

OSCAR LEESER
MAYOR

CARY WESTIN
INTERIM CITY MANAGER



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

MINUTES FOR REGULAR COUNCIL MEETING

MARCH 12, 2024
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 9:00 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Brian Kennedy, Joe Molinar, Isabel Salcido, Henry Rivera, and Chris Canales. Late arrivals: Josh Acevedo at 9:05 a.m. and Cassandra Hernandez at 9:24 a.m. Art Fierro requested to be excused. Early departures: Mayor Oscar Leeser at 10:30 a.m. and Cassandra Hernandez at 4:12 p.m.

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

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

World TB Day

Education & Sharing Day

General Edward Greer 100th Birthday Celebration

National Transit Employee Appreciation Day

The Regular City Council meeting was **RECESSED** at 9:35 a.m. in order to take photos with the honorees and convene the Mass Transit Board of Directors Meeting.

The Regular City Council meeting was **RECONVENED** at 10:05 a.m.

NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Kennedy, seconded by Representative Hernandez, 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, Acevedo, Hernandez, Molinar, Salcido, Rivera and Canales
NAYS: None
ABSENT: Representative Fierro

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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 27, 2024, the Agenda Review Meeting of February 26, 2024, the Work Session of February 26, 2024, the Special Meeting of February 15, 2024, and the corrected minutes for the Work Session of November 20, 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 **EXCUSE** Representative Art Fierro from the Regular City Council Meeting of March 12, 2024.

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CONSENT AGENDA – RESOLUTIONS:
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Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
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3. ***RESOLUTION**

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

That the City Manager, or designee, be authorized to sign an Office Space Rental Agreement between the City of El Paso and G2 Secure Staff, LLC, for approximately three hundred and twenty-eight (328) square feet of office and related shared space in the Airport Terminal Building, located at 6701 Convair Road, El Paso, Texas 79925, for a one-year term with automatic renewal for four (4) additional terms of one (1) year each.

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Goal 2: Set the Standard for a Safe and Secure City
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4. **RESOLUTION**

WHEREAS, the City of El Paso (the "City") is eligible to apply for grants through the Public Safety Office of the State of Texas ("PSO"); and

WHEREAS, the El Paso City Council seeks to receive grant funding through the grant/application number 4365503 for the El Paso Police Department project identified as "Body Worn Camera Grant Program FY2025"; 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 City Manager or his designee is authorized to submit to the Public Safety Office of the State of Texas, grant application number 4365503, for the City of El Paso

Police Department project identified as "Body Worn Camera Grant Program FY2025" to provide financial assistance to the City of El Paso.

2. **THAT**, the City of El Paso shall provide all 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; and
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 Public Safety Office of the State of Texas.
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.

Executive Assistant Chief of Police Zina Silva briefed Council members on the item.

Representative Rivera 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 Rivera, seconded by Representative Molinar, and unanimously carried to **APPROVE** the Resolution.

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

NAYS: None

ABSENT: Representative Fierro

5.

RESOLUTION

WHEREAS, the City of El Paso ("City") is eligible to apply for the Public Safety Office of the State of Texas FY2025 Border Zone Fire Departments (BZFD) Grant; and

WHEREAS, the City's Fire Department seeks to enhance its specialized teams capabilities to respond and protect individuals along the U.S./Mexico border from the consequences of natural and human-caused hazards; and

WHEREAS, there is a need to purchase and replace equipment that support the City's Fire Department's Special Response Teams (HazMat, ComSar, Water Rescue and Urban Search & Rescue Team (USAR)); and

WHEREAS, the Grant requires no matching funds by the City; and

WHEREAS, the Border Zone Fire Departments Grant will assist the City's Fire Department Special Operations Response Teams protect and rescue individuals along the U.S./Mexico border.

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

1. That the City Manager or designee is authorized to submit the FY2025 Border Zone Fire Departments Grant, application number 5185401, for the project entitled "Enhancement of Special Operations Teams Capabilities" through the Public Safety Office of the State of Texas and all related documents, including but not limited to, authorization of budget transfers, and/or revisions to the operations plan, and to accept, reject, amend, correct, extend and/ or terminate the grant, in the amount of \$148,499.18 for the period from September 1, 2024 through August 31, 2025, for the City's Fire Department's Special Response Teams to purchase necessary equipment intended to sustain and enhance current response capabilities locally and regionally to various incidents along the border.
2. That the City shall provide all applicable matching funds for said grant, if applicable.
3. That in the event of loss or misuse of the grant funds, the City assures that the funds will be returned to the Public Safety Office of the State of Texas in full.

Assistant Fire Chief Jorge Rodriguez presented a PowerPoint presentation (copy on file in the City Clerk's Office).

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE** the item to the **REGULAR AGENDA**.

2ND AND FINAL MOTION

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

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

NAYS: None

ABSENT: Representative Fierro

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

WHEREAS, on August 15, 2023, pursuant to Section 7.3(D) of the City of El Paso Charter, the City Council approved the FY2024 City Budget by resolution ("Budget Resolution"); and

WHEREAS, Schedule "C" of the FY2024 Budget is the department fee schedule for the City of El Paso; and

WHEREAS, the El Paso Zoo is requesting to amend the FY2024 Schedule "C" to include fees for Zoo Memberships and Zoo Camps; and

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

THAT, the City Manager, or designee, be authorized to effectuate the listed budget revisions, attached to this Resolution as Exhibit “A”, for the El Paso Zoo.

