internal Revenue Service is likely to treat the District as the taxpayer and the Bondholders may have no right to participate in such procedure. No additional interest will be paid upon any determination of taxability.

Federal Income Tax Accounting Treatment of Original Issue Discount

The initial public offering price to be paid for one or more maturities of the Bonds may be less than the principal amount thereof or one or more periods for the payment of interest on the Bonds may not be equal to the accrual period or be in excess of one year (the “Original Issue Discount Bonds”). In such event, the difference between (i) the “stated redemption price at maturity” of each Original Issue Discount Bond, and (ii) the initial offering price to the public of such Original Issue Discount Bond would constitute original issue discount. The “stated redemption price at maturity” means the sum of all payments to be made on the Bonds less the amount of all periodic interest payments. Periodic interest payments are payments which are made during equal accrual periods (or during any unequal period if it is the initial or final period) and which are made during accrual periods which do not exceed one year.

Under Existing Law, any owner who has purchased such Original Issue Discount Bond in the initial public offering is entitled to exclude from gross income (as defined in section 61 of the Code) an amount of income with respect to such Original Issue Discount Bond equal to that portion of the amount of such original issue discount allocable to the accrual period. For a discussion of certain collateral federal tax consequences, see discussion set forth below.

In the event of the redemption, sale or other taxable disposition of such Original Issue Discount Bond prior to stated maturity, however, the amount realized by such owner in excess of the basis of such Original Issue Discount Bond in the hands of such owner (adjusted upward by the portion of the original issue discount allocable to the period for which such Original Issue Discount Bond was held by such initial owner) is includable in gross income.

Under Existing Law, the original issue discount on each Original Issue Discount Bond is accrued daily to the stated maturity thereof (in amounts calculated as described below for each six-month period ending on the date before the semiannual anniversary dates of the date of the Bonds and ratably within each such six-month period) and the accrued amount is added to an initial owner's basis for such Original Issue Discount Bond for purposes of determining the amount of gain or loss recognized by such owner upon the redemption, sale or other disposition thereof. The amount to be added to basis for each accrual period is equal to (a) the sum of the issue price and the amount of original issue discount accrued in prior periods multiplied by the yield to stated maturity (determined on the basis of compounding at the close of each accrual period and properly adjusted for the length of the accrual period) less (b) the amounts payable as current interest during such accrual period on such Original Issue Discount Bond.

The federal income tax consequences of the purchase, ownership, redemption, sale or other disposition of Original Issue Discount Bonds which are not purchased in the initial offering at the initial offering price may be determined according to rules which differ from those described above. All owners of Original Issue Discount Bonds should consult their own tax advisors with respect to the determination for federal, state and local income tax purposes of the treatment of interest accrued upon redemption, sale or other disposition of such Original Issue Discount Bonds and with respect to the federal, state, local and foreign tax consequences of the purchase, ownership, redemption, sale or other disposition of such Original Issue Discount Bonds.

Collateral Federal Income Tax Consequences

The following discussion is a summary of certain collateral federal income tax consequences resulting from the purchase, ownership or disposition of the Bonds. This discussion is based on Existing Law, which is subject to change or modification, retroactively.

The following discussion is applicable to investors, other than those who are subject to special provisions of the Code, such as financial institutions, property and casualty insurance companies, life insurance companies, individual recipients of Social Security or Railroad Retirement benefits, individuals allowed an earned income credit, certain S corporations with Subchapter C earnings and profits, foreign corporations subject to the branch profits tax, taxpayers qualifying for the health insurance premium assistance credit, and taxpayers who may be deemed to have incurred or continued indebtedness to purchase tax-exempt obligations.

THE DISCUSSION CONTAINED HEREIN MAY NOT BE EXHAUSTIVE. INVESTORS, INCLUDING THOSE WHO ARE SUBJECT TO SPECIAL PROVISIONS OF THE CODE, SHOULD CONSULT THEIR OWN TAX ADVISORS AS TO THE TAX TREATMENT WHICH MAY BE ANTICIPATED TO RESULT FROM THE PURCHASE, OWNERSHIP AND DISPOSITION OF TAX-EXEMPT OBLIGATIONS BEFORE DETERMINING WHETHER TO PURCHASE THE BONDS.

