

Oscar Leeser
Mayor

Tommy Gonzalez
City Manager



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

AGENDA FOR THE REGULAR COUNCIL MEETING

February 07, 2023

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

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

Teleconference phone number: 1-915-213-4096

Toll free number: 1-833-664-9267

Conference ID: 972-194-081#

AND

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

February 6, 2023

9:00 AM

Teleconference phone number: 1-915-213-4096

Toll free number: 1-833-664-9267

Conference ID: 856-098-405#

Notice is hereby given that an Agenda Review Meeting will be conducted on February 6, 2023 at 9:00 A.M. and a Regular Meeting of the City Council of the City of El Paso will be conducted on February 7, 2023 at 9:00 A.M. Members of the public may view the meeting via the following means:

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

Via television on City15,

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

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

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

At the prompt please enter the corresponding Conference ID:

Agenda Review, February 6, 2023 Conference ID: 856- 098-405#

Regular Council Meeting, February 7, 2023 Conference ID: 972-194-081#

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

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

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

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

Representative Cassandra Hernandez

A quorum of City Council must participate in the meeting.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

Teen Dating Violence Awareness Month

Numismatism Week

LULAC 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 Agenda Review Meeting of January 30, 2023 and the Special City Council Meeting of January 24, 2023. [23-229](#)

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 [23-112](#)

CONSENT AGENDA - RESOLUTIONS:

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

3. That the El Paso City Council authorizes the submission of the grant application to the Office of the Governor of the State of Texas, Homeland Security Grant Division, grant application number 2950709, for the City of El Paso Police Department project identified as "State Homeland Security Program (SHSP) - MATRIX Fusion Center" to provide financial assistance to the City of El Paso. Requesting \$481,933.49. No cash match is required. The grant period will be from September 1, 2023 - August 31, 2024. [23-207](#)

All Districts

Police, Assistant Chief Humberto Talamantes, (915) 212-4309

4. The El Paso City Council authorizes the submission to the Office of the Governor of the State of Texas, Criminal Justice Division, grant application number 2592810, for the City of El Paso Police Department project identified as "General Victim Services, FY2024" to provide financial assistance to the City of El Paso. Requesting \$153,410.40. With a cash match of \$38,352.60. For a total project amount of \$191,763.00. The grant period will be from October 1, 2023 - September 31, 2024. [23-208](#)

All Districts

Police, Assistant Chief Zina Silva, (915) 212-4306

Goal 3: Promote the Visual Image of El Paso

5. That the Solid Waste liens on the attachment posted with this agenda be approved (See Attachment A). [23-206](#)

Districts 1, 2, 3, 6, 8

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

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

6. That District 5 Representative, Isabel Salcido, be appointed as a City [23-204](#)

Representative to the Transportation Policy Board for the Metropolitan Planning Organization to replace District 7 Representative, Henry Rivera; and that District 8 Representative, Chris Canales, be appointed as a City Representative to the Transportation Policy Board for the Metropolitan Planning Organization to replace former District 8 Representative, Cissy Lizarraga, effective immediately.

All Districts

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

CONSENT AGENDA - BOARD RE-APPOINTMENTS:

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

7. Marco Covarrubias to the Ethics Review Commission by Representative Alexandra Annelo, District 2. [23-226](#)

Members of the City Council, Representative Alexandra Annelo, (915) 212-0002

CONSENT AGENDA - BOARD APPOINTMENTS:

Goal 3: Promote the Visual Image of El Paso

8. Norma Rivera to the Open Space Advisory Board by Representative Cassandra Hernandez, District 3. [23-201](#)

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

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

9. Gracie Cain Viramontes to the Museums and Cultural Affairs Advisory Board by Representative Isabel Salcido, District 5. [23-231](#)

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

Goal 8: Nurture and Promote a Healthy, Sustainable Community

10. Dr. Richard P. Petri, Jr. to the Veterans Affairs Advisory Committee by Mayor Oscar Leeser. [23-232](#)

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

11. That the tax refunds listed on the attachment posted with this agenda be [23-215](#)

approved. This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00. (See Attachment B).

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

12. For notation pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by Representative Art Fierro in the amount of \$500.00 from Moises Bujanda; \$500.00 from Harold W. Hahn; \$500.00 from Rachel B. Harracksingh; \$1,000.00 from Stanley P. Jobe; \$1,000.00 from The Forma Group; \$1,000.00 from Joseph Moody; \$1,000.00 from Rogelio Lopez; \$1,000.00 from Robert L. Bowling IV; \$1,000.00 from Randal J. Bowling; \$1,000.00 from E.C. Houghton Jr.; \$2,500.00 from L. Frederick Francis. [23-230](#)

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

CONSENT AGENDA - BIDS:

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

13. The linkage to the Strategic Plan is subsection 2.3 - Increase Public Safety Operational Efficiency. [23-216](#)

Award Summary:

Discussion and action on the award of Solicitation 2023-0113R Regional

Catastrophic Consultant (Re-bid) to Innovative Emergency Management, Inc.,

for one (1) year term for an estimated amount of \$406,599.00. This contract will provide consulting services to the Fire Department to develop and conduct training, tabletop and functional exercises in accordance with the Homeland Security Exercise and Evaluation Program.

Contract Variance:

No contract variance, new contract.

Department:

Fire

Vendor:

Innovative Emergency Management,

Inc.,	Morrisville, NC
Item(s):	All
Term:	1 Year
Total Estimated Award:	\$406,599.00
Account No:	322-521000-2720-22130
-EMT2019GR	
Funding Source:	Supply Chain Resiliency Project
Grant Funds	
District(s):	All

This is a Request for Proposal, service contract.

The Purchasing & Strategic Sourcing and Fire Departments recommend award as indicated to Innovative Emergency Management, Inc., the highest ranked and sole proposer based on evaluation factors established for this procurement. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

All Districts

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

REGULAR AGENDA - MEMBERS OF THE CITY COUNCIL

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

- 14. Discussion and action on a Resolution to waive the requirement of the Park Naming/Changing Guidelines following an event of historical or cultural significance, and hereby approves the naming of the Grandview Senior Center located at 3134 Jefferson Avenue as the “Wayne Thornton Community Center at Grandview.” [23-233](#)

District 2

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

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

- 15. Discussion and action on a Resolution that the Mayor elects to appoint District 1 Representative, Brian Kennedy, to serve on the Texas Mayors of Military Communities Committee. [23-227](#)

All Districts

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

- 16. Discussion and action on a Resolution that District 4 Representative, Joe Molinar, be appointed as the City’s representative to the Texas Municipal League Board of Directors effective upon City Council approval. [23-228](#)

All Districts

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: 972-194-081#

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

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

17. The linkage to Strategic Plan is subsection 1.5 - Stimulate economic growth through transit and bridges integration. [23-219](#)

Award Summary:

Discussion and action on the award of Solicitation No. 2023-0134 Janitorial

Services - International Bridges to Ace Government Services, LLC, for an initial term of three (3) years for an initial estimated amount of \$604,422.00. The award also includes a two (2) year option for an estimated amount of \$402,948.00. The total amount of the contract is, including the initial term plus the option for a total of five (5) years, for an estimated amount of \$1,007,370.00. This contract will provide janitorial services to the International Bridges Department.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$227,329.20 for the initial term, which represents a 60.28% increase due to higher hourly rates and an increase in service hours required.

Department:	International Bridges
Award to:	Ace Government Services, LLC El Paso, TX
Item(s):	All
Initial Term:	3 Years

Option to Extend:	2 Years
Annual Estimated Award:	\$201,474.00
Initial Term Estimated Award:	\$604,422.00
Option Term Estimated Award:	\$402,948.00
Total Estimated Award:	\$1,007,370.00
Account No.:	564-3300-522060-64830
Funding Source	Maintenance Services Contract - Janitorial
District(s):	All

This is a Best Value, service contract.

The Purchasing & Strategic Sourcing and the International Bridges Departments recommend award as indicated to Ace Government Services, LLC, the highest ranked bidder based on evaluation factors established for this procurement. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

All Districts

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092
 International Bridges, Robert Tinajero, (915) 212-7509

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

- 18. Discussion and action on the award of Task Order #1K-1 for Solicitation 2022-0678, Veterans Park Recreational Center Renovations to Keystone Contractors & Engineers for a total estimated award of \$727,624.87. [23-210](#)

District 4

Capital Improvement Department, Yvette Hernandez (915) 212-1860
 Purchasing and Strategic Sourcing, K. Nicole Cote, (925) 212-1092

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:

Goal 3: Promote the Visual Image of El Paso

- 19. An Ordinance amending Title 15, (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.160 (Mobile Billboards) of the El Paso City Code to extend the current permitting pilot program by one year. The penalty is as provided for in Section 15.08.160 of the El Paso City Code. [POSTPONED FROM 01-31-2023] [23-61](#)

All Districts

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

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

- 20. An Ordinance of the City Council of the City of El Paso, Texas, ordering a Special Election for the submission of Charter Amendments to Section 3.1 to [23-189](#)

allow District Representatives to appoint and remove District Office Staff; 3.18 to allow City Council to authorize leases for 40 years or less by Resolution or Ordinance; Section 3.5A to allow Council to reschedule meetings for holidays and allow the Mayor to cancel a Council meeting if required due to Declared Emergency; Section 3.9B, 3.10B, and 6.1-12 to align to State law and update obsolete references; Section 3.11 to remove the requirement for a second petition in initiatives, and provide a procedure for citizens to Initiate City Ordinances; Section 6.1-4 to authorize the City to create a policy regarding membership on the Civil Service Commission to reflect the community and City Workforce; Section 6.7-1 and 6.8-1 to allow the City to establish more flexible policies in hiring employees; Section 6.13-11D to establish the City contribution to the Police and Fire Pension Fund of no less than 18% of the wages of the participants, and remove the limit on the City's contribution; Section 3.20B to change the reporting structure for the Chief Internal Auditor to report directly to City Council; such election to be held within the City, on May 6, 2023; making provisions for the conduct of the election; and authorizing a contract with El Paso County to furnish election services and equipment; providing for severability and setting an effective date.

All Districts

Communications and Public Affairs, Laura Cruz-Acosta, (915) 212-1061

21. An Ordinance of the City Council of the City of El Paso, Texas, ordering a Special Election for the submission of Charter Amendments listed in the petition received pursuant to Texas Local Government Code Section 9.004 to create Article IX (Climate Policy) Sections 9.1 (Climate Policy); 9.2 (Definitions); 9.3 (Climate Director); 9.4 (Climate Department); 9.5 (Climate Impact of City Decisions); 9.6 (Tracking Climate Emissions); 9.7 (Climate Jobs); 9.8 (Solar Energy); 9.9 (Renewable Energy Goals); 9.10 (Municipalization of El Paso Electric); 9.11 (Climate Disaster Mitigation, Preparedness and Response); 9.12 (Water Conservation); 9.13 (Elimination of Impediments to Renewable Energy); 9.14 (Climate Commission); 9.16 (Severability).

[23-190](#)

All Districts

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

REGULAR AGENDA - OTHER BUSINESS:

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

22. Discussion and action that the Director of Aviation is authorized to create and amend policies for the lease of the El Paso Makes: Innovation Factory and buildings within the Advanced Manufacturing Campus; to execute, amend and administer these leases approved by the City Attorney's Office as to form; authorized to execute any Memorandum of Understanding (MOU) or similar agreements, approved by the City Attorney's Office as to form, with community partners for their use of space at the Advanced Manufacturing Campus; that the Director of Economic Development is authorized to create a policy to use the appropriated Coronavirus State and Local Fiscal Recovery Funds to assist small businesses located at the Innovation Factory; that the City Manager, or designee(s), is authorized to perform any budget transfers and execute any

[23-211](#)

related documents required to effectuate the intent of this resolution.

All Districts

Economic and International Development, Elizabeth K. Triggs, (915) 212-0094
Aviation, Sam Rodriguez, (915) 212-7301

23. Discussion and action requesting City Council support for the submission of the staff recommended Five Points Reconstruction and Paso Del Norte & Stanton Bridges Feasibility Study grant applications to the FY23 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) federal discretionary grant program administered by the Department of Transportation (DOT) and intended to help communities build transportation projects that have significant local or regional impact and improve safety and equity. [23-212](#)

Districts 2 and 8

Economic and International Development, Omar L. Martinez, (915) 479-0341
Economic and International Development, Elizabeth Triggs, (915) 212-0094

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

24. Discussion and action that the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and El Paso MHMR d/b/a Emergence Health Network for the purpose of continuing to operate a Crisis Intervention Team ("CIT") in the City of El Paso. [23-106](#)

All Districts

Police, Assistant Chief Peter Pacillas, (915) 212-4308

25. Discussion and action that the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and Emergence Health Network (EHN) with the mutual benefits to establish a mechanism for diversion of mental health crisis diversions from the 9-1-1 system to EHN. [23-213](#)

All Districts

Fire, Chief Jonathan P. Killings, (915) 493-5609

26. Discussion and action that the Mayor be authorized to sign an Interlocal Agreement (the "Agreement") by and between the City of El Paso ("City") and County of El Paso, Texas ("County") for funding of the Office of Emergency Management ("OEM") from November 1, 2022 through October 31, 2023, subject to automatic renewal for four (4) additional one (1) year periods. The total costs and expenses for the Office of Emergency Management is presently \$818,353.46; pursuant to the Agreement, the City will pay 79% (\$646,499.23), the County shall assume 21% (\$171,854.23). For each additional renewal year thereafter, the City's corresponding percentage shall decrease by 1%, and the County's percentage shall increase by 1%. [23-205](#)

All Districts

Fire, Chief Jonathan P. Killings, (915) 493-5609

Goal 3: Promote the Visual Image of El Paso

27. Discussion and action on a Resolution to authorize the City Manager or a designee to enter into contracts and amendments to contracts to carry out the 2023 Public Art Plan.

[23-103](#)

All Districts

Museums and Cultural Affairs, Ben Fyffe, (915) 212-1766

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

28. Presentation, discussion, and action on the FY 2022-2023 First Quarter Financial Report and to authorize the City Manager or his designee to execute the necessary budget transfers, not to exceed \$750,000, for a Special Election proposed to be held on May 6, 2023.

[23-214](#)

All Districts

City Manager's Office, Robert Cortinas, (915) 212-1092

EXECUTIVE SESSION

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

Representative Cassandra Hernandez

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. Application of El Paso Electric Company to Amend its Certificate of Convenience and Necessity Regarding Generating Unit 6 at the Newman Generating Station. Public Utility Commission of Texas Docket No. 54605.

[23-221](#)

Matter No. 22-1008-205 (551.071)

City Attorney's Office, Donald Davie, (915) 212-0033

EX2. Proposed Facility Lease in Central El Paso and Anticipated El Paso Electric regulatory compliance filing. Matter No. 21-1003-1222 (551.071) (551.072) [23-234](#)

Airport, Sam Rodriguez, (915) 212-7301

EX3. Discussion and action regarding the potential sale/purchase, exchange, lease, or value of real property located in Downtown El Paso. Matter No. 16-1040-1083.046 (551.071) (551.072). [23-224](#)

Economic and International Development, Mary Lou Espinoza, (915) 212-0065

EX4. EPWU, Texas v. New Mexico, Original No. 141. Matter No. 13-1009-059 (551.071) [23-225](#)

City Attorney's Office, Karla M. Nieman, (915) 212-0033

ADJOURN

NOTICE TO THE PUBLIC:

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

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

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