Exhibit “A”

El Paso Zoo

Schedule “C” Amendment

Zoo Memberships;

SPIDER MONKEY	1 Named Adult	\$60
TAPIRS	2 Named Adults	\$75
BIRD'S NEST	1 Named Adult & up to 2 Children	\$85
WOLF PACK	2 Named Adults & up to 5	\$105
TIGER TEAM	2 Named Adults, up to 5 Children & 1 Adult Guest	\$130
PENGUIN PALS	2 Named Adults, up to 5 Children & 2 Adult Guest	\$160

Summer Camp;

The cost of each session is \$125 per child (Non-Members) and \$115 per child (Members).

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Goal 6: Set the Standard for Sound Governance and Fiscal Management
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7.

***RESOLUTION**

WHEREAS, pursuant to Section 33.01 l(a)(l) of the Tax Code, the governing body of a taxing unit shall waive penalties and may provide for the waiver of interest on a delinquent tax in an act or omission of an officer, employee, or agent of the taxing unit or appraisal district in which the taxing unit participates caused or resulted in the taxpayer's failure to pay the tax before delinquency and if the tax is paid not later than the 21st day after the taxpayer knows or should know or should know of the delinquency; and

WHEREAS, pursuant to Section 33.01 l(d) a request for waiver of penalties and interest pursuant to Section 33.01 l(a)(l) must be made before the 181st day after the delinquency date; and

WHEREAS, pursuant to Section 33.01 l(d) of the Tax Code, taxpayer, ANA LARIOS ("Taxpayer") requested a waiver of penalties and interest on February 20, 2024, before the 181st day after the delinquency date, in the amount of \$639.13 for the 2023 delinquent taxes for the property with the following legal description:

18 RANCHOS DEL SOL #6 AMENDING PLTLOT 8 (9823.67 SQ FT)

WHEREAS, the Taxpayer paid the taxes owed on the property on February 20, 2024, which is not later than the 21st day after the date the taxpayer knew or should have known of the delinquency; and

WHEREAS, the Taxpayer's failure to pay the tax before the delinquency date was a result of an act or omission of the tax office.

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

THAT the Taxpayer, ANA LARIOS has met the requirements of Section 33.011 of the Tax Code for the request of waiver of penalties and interest and the City waives the penalty and interest amount on the 2023 delinquent taxes pursuant to Section 33.01 I(a)(l) of the Tax Code in the amount of \$639.13, for the property with the following legal description:

18 RANCHOS DEL SOL #6 AMENDING PLTLOT 8 (9823.67 SQ FT)

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Goal 7: Enhance and Sustain El Paso’s Infrastructure Network
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8. *RESOLUTION

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

That the Mayor is authorized to sign an Interlocal Agreement between the City of El Paso (“City”), a home rule municipal corporation, and the Camino Real Regional Mobility Authority (“Authority”), for the Authority, on behalf of the City, to acquire eighteen parcels necessary to extend Montwood Drive between Shreya Street and Rich Beem Boulevard; and to complete the documentation necessary to annex the property into the City. In exchange for such services, the City shall pay the Authority \$475,655.86, which does not include the purchase price of the properties.

Mr. Cary Westin, Interim City Manager, commented.

Ms. Lisa Turner, citizen, commented.

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Goal 8: Nurture and Promote a Healthy, Sustainable Community
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9. *RESOLUTION

WHEREAS, on September 1, 2023, the Texas Department of State Health Services (“DSHS”) and the City of El Paso (“City”) entered into an Interlocal Agreement pursuant to Chapter 791 of the Texas Government Code; and

WHEREAS, pursuant to the Interlocal Agreement, City provides DSHS with laboratory analyses of milk samples in exchange for a fee paid by DSHS; and

WHEREAS, the parties desire to revise the Statement of Work to increase the fees paid to City by DSHS on a fee-for-service/unit rate basis; and

WHEREAS, the parties wish to ratify the original Interlocal Agreement as it is missing a statutorily required signature.

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

THAT the Mayor is authorized to sign the Amended Interlocal Agreement between City and DSHS; and

THAT the original Interlocal Agreement executed on September 1, 2023 is hereby ratified by the City Council of the City of El Paso.

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CONSENT AGENDA – BOARD APPOINTMENTS:
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Goal 3: Promote the Visual Image of El Paso

- 10. *Motion made, seconded, and unanimously carried to **APPOINT** Juan Uribe to the City Plan Commission by Representative Isabel Salcido, District 5.
- 11. *Motion made, seconded, and unanimously carried to **APPOINT** Robert Filarski to the Building and Standards Commission by Representative Joe Molinar, District 4.
- 12. *Motion made, seconded, and unanimously carried to **DELETE** the board appointment of Edmund Castle to the Building and Standards Commission by Representative Art Fierro, District 6.

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

- 13. *Motion made, seconded, and unanimously carried to **APPOINT** Joseph Iglesias to the Bond Overview Advisory Committee by Representative Art Fierro, District 6.

Goal 8: Nurture and Promote a Healthy, Sustainable Community

- 14. *Motion made, seconded, and unanimously carried to **APPOINT** Alejandra Valdez to the Animal Shelter Advisory Committee by Representative Isabel Salcido, District 5.

CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS:

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

- 15. *Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds greater than \$2,500 listed below and posted on the attachment with this agenda:
 - 1. Jennifer English, in the amount of \$3,877.78 made an overpayment on January 31, 2024 of 2023 taxes. (Geo. #10SS-999-1150-5634)
 - 2. Paul A. Cabrera, in the amount of \$4,105.35 made an overpayment on January 26, 2024 of 2023 taxes. (Geo. #C518-999-1440-5700)
 - 3. Lorenza Olivas, in the amount of \$4,620.85 made an overpayment on December 28, 2023 of 2023 taxes. (Geo. #A462-999-1520-2100)
 - 4. Jessica Sevillano, in the amount of \$2,959.88 made an overpayment on January 31, 2024 of 2023 taxes. (Geo. #H453-999-0370-9900)
 - 5. Thomas Levy, in the amount of \$3,402.46 made an overpayment on January 24, 2024 of 2023 taxes. (Geo. #H453-999-1040-8500)
 - 6. Rosa M. Moreno, in the amount of \$3,250.00 made an overpayment on January 19, 2024 of 2023 taxes. (Geo. #P585-000-0170-5600)
 - 7. Rosa M. Moreno, in the amount of \$3,250.19 made an overpayment on January 19, 2024 of 2023 taxes. (Geo. #P585-000-0170-5600)
 - 8. Maria Monreal, in the amount of \$4,136.25 made an overpayment on January 16, 2024 of 2023 taxes. (Geo. #P654-999-0400-1900)

9. Jaime Marquez, in the amount of \$10,898.26 made an overpayment on February 1, 2024 of 2023 taxes. (Geo. #R343-999-0010-1800)
10. K.E. Andrews, in the amount of \$53,863.58 made an overpayment on January 31, 2024 of 2023 taxes. (Geo. #V893-999-3410-0100)
11. Michael Kotowski, in the amount of \$4,883.55 made an overpayment on January 31, 2024 of 2023 taxes. (Geo. #V894-999-0150-1000)

16.

***RESOLUTION**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, C Ferris Karam Construction, LLC through El Paso Title Co. ("Taxpayer") has applied for a refund with the tax assessor for their 2019 property taxes that were overpaid on October 22, 2019 in the amount of \$286.98 for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2019 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that C Ferris Karam Construction, LLC through El Paso Title Co. showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2019 taxes and the tax refund in the amount of \$286.98 is approved.

***RESOLUTION**

WHEREAS, pursuant to Section 31.11 (c) of the Texas Code an application for a refund must be made within three (3) years after the date of the payment or the taxpayer waives the right to the refund; and

WHEREAS, pursuant to Section 31.11 (c-1) the governing body of the taxing unit may extend the deadline for a single period not to exceed two years on a showing of good cause by the taxpayer; and

WHEREAS, taxpayer, Ruben & Francisca Padilla ("Taxpayer") has applied for a refund with the tax assessor for their 2018 property taxes that were overpaid on January 14, 2019 in the amount of \$1,734.66 (One Thousand Seven Hundred Thirty-Four and 66/100 Dollars) for all taxing entities; and

WHEREAS, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2018 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Ruben & Francisca Padilla showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2018 taxes and the tax refund in the amount of \$1,734.66 (One Thousand Seven Hundred Thirty-Four and 66/100 Dollars) is approved.

CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS:

17. *Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code, receipt of a campaign contribution by Representative Cassandra Hernandez in the amount of \$100 from Sid Searcy, \$2,000 from Pablo Duran, and \$500 from Francoise Feliberti.

CONSENT AGENDA – BEST VALUE PROCUREMENTS:

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

18. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2024-0064 Bucket Truck Maintenance to PSI Bearing and Hydraulic Service, LLC for an initial term of three (3) years for an estimated amount of \$297,600.00. The award also includes a two (2) year option for an estimated amount of \$198,400.00. The total contract time is for five (5) years for a total estimated amount of \$496,000.00. This contract will provide repair services for older bucket trucks for Fleet Services.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$107,600.00 for the initial term, which represents a 230.67% increase due to an increase in pricing for service, parts and inspections.

Department:	Streets and Maintenance
Award to:	PSI Bearing and Hydraulic Service, LLC
City & State:	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option Term:	2 Years
Total Contract Time:	5 Years
Annual Estimated Award:	\$99,200.00
Initial Term Estimated Award:	\$297,600.00
Option Term Estimated Award:	\$198,400.00
Total Estimated Award	\$496,000.00
Account(s)	532-3600-37020-531210-P3701 532-3600-37020-531250-P3701
Funding Source(s):	Internal Service Fund - Inventory Purchases Materials and Supplies Internal Service Fund - Equipment Outside Repairs Services
District(s):	All

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

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to PSI Bearing and Hydraulic Service, LLC the sole highest ranked bidder based on the evaluation factors established in the evaluation criteria for this procurement.

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

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

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REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL:
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Goal 2: Set the Standard for a Safe and Secure City
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- 19.** Presentation and discussion by El Paso County Juvenile Probation Department on transforming juvenile justice.