Interest on the Bonds may be includable in certain corporation's "adjusted financial statement income" determined under section 56A of the Code to calculate the alternative minimum tax imposed by section 55 of the Code.

Under section 6012 of the Code, holders of tax-exempt obligations, such as the Bonds, may be required to disclose interest received or accrued during each taxable year on their returns of federal income taxation.

Section 1276 of the Code provides for ordinary income tax treatment of gain recognized upon the disposition of a tax-exempt obligation, such as the Bonds, if such obligation was acquired at a "market discount" and if the fixed maturity of such obligation is equal to, or exceeds, one year from the date of issue. Such treatment applies to "market discount Bonds" to the extent such gain does not exceed the accrued market discount of such Bonds; although for this purpose, a de minimis amount of market discount is ignored. A "market discount bond" is one which is acquired by the holder at a purchase price which is less than the stated redemption price at maturity or, in the case of a bond issued at an original issue discount, the "revised issue price" (i.e., the issue price plus accrued original issue discount). The "accrued market discount" is the amount which bears the same ratio to the market discount as the number of days during which the holder holds the obligation bears to the number of days between the acquisition date and the final maturity date.

State, Local and Foreign Taxes

Investors should consult their own tax advisors concerning the tax implications of the purchase, ownership or disposition of the Bonds under applicable state or local laws. Foreign investors should also consult their own tax advisors regarding the tax consequences unique to investors who are not United States persons.

Information Reporting and Backup Withholding

Subject to certain exceptions, information reports describing interest income, including original issue discount, with respect to the Bonds will be sent to each registered holder and to the IRS. Payments of interest and principal may be subject to backup withholding under section 3406 of the Code if a recipient of the payments fails to furnish to the payor such owner's social security number or other taxpayer identification number ("TIN"), furnishes an incorrect TIN, or otherwise fails to establish an exemption from the backup withholding tax. Any amounts so withheld would be allowed as a credit against the recipient's federal income tax. Special rules apply to partnerships, estates and trusts, and in certain circumstances, and in respect of foreign investors, certifications as to foreign status and other matters may be required to be provided by partners and beneficiaries thereof.

Future and Proposed Legislation

Tax legislation, administrative actions taken by tax authorities, or court decisions, whether at the Federal or state level, may adversely affect the tax-exempt status of interest on the Bonds under Federal or state law and could affect the market price or marketability of the Bonds. Any such proposal could limit the value of certain deductions and exclusions, including the exclusion for tax-exempt interest. The likelihood of any such proposal being enacted cannot be predicted. Prospective purchasers of the Bonds should consult their own tax advisors regarding the foregoing matters.

Qualified Tax-Exempt Obligations for Financial Institutions

Section 265(a) of the Code provides, in pertinent part, that interest paid or incurred by a taxpayer, including a “financial institution,” on indebtedness incurred or continued to purchase or carry tax-exempt obligations is not deductible in determining the taxpayer’s taxable income. Section 265(b) of the Code provides an exception to the disallowance of such deduction for any interest expense paid or incurred on indebtedness of a taxpayer that is a “financial institution” allocable to tax-exempt obligations, other than “private activity bonds,” that are designated by a “qualified small issuer” as “qualified tax-exempt obligations.” A “qualified small issuer” is any governmental issuer (together with any “on-behalf of” and “subordinate” issuers) who issues no more than \$10,000,000 of tax-exempt obligations during the calendar year. Section 265(b)(5) of the Code defines the term “financial institution” as any “bank” described in section 585(a)(2) of the Code, or any person accepting deposits from the public in the ordinary course of such person’s trade or business that is subject to federal or state supervision as a financial institution. Notwithstanding the exception to the disallowance of the deduction of interest on indebtedness related to “qualified tax-exempt obligations” provided by section 265(b) of the Code, section 291 of the Code provides that the allowable deduction to a “bank”, as defined in section 585(a)(2) of the Code, for interest on indebtedness incurred or continued to purchase “qualified tax-exempt obligations” shall be reduced by twenty-percent (20%) as a “financial institution preference item.”

The District expects to designate the Bonds as “qualified tax-exempt obligations” within the meaning of section 265(b) of the Code. In furtherance of that designation, the District will covenant to take such action that would assure, or to refrain from such action that would adversely affect, the treatment of the Bonds as “qualified tax-exempt obligations”. **Potential purchasers should be aware that if the issue price to the public exceeds \$10,000,000, there is a reasonable basis to conclude that the payment of a de minimis amount of premium in excess of \$10,000,000 is disregarded; however the Internal Revenue Service could take a contrary view. If the Internal Revenue Service takes the position that the amount of such premium is not disregarded, then such obligations might fail to satisfy the \$10,000,000 limitation and the Bonds would not be “qualified tax-exempt obligations.”**

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SALE AND DISTRIBUTION OF THE BONDS

Award of the Bonds

After requesting competitive bids for the Bonds, the District accepted the bid resulting in the lowest net interest cost, which bid was tendered by _____ (the “Initial Purchaser”) bearing the interest rates shown on the cover page hereof, at a price of ___% of the principal amount thereof which resulted in a net effective interest rate of ___% as calculated pursuant to Chapter 1204 of the Texas Government Code, as amended.

Prices and Marketability

The delivery of the Bonds is conditioned upon the receipt by the District of a certificate executed and delivered by the Initial Purchaser on or before the date of delivery of the Bonds stating the prices at which the Bonds have been offered for sale to the public. For this purpose, the term “public” shall not include any person who is a bond house, broker, or similar person acting in the capacity of initial purchaser or wholesaler. Otherwise, the District has no understanding with the Initial Purchaser regarding the reoffering yields or prices of the Bonds. Information concerning reoffering yields or prices is the responsibility of the Initial Purchaser.

The prices and other terms with respect to the offering and sale of the Bonds may be changed at any time by the Initial Purchaser after the Bonds are released for sale, and the Bonds may be offered and sold at prices other than the initial offering prices, including sales to dealers who may sell the Bonds into investment accounts. In connection with the offering of the Bonds, the Initial Purchaser may over-allot or effect transactions that stabilize or maintain the market prices of the Bonds at levels above those that might otherwise prevail in the open market. Such stabilizing, if commenced, may be discontinued at any time.

The District has no control over trading of the Bonds in the secondary market. Moreover, there is no guarantee that a secondary market will be made in the Bonds. In such a secondary market, the difference between the bid and asked price of utility district bonds may be greater than the difference between the bid and asked price of bonds of comparable maturity and quality issued by more traditional municipal entities, as bonds of such entities are more generally bought, sold, or traded in the secondary market. Additionally, there are no assurances that if a secondary market for the Bonds were to develop, that any such secondary market would not be disrupted by other economic events. See “RISK FACTORS – Marketability.”

Securities Laws

No registration statement relating to the offer and sale of the Bonds has been filed with the United States Securities and Exchange Commission under the Securities Act of 1933, as amended, in reliance upon the exemptions provided thereunder. The Bonds have not been registered or qualified under the Securities Act of Texas in reliance upon various exemptions contained therein; nor have the Bonds been registered or qualified under the securities laws of any other jurisdiction. The District assumes no responsibility for registration or qualification of the Bonds under the securities laws of any other jurisdiction in which the Bonds may be offered, sold or otherwise transferred. This disclaimer of responsibility for registration or qualification for sale or other disposition of the Bonds shall not be construed as an interpretation of any kind with regard to the availability of any exemption from securities registration or qualification provisions in such other jurisdiction.

RATING

Municipal Bond Rating

The underlying credit rating for the Bonds is rated “_____” by S&P, without regard to credit enhancement. An explanation of the significance of such rating may be obtained from the company furnishing the rating. The rating reflects only the view of such organization and the District makes no representation as to the appropriateness of the rating. There is no assurance that such rating will continue for any given period of time or that they will not be revised downward or withdrawn entirely by such rating company, if in the judgment of such company circumstances so warrant. Any such downward revision or withdrawal of such rating may have an adverse effect on the market price of the Bonds.

PREPARATION OF OFFICIAL STATEMENT

Sources and Compilation of Information

The financial data and other information contained in this Official Statement has been obtained primarily from the District's records, the Developer, the Engineer, the Tax Assessor/Collector, the Appraisal District and information from certain other sources. All of these sources are believed to be reliable, but no guarantee is made by the District as to the accuracy or completeness of the information derived from sources other than the District, and its inclusion herein is not to be construed as a representation on the part of the District except as described below under “Certification of Official Statement.” Furthermore, there is no guarantee that any of the assumptions or estimates contained herein will be realized. The summaries of the agreements, reports, statutes, resolutions, engineering and other related information set forth in this Official Statement are included herein subject to all of the provisions of such documents. These summaries do not purport to be complete statements of such provisions, and reference is made to such documents for further information.

Financial Advisor

Hilltop Securities, Inc., (“HilltopSecurities”) is employed as the Financial Advisor to the District to render certain professional services, including advising the District on a plan of financing and preparing the Official Statement. In its capacity as Financial Advisor, HilltopSecurities has compiled and edited this Official Statement. In addition to compiling and editing, the Financial Advisor has obtained the information set forth herein under the caption indicated from the following sources:

“THE DISTRICT” – the Developer; TRE & Associates, LLC (“Engineer”), and records of the District (“Records”); “THE DEVELOPER” - Developer; “THE SYSTEM” - Engineer; “UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED” - Records; “FINANCIAL STATEMENT” - District records; “ESTIMATED OVERLAPPING DEBT STATEMENT” - Municipal Advisory Council of Texas and Financial Advisor; “TAX DATA” - City of El Paso Tax Assessor/Collector; “MANAGEMENT” - District General Counsel; “PRO-FORMA DEBT SERVICE REQUIREMENTS” - Financial Advisor; “THE BONDS,” “LEGAL MATTERS,” and “TAX EXEMPTION” - McCall, Parkhurst & Horton L.L.P.

The Financial Advisor has provided the following sentence for inclusion in this official statement. The Financial Advisor has reviewed the information in this official statement in accordance with, and as part of, its responsibilities to the District and, as applicable, to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Financial Advisor does not guarantee the accuracy or completeness of such information.

Consultants

In approving this Official Statement the District has relied upon the following consultants.

Engineer: The information contained in this Official Statement relating to engineering matters and to the description of the System and in particular that information included in the sections entitled “THE DISTRICT” and “THE SYSTEM” has been provided by TRE & Associates, LLC, Consulting Engineers, and has been included herein in reliance upon the authority of said firm as experts in the field of civil engineering.

Appraisal District: The information contained in this Official Statement relating to the assessed valuations has been provided by the Central Appraisal District and has been included herein in reliance upon the authority of such entity as experts in assessing the values of property in the County, including the District.

Tax Assessor/Collector: The information contained in this Official Statement relating to the historical breakdown of the Assessed Valuations, principal taxpayers, and certain other historical data concerning tax rates and tax collections has been provided by the Appraisal District and the City Tax Assessor/Collector and is included herein in reliance upon their respective authority as experts in assessing and collecting taxes.

Auditor: The District’s financial statements for the fiscal year ending September 30, 2023 have been audited by West, Davis & Company, LLP. See “APPENDIX A” for a copy of the District’s September 30, 2023, audited financial statements. The District expects to approve audited financial statements for the fiscal year ended September 30, 2024, at its Board meeting currently anticipated to be held on January 22, 2025. Approved audited financial statements will be submitted to the MSRB (as defined herein) through its EMMA (as defined herein) system, pursuant to the District’s continuing disclosure undertakings.

Updating the Official Statement

If, subsequent to the date of the Official Statement, the District learns, through the ordinary course of business and without undertaking any investigation or examination for such purposes, or is notified by the Initial Purchaser, of any adverse event which causes the Official Statement to be materially misleading, and unless the Initial Purchaser elects to terminate its obligation to purchase the Bonds, the District will promptly prepare and supply to the Initial Purchaser an appropriate amendment or supplement to the Official Statement satisfactory to the Initial Purchaser; provided, however, that the obligation of the District to so amend or supplement the Official Statement will terminate when the District delivers the Bonds to the Initial Purchaser, unless the Initial Purchaser notifies the District on or before such date that less than all of the Bonds have been sold to ultimate customers, in which case the District's obligations hereunder will extend for an additional period of time as required by law (but not more than 90 days after the date the District delivers the Bonds).

Certification of Official Statement

The District, acting through its Board of Directors in its official capacity, hereby certifies, as of the date hereof, that the information, statements, and descriptions or any addenda, supplement and amendment thereto pertaining to the District and its affairs contained herein, to the best of its knowledge and belief, contain no untrue statement of a material fact and do not omit to state any material fact necessary to make the statements herein, in light of the circumstances under which they are made, not misleading. With respect to information included in this Official Statement other than that relating to the District, the District has no reason to believe that such information contains any untrue statement of a material fact or omits to state any material fact necessary to make the statements herein, in the light of the circumstances under which they are made, not misleading; however, the Board has made no independent investigation as to the accuracy or completeness of the information derived from sources other than the District. In rendering such certificate, the official executing this certificate may state that he has relied in part on his examination of records of the District relating to matters within his own area of responsibility, and his discussions with, or certificates or correspondence signed by, certain other officials, employees, consultants and representatives of the District.

Official Statement “Deemed Final”

For purposes of compliance with Rule 15c2-12, this document, as the same may be supplemental or corrected by the District from time-to-time, may be treated as an official statement with respect to the Bonds described herein “deemed final” by the District as of the date hereof (or of any such supplement or correction).

The Official Statement, when further supplemented by adding information specifying the interest rates and certain other information relating to the Bonds, shall constitute a “final official statement” of the District with respect to the Bonds as that term is defined in Rule 15c2-12.

CONTINUING DISCLOSURE OF INFORMATION

The District in the Bond Resolution made the following agreement for the benefit of the holders and beneficial owners of the Bonds. The District is required to observe the agreement for so long as it remains obligated to advance funds to pay the Bonds. Under the agreement, the District has agreed to provide or cause to be provided certain updated financial information and operating data annually, and timely notice of specified material events, to the Municipal Securities Rulemaking Board (“MSRB”) or to any successor to its functions as a repository through its Electronic Municipal Market Access (“EMMA”) system.

Annual Reports

The District will provide certain financial information and operating data annually to the MSRB. The financial information and operating data which will be provided with respect to the District will be the District’s audited financial statements and supplemental schedules as found in “APPENDIX A - District Audited Financial Statements for Fiscal Year Ended September 30, 2023.” The District will update and provide this information within six months after the end of each of its fiscal years. The District will provide the updated information to the MSRB or any successor to its functions as a repository through the EMMA system. Any information concerning the District so provided shall be prepared in accordance with generally accepted auditing standards or other such principles as the District may be required to employ from time to time pursuant to state law or regulation, and audited if the audit report is completed within the period during which it must be provided. If the audited financial statements of the District are not complete within such period, then the District shall provide unaudited financial statements for the applicable fiscal year to the MSRB within such six month period, and audited financial statements when the audited financial statements become available.

The District's current fiscal year end is September 30. Accordingly, it must provide updated information by March 31 in each year, unless the District changes its fiscal year. If the District changes its fiscal year, it will notify the MSRB of the change.

Notice of Certain Events

The District will provide timely notices of certain events to the MSRB, but in no event will such notices be provided to the MSRB in excess of ten business days after the occurrence of an event. The District will provide notice of any of the following events with respect to the Bonds: (1) principal and interest payment delinquencies; (2) non-payment related defaults, if material; (3) unscheduled draws on debt service reserves reflecting financial difficulties; (4) unscheduled draws on credit enhancements reflecting financial difficulties; (5) substitution of credit or liquidity providers, or their failure to perform; (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds; (7) modifications to rights of Beneficial Owners of the Bonds, if material; (8) bond calls, if material, and tender offers; (9) defeasances; (10) release, substitution, or sale of property securing repayment of the Bonds, if material; (11) rating changes; (12) bankruptcy, insolvency, receivership or similar event of the District or other obligated person within the meaning of Rule 15c2-12; (13) consummation of a merger, consolidation, or acquisition involving the District or other obligated person within the meaning of the Rule or the sale of all or substantially all of the assets of the District or other obligated person within the meaning

of the Rule, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of an definitive agreement relating to any such actions, other than pursuant to its terms, if material; (14) appointment of a successor or additional trustee or the change of name of a trustee, if material; (15) incurrence of a financial obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the obligated person, any of which affect security holders, if material; and (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the obligated person, any of which reflect financial difficulties.

For these purposes, any event described in clause (12) of the immediately preceding paragraph is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer of the District in a proceeding under the United States Bankruptcy Court or in any other proceeding under state or federal law in which a court of governmental authority has assumed jurisdiction over substantially all of the assets or business of the District, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers of the District in possession but subject to the supervision and orders of a court of governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the District.

For the purposes of the events described in clauses (15) and (16) of the preceding paragraph, the term “Financial Obligation” is defined in the Bond Resolution to mean (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, and existing or planned debt obligation; or (c) guarantee of a debt obligation or any such derivative instrument; provided that “Financial Obligation” shall not include municipal securities (as defined in the Securities Exchange Act of 1934, as amended) as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule. The Bond Resolution further provides that the District intends the words in such clauses (15) and (16) in the preceding paragraph and in the definition of Financial Obligation to have the meanings ascribed to them in SEC Release No. 34-83885 dated August 29, 2018.

The District will provide notice of the aforementioned events to the MSRB in a timely manner (but not in excess of ten business days after the occurrence of the event). The District will also provide timely notice of any failure by the District to provide annual financial information in accordance with its agreement described above under “Annual Reports.”

Availability of Information from MSRB

The District has agreed to provide the foregoing information only to the MSRB. The MSRB makes the information available to the public without charge through its EMMA internet portal at emma.msrb.org.

Limitations and Amendments

The District has agreed to update information and to provide notices of material events only as described above. The District has not agreed to provide other information that may be relevant or material to a complete presentation of its financial results of operations, condition, or prospects or agreed to update any information that is provided, except as described above. The District makes no representation or warranty concerning such information or concerning its usefulness to a decision to invest in or sell Bonds at any future date. The District disclaims any contractual or tort liability for damages resulting in whole or in part from any breach of its continuing disclosure agreement or from any statement made pursuant to its agreement, although holders or beneficial owners of Bonds may seek a writ of mandamus to compel the District to comply with its agreement.

The District may amend its continuing disclosure agreement from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the District, but only if the agreement, as amended, would have permitted an initial purchaser to purchase or sell Bonds in the offering made hereby in compliance with Rule 15c2-12, taking into account any amendments or interpretations of Rule 15c2-12 to the date of such amendment, as well as such changed circumstances, and either the holders of a majority in aggregate principal amount of the outstanding Bonds consent to the amendment or any person unaffiliated with the District (such as nationally recognized bond counsel) determines that the amendment will not materially impair the interests of the holders and beneficial owners of the Bonds. The District may also amend or repeal the agreement in the Bond Resolution if the SEC amends or repeals the applicable provisions of Rule 15c2-12 or a court of final jurisdiction determines that such provisions are invalid or unenforceable, but only to the extent that its right to do so would not prevent the Initial Purchaser from lawfully purchasing the Bonds in the offering described herein.

If the District so amends the agreement, it has agreed to include with any financial information or operating data next provided in accordance with its agreement described above under “Annual Reports” an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information and operating data so provided.

Compliance with Prior Undertakings

The District previously entered into three agreements to provide annual financial information pursuant to Rule 15c2-12, beginning with such information for the fiscal year ended September 30, 2021. The District has complied in all material respects with such agreements.

MISCELLANEOUS

All estimates, statements and assumptions in this Official Statement and the Appendix hereto have been made on the basis of the best information available and are believed to be reliable and accurate. Any statements in this Official Statement involving matters of opinion or estimates, whether or not expressly so stated, are intended as such and not as representations of fact, and no representation is made that any such statements will be realized.

This Official Statement was approved by the Board of Directors of the District, as of the date shown on the cover page.

/s/ _____
President, Board of Directors
Paseo del Este Municipal Utility District No. 1

ATTEST:

/s/ _____
Secretary, Board of Directors
Paseo del Este Municipal Utility District No. 1

**AERIAL PHOTOGRAPH
(Approximate boundaries)**

PHOTOGRAPHS

The following photographs were taken in the District on August 15, 2024, solely to illustrate the type of improvements which have been constructed in the District. The District cannot predict if any additional improvements will be constructed in the future.





APPENDIX A

District Audited Financial Statements for the fiscal year ended September 30, 2023*

* The District expects to approve audited financial statements for the fiscal year ended September 30, 2024, at its Board meeting currently anticipated to be held on _____, 2025. Approved audited financial statements will be submitted to the MSRB (as defined herein) through its EMMA (as defined herein) system, pursuant to the District's continuing disclosure undertakings.

APPENDIX B

Form of Bond Counsel's Opinion



File #: 24-1366, Version: 2

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

City Manager's Office, Omar Martinez, (915) 479-0341
International Bridges, Roberto Tinajero, (915) 212-7509

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action on a Resolution authorizing the submission of an application to the U.S. Department of Transportation (USDOT) Fiscal Year 2025 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program requesting funds in the amount of \$20,000,000.00, with a \$5,000,000.00 match required from the City, for the Ysleta Port of Entry Southbound Commercial Facilities Expansion Project: Phase I.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: October 8, 2024
PUBLIC HEARING DATE: N/A
CONTACT PERSON(S) NAME Omar Martinez, Assist. Director of Legislative Affairs, 915-479-0341
Roberto Tinajero, International Bridges Director, 915-212-7509
AND PHONE NUMBER: Karina Brasgalla, Interim Director Econ. and Int. Dev, 915-212-0094
DISTRICT(S) AFFECTED: All Districts
STRATEGIC GOAL: No 7: Enhance and Sustain El Paso's Infrastructure Network

SUBJECT:

The City of El Paso is requesting \$20,000,000.00 from the U.S. Department of Transportation (USDOT) Fiscal Year 2025 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program, with a \$5,000,000.00 match required from the City, for the Ysleta Port of Entry Southbound Commercial Facilities Expansion Project: Phase I.

BACKGROUND / DISCUSSION:

On September 20, 2024, the U.S. General Services Administration (GSA) issued a Draft Environmental Impact Statement (EIS) for the Proposed Modernization of the Bridge of the Americas (BOTA) Land Port of Entry. The Preferred Alternative for the project proposes eliminating commercial cargo operations at BOTA and diverting this traffic to other ports in the region, including the Ysleta Port of Entry. The proposed project will result in initial capacity improvements for southbound commercial traffic and operations at the Ysleta Port.

\$3 million in funding for feasibility and design documents were selected as part of the FY25 Community Project Funding (CPF) appropriations process with the Office of Congresswoman Veronica Escobar. This funding has an expected approval date of June 2025. The expected award announcement date for the proposed FY25 RAISE grant is expected in the early Fall of 2025.

PRIOR COUNCIL ACTION:

[24-534](#) – On 4/23/2024, City Council approved the submission of FY25 CPF Ysleta Port Design Grant

AMOUNT AND SOURCE OF FUNDING:

\$5,000,000 TED Fund

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: International Bridges

SECONDARY DEPARTMENT: Economic and International Development

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD: Roberto Tinajero



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

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

THAT the City of El Paso City Council authorizes the submission of an application to the U.S. Department of Transportation (USDOT) Fiscal Year 2025 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program, with a \$5,000,000.00 match required from the City, for the Ysleta Port of Entry Southbound Commercial Facilities Expansion Project: Phase I.

THAT the City Manager, or designee, is authorized to sign any documents necessary for the proper submission of the Application;

THAT the City Manager, or designee, is authorized to sign any documents necessary to accept a grant resulting from the Application, after consultation with the City Attorney’s Office;

THAT the City Manager, or designee, is authorized to sign any documents related to a grant resulting from the Application, including, but not limited to, revisions to the project scope of work, revisions that increase, decrease or de-obligate program funds, revisions to the operation plan, and documents to reject, amend, correct, and/or terminate the grant;

THAT the City Manager, or designee, is authorized to explore funding sources and partnerships that leverage the strength of the Application and any grant resulting from the Application.

APPROVED this _____ day of _____ 2024.


CITY OF EL PASO:

Oscar Leaser
Mayor

ATTEST:


Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Mona M. Heydarian
Assistant City Attorney

APPROVED AS TO CONTENT:



Roberto Tinajero, Director
International Bridges Department