

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

DEPARTMENT: Capital Improvement
AGENDA DATE: October 12, 2021
CONTACT PERSON/PHONE: Yvette Hernandez, P.E., CID Director of Grant Funded Programs, 212-1860
Sam Rodriguez, P.E., City Engineer, 212-0065

DISTRICT(S) AFFECTED: 8

STRATEGIC GOAL: No. 7: Enhance and Sustain El Paso's Infrastructure Network

SUBJECT:

Resolution requesting the relocation of El Paso Electric infrastructure from several locations to accommodate City of El Paso improvements related to the Central Business District Phase IV Project.

BACKGROUND / DISCUSSION:

The Central Business District Phase IV project includes the reconstruction of streets and sidewalks. As part of the project, some El Paso Electric Company distribution poles need to be relocated to be able to construct the new sidewalks and ramps. Ordinance 16090 provides that the City can require El Paso Electric to relocate its poles at El Paso Electric's expense when the El Paso City Council approves a resolution stating that such change is necessary.

COUNCIL REPRESENTATIVE BRIEFING:

Was a briefing provided? Yes or Not Applicable (Routine)
If yes, select the applicable districts.

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6
- District 7
- District 8
- All Districts

PRIOR COUNCIL ACTION:

NA

AMOUNT AND SOURCE OF FUNDING:

El Paso Electric

BOARD / COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:

Gvette Hernandez

RESOLUTION

WHEREAS, Ordinance 16090 grants the El Paso Electric Company (“**El Paso Electric**”) a franchise to construct, reconstruct, repair, maintain, use and operate in, over, or under the present and future streets, alleys, public ways parks, and public places of the City of El Paso, facilities for the transmission and distribution of electrical energy and broadband over power line communications; and

WHEREAS, Ordinance 16090 also provides that the City shall have the power at any time to require El Paso Electric to change the route or position of its poles, lines, conduits, or other construction at El Paso Electric’s expense when the El Paso City Council shall find, by resolution, that such change is necessary in the closing, opening or relocation of streets or alleys, or water or sewer lines, the changing of grade of streets or alleys, the construction and maintenance of parks and public improvements, the construction of private buildings, the construction or use of driveways, and under other conditions which the City Council shall find necessary under the lawful exercise of its police power; and

WHEREAS, the City of El Paso is currently making improvements on various sites near downtown El Paso such improvements known as the Central Business District Phase IV Project (the “**Project**”); and

WHEREAS, El Paso Electric currently has infrastructure and facilities on the Project sites; and

WHEREAS, the City requires the relocation of El Paso Electric infrastructure.

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

1. That the City Council finds that the relocation of El Paso Electric improvements located on the Project sites, and adjacent public areas and rights of way, is necessary for the construction and maintenance of city public improvements.
2. That in accordance to Ordinance 16090, the City of El Paso requires the El Paso Electric Company to change the route or position of its poles, lines, conduits, or other construction at, and adjacent to, the Project sites at the El Paso Electric Company’s expense.
3. That the City Engineer is authorized, and directed, to coordinate with El Paso Electric to identify the specific El Paso Electric improvements that need to be relocated to accommodate the construction of the city improvements to, and adjacent to, the Project

sites.

ADOPTED this _____ day of _____, 2021.


THE CITY OF EL PASO:

ATTEST:

Oscar Leeser
Mayor

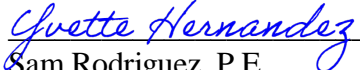
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Omar A. De La Rosa
Assistant City Attorney

APPROVED AS TO CONTENT:



For Sam Rodriguez, P.E.
City Engineer