The following El Paso County Juvenile Probation Department staff members presented a PowerPoint presentation (copy on file in the City Clerk’s Office):

- Mr. Marc Marquez, Deputy Chief of Juvenile Services
- Mr. Sal Leos, Director of Intake Services
- Ms. Dora Rodarte, Juvenile Probation Officer
- Mr Camar Jackson, Special Projects Director
- Ms. Janel Morgan, Probation Services Director

Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, Rivera, and Canales 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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- 20.** Presentation and discussion by Emergence Health Network of their 2023 annual report on activities, collaborations, and partnerships with local entities.

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

Representatives Hernandez, Salcido, and Canales commented.

NO ACTION was taken on this item.

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

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

That the City Council declares that the expenditure of District 8 discretionary funds, in an amount not to exceed \$2,400.00, for the Good Neighbor Interpreter Journalism Camp hosted by the El Paso Museum of History, the McCall Neighborhood Center, and Borderzine, serves the municipal purpose of enhancing the quality of life of the citizens of El Paso through entertainment to citizens in El Paso, and by fostering community pride and encouraging civic engagement; and

Further, that the City Manager, or designee, be authorized to effectuate any budget transfers and execute any contracts and/or related documents necessary to ensure that the funds are properly expended for the municipal purpose.

Representative Canales commented.

Mr. Ben Fyffe, Managing Director of Cultural Affairs and Recreation, commented.

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

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

NAYS: None

ABSENT: Representative Fierro

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Goal 5: Promote Transparent and Consistent Communication Amongst All Members of the Community
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22. *Motion made, seconded, and unanimously carried to **POSTPONE TWO WEEKS** the discussion and action on directing the City Attorney to prepare a resolution amending the City Council Rules of Order, specifically Section 13 - Right of Citizens to be Heard, to specify:

that public comment received in writing (“letters”) submitted to become part of the record in accordance with the already established procedure shall, upon request of the submitter, be read into the record by the City Clerk or staff designee;

and that the duration of the reading of each submitted letter shall be limited to three minutes, after which point the reading will be truncated but the entirety of the text will still be included as part of the record;

and that the reading of such letters will occur during the public comment period but after all speakers participating either in-person or remotely/telephonically have had the opportunity to address the City Council.

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The Regular City Council meeting was **RECESSED** at 11:30 a.m.

The Regular City Council meeting was **RECONVENED** at 11:42 a.m.
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REGULAR AGENDA – OPERATIONAL FOCUS UPDATES:

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Goal 8: Nurture and Promote a Healthy, Sustainable Community
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23. Presentation and discussion on El Paso Animal Services operations.

Mr. Terry Kebschull, Animal Services Director, introduced the item and presented a PowerPoint presentation (copy on file in the City Clerk's Office) along with Dr. Anthony Chacon, Animal Services Veterinarian.

Representatives Hernandez, Salcido, and Canales commented.

The following City staff members commented:

- Mr. Cary Westin, Interim City Manager
- Mr. Michael Wachsmann, Animal Services Deputy Director

The following members of the public commented:

1. Ms. Marcia Margherio
2. Ms. Regina Wagonner
3. Ms. Jessica Watson
4. Ms. Barbara Candelaria

NO ACTION was taken on this item.

CALL TO THE PUBLIC – PUBLIC COMMENT:

The following members of the public commented:

1. Ms. Josefina Lerma
2. Ms. Hilda Villegas
3. Ms. Cemelli de Aztlan
4. Ms. Renee Neuert
5. Ms. Pam Agullo
6. Ms. Olivia Siqueiros
7. Ms. Layla Zeidan Safa
8. Ms. Annie Perez
9. Ms. Carrie Trudeau
10. Ms. Isabella Sanchez
11. Ms. Donna Holmes
12. Mr. Timothy Wilson
13. Ms. Erin Coulehan
14. Ms. Alejandra Aburto
15. Ms. Scarlett Mercer
16. Ms. Silvia Zacarias
17. Ms. Patricia Osmond
18. Ms. Elizabeth Crawford
19. Mr. Albert Rivera
20. Ms. Lisa Turner
21. Ms. Louise Ross
22. Ms. Wally Cech

Mr. Michael Yoshino and Mr. Adrian Broaddus provided statements in support of the Zoological Society Agreement for the record.

A motion was made, seconded, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow speakers after the end of the sign-up period.

REGULAR AGENDA – FIRST READING OF ORDINANCES:

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Motion made by Representative Rivera, seconded by Representative Salcido, 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, Acevedo, Hernandez, Molinar, Salcido, Rivera, and Canales
NAYS: None
ABSENT: Representative Fierro

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Goal 3: Promote the Visual Image of El Paso

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24. An Ordinance changing the zoning of a portion of Tracts 17C-174 and 17C-175, Section 8, Block 79, Township 3, Texas and Pacific Railway Company Survey, South of Vista del Sol Drive and West of Joe Battle Boulevard, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. The proposed rezoning meets the intent of the Future Land Use designation for the property and is in accordance with *Plan El Paso*, the City's Comprehensive Plan.

Subject Property: South of Vista del Sol Dr. and West of Joe Battle Blvd.
Applicant: El Paso Vista HY RE, LLC, PZRZ23-00034

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PUBLIC HEARING WILL BE HELD ON APRIL 9, 2024

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25. An Ordinance amending Title 15, (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.160 (Mobile Billboards) of the El Paso City Code ending the mobile billboard pilot program and allowing mobile billboard permits to be issued on a yearly basis. The penalty is as provided for in Chapter 15.08.160 of the El Paso City Code.
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26. An Ordinance granting a Special Privilege License to Centro De Salud Familiar La Fe, Inc. to allow the surface encroachment of an existing backflow preventer over City Right- Of-Way located in the alley behind the property located at 700 South Ochoa Street, El Paso, Texas: setting the license term of ten years (10) with one (1) renewable ten (10) year term.

Subject Property: 700 South Ochoa
Applicant: Centro De Salud Familiar La Fe, Inc. PSPN23-00011

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PUBLIC HEARING WILL BE HELD ON MARCH 26, 2024 FOR ITEMS 25 AND 26

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The Regular City Council meeting was **RECESSED** at 1:49 p.m. for lunch.

The Regular City Council meeting was **RECONVENED** at 2:46 p.m.

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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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Goal 3: Promote the Visual Image of El Paso

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27. Motion made by Representative Salcido, seconded by Representative Rivera, and carried to **AUTHORIZE** the Director of Purchasing & Strategic Sourcing Department to issue a Purchase Order to for Solicitation 2024-0181 International Fine Art Shipping to Cordova Brokerage International, Inc., for an initial term of three (3) years for an estimated amount of \$ 690,000.00. This contract will allow the Museum and Cultural Affairs to ship artwork internationally.

Contract Variance: The difference based in comparison to the previous contract is as follows: An increase of \$579,300.00 for the initial term, which represents a 523.31% increase due to the addition of new services and an increase in the price of transportation.

Department:	Museum and Cultural Affairs
Award to:	Cordova Brokerage International, Inc.
City & State:	El Paso, Texas
Item(s):	All
Initial Term:	3 Years
Option Term:	N/A
Total Contract Time:	3 Years
Annual Estimated Award:	\$230,000.00
Initial Term Estimated Award:	\$690,000.00
Option Term Estimated Award:	N/A
Total Estimated Award:	\$690,000.00
Account(s):	454-1000-54000-522150
Funding Source(s):	General
District(s):	All

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

The Purchasing & Strategic Sourcing and Museum and Cultural Affairs Departments recommend award as indicated to Cordova Brokerage International, Inc. under the exemption listed above.

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

Representatives Salcido and Canales commented.

The following City staff members commented:

- Mr. Ben Fyffe, Managing Director of Cultural Affairs and Recreation
- Ms. Venessa Lagunas, Procurement Analyst
- Ms. Kristen Hamilton-Karam, Deputy City Attorney
- Mr. Cary Westin, Interim City Manager

Ms. Lisa Turner, citizen, commented.

AYES: Representatives Kennedy, Acevedo, Hernandez, Salcido, Rivera and Canales

NAYS: Representative Molinar

ABSENT: Representative Fierro

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

- 28. ITEM:** Discussion and action on the award of Task Order 1 for Solicitation 2023-0397, August 3rd Memorial project to Keystone GC, LLC. for a total estimated award of \$632,741.02.

Ms. Yvette Hernandez, City Engineer, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Hernandez commented.

Motion made by Representative Hernandez, seconded by Representative Rivera, and unanimously carried to **AWARD** Task Order 1 for Solicitation 2023-0397, August 3rd Memorial project to Keystone GC, LLC. for a total estimated award of \$632,741.02.

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, and Rivera

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Canales

ABSENT: Representative Fierro

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

29. Motion made by Representative Hernandez, seconded by Representative Salcido, and unanimously carried to **AWARD** Solicitation 2024-0192 Paso del Norte (PDN) Trail Magoffin Shared Use Path (SUP)- Texas Department of Transportation (TxDOT) to ALLEN CONCRETE, LLC., for a total estimated amount of \$1,074,871.45. The Magoffin SUP Project consists of construction of a concrete shared use path from East San Antonio Avenue to ending at Cotton Street. The proposed improvements include demolition, concrete pavement, relocation of existing illumination assemblies, pavement markings, Americans with Disabilities Act (ADA) compliant curb ramps, flumes and signs.

Department:	Capital Improvement
Award to:	ALLEN CONCRETE, LLC.
City & State:	El Paso, TX Item(s):
Base Bid Contract Term:	194 Consecutive Calendar Days
Base Bid I:	\$1,074,871.45
Total Estimated Award:	\$1,074,871.45
Account(s):	190-4746-580270-38290-PCP22TRAN06 190-4950-580270-38170-PCP22TRAN06
Funding Source(s):	2020 Capital Plan & Capital Projects TxDOT
District(s):	8

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to ALLEN CONCRETE, LLC., the lowest responsive and responsible bidder. It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term. As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, and Rivera

NAYS: None
NOT PRESENT FOR THE VOTE: Representative Canales
ABSENT: Representative Fierro

-
30. Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Salcido, and unanimously carried to **AWARD** Solicitation 2023-0570 Grounds Maintenance Mowing-Parks to Mario A. Gonzalez dba MG Evergreen LLC for an initial term of three (3) year(s) for an estimated amount of \$1,807,680.00. The award also includes a two (2) year option for an estimated amount of \$1,205,120.00. The total contract time is for five (5) years for a total estimated amount of \$3,012,800.00. This contract will allow for grounds maintenance of 145 parks located throughout the City. The maintenance is seasonal and consists primarily of mowing that is necessary to keep the parks clean and neatly manicured for citizens to enjoy.

Contract Variance: The difference based in comparison to the previous contract is as follows: An increase of \$283,296.00 for the initial term, which represents a 18.58% as a result of price increase and additional parks added to the contract.

Department:	Streets and Maintenance
Award to:	Mario A. Gonzalez dba MG Evergreen LLC City &
State:	El Paso, Texas
Item(s):	All
Initial Term:	3 Years
Option Term:	2 Years
Total Contract Time:	5 Years
Annual Estimated Award:	\$602,560.00
Initial Term Estimated Award:	\$1,807,680.00
Option Term Estimated Award:	\$1,205,120.00
Total Estimated Award	\$3,012,800.00
Account(s)	451-2305-522210-51295-P5120
Funding Source(s):	Environmental Fee Fund- Grounds Keeping
Horticultural Contracts	
District(s):	All

This was a Best Value Bid Procurement - Unit Price. The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to MG Evergreen LLC, the second highest ranked bidder based on the evaluation factors established in the evaluation criteria for this procurement. The highest ranked bidder did not extend its bid. It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, and Rivera
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Canales
ABSENT: Representative Fierro

-
31. Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **AUTHORIZE** the Managing Director of Purchasing & Strategic Sourcing to issue a Purchase Order(s) for Solicitation 2024-0108 Plymovent Vehicle Exhaust Extraction System to Air Cleaning Technologies, Inc. the sole and authorized distributor for an initial term of three (3) years for an estimated amount of \$300,000.00. Supplier will be required to provide an updated sole source letter and affidavit each year. This contract will allow the servicing of Plymovent Extraction Services across the City at various Fire Stations.

Contract Variance: The difference based in comparison to the previous contract is as follows: An increase of \$250,001.01 for the initial term, which represents a 500.01% increase due to an increase in the annual budgeted amount to cover the increase in prices for parts and service.

Department:	Streets and Maintenance
Award to:	Air Cleaning Technologies, Inc
City & State:	Broken Arrow, OK
Item(s):	All
Initial Term:	3 Years
Option Term:	N/A
Total Contract Time:	3 Years
Annual Estimated Award:	\$100,000.00
Initial Term Estimated Award:	\$300,000.00
Option Term Estimated Award:	N/A
Total Estimated Award:	\$300,000.00
Account(s):	532 - 1000 - 522260 - 31040 - P3120
Funding Source(s):	General Fund
District(s):	All

Non-Competitive Procurement under Local Government General Exemption: Section 252.022

- (7) a procurement of items that are available from only one source
- (D) captive replacement parts or components for equipment.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to Air Cleaning Technologies, Inc. under the exemption listed above.

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

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, and Rivera

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Canales

ABSENT: Representative Fierro

Goal 8: Nurture and Promote a Healthy, Sustainable Community

- 32.** Discussion and action on the award of Task Order 1J-1 for Solicitation 2022-0678, Health Department Relocation Railroad project to Jordan Foster Construction LLC. for a total estimated award of \$6,763,276.00.

Ms. Yvette Hernandez, City Engineer, commented.

1ST MOTION

*Motion made, seconded, and unanimously carried to **REVISE** the item.

2ND AND FINAL MOTION

Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Salcido, and unanimously carried to **AWARD, AS REVISED**, Task Order 1J-1 under Solicitation 2022-0678 in support of the Health Department Relocation Railroad project to Jordan Foster Construction LLC in an estimated award of \$6,763,276.00.

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, and Rivera
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Canales
ABSENT: Representative Fierro

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:

Goal 3: Promote the Visual Image of El Paso

33. ORDINANCE 019598

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 1G, LAURA E. MUNDY SURVEY NO. 238, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

THE PROPOSED REZONING MEETS THE INTENT OF THE FUTURE LAND USE DESIGNATION FOR THE PROPERTY AND IS IN ACCORDANCE WITH PLAN EL PASO, THE CITY’S COMPREHENSIVE PLAN.

Representative Hernandez commented.

Mr. Luis Zamora, Planning and Inspections Chief Planner, commented.

Motion duly made by Mayor Pro Tempore Kennedy, seconded by Representative Molinar, 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, Acevedo, Hernandez, Molinar, and Canales
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Salcido and Rivera
ABSENT: Representative 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**.

34. ORDINANCE 019599

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF F. NEVE SURVEY NO. 8, 4625 DELTA DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5/SP (RESIDENTIAL/SPECIAL PERMIT) TO G-MU/SP (GENERAL MIXED USE/SPECIAL PERMIT), APPROVING A MASTER ZONING PLAN, AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

THE PROPOSED REZONING MEETS THE INTENT OF THE FUTURE LAND USE DESIGNATION FOR THE PROPERTY AND IS IN ACCORDANCE WITH PLAN EL PASO, THE CITY’S COMPREHENSIVE PLAN.

Representative Canales commented.

Mr. Luis Zamora, Planning and Inspections Chief Planner, commented.

Motion duly made by Representative Hernandez, seconded by Representative Acevedo, 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, Acevedo, Hernandez, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

ABSENT: Representative 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**.

35.

ORDINANCE 019600

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF CITY RIGHT-OF-WAY OVER A PORTION OF PAISANO DRIVE AS SHOWN ON RIGHT-OF-WAY MAP OF U.S. HIGHWAY 80, CONTROL 1, SECTION 4, JOB 9, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

Motion duly made by Representative Canales, seconded by Representative Molinar, 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, Acevedo, Hernandez, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

ABSENT: Representative 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 7: Enhance and Sustain El Paso's Infrastructure Network

36.

ORDINANCE 019601

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.041 (SCHEDULE IVA-PARKING PROHIBITED DURING CERTAIN HOURS-SCHOOL DAYS ONLY), OF THE CITY CODE, UNDER SUBSECTION B: NO PARKING 7:00 AM TO 5:00 PM, ON ANY STREET OR PARTS OF STREETS FROM MONDAY THROUGH FRIDAY ON ANY REGULARLY SCHEDULED SCHOOL DAY; TO DELETE ITEM 3. LUIS GOMEZ PLACE; AND AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.200 (SCHEDULE XVII-RESTRICTIONS ON PARKING IN RESIDENTIAL DISTRICTS) TO ADD ZONE W: NO STOPPING OR STANDING, TOW-AWAY ZONE, 7:00 AM TO 5:00 PM SCHOOL DAYS ONLY, AND TO ADD ITEM 1. LUIS GOMEZ PLACE, BOTH SIDES OF THE CUL DE SAC; THE PENALTY BEING PROVIDED IN CHAPTER 12.88 OF THE EL PASO CITY CODE.**

Motion duly made by Representative Rivera, seconded by Representative Molinar, 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, Acevedo, Hernandez, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

ABSENT: Representative 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**.

37.

ORDINANCE 019602

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 STOPPING, STANDING AND PARKING GENERALLY), SECTION 12.44.180 (REGULATIONS PERTAINING TO CERTAIN SPECIAL SITUATIONS), TO ADD ITEM 33. RESERVED FOR CONSUL GENERAL OF EL SALVADOR VISITORS: TWO PARKING SPACES, ON THE WEST SIDE OF 298 LEON ST., CONVENIENT TO THE CONSULATE OF EL SALVADOR. NO VEHICLES SHALL BE PARKED IN THESE SPACES EXCEPT THE OFFICIAL VEHICLES OF THE CONSUL GENERAL OF EL SALVADOR AND THE VEHICLES OF VISITORS DESIGNATED BY THE CONSUL.**

Motion duly made by Representative Canales, seconded by Representative Molinar, 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, Acevedo, Hernandez, Molinar, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

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

38.

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 execute a First Amendment of the Chapter 380 Grant Agreement dated June 7, 2022 by and between the **CITY OF EL PASO, TEXAS**, a home-rule municipality and **CHAMPLAIN CABLE TEXAS CORPORATION**, a Wyoming Corporation (“CCTC”); **CHAMPLAIN CABLE TEXAS LEASE COPORATION**, a Wyoming Corporation (“CCTLC”); and **CHAMPLAIN CABLE CORPORATION**, a Delaware Corporation

("CCC"), to revise the Qualified Expenditures definition, in exchange for applicant foregoing the Construction Materials Sales Tax Rebate.

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

Representative Canales commented.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Salcido

ABSENT: Representative Fierro

39.

RESOLUTION

WHEREAS, the City of El Paso ("City") has established the Business One Stop Shop ("BOSS") to foster increased connectivity, collaboration, coordination, increase awareness, engagement, and trust to catalyze collective action around building an equitable entrepreneurial ecosystem, supporting equitable small business recovery, retention, and expansion; and

WHEREAS, the City identified various entities jointly referred to as the Entrepreneurial Support Organization ("ESO") which have agreed to individually and collectively provide support services at the BOSS; and

WHEREAS, the City and ESO members now desire to enter into a written understanding of the expectations and commitments each party - individually and collectively - will be expected to provide to support the small business community of the City of El Paso;

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

1. **THAT**, the City Manager be authorized to sign a Memorandum of Understanding ("MOU") with the ESO Network members.
2. **THAT**, the City Manager be authorized to allocate City resources, as defined in Section (c) of the MOU, to meet the City's Roles and Responsibilities in supporting the services provided at the Business One Stop Shop.

Representatives Molinar, Rivera, and Canales commented.

Ms. Mirella Craigo, Economic and International Development Assistant Director, commented.

The following members of the public commented;

1. Ms. Maya Sanchez
2. Ms. Laura Butler
3. Ms. Lisa Turner
4. Ms. Nancy Lowery submitted a statement that was entered into the record.

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

AYES: Representatives Kennedy, Acevedo, Hernandez, Molinar, Rivera and Canales
NAYS: None
ABSTAIN: Representative Salcido
ABSENT: Representative Fierro

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

40. *Motion made, seconded, and unanimously carried to **POSTPONE TWO WEEKS** the discussion and action on a Resolution approving an alternative site for the Multipurpose Cultural and Performing Arts Center and directing the Interim City Manager to take necessary steps in preparation and support of the project.

.....
41. **ITEMS 41 AND 42 WERE TAKEN TOGETHER**
.....

ITEM: A Public Hearing to discuss and review the update of the Land Use Assumptions and Capital Improvements Plan and determine whether to amend the plan.

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

WHEREAS, Chapter 395 (Impact Fee Statute) of the Texas Local Government Code provides for the establishment and collection of impact fees; and

WHEREAS, on March 24, 2009, in accordance with the Impact Fee Statute, the City of El Paso adopted the land use assumptions and capital improvements plan under which an impact fee was imposed; and

WHEREAS, Texas Local Government Code Section 395.052 states that a political subdivision imposing an impact fee shall update the land use assumptions and capital improvements plan at least every five years; and

WHEREAS, the City of El Paso is a political subdivision that imposes water and wastewater impact fees in accordance with the Impact Fee Statute; and

WHEREAS, the City Council received an update on the land use assumptions and capital improvements plan on February 26th, 2024; and

WHEREAS, as a part of the process of modifying an impact fee under Texas Local Government Code, Chapter 395, the City Council held a public hearing on March 12th, 2024 to discuss and review the update of the land use assumptions and capital improvements plan; and

WHEREAS, in accordance with Texas Local Government Code Section 395.054, the City of El Paso will hold a public hearing to discuss and review the amendments of the land use assumptions, capital improvements plan, and impact fee;

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

The City Council of the City of El Paso, Texas hereby sets a public hearing date for April 23rd, 2024 at 9:00 am in the City Council Chambers on the 1st floor of City Hall, 300 North Campbell Street, El Paso, El Paso County, Texas to discuss and review a proposed

ordinance, order, or resolution amending land use assumptions, the capital improvements plan, and the impact fee.

Mr. Russell Abeln, Senior Assistant City Attorney, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Kennedy, Acevedo, Hernandez, Molinar, Salcido, and Canales commented.

The following City and El Paso Water staff members commented:

- Mr. Kevin Smith, Planning and Inspections Assistant Director
- Ms. Kristen Hamilton-Karam, Deputy City Attorney
- Mr. Cary Westin, Interim City Manager
- Ms. Adriana Castillo, Utility Engineering Division Manager
- Mr. Rene Leon, EP Water Legislative Liaison

The Public Hearing was **OPENED** at 3:12 p.m. on Tuesday, March 12, 2024.

Ms. Lisa Turner, citizen, commented.

Motion made by Representative Canales, seconded by Representative Hernandez, and carried to **CLOSE** the **PUBLIC HEARING** at 3:37 p.m. and **APPROVE** the Resolution.

AYES: Representatives Kennedy, Acevedo, Hernandez, Salcido, Rivera and Canales

NAYS: Representative Molinar

ABSENT: Representative Fierro

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

43.

RESOLUTION

WHEREAS, the El Paso City Council previously approved the 2013 Street Infrastructure Plan, the 2017 Capital Plan, the 2018 Capital Plan, the 2019 Capital Plan, and 2020 Capital Plan (collectively, the "Existing Projects"); and

WHEREAS, the Existing Projects have each generated investment interest which may be used to fund the shortfall for these Projects; and

WHEREAS, the City desires to allocate investment interest to the Projects as shown in Exhibit "A" in accordance with the Investment Interest Policy and Budget Resolution in the aggregated amount of \$4,513,245.31.

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

THAT the City approves the reprogramming of funds from investment interest in previous Capital Plans to the Projects as shown in Exhibit "A".

THAT the Capital Plans are amended as provided herein.

THAT the City Manager, or designee, is authorized to execute all documents and perform all actions necessary to effectuate the reprogramming of funds as provided herein.

EXHIBIT A

PROJECT INTEREST

Use	Amount of Allocation	Source
Museum of Art HVAC and Chiller replacement	\$1,961,095.51	QoL-Prop 2, 2013 Street Infrastructure, 2017/2018 Capital Plan
Design for McRae shared use path – Phase 2	\$890,649.80	2018/2019/2020 Capital Plan
Modesto Gomez Park	\$661,500.00	QoL-Prop 1
Chalio Acosta Recreation Center	\$1,000,000.00	QoL-Prop 1, 2018/2019 Capital Plan
TOTAL ALLOCATION	\$4,513,245.31	

Ms. Yvette Hernandez, City Engineer, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Representatives Hernandez, Rivera, and Canales commented.

Mr. Robert Cortinas, Chief Financial Officer, commented.

Ms. Lisa Turner, citizen, commented.

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

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

NAYS: None

ABSENT: Representative Fierro

EXECUTIVE SESSION

Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Salcido, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 3:52 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 the executive session items and Item 14 from the Regular Agenda:

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

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

NAYS: None

ABSENT: Representative Fierro

Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Rivera, and unanimously carried to **ADJOURN** the Executive Session at 4:56 p.m. and **RECONVENE** the meeting of the City Council.

AYES: Representatives Kennedy, Acevedo, Molinar, Salcido, Rivera, and Canales
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Hernandez
ABSENT: Representative Fierro

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

EX1. Discussion on potential economic development opportunities in Northeast El Paso, Texas.
HQ#23-1857 (551.072) (551.087)

NO ACTION was taken on this item.

.....
ADJOURN
.....

Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Rivera, and unanimously carried to **ADJOURN** this meeting at 4:56 p.m.

AYES: Representatives Kennedy, Acevedo, Molinar, Salcido, Rivera, and Canales
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Hernandez
ABSENT: Representative Fierro

.....
APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk