

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
BRIAN KENNEDY, DISTRICT 1
ALEXSANDRA ANNELLO, 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

MINUTES FOR REGULAR COUNCIL MEETING

March 14, 2023
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY
9:00 AM

ROLL CALL

The City Council of the City of El Paso met on the above time and date. Meeting was called to order at 9:03 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Brian Kennedy, Alexsandra Anello, Joe Molinar, Art Fierro, and Henry Rivera. Cassandra Hernandez and Isabel Salcido participated via videoconference Late arrival: Chris Canales at 9:06 p.m. Early departures: Art Fierro at 2:22 p.m., Isabel Salcido at 3:03 p.m., and Cassandra Hernandez at 3:18 p.m.

INVOCATION BY EL PASO POLICE CHAPLAIN DAVID MAYFIELD

PLEDGE OF ALLEGIANCE

Harmony School of Excellence

Aubree Vega
Gianna Vega
Lian Almaraz
Benjamin Duncan
Nilufer D'Agee
Ximena Garcia
Sebastian Roosmelen
Audrey Chavira
Estrella Ceballos
Elizabeth Yu
Adrian Hernandez Luna

MAYOR'S PROCLAMATIONS

World TB Day

National Public Health Week

National Infant Immunization Week

The Regular City Council meeting was **RECESSED** at 9:32 a.m. in order to take photos with the honorees.

The Regular City Council meeting was **RECONVENED** at 9:50 a.m.

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NOTICE TO THE PUBLIC

1ST MOTION

Motion made by Mayor Pro Tempore Annello, seconded by Representative Rivera, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales.

NAYS: None

2ND MOTION

Motion made by Mayor Pro Tempore Annello, seconded by Representative Molinar, and unanimously carried to **RECONSIDER** the consent agenda to allow for public comment on items 9, 11, 18, and 19.

3RD AND FINAL MOTION

Motion made by Representative Rivera, seconded by Representative Fierro, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

AYES: Representatives Kennedy, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales.

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annello

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CONSENT AGENDA – APPROVAL OF MINUTES:

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

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1. *Motion made, seconded, and unanimously carried to **APPROVE** the minutes of the Regular City Council Meeting of February 28, 2023, the Agenda Review Meeting of February 27, 2023, and the Work Session of January 30, 2023.

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CONSENT AGENDA – REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

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2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

*Motion made, seconded, and unanimously carried to **DELETE** the request to excuse Representative Art Fierro from the March 14, 2023, Regular City Council Meeting.

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CONSENT AGENDA – RESOLUTIONS

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Goal 1: Set the Standard for Sound Governance and Fiscal Management

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3. RESOLUTION

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

That the City Manager be authorized to sign an Amendment to the Chapter 380 Economic Development Program Agreement ("Agreement") by and between the **CITY OF EL PASO ("City") and LEGATE CO TEXAS, LLC ("Applicant")** for the renovation of a mixed-use building located in downtown El Paso at **201 East San Antonio Avenue, El Paso, Texas 79901**. The Amendment will replace Exhibit D in its entirety.

Representative Kennedy commented.

Ms. Karina Brasgalla, Economic and International Development Assistant Director, commented.

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the item to the Regular Agenda.

2ND AND FINAL MOTION

Motion made by Representative Kennedy, seconded by Representative Molinar, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Kennedy, Annello, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Salcido, and Fierro

4.

R E S O L U T I O N

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

That the City Manager be authorized to sign an Amendment to the Chapter 380 Economic Development Program Agreement ("Agreement") by and between the **CITY OF EL PASO, TEXAS and 309 MILLS, LLC** to support an infill renovation project for the downtown building commonly known as the De Soto, located at **309 East Mills Avenue, El Paso, Texas 79901**. The Amendment will require the Applicant to increase the minimum investment amount to \$2.4 million.

Ms. Karina Brasgalla, Economic and International Development Assistant Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Kennedy and Canales commented.

The following City staff members commented:

- Ms. Elizabet Triggs, Economic and International Development Director
- Mr. Robert Cortinas, Chief Financial Officer

Ms. Lisa Turner, citizen, commented.

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the item to the Regular Agenda.

2ND AND FINAL MOTION

Motion made by Representative Canales, seconded by Representative Rivera, and carried to **APPROVE** the Resolution.

AYES: Representatives Annello, Molinar, Rivera, and Canales

NAYS: Representative Kennedy

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Salcido, and Fierro

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

5.

RESOLUTION

WHEREAS, the City of El Paso (the "City") is eligible to apply for grants through the Homeland Security Grant Division of the Office of the Governor of the State of Texas ("HSGD"); and

WHEREAS, the El Paso City Council seeks to receive grant funding through the HSGD grant/application number 2998209 for the El Paso Police Department project identified as "Local Border Security Program"; and

WHEREAS, the El Paso City Council designates the City Manager or his designee as the City's authorized official.

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

1. **THAT**, the El Paso City Council authorizes the grant application submission to the Office of the Governor of the State of Texas, Homeland Security Grant Division, grant application number 2998209, for the City of El Paso Police Department project identified as "Local Border Security Program" to provide financial assistance to the City of El Paso.
2. **THAT**, the City of El Paso shall provide all applicable matching funds for said grant, if applicable.
3. **THAT**, the City Manager or designee is authorized to apply for, accept, reject, alter, and/or terminate said grant.
4. **THAT**, the City Council agrees that in the event of loss or misuse of said grant funds, the City of El Paso will return all funds for said grant to the State of Texas Office of the Governor, Homeland Security Grant Division.
5. **BE IT FURTHER RESOLVED THAT**, the City Manager or designee is authorized to sign any related paperwork, including but not limited to, the actual grant contract, the authorization of budget transfers, and/or revisions to the operation plan, as well as any grant amendments, corrections or extensions of the grant agreement which increase, decrease or de-obligate program funds, provided that no additional City funds are required.

