

Oscar Leeser
Mayor

Cary Westin
Interim City Manager



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

***** REVISED *****

AGENDA FOR THE REGULAR COUNCIL MEETING

July 05, 2023

**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: 484-359-804#

Notice is hereby given that a Regular Meeting of the City Council of the City of El Paso will be conducted on July 5, 2023 at 9:00 A.M. Members of the public may view the meeting via the following means:

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

Via television on City15,

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

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

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

At the prompt please enter Conference ID: 484-359-804#

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/dc001f113c14440db558b9da4e973ce2>

To speak on Agenda Items:

<https://app.smartsheet.com/b/form/cc20aad8258146ab8f63761079bd1091>

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

Representative Art Fierro

A quorum of City Council must participate in the meeting.

ROLL CALL

**INVOCATION BY EL PASO POLICE CHAPLAIN AND SUN VALLEY BAPTIST PASTOR
DENNIS COFFMAN**

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

DWI Intervention and Treatment Program Day

International Drag Day

HAMILTON Appreciation Week

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 June 20, 2023 and the Special Meeting of June 27, 2022. [23-926](#)

All Districts

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

CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS [23-123](#)

CONSENT AGENDA - RESOLUTIONS:

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

3. A Resolution amending the Rules of Order for City Council meetings. [23-927](#)

All Districts

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

4. A Resolution regarding the process for Council Members to attend City Council meetings via videoconference. [23-928](#)

All Districts

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

CONSENT AGENDA - BOARD RE-APPOINTMENTS:

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

5. William Kell to the Tax Increment Reinvestment Zone Number 5 by Mayor Oscar Leeser. [23-940](#)

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

6. Justin Underwood to the Tax Increment Reinvestment Zone Number 5 by Mayor Oscar Leeser. [23-943](#)

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

7. Laura Enriquez to the Tax Increment Reinvestment Zone Number 5 by Mayor Oscar Leeser. [23-945](#)

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

8. George E. Salom, Jr. to the Tax Increment Reinvestment Zone Number 5 by Mayor Oscar Leeser. [23-946](#)

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

9. Elliot Berg to the Tax Increment Reinvestment Zone Number 5 by Mayor Oscar Leeser. [23-947](#)

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

10. Jamie Gallagher to the Tax Increment Reinvestment Zone Number 5 by Mayor Oscar Leeser. [23-948](#)

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

Goal 8: Nurture and Promote a Healthy, Sustainable Community

11. Michael Adjemian to the City Accessibility Advisory Committee by Representative Cassandra Hernandez, District 3. [23-944](#)
Members of the City Council, Representative Cassandra Hernandez, (915) 212-0003

CONSENT AGENDA - BOARD APPOINTMENTS:

Goal 8: Nurture and Promote a Healthy, Sustainable Community

12. Lilia B. Limon as a Regular Member to the Fair Housing Task Force by Mayor Oscar Leeser. [23-938](#)
Members of the City Council, Mayor Oscar Leeser, (915) 212-0021

CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:

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

13. Approve a tax refund for DBB Holdings Inc., in the amount of \$5,509.24 for an overpayment made on February 28, 2023 of 2022 taxes, (Geo. # W220-999-0030-1505). 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. [23-916](#)
All Districts
Tax Office, Maria O. Pasillas, (915) 212-1737

REGULAR AGENDA - MEMBERS OF THE CITY COUNCIL

Goal 3: Promote the Visual Image of El Paso

14. Discussion and action to approve a Resolution that the City of El Paso honors and recognizes Congresswoman Veronica Escobar (TX-16) for her tireless efforts and advocacy to officially have Castner Range be designated as a national monument. [23-939](#)
All Districts
Members of the City Council, Representative Cassandra Hernandez, (915) 212-0003

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

15. Discussion and action to appoint Edmundo Calderon as Chief Internal Auditor in accordance with the El Paso City Charter Section 3.20(B)(5), who shall carry out the duties established in accordance with City Charter 3.20 (B) and directing the Interim City Manager and City Attorney to prepare the necessary documents to implement this appointment. [23-941](#)

All Districts

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

- 16. Discussion and action to direct the Interim City Manager and City Attorney to recommend amendments to the City’s Ethics Ordinance complaint review process in City Code 2.92.170 to provide that a respondent’s timeline to address and file a response to a complaint begins after the City Attorney refers a complaint to the Ethics Review Commission. [23-942](#)

All Districts

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

REGULAR AGENDA - OPERATIONAL FOCUS UPDATES

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

- 17. Presentation of a Congressional Record celebrating the City of El Paso’s 150th birthday by Congresswoman Veronica Escobar, representative of Texas’ 16th Congressional District. [23-917](#)

All Districts

Capital Improvement Department, Lindsey Adams, (915) 212-1622
Capital Improvement Department, Yvette Hernandez, (915) 212-1860

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

- 18. A report on the Streetcar service to include an economic impact, modified operating hours, and assessment of cost savings for event-only services as requested by City Council on April 11, 2023. [23-911](#)

All Districts

Sun Metro Mass Transit, Anthony DeKeyzer, (915) 212-3333

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: 484-359-804#

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/dc001f113c14440db558b9da4e973ce2>

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:

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

19. An Ordinance amending Title 9 (Health and Safety), Chapter 9.52 (Fire Prevention Code) of the El Paso City Code to adopt the 2021 Edition of the International Fire Code and to provide for local amendments to the 2021 International Fire Code, the penalty being as provided in Section 9.52.030.12 (Violations Penalties) of the El Paso City Code. [23-861](#)

All Districts

Fire, Chief Jonathan Killings, (915) 212-5665

Goal 3: Promote the Visual Image of El Paso

20. An Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Administrative Code), Chapter 18.08 (Building Code), Chapter 18.10 (Residential Code), Chapter 18.12 (Mechanical Code), Chapter 18.16 (Electrical Code), Chapter 18.20 (Plumbing Code), Chapter 18.24 (Gas Code), Chapter 18.28 (Existing Building Code), Chapter 18.30 (Pool and Spa Code), Chapter 18.50 (Property Maintenance Code), Chapter 18.60 (Flood Damage Prevention Code), Chapter 18.70 (Energy Conservation Code), adopting the 2021 International Building Code, and adopting appropriate local amendments, the penalty being as provided in 18.02.115 of the El Paso City Code. [23-897](#)

All Districts

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

Planning and Inspections, Tony De La Cruz, (915) 212-1589

21. An Ordinance vacating a portion of City Right-Of-Way over Father Rahm Avenue Right-Of-Way, Sixth Avenue Right-Of-Way, and Ochoa Street Right-Of-Way within Block 81, Campbell Addition, City of El Paso, El Paso County, Texas. [23-863](#)

Subject Property: 700 S. Ochoa Street

Applicant: Centro De Salud Familiar La Fe, SURW22-00016

District 8

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

Planning and Inspections, Armida R. Martinez, (915) 212-1605

22. An Ordinance changing the zoning of the South 200 feet of Lot 33, Map of Sunrise Acres No. 2, 4819 Titanic Avenue, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-2 (Apartment), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. [23-801](#)

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: 4819 Titanic Avenue

Applicant: Gisela R. Herrera, PZRZ22-00027

District 2

Planning and Inspections, Philip F. Etiwe, (915) 212-1553
Planning and Inspections, Nina Rodriguez, (915) 212-1561

REGULAR AGENDA - OTHER BUSINESS:

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

23. Discussion and action on a Resolution adopting the City of El Paso Downtown and Uptown Master Plan. [23-923](#)

All Districts

Capital Improvement Department, Joaquin Rodriguez, (915) 268-5148

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

24. Discussion and action on a presentation of the Public Safety Bond Program. [23-721](#)

All Districts

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

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

25. Discussion and action that the City Manager be authorized to sign an agreement for Professional Services by and between the CITY OF EL PASO and Moreno Cardenas Inc., a Texas Corporation, for a project known as "PEBBLE HILLS RECONSTRUCTION / RESURFACING" for an amount not to exceed \$585,000.00; that the City Engineer is authorized to approve additional basic services and reimbursables for an amount not to exceed \$50,000.00 and to approve additional services for an amount not to exceed \$50,000.00 if such services are necessary for the proper execution of the project and that the increased amounts are within the appropriate budgets of the project for a total amount of \$685,000.00; and 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 the execution of the agreement. [23-924](#)

Districts 3, 5 and 6

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

26. Discussion and action that the City Manager be authorized to sign an Agreement for Professional Services by and between the CITY OF EL PASO and DEC - El Paso LLC, a Domestic Limited Liability Company (LLC), for a project known as "VISTA DEL SOL RECONSTRUCTION / RESURFACING" for an amount not to exceed \$473,436.82; that the City Engineer is authorized to approve additional Basic Services and Reimbursables for an amount not to exceed \$50,000.00 and to approve Additional Services for an amount not to exceed \$50,000.00 if such services are necessary for the proper execution of the project and that the increased amounts are within the appropriate budgets of the project for a total amount of \$573,436.82; and that the City Manager be [23-925](#)

authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for the execution of the Agreement.

District 7

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

EXECUTIVE SESSION

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

Representative Art Fierro

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

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

Discussion and action on the following:

- EX1.** Claim of Willie Fuller; Matter 22-1026-11999. (551.071) [23-920](#)
City Attorney's Office, Evan D. Reed, (915) 212-0033
- EX2.** Claim of Aida Rodriguez, Matter 23-1036-3689. (551.071) [23-918](#)
City Attorney's Office, Matthew Marquez, (915) 212-0033
- EX3.** Villegas, Daniel vs. City of El Paso and Police Officers, et al. Cause No. 3:15-CV-00386; Matter No. 15-1026-6957 (551.071) [23-919](#)
City Attorney's Office, Evan D. Reed, (915) 212-0033
- EX4.** ZTEX Construction Inc. v. City of El Paso; 243rd District Court; Cause 2023DCV1942. (551.071) [23-935](#)

City Attorney's Office, Evan D. Reed, (915) 212-0033

EX5. ZTEX Construction Inc. v. City of El Paso; 448th District Court; Cause 2023DCV1939. (551.071)

[23-936](#)

City Attorney's Office, Evan D. Reed, (915) 212-0033

EX6. Purchase, exchange, lease, or value of real property located in Central El Paso, Texas. HQ # 23-895. (551.072)

[23-922](#)

Capital Improvement Department, Yvette Hernandez, (915) 212-1845

ADJOURN

NOTICE TO THE PUBLIC:

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

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

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