Mayor Leeser and Representatives Kennedy, Annello, Molinar, Rivera, and Canales commented.

The following City staff members commented:

- Assistant Police Chief Humberto Talamantes
- Mr. Tommy Gonzalez, City Manager
- Ms. Kristen Hamilton-Karam, Senior Assistant City Attorney
- Assistant Police Chief Peter Pacillas

- Chief Mario D'Agostino, Deputy City Manager
- Ms. Josette Flores, Senior Assistant City Attorney

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the item to the Regular Agenda.

2ND MOTION

Motion made by Mayor Pro Tempore Annello, seconded by Representative Kennedy, and unanimously carried to **AMEND** the grant application by changing the target level from 1 to 0 on the outcome measures for the number of adult and minor apprehensions transferred to USBP custody.

AYES: Representatives Kennedy, Annello, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Salcido, and Fierro

3RD AND FINAL MOTION

Motion made by Representative Rivera, seconded by Representative Molinar, and carried to **APPROVE** the Resolution **AS AMENDED**.

AYES: Representatives Kennedy, Molinar, Rivera, and Canales

NAYS: Representative Annello

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Salcido, and Fierro

6.

***RESOLUTION**

WHEREAS, the City of El Paso ("City") is eligible to apply for grants through the Homeland Security Grant Division of the Office of the Governor of the State of Texas ("HSGD"); and

WHEREAS, the El Paso City Council seeks to receive grant funding through the HSGD grant/application number 3060708 for the El Paso Police Department project identified as "West Texas Anti-Gang Center"; and

WHEREAS, the El Paso City Council designates the City Manager or his designee as the City's authorized official.

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

1. THAT, the El Paso City Council authorizes the grant application submission to the Office of the Governor of the State of Texas, Homeland Security Grant Division, grant application number 3060708, for the City of El Paso Police Department project identified as "Texas Anti-Gang Center" to provide financial assistance to the City of El Paso.

2. THAT, the City of El Paso shall provide all applicable matching funds for said grant, if applicable.

3. THAT, the City Manager or designee is authorized to apply for, accept, reject, alter, and/or terminate said grant.

4. THAT, the City Council agrees that in the event of loss or misuse of said grant funds, the City of El Paso will return all funds for said grant to the State of Texas Office of the Governor, Homeland Security Grant Division.

5. BE IT FURTHER RESOLVED THAT, the City Manager or designee is authorized to sign any related paperwork, including but not limited to, the actual grant contract, the authorization of budget transfers, and/or revisions to the operation plan, as well as any grant amendments, corrections or extensions of the grant agreement which increase, decrease or de-obligate program funds, provided that no additional City funds are required.

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Goal 3: Promote the Visual Image of El Paso
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7.

***R E S O L U T I O N**

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, VALERO ABDENAGO & ANITA in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [Planning and Inspections Department], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

5718 MARIE TOBIN DR., more particularly described as Lot 10, Block 24 TOBIN PARK #2 City of El Paso, El Paso County, Texas, PID # T52799902403700

to be \$4,546.59, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 11TH day of AUGUST, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FOUR THOUSAND FIVE HUNDRED FORTY SIX AND 59/100 DOLLARS (\$4,546.59) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***R E S O L U T I O N**

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, SHELDON RICHARD L in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after

due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [Planning and Inspections Department], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

10360 PRESTON DR., EL PASO, TX 79924-2632, more particularly described as 10 SUN VALLEY #2 LOT 24, City of El Paso, El Paso County, Texas, PID #S81699901004700

to be \$5,822.75, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 29TH day of MARCH, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FIVE THOUSAND EIGHT HUNDRED TWENTY TWO AND 75/100 DOLLARS (\$5,822.75) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***R E S O L U T I O N**

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, DOMINGUEZ ADELA C (TR) in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [Planning and Inspections Department], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

130 CANDELARIA ST., more particularly described as 48 YSLETA TR 4-A (0.0473 AC), City of El Paso, El Paso County, Texas, PID # Y80599904800401

to be \$6,106.03, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 20TH day of AUGUST, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount SIX THOUSAND ONE HUNDRED SIX AND 03/100 DOLLARS (\$6,106.03) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***R E S O L U T I O N**

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, ENRIQUE ESCOBAR in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [Planning and Inspections Department], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

313 S. HILLS ST., EL PASO, TX 79901, more particularly described as 69 MAGOFFIN E 69.35 FT OF 4 & S 6 FT OF 5, City of El Paso, El Paso County, Texas, PID #M02899906902100

to be \$925.00, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 26TH day of MAY, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount NINE-HUNDRED AND TWENTY-FIVE AND 00/100 DOLLARS (\$925.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***R E S O L U T I O N**

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, GLORIA GONZALEZ in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [Planning and Inspections Department], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

1008 S. OREGON ST., EL PASO, TX 79901, more particularly described as 46 CAMPBELL FRC 15 & 16 EXC RR R/W (3380 SQ FT), City of El Paso, El Paso County, Texas, PID #C05099904606200

to be \$1,357.80, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 11TH day of FEBRUARY, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount ONE THOUSAND THREE HUNDRED FIFTY-SEVEN AND 80/100 DOLLARS (\$1,357.80) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***R E S O L U T I O N**

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, GONZALEZ GLORIA C/O MICHAEL R. NEVAREZ in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [Planning and Inspections Department], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

1010 S. OREGON ST., EL PASO, TX 79901, more particularly described as 46 CAMPBELL FRC 17 EXC RR R/W (676 SQ FT), City of El Paso, El Paso County, Texas, PID #C05099904606800

to be \$5,722.75, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 14TH day of FEBRUARY, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FIVE THOUSAND SEVEN HUNDRED TWENTY-TWO AND 75/100 DOLLARS (\$5,722. 75) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***R E S O L U T I O N**

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, GARCIA JESUS & MAGDALENA in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [Planning and Inspections Department], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

1130 MYRTLE A VE. more particularly described as Lot 16 FRANKLIN HEIGHTS N 91.5 FT OF 15 & W 12.1667 FT OF 16 & N 84 FT OF E 12.8333 FT OF 16 (4420.20 SQ FT), City of El Paso, El Paso County, Texas, PIO #F60799901606400

to be \$14,245.50, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 17TH day of MAY, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FOURTEEN THOUSAND TWO HUNDRED FORTY FIVE AND 50/100 DOLLARS (\$14,245.50) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***R E S O L U T I O N**

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, CAMPOS JESUS R in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [Planning and Inspections Department], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

1415 E. YANDELL DR., EL PASO, TX 79902-5627, more particularly described as 61 FRANKLIN HEIGHTS 25 & E 8.333 FT OF 24 (3960 SQ FT), City of El Paso, El Paso County, Texas, PID#F60799906107100

to be \$8,250.00, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 11TH day of FEBRUARY, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount EIGHT THOUSAND TWO HUNDRED FIFTY AND 00/100 DOLLARS (\$8,250.00) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

***R E S O L U T I O N**

WHEREAS, in accordance with Chapter 2.38 of the El Paso City Code, FRESE JOSEPH E in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the [Planning and Inspections Department], under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building until repaired or demolished, and clean the property of all rubbish and debris; and

WHEREAS, the Director of the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines its reasonable expenses including administrative costs and the cost of removing the accumulated trash, vegetation and weeds or other rubbish located on the property known as:

2009 MAGOFFIN AVE, more particularly described as 32 BASSETT, LOT 21 (3000 SQ FT), City of El Paso, El Paso County, Texas, PID #B20299903206100

to be \$3,610.25, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 23 day of JUNE, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount THREE THOUSAND SIX HUNDRED TEN AND 25/100 DOLLARS (\$3,610.25) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

8.

***R E S O L U T I O N**

WHEREAS, the County of El Paso ("County") and the City of El Paso ("City") would like to enter into an agreement pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, which authorizes local governments to contract with one another to carry out their governmental functions; and

WHEREAS, in 2010, County adopted a Stormwater Master Plan which provides for long-term planning objectives to prevent and mitigate harm from stormwater flooding; and

WHEREAS, to prevent and mitigate harm from stormwater flooding, County wishes to build a stormwater retention basin in the vicinity of the Greater El Paso Landfill which will intercept stormwater runoff from the upstream watershed and reduce flooding risks for downstream residents and property owners ("Basin project"); and

WHEREAS, City and County agree it is in their mutual interest to provide more stormwater system improvements to this area; and

WHEREAS, City owns and operates the Greater El Paso Landfill ("landfill"); and

WHEREAS, the City and the County wish to enter into this agreement where the City will lease land and provide other support to the County for the County to build Basin project, in order to provide for the public health, safety and welfare of the residents in the El Paso region.

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

That the Mayor of the City of El Paso be authorized to sign the Interlocal Agreement between the City of El Paso and the County of El Paso for the County of El Paso to build a stormwater retention basin in the vicinity of the Greater El Paso Landfill in order to provide for the public health, safety and welfare of the residents in the El Paso region.

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

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

9.

***R E S O L U T I O N**

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

THAT the City Manager is hereby authorized to sign an Amendment to the Lease Agreement with the Government of the Country of El Salvador, changing the effective date of

November 1, 2022, for the lease of space located at 400 W. San Antonio, Suite B, El Paso, Texas 79901 and administratively approve non-material amendments as may be required to administer the this Lease.

Ms. Lisa Turner, citizen, commented.

10.

***R E S O L U T I O N**

WHEREAS, pursuant to Section 33.011(j)(1) of the Tax Code, the governing body of a taxing unit shall waive penalties and interest on a delinquent tax of the taxpayer submits evidence sufficient to show that the taxpayer delivered payment for the tax before the delinquency to the United States Postal Service for delivery by mail, but an act or omission of the postal service resulted in the taxpayer's payment being postmarked after the delinquency date; and

WHEREAS, pursuant to Section 33.011(d) a request for waiver of penalties and interest pursuant to Section 33.011(j)(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, EDWARD W ARMENDARIZ ("Taxpayer") requested a waiver of penalties and interest on February 24, 2023, before the 181st day after the delinquency date, in the amount of \$568.96 for the 2022 delinquent taxes for the property with the following legal description:

12 MESA DEL CASTILLO #4 LOT 18 10302.17 SQ FT

WHEREAS, taxpayer submits evidence sufficient to show that the taxpayer delivered payment for the tax before the delinquency to the United States Postal Service for delivery by mail, but an act or omission of the postal service resulted in the taxpayer's payment being postmarked after the delinquency date.

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

THAT the Taxpayer, EDWARD W ARMENDARIZ, 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 2022 delinquent taxes pursuant to Section 33.011(j)(1) of the Tax Code in the amount of \$568.96, for the property with the following legal description:

12 MESA DEL CASTILLO #4 LOT 18 10302.17 SQ FT

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

11.

***R E S O L U T I O N**

WHEREAS, Section 4(f) of the Department of Transportation Act and the Code of Federal Regulations under Chapter 23 outlines the requirements and regulations governing the use of land from publicly owned parks for Federal highway projects.

WHEREAS, the TxDOT Artcraft Project (the "Project") includes the use of part of the Sunset Terrace Linear Trail, and must comply with Section 4(f) which states that the regulations require coordination with the officials with jurisdiction in determining whether the property is significant, and written concurrence of the officials with jurisdiction on finding whether the use will have any adverse effects; and

WHEREAS, City Council is the official with jurisdiction, and, after review by the City Engineer, wishes to authorize the City Engineer to execute the certification regarding the City's finding that the property is significant, and that the use of land will not have any adverse effects.

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

1. **THAT** City Council finds that the approximate 784 square feet of Sunset Terrace Park on which the use will take place has significance under 23 CFR 774.3, but there will be no adverse effects caused by the Project. The function of Sunset Terrace Linear Park will not be impaired and its function will not cease. Nor will the Project impair the function of the property as a whole. Therefore, these minor changes would have no adverse effect. The property would still possess its significance after the Project is complete.
2. **THAT** the City Council designates the City Engineer as the person authorized to certify inwriting, the park land that the TxDOT Artcraft Project plans to use is:

(1) Significant per Section 4(f) and

(2) The project activities will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection.

THAT the City Engineer will provide written certifications to TxDOT to coordinate on the next steps needed to comply with Section 4(f).

The following City staff members commented:

- Ms. Tracey Jerome, Senior Deputy City Manager
- Mr. Jerry DeMuro, Capital Improvement Assistant Director

Ms. Lisa Turner, citizen, commented.

12.

***R E S O L U T I O N**

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

THAT the City Manager is hereby authorized to sign an Amendment #1 to the Advance Funding Agreement between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, dated May 14, 2014 ("Original AFA"). The scope of work for the Original AFA were improvements to bridges along Interstate 10 along Porfirio Diaz Street to Missouri Avenue and aesthetic towers and bridge railing at the I-10/ US 54 Interchange between Copia Street and Chelsea Street. Amendment #1 replaces Attachment A of the Original AFA with attachment A-1, entitled Payment Provisions and Work Responsibilities, to reflect a decrease in the City's financial participation from \$10,000,000.00 to \$8,800,000.00.

Goal 8: Nurture and Promote a Healthy, Sustainable Community

13.

***R E S O L U T I O N**

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 ("City") and the EL PASO COUNTY ("County") for a basic pet enrichment and care program for a term of one (1) year with an option to continue the program for two (2) additional one (1) year periods.

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CONSENT AGENDA –APPOINTMENTS:
.....

Goal 3: Promote the Visual Image of El Paso
.....

14. *Motion made, seconded, and unanimously carried to **APPOINT** Alfredo Borrego to the City Plan Commission by Representative Alexsandra Anello, District 2.
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
.....

15. *Motion made, seconded, and unanimously carried to **APPOINT** Ryan Woodcraft to the Ethics Review Commission by Representative Isabel Salcido, District 5.
.....

.....
CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS
.....

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

16. *Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds listed below:
.....
1. Pave Nest, in the amount of \$4,623.24 made an overpayment on January 30, 2023 of 2022 taxes. (Geo. #C518-999-1230-3300)
 2. Mimbela Investments LLC, in the amount of \$3,197.83 made an overpayment on January 30, 2023 of 2022 taxes. (Geo. #D415-999-0010-4500)
 3. Miguel Angel Aguilar, in the amount of \$5,894.43 made an overpayment on January 31, 2023 of 2022 taxes. (Geo. #E014-999-0720-8100)
 4. Ana Lumbreras, in the amount of \$3,637.28 made an overpayment on January 31, 2023 of 2022 taxes. (Geo. #E369-000-0390-1300)
 5. Yolanda Corral, in the amount of \$2,690.72 made an overpayment on January 31, 2023 of 2022 taxes. (Geo. #L198-999-0010-4300)
 6. Fidel Apodaca, in the amount of \$6,998.92 made an overpayment on January 31, 2023 of 2022 taxes. (Geo. #R860-000-0030-2000)
-

.....
CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS
.....

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

17. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code, the receipt of campaign contributions by Representative Joe Molinar in the amount of \$750.00 from Rachel B Harracksingh.
.....

.....
CONSENT AGENDA – REQUEST TO ISSUE PURCHASE ORDERS
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Goal 8: Nurture and Promote a Healthy, Sustainable Community
.....

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18. *Motion made, seconded, and unanimously carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing to issue a purchase order to El Paso County Hospital District dba University Medical Center of El Paso referencing Contract 2020-268 El Paso County Hospital District - Lab Services. This change order is to increase the contract by \$162,500.00 for a total amount not to exceed \$812,500.00. The change order will cover additional expenses for lab services for the duration of the contract term.

Contract Variance:
No contract variance

Department: Health Department
Award to: El Paso County Hospital District dba University Medical Center of El Paso
El Paso, TX
Total Estimated Award: \$162,500.00
Account No: 341-1000-41060-521120
Funding Source: General Fund
District(s): All

This is an Interlocal Agreement.

The following City staff members commented:

- Ms. Venessa Lagunas, Procurement Analyst
- Dr. Hector Ocaranza, Health Authority

Ms. Lisa Turner, citizen, commented.

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CONSENT AGENDA – BIDS

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

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19. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2023-0307 Heavy Duty Vehicle and Tank Repair Services to Frontera Radiators and Parts, Inc., for a term of three (3) years for an estimated amount of \$194,325.00. This contract will allow for the maintenance and repair services of radiators for the cooling systems and VAC systems for all vehicles and equipment in the City's inventory.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$7,565.85 for the initial term, which represents a 4.05% increase due to price increases.

Department: Streets and Maintenance
Vendor: Frontera Radiators and Parts, Inc.
El Paso, TX
Initial Term: 3 years
Annual Estimated Award: \$64,775.00 (1 year)
Total Estimated Award: \$194,325.00 (3 years)
Account No.: 532 - 3600 - 531210 - 37020 - P3701 (Parts)
532 - 3600 - 531250 - 37020 - P3701 (Service)
Funding Source: Internal Service Fund
District(s): All

This is a Non-Competitive, service contract in accordance with Section 9.1.8.1 of The Amended and Restated Procurement and Sourcing Policy. The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to Frontera Radiators and Parts, Inc.

Ms. Nicole Cote, Purchasing and Strategic Sourcing Managing Director, commented.

Ms. Lisa Turner, citizen, commented.

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REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL
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Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
.....

20.

R E S O L U T I O N

WHEREAS the City of El Paso (the “City”) was selected to host the 2023 National Neighborhood USA conference (the “Event”), to be held May 24th through May 27th; and

WHEREAS on July 6, 2022 the City of El Paso (the “City”) issued a proclamation for the month of July to be known as El Paso Neighborhoods USA conference month and recognized and honored the dedication and commitment of El Paso Neighborhood Coalition, Community and Human Development, Destination El Paso to bring the Neighborhoods USA conference to El Paso; and

WHEREAS City entered into an agreement with Neighborhoods USA for the City to host the event; and

WHEREAS Neighborhoods USA is a national non-profit organization committed to building and strengthening neighborhood organizations to build stronger communities and therefore encourages the participation of Neighborhood Associations in the Event; and

WHEREAS The Event is expected to bring together people across the country and will include over 40 workshops curated for practitioners and neighborhood leaders to educate and advocate on neighborhood concerns; and

WHEREAS City established a Neighborhood Association Program to improve communication between neighborhoods, their residents, the private sector, and city government on matters affecting the livability and character of their neighborhoods; and

WHEREAS Neighborhood Associations that participate in the City’s Neighborhood Association Program obtain recognition status and establish a means whereby early identification and resolution of potential conflict involving neighborhoods, their residents, and the private sector can be achieved; and

WHEREAS City Council Representative for District 8 recognizes the importance of the participation of Neighborhood Associations in the Event and recommends the allocation of up to \$3,500 from District 8’s discretionary funds to fund the registration cost to the Event for the Presidents of 17 Recognized Neighborhood Associations in District 8; and

WHEREAS City Council finds that the expenditure of District 8 discretionary funds serves a municipal purpose of cultivating an environment conducive to strong, economic development, promoting the visual image of El Paso, enhancing El Paso’s quality of life and nurturing and promoting a healthy, sustainable community.

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

That the City Council declares that the expenditure of the discretionary funds from City Council District 8 in the amount not to exceed \$3500, to fund the registration cost to the National Neighborhoods USA Conference for the Presidents of 17 Recognized Neighborhood Associations in District 8, serves a municipal purpose of cultivating an environment conducive to strong, economic development, promoting the visual image of El Paso, enhancing El Paso's quality of life and nurturing and promoting a healthy, sustainable community.

That, the City Manager, or designee, be authorized to effectuate any budget transfers and execute any related agreements or amendments to such agreements necessary to ensure that the funds are properly expended for such purpose.

Motion made by Representative Canales, seconded by Representative Molinar, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Annello, Molinar, Rivera, and Canales.

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Kennedy, Hernandez, Salcido, and Fierro

21.

RESOLUTION

WHEREAS, the City of El Paso recognizes the importance of providing City employees with a livable wage that allows them to support themselves and their families; and

WHEREAS, the MIT Living Wage Calculator suggests that a single adult in El Paso in 2023 would need to earn at least \$14.67 per hour to cover basic expenses; and

WHEREAS, the current minimum hourly wage for City of El Paso employees is \$12.11, which is below a true living wage in El Paso; and

WHEREAS, increasing the minimum hourly wage for City of El Paso employees can provide benefits such as increased purchasing power, causing more dollars to circulate in the local economy, reduced poverty and inequality, and improved employee morale and productivity; and

WHEREAS, the City of El Paso has already taken steps to increase the minimum hourly wage for City of El Paso employees, including a total increase of \$1.00 per hour (approximately 9%) during FY2023;

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

THAT the City of El Paso sets a goal to reach a minimum hourly wage of \$15 for City of El Paso employees by the end of FY2026;

BE IT FURTHER RESOLVED THAT the City of El Paso will monitor progress towards this goal and consider future increases to ensure that City employees are able to earn a wage that allows them to support themselves and their families.

Representative Canales read the resolution into the record and commented.

Mayor Leeser and Representatives Kennedy, Annello, and Molinar commented.

The following City staff members commented:

- Mr. Robert Cortinas, Chief Financial Officer
- Mr. Tommy Gonzalez, City Manager

The following members of the public commented:

1. Ms. Lisa Turner
2. Ms. Melissa Harcrow, statement read into the record by the City Clerk

1ST MOTION

*Motion made, seconded, and unanimously carried to **REVISE** the item to add Representative Alexandra Annello as a co-sponsor.

2ND AND FINAL MOTION

Motion made by Representative Canales, seconded by Representative Annello, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Kennedy, Annello, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Salcido and Fierro

Goal 3: Promote the Visual Image of El Paso

22.

RESOLUTION

WHEREAS, World Down Syndrome Day is being observed in the City of El Paso on March 21, 2023, to promote awareness of the many ways that we benefit by ensuring that persons with Down syndrome are supported, encouraged, and included in our communities; and

WHEREAS, Down syndrome, the most commonly occurring chromosomal condition, occurs in individuals who have a full or partial extra copy of chromosome 21; one of every 700 babies born in the United States each year is born with Down syndrome; and

WHEREAS, Medical advances have significantly increased the life expectancy of people with Down syndrome, which is now approaching that of peers without the condition; in addition to the advantages of modern medicine, support groups and other resources are now available in nearly every community in the United States; and

WHEREAS, when provided with quality education programs, a stimulating home environment, good health care, and support from family and friends, people with Down syndrome can lead fulfilling and productive lives; much progress has been made through the vision and hard work of parents, researchers, medical professionals, and other advocates, who have helped secure the rights of people with Down syndrome to live at home, attend schools, access appropriate health care, get married, find work, and contribute to society; while research and early intervention have dramatically improved the life span and quality of life of persons with the condition, more work remains to be done to fully comprehend the causes and to explore potential treatments; and

WHEREAS, in 2011, the United Nations General Assembly declared March 21 as World Down Syndrome Day; this year, the City of El Paso, Texas is joining with other cities

and countries around the globe in recognition of this special event, and all El Pasoans are encouraged to take part by helping to build a culture of greater respect and inclusion for those living with Down syndrome.

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

That the City Council of El Paso, Texas hereby recognizes March 21, 2023, as World Down Syndrome Day in the City of El Paso and honors the accomplishments and contributions made by men and women with Down syndrome.

Representative Rivera read the resolution into the record and commented.

Mayor Leeser commented.

Judge Bill Moody and Ms. Melissa Moody, resolution recipients, commented.

Motion made by Representative Rivera, seconded by Representative Fierro, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales.

NAYS: None

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

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23. ITEM: Discussion and action regarding the procedure for appointment of Cary Westin as Interim City Manager effective June 30, 2023.

Mayor Leeser and Representatives Kennedy, Annello, Hernandez, Molinar, Rivera, and Canales commented.

Ms. Kristen Hamilton-Karam, Senior Assistant City Attorney, commented.

The following members of the public commented:

1. Mr. Richard Dayoub, statement read into the record by the City Clerk
2. Mr. Arnulfo Hernandez

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT** of the Regular Agenda.

2ND AND FINAL MOTION

Motion made by Representative Kennedy, seconded by Representative Annello, and carried to **APPOINT** Cary Westin as Interim City Manager effective June 30, 2023.

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Salcido, Fierro, and Canales

NAYS: Representative Rivera

-
24. ITEM: Discussion and action to establish a defined process with formal input from members of Council and the Mayor for the selection of both an interim City Manager and ultimately a permanent City Manager.

Mayor Leeser and Representative Canales commented.

Ms. Kristen-Hamilton Karam, Senior Assistant City Attorney, commented.

Ms. Lisa Turner, citizen, commented.

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT** of the Regular Agenda.

2ND MOTION

Motion made by Representative Canales, seconded by Representative Rivera, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 1:29 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss item 24:

Section 551.071 CONSULTATION WITH ATTORNEY

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales

NAYS: None

3RD MOTION

Motion made by Representative Molinar, seconded by Representative Annello, and unanimously carried to **ADJOURN** the Executive Session at 2:55 p.m. and **RECONVENE** the meeting of the City Council at which time a motion was made:

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Salcido, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Fierro

4TH AND FINAL MOTION

Motion made by Representative Canales, seconded by Representative Annello, and unanimously carried to **DIRECT** staff to schedule briefings with individual members of the City Council with regard to past executive search solicitation processes in advance of any future actions of the City Council regarding a scope of work for a solicitation for an executive search firm to conduct a national search for the hiring of a permanent City Manager.

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Salcido, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Fierro

Goal 8: Nurture and Promote a Healthy, Sustainable community

- 25.** Presentation and discussion by Emergence Health Network of their 2022 annual report on activities, collaborations, and partnerships with local entities.

Ms. Kristen Daugherty, Emergence Health Network Chief Executive Officer, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representatives Annello, Hernandez, Rivera, and Canales commented.

Ms. Lisa Turner, citizen, commented.

NO ACTION was taken on this item.

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REGULAR AGENDA – OPERATIONAL FOCUS UPDATES
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Goal 6: Set the Standard for Sound Governance and Fiscal Management
.....

- 26.** Presentation and discussion from the Office of Congresswoman Veronica Escobar, representative of Texas' 16th Congressional District, on the upcoming FY2024 appropriations process and other federal legislative updates.

Ms. Lindsey Adams, Legislative Liaison, introduced the item.

Congresswoman Veronica Escobar and the following members of her staff presented a PowerPoint presentation (copy on file in the City Clerk's Office).

1. Mr. Eduardo Lerma, Chief of Staff
2. Ms. Zahraa M. Saheb, Legislative Director
3. Ms. Emily Loya, District Director

NO ACTION was taken on this item.

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27. Presentation and discussion from the Office of Congressman Tony Gonzales, representative of Texas' 23rd Congressional District, on the upcoming FY2024 appropriations process and other federal legislative updates.

Ms. Lindsey Adams, Legislative Liaison, introduced the item.

Mr. Rodrigo Estrada, Regional District Director Office for the of Congressman Tony Gonzales, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Annello commented.

Ms. Lisa Turner, citizen, commented.

NO ACTION was taken on this item.

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28. Discussion and action on the FY 24 Community Project Funding requests to be submitted for consideration through the House Appropriations Committee process.

The following City staff members presented a PowerPoint presentation (copy on file in the City Clerk's Office).

- Ms. Lindsey Adams, Legislative Liaison
- Mr. Omar Martinez, Grants and Strategic Initiatives Manager
- Ms. Alejandra Gorski, Economic Development Analyst

Representatives Annello, Hernandez, Molinar, and Rivera commented.

Ms. Elizabeth Triggs, Economic and International Development Director, commented.

Motion made by Representative Rivera, seconded by Representative Annello, and unanimously carried to **APPROVE** the following eligible projects as presented by staff for the

FY 24 Community Project Funding requests to be submitted for consideration through the House Appropriations Committee process.

1. Ysleta Port of Entry Feasibility Study
2. Airport Terminal Drive Bridge Replacement
3. Sun Metro Micro-Transit Project
4. EDD Business One-Stop Shop (BOSS)
5. Northeast Rail Spur Phase I
6. Language Request for Port Infrastructure Development Program
7. Regional Masterplan for Ports of Entry

AYES: Representatives Kennedy, Anello, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales.

NAYS: None

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29. Budget Update - Fixed Costs and Quality of Life.

Mr. Robert Cortinas, Chief Financial Officer, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

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Goal 8: Nurture and Promote a Healthy, Sustainable Community

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30. Management Update on the Office of Climate and Sustainability.

Ms. Nicole Ferrini, Climate and Sustainability Officer, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representatives Anello, Hernandez, Molinar, and Canales commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

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The Regular City Council meeting was **RECESSED** at 11:38 a.m. for lunch

The Regular City Council meeting was **RECONVENED** at 12:04 p.m.

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CALL TO THE PUBLIC – PUBLIC COMMENT:

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The following members of the public commented:

1. Mr. Andrew Torres
2. Mr. Ron Comeau
3. Ms. Barbara Valencia
4. Ms. Elena Perez
5. Ms. Nevaeh Martinez
6. Mr. Randolph Rivera
7. Mr. Arnulfo Hernandez
8. Ms. Lisa Turner

9. Mr. Cris Arellano
10. Mr. Steve Fischer
11. Mr. Jose Barriga

REGULAR AGENDA – FIRST READING OF ORDINANCES:

Motion made by Representative Rivera, seconded by Representative Canales, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

AYES: Representatives Kennedy, Anello, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Molinar, Salcido, and Fierro

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

31. An Ordinance approving an amendment to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number Five, City of El Paso, Texas, to allocate up to Fifty Thousand Dollars of the Tax Increment Reinvestment Zone annual revenue to the Downtown Plan Alley Activation effort to support improvements to Henry Trost Court; to allocate up to Eight Hundred Thirty Thousand Dollars of the Tax Increment Reinvestment Zone annual revenue to the Downtown Street Tree Master Plan effort to support improvements to West Main Drive between North Santa Fe Street and North El Paso Street; adopting said amendments as required by Section 311.011(e) Texas Tax Code.

Goal 3: Promote the Visual Image of El Paso

32. An Ordinance vacating a portion of Marks Street right-of-way and a portion of Herbert Street right-of-way within the Franklin D. Roosevelt Subdivision, City of El Paso, El Paso County, Texas.

Applicant: Housing Opportunity Management Enterprises (HOME) - City of El Paso, SURW22-00008

33. An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.150 (Shared Mobility Devices), to make the current permitting program permanent. The penalty is as provided in Section 15.08.150 of the El Paso City Code.

Goal 8: Nurture and Promote a Healthy, Sustainable Community

34. An Ordinance amending Title 7 (Animals), Chapter 7.28 (Animal Shelter Advisory Committee), Section 7.28.050 (Quorum and Procedures) of the El Paso Code. The City of El Paso wishes to re-insert a previously inadvertently deleted section in Title 7, Chapter 28, Section 7.28.050.

PUBLIC HEARING WILL BE HELD ON MARCH 28, 2023 FOR ITEMS 31 THROUGH 34

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

35. **RESOLUTION**

WHEREAS, on April 13, 2021 , the City of El Paso ("City") awarded Contract No. 2021-0742 Volvo, Gradall and Doosan Parts and Service to the following vendor:

1. Sierra Machinery, Inc.

WHEREAS, pursuant to the Purchase Order Terms and Conditions - Section 7A of this contract the City is authorized to terminate the Contract for convenience; and

WHEREAS, the City desires to terminate the Contract for Convenience.

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

That the Managing Director of Purchasing & Strategic Sourcing is authorized to notify Sierra Machinery, Inc. that the City is terminating Contract No. 2021-0742 Volvo, Grad all and Doosan Parts and Service for convenience, pursuant to the Purchase Order Terms and Conditions- Section 7 A of this contract, and that the termination shall be effective as of March 14, 2023.

Motion made by Representative Rivera, seconded by Representative Kennedy, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Kennedy, Anello, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Molinar, Salcido, Fierro

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- 36.** Motion made by Mayor Pro Tempore Anello, seconded by Representative Canales, and unanimously carried to **AUTHORIZE** the Managing Director of Purchasing & Strategic Sourcing Department to issue Purchase Order(s) to Sierra Machinery, Inc., the sole and authorized distributor for the 2023-0157 Volvo, Gradall and Doosan Parts and Service, for a term of three (3) years for an estimated amount of \$720,000.00, with a stipulation that Sierra Machinery, Inc. provides an updated sole source letter and affidavit each year. This contract will allow for the maintenance of equipment used by the Environmental Services and Streets and Maintenance Departments.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$40,000.00 per year, which represents a 20% increase due to parts and service prices increasing.

Department:	Streets and Maintenance
Award To:	Sierra Machinery, Inc. El Paso, TX
Initial Term:	3 Years
Annual Estimated Amount:	\$240,000.00
Total Estimated Amount:	\$720,000.00
Account No.:	532 - 3600 - 531210 - 37020 - P3701 (Parts) 532 - 3600 - 531250 - 37020 - P3701 (Service)
Funding Source:	Internal Service Fund
District(s):	All

This is a Sole Source contract in accordance with Texas Local Government Code 252.022(a)(7)(a).

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to Sierra Machinery, Inc., the sole and authorized distributor.

Representatives Annello and Canales commented.

Ms. Gretchen Garcia, Purchasing and Strategic Sourcing Senior Procurement Analyst, commented.

AYES: Representatives Kennedy, Annello, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Salcido, and Fierro

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37. Motion made by Representative Molinar, seconded by Representative Rivera, and unanimously carried to **AWARD** Solicitation 2023-0087 McNeilus Parts and Service to McNeilus Financial, Inc. dba McNeilus Truck & Manufacturing Co. for a term of three (3) years for an estimated amount of \$975,000.00. This contract will allow the purchase of McNeilus parts and service for the Fleet Division.

Contract Variance:

The difference based on comparison to the previous contract is as follows: An increase of \$150,000.00 for the initial term, which represents a 18.18% increase due to price increases.

Department:	Streets and Maintenance
Vendor:	McNeilus Financial, Inc. dba McNeilus Truck & Manufacturing Co. Dodge Center, MN
Initial Term:	3 Years
Annual Estimated Award:	\$325,000.00
Total Estimated Award:	\$975,000.00
Account No.:	532 - 3600 - 531210 - 37020 - P3701 (Parts) 532 - 3600 - 531250 - 37020 - P3701 (Service)
Funding Source:	Internal Service Fund
District(s):	All

This is a Non-Competitive, service contract in accordance with Section 9.1.8.1 of The Amended and Restated Procurement and Sourcing Policy.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to McNeilus Financial, Inc. dba McNeilus Truck & Manufacturing Co.

AYES: Representatives Kennedy, Annello, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Salcido, Fierro

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REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

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

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38. **ORDINANCE 019443**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.48 (PUBLIC SWIMMING POOLS AND SPAS), SECTION 9.48.010 (PURPOSE) OF THE EL PASO CITY CODE.**

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

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Kennedy, Annello, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Salcido, and Fierro

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

Goal 3: Promote the Visual Image of El Paso

39.

ORDINANCE 019444

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING TO JESSICA SOTO PRADO AND HUGO PRADO DBA PS ADS A NON-EXCLUSIVE FRANCHISE FOR WASTE CONTAINERS ON SIDEWALKS AND OTHER CITY PROPERTY.**

Motion duly made by Representative Canales, seconded by Representative Kennedy, and carried that the Ordinance be **ADOPTED**.

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Kennedy, Annello, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Salcido, and Fierro

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

REGULAR AGENDA – OTHER BUSINESS:

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

40.

R E S O L U T I O N

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

That the City Manager be authorized to sign a two year On-Call Agreement for Professional Services to perform planning, public engagement, and urban design services on a task by task basis by and between the by City of El Paso and each of the following six (6) consultants:

1. CallisonRTKL Inc.
2. Asakura Robinson, LLC
3. Kimley-Horn & Associates Inc.
4. Surroundings Studio LLC
5. Able City LLC
6. Mend Collaborative, Inc.

Each On-Call Agreement will be for an amount not to \$350,000.00, and each agreement will include authorization for the City Engineer to approve additional Basic Services and Reimbursables for an amount not to exceed \$50,000.00 and authorization for the City Engineer to approve Additional Services for an amount not to exceed \$50,000.00 if the identified services are necessary for proper execution of identified project and if the increased amounts are within the appropriate budget identified for a project. In addition, the City Manager is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of each On-Call Agreement.

Motion made by Representative Canales, seconded by Representative Rivera, and carried to **APPROVE** the Resolution.

AYES: Representatives Annello, Molinar, Rivera, and Canales

NAYS: Representative Kennedy

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Salcido, and Fierro

Goal 8: Nurture and Promote a Healthy, Sustainable Community

41.

RESOLUTION

WHEREAS, on June 22, 2021, the City Council for the City of El Paso adopted the Annual Action Plan for 2021-2022 and on that date Authorized the City Manager to sign and submit to the United States Department of Housing and Urban Development (HUD) the 2021-2022 Annual Action Plan to include all certifications contained therein; and

WHEREAS, the City of El Paso, Texas has been allocated \$9,535,888 in HOME Investment Partnerships Program – American Rescue Plan (HOME-ARP) funding; and

WHEREAS, the City Council, based on the recommendation of the Climate and Sustainability Officer, now desires to amend the 2021-2022 Annual Action Plan to include the HOME-ARP Allocation Plan; and

WHEREAS, on February 10, 2023, the City of El Paso posted on its website public notice and allowed a 15-day public comment period regarding the proposed amendment to the HOME-ARP Allocation Plan and City Council has duly considered public comment if any.

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

That the City of El Paso's 2021-2022 Annual Action Plan is hereby amended to add the HOME-ARP Allocation Plan; and

That the City Manager, or designee, be authorized to sign and submit to the Department of Housing and Urban Development (HUD) the HOME-ARP Allocation Plan, Form SF-424 and Form SF 424 D, all certifications and assurances contained therein, and any documents necessary to comply with HUD requirements; and

That the City Manager, or designee, be authorized to sign Grant Agreements with HUD for the HOME-ARP allocation; and

That the City Manager, or designee, be authorized to sign all Letters of Support, Certifications of Local Government Approval, Release of Liens, Assurances and Certifications of Consistency with the Consolidated Plan required by HUD or the State of Texas for grant

applications or applications for Low Income Housing Tax Credits for programs covered by the HOME-ARP Allocation Plan; and

That the City Manager, or designee, subject to completion of environmental review, be authorized to sign all contracts and documents with the agencies, entities, persons, and/or City departments approved for funding related to the implementation and performance of the activities contained in the HOME-ARP Allocation Plan and corresponding programs. The City Manager, or designee, is authorized herein to sign amendments to such contracts which add to or reduce funding, including but not limited to the removal of the obligation of funds by mutual termination, and extensions to the contract period; and

That the City Manager, or designee, be authorized to sign all Environmental Assessments, Requests for Release of Funds, Certifications, and Performance Reports required by the U.S. Department of Housing and Urban Development for activities covered by the HOME-ARP Allocation Plan; and

That the City Manager, or designee, be authorized to sign agreements to secure matching funds which add to amounts allocated under the HOME-ARP Allocation Plan budget; and to sign amendments to matching fund agreements, including extensions to the contract period; and

That the City Manager, or designee, be authorized to sign all amendments, subordination agreements, loan modification agreements, release of liens, assumption agreements, and other similar documents related to transactions performed under the HOME-ARP Allocation Plan so long as such documents are approved by the City Attorney's office as to form and comply with department policies and procedures; and

That the City Manager be authorized to execute letters of support, certifications, and other similar documents, that allow third parties to secure funding from state, federal, and local agencies which further the goals of the City's HOME-ARP Allocation Plan.

That the City Manager, or designee, be authorized to take any actions necessary to accomplish the intent of this resolution upon approval by the City Attorney's Office and the Climate and Sustainability Officer.

Except as amended in this First Amendment the 2021-2022 Annual Action Plan remains in full force and effect.

Motion made by Representative Rivera, seconded by Representative Canales, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Kennedy, Annello, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Salcido, and Fierro

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ADJOURN
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Motion made by Mayor Pro Tempore Annello, seconded by Representative Molinar, and unanimously carried to **ADJOURN** this meeting at 5:02 p.m.

AYES: Representatives Kennedy, Annello, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez, Salcido, and Fierro
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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk