

Oscar Leeser
Mayor

Tommy Gonzalez
City Manager



CITY COUNCIL
Peter Svarzbein, District 1
Alexsandra Anello, District 2
Cassandra Hernandez, District 3
Joe Molinar, District 4
Isabel Salcido, District 5
Claudia L. Rodriguez, District 6
Henry Rivera, District 7
Cissy Lizarraga, District 8

AGENDA FOR THE REGULAR COUNCIL MEETING

October 25, 2022

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

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

Teleconference phone number: 1-915-213-4096

Toll free number: 1-833-664-9267

Conference ID: 609-699-994#

AND

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

October 24, 2022

9:00 AM

Teleconference phone number: 1-915-213-4096

Toll free number: 1-833-664-9267

Conference ID: 886-133-42#

Notice is hereby given that an Agenda Review Meeting will be conducted on October 24, 2022 at 9:00 A.M. and a Regular Meeting of the City Council of the City of El Paso will be conducted on October 25, 2022 at 9:00 A.M. Members of the public may view the meeting via the following means:

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

Via television on City15,

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

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

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

At the prompt please enter the corresponding Conference ID:

Agenda Review, October 24, 2022 Conference ID: 886-133-42#
Regular Council Meeting, October 25, 2022 Conference ID: 609-699-994#

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

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

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

A quorum of City Council must participate in the meeting.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

**Title IX 50th Year Anniversary and Celebration Week of UTEP's 1974 First Women's Volleyball
and Basketball Teams**

Red Ribbon Week

Ysleta Education Foundation Week

National Breast Cancer Awareness Month

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA - APPROVAL OF MINUTES:

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

1. Approval of the Minutes of the Regular City Council Meeting of October 11,

[22-1395](#)

2022, the Agenda Review Meeting of October 10, 2022, and the Work Session of October 10, 2022.

All Districts

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

CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

2. Excuse Mayor Oscar Leaser from the October 25, 2022 Regular Council Meeting. [22-1348](#)

CONSENT AGENDA - RESOLUTIONS:

Goal 1: Cultivate an Environment Conducive to Strong Economic Development

3. A Resolution to authorize the City Manager to sign an agreement between the City of El Paso and the Sun Bowl Association relating to services provided by the City of El Paso and the Sun Bowl Association in conjunction with the Sun Bowl Association events. [22-1419](#)

All Districts

Streets and Maintenance, Richard Bristol, (915) 212-7015

Goal 3: Promote the Visual Image of El Paso

4. A Resolution approving the Lien on 7515 Taxco owned by HUDSON J C E & DOROTHY J for \$425.50. [22-1358](#)

District 3

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

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

5. A Resolution to grant the City Manager or designee the authority to sign and cause to be recorded the Release of Lien attached to the Resolution as Attachment A and effectuate any accounting adjustments associated with the removal of the specific sales tax amounts previously invoiced to the properties identified in Exhibit A of Attachment A. [22-1352](#)

All Districts

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

6. A Resolution authorizing the City Manager to sign a Lease Agreement with the Government of the Country of El Salvador regarding the following described property: A portion of Block 46, Mills Addition, El Paso County, Texas, City of El Paso, municipally known and numbered as 400 W. San Antonio, Suite B, El Paso, Texas 79902. [22-1371](#)

The term of this lease is an initial term of five (5) years and two (2) five-year

options to extend the term of the lease. The annual rental fee for the property will be \$38,959.92 with a 2% annual increase through the duration of the agreement and option periods.

All Districts

Economic and International Development, Mary Lou Espinoza, (915) 212-1882
Economic and International Development, Elizabeth Triggs, (915) 212-1619

7. Approve a Resolution that in conformity with Section 3.5A of the City Charter, the regular City Council meeting scheduled for December 20, 2022 is hereby rescheduled for Tuesday, December 13, 2022; and that the regular meetings of the City Council for the 2023 calendar year will resume on January 3, 2023.

[22-1394](#)

All Districts

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

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

8. That the City Manager, or designee, be authorized to sign an Agreement to Contribute Right of Way Funds by and between the City of El Paso and the State of Texas, acting through the Texas Department of Transportation, for the SS 320 from BU 54 Dyer St. to Railroad Dr. highway improvements project, which has an estimated total project cost of \$2,887,416.00 of which the estimated local government participation amount is estimated at \$115,496.64. Further, that the City Manager, or designee, is authorized to sign all documents and perform all actions required to carry out the obligations of the City under this agreement.

[22-1372](#)

District 4

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

9. That the City Council approves a change order in the amount of \$305,143.22 to Lesna Construction Inc. for costs associated with project overhead and equipment standby for the Central Business District Phase IV Project, Contract No. 2021-0026. An additional sixty-six (66) working days are allowed for the completion of the work. The new contract sum, including this change order notice and previous change order notices, is \$13,217,428.02. The City Manager, or designee, is authorized to execute any documents and contract amendments needed to carry out the intent of this Resolution.

[22-1384](#)

District 8

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

CONSENT AGENDA - SPECIAL APPOINTMENT:

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

10. That Joaquin Rodriguez, Transportation Planning Administrator, is appointed as the City's representative to the Metropolitan Planning Organization's Transportation Project Advisory Committee; that Yvette Hernandez will remain one of the City's representative on the Transportation Policy Board; and the

[22-1378](#)

Mayor shall sign a letter informing the Metropolitan Planning Organization and the Transportation Project Advisory Committee of the change in City representation.

All Districts

Capital Improvement Department, Yvette Hernandez, (915) 212-2860

CONSENT AGENDA - BOARD RE-APPOINTMENTS:

Goal 3: Promote the Visual Image of El Paso

11. Rodolfo A. Barba to the Building and Standards Commission by Representative Cissy Lizarraga, District 8. [22-1349](#)
Members of the City Council, Cissy Lizarraga, (915) 212-0008

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

12. Danny Padilla to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Henry Rivera, District 7. [22-1356](#)
Members of the City Council, Henry Rivera, (915) 212-0007

CONSENT AGENDA - BOARD APPOINTMENTS:

Goal 8: Nurture and Promote a Healthy, Sustainable Community

13. Nathan Coleman to the City Accessibility Advisory Committee by Representative Joe Molinar, District 4. [22-1353](#)
Members of the City Council, Joe Molinar, (915) 212-0004
14. James Pleasant II to the Regional Renewable Energy Advisory Council (RREAC), as a non-voting member, by Nicole Ferrini, Chief Resilience Officer. [22-1355](#)
Community and Human Development, Nicole Ferrini, (915) 212-1659
15. Isabel Chacon to the Women's Rights Commission by Representative Isabel Salcido, District 5. [22-1403](#)
Members of the City Council, Isabel Salcido, (915) 212-0005

CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:

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

16. Tax Refund to WestStar Title, in the amount of \$4,065.03 for an overpayment [22-1365](#)

made on July 27, 2022 of 2021 taxes. (Geo. # A462-999-0360-7600). This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00.

All Districts

Tax Office, Maria O. Pasillas, (915) 212-1737

CONSENT AGENDA - NOTICE FOR NOTATION:

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

17. Accept the donation of \$1,000 from Marathon Petroleum for the District 2 Fall Festival hosted in District 2. [22-1407](#)

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

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

18. That the City Council accept the donation of \$4000 from ZTEX Construction toward the 3rd annual Halloween Costume Giveaway event that was held on October 13, 2022 at Marty Robbins Community Center in District 6. [22-1362](#)

Members of the City Council, Representative Claudia L. Rodriguez, (915) 212-0006

CONSENT AGENDA - NOTICE OF CAMPAIGN CONTRIBUTIONS:

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

19. For notation pursuant to Section 2.92.080 of the City Code, receipt of the following campaign contributions by City Representative Claudia L. Rodriguez, District 6: \$2500.00 from Ted Houghton; \$2500.00 from Rick Francis; \$1000.00 from Josh Hunt, \$2500.00 from Raymond Palacios; \$915.00 from Revive Medical PLLC; and \$100.00 from Phillip T. Laign. [22-1347](#)

Members of the City Council, Representative Claudia L. Rodriguez, (915) 212-0006

20. For notation pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions of five hundred dollars or greater by Representative Isabel Salcido in the amounts of \$1,038.73 by Yajaira Lopez, \$519.52 by Juan Uribe, \$2,500 by Jose Bernardo Soto, and \$2,500 by Gerald and Stanlee Rubin. [22-1406](#)

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

REGULAR AGENDA - MEMBERS OF THE CITY COUNCIL

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

21. Discussion and action on a Resolution that the City of El Paso proudly honors and recognizes the Detroit Iron, Street Memories, and Borderland Muscle Car Clubs for their positive contributions and volunteer work in the community of El Paso. [22-1398](#)

All Districts

Members of the City Council, Representative Henry Rivera, (915) 212-0007

22. Discussion and action to recognize Judy Ackerman as she has been a benefit to both El Pasoans and visitors to our city, and recognition by the City is more than merited through her professional and personal contributions. [22-1409](#)

All Districts

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

Goal 8: Nurture and Promote a Healthy, Sustainable Community

23. Discussion and action on a Resolution that the city council recognizes the month of October as Breast Cancer Awareness month. [22-1415](#)

All Districts

Members of the City Council, Representative Claudia L. Rodriguez, (915) 212-0006

Goal 3: Promote the Visual Image of El Paso

24. Discussion and action to direct the City Manager and City Attorney to impose a moratorium on Article XVII of the City's Municipal Code for residential property owners who have filed an over 65 or persons with disabilities homestead exemption with the El Paso Central Appraisal District; this moratorium will protect a person over 65 years or disabled person from receiving a citation from the City for overgrown weeds at their homestead property; to go into effect immediately and expire on December 31, 2022. [22-1402](#)

All Districts

Members of the City Council, Representative Henry Rivera, (915) 212-0007

25. Discussion and action to direct the City Manager and City Attorney to create an amnesty period for residential property owners who have filed an over 65 or persons with disabilities exemption with the El Paso Central Appraisal District that have received a citation for overgrown weeds in the last 60 days. [22-1404](#)

All Districts

Members of the City Council, Representative Henry Rivera, (915) 212-0007

26. Discussion and action to direct the City Manager and City Attorney to create a permanent moratorium on Article XVII of the City's Municipal Code for residential property owners who have filed an over 65 or persons with disabilities exemption with the El Paso Central Appraisal District from July 15 to [22-1405](#)

September 30 of every year. Calling it the “65 for 65+ Moratorium.” The moratorium will protect a person over 65 years or disabled person from receiving a citation from the City for overgrown weeds at their homestead property during El Paso’s monsoon season.

All Districts

Members of the City Council, Representative Henry Rivera, (915) 212-0007

27. Discussion and action to direct the City Manager to outsource companies to help with the weed cleanup efforts across the city. [22-1414](#)

All Districts

Members of the City Council, Representative Claudia L. Rodriguez, (915) 212-0006

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

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

28. Discussion and action on a Resolution that declares the expenditure of District 2 discretionary funds in an amount not to exceed \$1,600.00 to be used towards a District 2 Fall Festival. [22-1408](#)

District 2

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

29. Discussion and action on a Resolution that the City Council declares that the expenditure of District 1 discretionary funds in an amount not to exceed \$25,000 to improve the Westside Community Dog Park and Lower Tom Lea Dog Park to serve a municipal purpose of enhancing the quality of life through recreational, cultural and educational environments for El Paso residents; and that the City Manager be authorized to effectuate any budget transfer necessary to ensure that the funds are properly expended for such purpose and to execute any related agreements and amendments to such agreements. [22-1410](#)

All Districts

Members of the City Council, Representative Peter Svarzbein, (915) 212-1002

30. Discussion and action formalizing the name of the City of El Paso open space preserve to read “Lost Dog Nature Preserve.” [22-1411](#)

All Districts

Members of the City Council, Representative Peter Svarzbein, (915) 212-1002

31. Discussion and action on a Resolution that the City Council declares that the expenditure of District 1 discretionary funds in an amount not to exceed \$2,500 for sponsorship of the Vanguard conference hosted in our community, to promote visual image of the City of El Paso; and that the City Manager be authorized to effectuate any budget transfer necessary to ensure that the funds are properly expended for such purpose and to execute any related agreements and amendments to such agreements. [22-1413](#)

All Districts

Members of the City Council, Representative Peter Svarzbein, (915) 212-1002

32. Discussion and action to approve a Resolution that the City Council declares that the expenditure of District 8 discretionary funds, in an amount not to exceed \$5,000.00, for the painting of a mural on the basketball court surface at Tula Irrobali Park in collaboration with local muralist Jesus “Cimi” Alvarado, serves the municipal purpose of enhancing the quality of life of the citizens of El Paso through the development of fine arts and cultural properties and by encouraging the integration of art in the architecture of municipal structures; and [22-1412](#)

That the City Attorney be authorized to negotiate and the City Manager be authorized to sign an appropriate contract and contract amendment to ensure that the funds are properly expended for the municipal purpose.

District 8

Members of the City Council, Representative Cissy Lizarraga, (915) 212-0008

Goal 8: Nurture and Promote a Healthy, Sustainable Community

33. Presentation by Christina I. Paz, Chief Executive Officer of Centro San Vicente, on the services offered to the El Paso community by the Centro San Vicente Clinic. [22-1363](#)

All Districts

Members of the City Council, Representative Henry Rivera, (915) 212-0007

REGULAR AGENDA - OPERATIONAL FOCUS UPDATES

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

34. Presentation and Update on Accomplishments and Capital Project Impacts. [22-1377](#)

All Districts

Capital Improvement Department, Yvette Hernandez, (915) 212-0065

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

35. Streets and Maintenance Department Facilities Management Update. [22-1364](#)

All Districts

Streets and Maintenance, Victor Morales, (915) 212-7038

36. Presentation and discussion on Pavement Condition Index (PCI) results. [22-1420](#)

All Districts

Capital Improvement Department, Sam Rodriguez, (915) 212-0065

Goal 8: Nurture and Promote a Healthy, Sustainable Community

37. Presentation and discussion on El Paso Animal Services Medical Operations.

[22-1366](#)

All Districts

Animal Services Department, Terry Kebschull, (915) 212-8742

CALL TO THE PUBLIC – PUBLIC COMMENT:

Call to the Public will begin at 12:00 p.m. Requests to speak must be received by 9:00 a.m. on the date of the meeting. Sixty minutes in total will be devoted for Call to the Public. This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

Members of the public may communicate with Council during public comment, and regarding agenda items by calling 1-915-213-4096 or toll free number 1-833-664-9267 at the prompt please enter the following Conference ID: 609-699-994#

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

REGULAR AGENDA - FIRST READING OF ORDINANCES:

INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

Public comment typically is not taken during the first reading of ordinances. Public comments are invited at the date of the scheduled public hearing.

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 300 N. Campbell, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

Goal 3: Promote the Visual Image of El Paso

38. An Ordinance vacating a 3.81 acre portion of Threadgill Avenue, Ranchito Avenue, Roanoke Avenue, Rutledge Place, and Albany Drive, located within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas.

[22-1359](#)

Applicant: El Paso Water Utilities - Public Service Board, SURW22-00007

District 4

Planning and Inspections, Philip F. Etiwe, (915) 212-1553
Planning and Inspections, Jorge Olmos, (915) 212-1607

PUBLIC HEARING WILL BE HELD ON NOVEMBER 8, 2022

39. An Ordinance changing the zoning of Lots 1 through 16, Block 36, East El Paso, 3200 and 3230 Durazno Avenue, City of El Paso, El Paso County, Texas from M-1 (Light Manufacturing) to G-MU (General Mixed Use) and approving a master zoning plan. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

[22-1373](#)

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: 3200 and 3230 Durazno Ave.

Applicant: Spaghetti Bowl Properties, LLC, PZRZ22-00025

District 8

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

Planning and Inspections, Luis Zamora, (915) 212-1552

PUBLIC HEARING WILL BE HELD ON NOVEMBER 22, 2022

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

40. An Ordinance of the City Council of the City of El Paso, Texas, ordering a Special Election for the submission of Charter Amendments to Section 2.2C to allow persons to serve two full terms as Mayor or District Representative if such person carried out an unexpired term; Section 3.18 to allow City Council to authorize leases for 40 years or less by Resolution or Ordinance; Section 3.5A to allow Council to reschedule meetings for holidays and allow the Mayor to cancel a Council meeting if required due to Declared Emergency; Section 3.9B, 3.10B, and 6.1-12 to align to State law and update obsolete references; Section 3.11 to remove the requirement for a second petition in initiatives, and provide a procedure for citizens to initiate City Ordinances; Section 1.2, 3.5E, 3.6, 4.1B, 4.3 and 7.3 to authorize the Mayor to vote on all Council items, removing the tie-breaking and veto capacity; Section 6.1-4 to authorize the City to create a policy regarding membership on the Civil Service Commission to reflect the community and City Workforce; Sections 6.2-2 and 6.2-3 to align the employee serving as Civil Service Commission Recorder with other employees carrying out similar duties; Section 6.7-1 and 6.8-1 to allow the City to establish more flexible policies in hiring employees; Section 6.13-11D to establish the City contribution to the Police and Fire Pension Fund of no less than 18% of the wages of the participants, and remove the limit on the City's contribution; such Election to be held within the City, on November 8, 2022; making provisions for the conduct of the Election; and authorizing a contract with El Paso County to furnish election services and equipment; providing for severability and setting an effective date. [POSTPONED FROM 08-02-2022]

[22-995](#)

All Districts

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

PUBLIC HEARING WILL BE HELD ON NOVEMBER 8, 2022

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

41. Discussion and action that the City Manager be authorized to sign a Use, Construction, and Donation Agreement with Western Refining Company, LLC for use, construction and donation of improvements at Marina Rios Park. [22-1370](#)

District 2

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

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:

Goal 3: Promote the Visual Image of El Paso

42. An Ordinance changing the zoning of Lots 17 to 20, Block 52, Bassett, 2101 Texas Avenue, City of El Paso, El Paso County, Texas from A-3/SP (Apartment/Special Permit) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. [22-1216](#)

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: 2101 Texas Avenue

Applicant: D & H Enrique Properties, LLC., PZRZ22-00020

District 8

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

Planning and Inspections, Andrew Salloum, (915) 212-1603

43. An Ordinance granting Special Permit No. PZST22-00011, to allow for Infill Development with a reduction in rear yard setback and side street yard setback and 100% parking reduction on the property described as Lots 17 to 20, Block 52, Bassett, 2101 Texas Avenue, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development and 20.14.070 Parking Reduction of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. [22-1217](#)

The proposed special permit 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: 2101 Texas Avenue

Applicant: D & H Enrique Properties, LLC., PZST22-00011

District 8

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

Planning and Inspections, Andrew Salloum, (915) 212-1603

44. An Ordinance changing the zoning of a portion of Tract 4, Kilpatrick Subdivision, 8636 North Loop Drive, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-3 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. [22-1225](#)

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: 8636 North Loop Drive
Applicant: Rojas Pullman Trust, PZRZ22-00018

District 7

Planning and Inspections, Philip F. Etiwe, (915) 212-1553
Planning and Inspections, Saul Pina, (915) 212-1612

REGULAR AGENDA - OTHER BUSINESS:

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

45. Presentation, discussion and action by the City Manager's Office and Office of Emergency Management providing information on key activities, efforts, and processes related to the migrant crisis: [22-1418](#)

1. That the City Council ratify the increase of contract 2022-0971 Charter Bus Transportation Services for an additional \$2,000,000 for a total amount not to exceed \$8,000,000.

All Districts

Office of Management and Budget, K. Nicole Cote, (915) 212-1092
Fire, Interim Chief Jonathan P. Killings, (915) 493-5609
Purchasing and Strategic Sourcing, (915) 212-1218

Goal 3: Promote the Visual Image of El Paso

46. Discussion and action on a Resolution adopting the "El Paso Complete Streets Policy - Mobility Advisory Committee Enabling Policy". [22-1375](#)

All Districts

Capital Improvement Department, Joaquin Rodriguez, (915) 328-8731

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

47. Presentation, discussion and action on the FY 2021-2022 4th Quarter Financial Report and to authorize the City Manager or his designee to allocate year-end surplus to the Operating and Debt Stabilization Fund. [22-1374](#)

All Districts

City Manager's Office, K. Nicole Cote, (915) 212-1092

48. Discussion and action on the City of El Paso's Legislative Agenda for the 88th Regular Session of the Texas State Legislature. [22-1354](#)

All Districts

Economic and International Development, Lindsey Adams, 915-212-1622
Economic and International Development, Elizabeth Triggs, 915-212-0094

49. Discussion and action on the Resolution that the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2022 by Paseo Del Este Municipal Utility District No. 7 with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso. [22-1360](#)

All Districts

City Manager's Office, Robert Cortinas, (915) 212-1067

50. Discussion and action on the Resolution that the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2022 by Paseo Del Este Municipal Utility District No. 5 with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso. [22-1361](#)

All Districts

City Manager's Office, Robert Cortinas, (915) 212-1067

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS
Section 551.089	DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS; CLOSED MEETING

ADJOURN

NOTICE TO THE PUBLIC:

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

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

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



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1395, **Version:** 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Approval of the Minutes of the Regular City Council Meeting of October 11, 2022, the Agenda Review Meeting of October 10, 2022, and the Work Session of October 10, 2022.

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
PETER SVARZBEIN, DISTRICT 1
ALEXSANDRA ANNELLO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
JOE MOLINAR, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
CLAUDIA L. RODRIGUEZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

October 11, 2022
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 9:02 a.m. Mayor Pro Tempore Lizarraga present and presiding and the following Council Members answered roll call: Alexsandra Anello, Joe Molinar, Isabel Salcido, and Claudia Rodriguez. Peter Svarzbein and Henry Rivera joined via videoconference. Late arrival Cassandra Hernandez at 9:07 a.m. Mayor Oscar Leeser requested to be excused from the meeting but joined via video conference from 2:13 p.m. to 2:56 p.m. Early departure: Peter Svarzbein and Henry Rivera at 5:27 p.m.

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

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

Archtober Month

Down Syndrome Awareness Month

Teentober Fest Day

Motion made by Mayor Pro Tempore Lizarraga, seconded by Representative Salcido, and unanimously carried to **APPOINT** Representative Hernandez as Alternate Mayor Pro Tempore for this meeting.

AYES: Representatives Svarzbein, Anello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

The Regular City Council meeting was **RECESSED** at 9:27 a.m. in order to take photos with the honorees.

The Regular City Council meeting was **RECONVENED** at 9:37 a.m.

NOTICE TO THE PUBLIC

Motion made by Alternate Mayor Pro Tempore Hernandez, seconded by Representative Rodriguez, 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 Svarzbein, Anello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

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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 September 27, 2022, the Agenda Review Meeting of September 26, 2022, the Work Session of September 26, 2022, the Work Session of August 16, 2021, the Special City Council Meeting of December 1, 2021, the Special City Council Meeting of December 2, 2021, the Work Session of June 22, 2020, and the Special City Council Meeting of July 6, 2020.

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CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:
.....

2. **REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

*Motion made, seconded, and unanimously carried to **EXCUSE** Mayor Oscar Leeser from the October 11, 2022 Regular City Council Meeting.

.....
CONSENT AGENDA - RESOLUTIONS:
.....

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

3. ***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 Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"), Leigh Fisher Capital Group, LLC ("Assignor"), and Almond Opportunity, LLC, a Nebraska limited liability company ("Assignee") for the following described property:

A portion of Lot 5, Block 8, Butterfield Trail Industrial Park Unit One, Replat "A", and all of Lot 6, Block 8, Butterfield Trail Industrial Park, Unit One, Replat "B", City of El Paso, El Paso County, Texas, municipally known and numbered as 11 Leigh Fisher Blvd., El Paso, Texas.

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

WHEREAS, WinterFest is a holiday event that draws the community to the downtown area, during a time of year when there are numerous other activities in the downtown area, which can cause a strain on available downtown parking; and

WHEREAS, City Code Subsection 12.56.020F allows for the International Bridges Director to make a recommendation to City Council for exceptions to the days and times when parking meter fees shall apply; and

WHEREAS, the International Bridges Director recommends that parking meter fees North of I10, including but not limited to the Uptown Parking Benefit District, be waived solely and exclusively on November 19, 2022, for the event known as WinterFest; and

WHEREAS, the International Bridges Director does not recommend that parking meter fees in the downtown area be waived on November 19, 2022; and

WHEREAS, the City Council encourages the community to park at the parking meters to the North of I10, including but not limited to the Uptown Parking Benefit District, and encourages the community to utilize the El Paso Streetcar in order to travel to WinterFest on November 19, 2022; and

WHEREAS, the City Council finds that WinterFest constitutes a special downtown event as contemplated in City Code Subsection 12.56.020F.1;

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

THAT the City Council, in accordance with the provisions of City Code Subsection 12.056.020F.1, hereby exempts the regularly designated parking meter fees to the North of I10, to include, but not be limited to the Uptown Parking Benefit District, on November 19, 2022, for WinterFest which constitutes a special downtown event.

5.

***RESOLUTION**

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

That the City Manager, or designee, is authorized to sign a Lease Termination Agreement between the City of El Paso ("Lessor") and Airport Park-A-Lot El Paso LLC ("Lessee") for the following property:

All of Lots 2, 3 and 4, Block IA, El Paso International Airport Tracts, Replat of Unit 4, City of El Paso, El Paso County, Texas, municipally known and numbered as 6440 Airport Road, El Paso, Texas,

and that the Director of Aviation, or designee, is authorized to exercise all rights and perform all obligations described in the Lease Termination Agreement, and that he be authorized to sign all documents related to the Lease Termination Agreement, including any amendments to the Lease Termination Agreement that do not involve changes to monetary settlement amounts.

6.

***RESOLUTION**

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

That the City Manager be authorized to sign a Consulting Services Agreement by and between the CITY OF EL PASO and the JLL VALUATION & ADVISORY SERVICES, LLC ("JLL"), for JLL to provide consulting services related to the planning of a regional economic development strategy in an amount not to exceed \$240,000.

7.

*Motion made, seconded, and unanimously carried to **DELETE** a Resolution to authorize the City Manager to sign an agreement between the City of El Paso and the Sun Bowl Association relating to services provided by the City of El Paso and the Sun Bowl Association in conjunction with the Sun Bowl Association events.

8.

***RESOLUTION**

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

That the City Manager be authorized to sign a Consent to Assignment from EL PASO GATEWAY, LLC a Texas Limited Liability Company, to STAG TX HOLDINGS, LP, a Delaware limited partnership, with respect to the City of El Paso's Chapter 380 Agreement for the construction of a global manufacturer property located at 12285 Gateway Blvd. West, El Paso, Texas.

Goal 3: Promote the Visual Image of El Paso

9.

***RESOLUTION**

WHEREAS, the Rio Grande Council of Governments (RGCOG) is directed by the Texas Commission on Environmental Quality to administer solid waste grant funds for implementation of the RGCOG adopted regional solid waste management plan; and

WHEREAS, City of El Paso in the State of Texas is qualified to apply for grant funds under the RGCOG Request for Applications; and

WHEREAS, the Regional Solid Waste Grant is administered by the Rio Grande Council of Governments, is divided between six Texas counties and is used to pay for the disposal of materials from illegal dumping sites;

WHEREAS, The City of El Paso finds it in the best interest of the citizens of El Paso, Texas that the Scrap Tire Disposal Reimbursement be operated for 2023; and

WHEREAS, The City of El Paso designates the Comptroller or Grants Administrator as the project's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the project on behalf of the applicant.

NOW THEREFORE, BE IT RESOLVED that The City of El Paso approve submission of the application for the Scrap Tire Disposal Reimbursement to the Rio Grande Council of Governments.

10.

***RESOLUTION**

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, KRIEGER CHARLES R, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

330 Belva Way, more particularly described as Lot 1 & W 1/2 Of 2 (25726 Sq Ft), Block 3, La Sierra Vista Subdivision, City of El Paso, El Paso County, Texas, PID #L071-999-0030-0100

to be \$395.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 7th day of December, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED NINETY FIVE AND 00/100 DOLLARS (\$395.00) 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 9.04 of the El Paso City Code, CHAVEZ OSCAR & MARTHA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

606 Mulberry Ave, more particularly described as Tr 14-C-2 (1.50 Ac), Block 5, Upper Valley Subdivision, City of El Paso, El Paso County, Texas, PID #U819-999-005A-1460

to be \$786.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 17th day of December, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount SEVEN HUNDRED EIGHTY SIX AND 00/100 DOLLARS (\$786.00) 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 9.04 of the El Paso City Code, MEZA LUZ G & ESEQUIEL JR & 7, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

116 N Clark Dr, more particularly described as Pt Of 3 & 4 (Tr 7 Unrecorded Map) 75 Ft On N & S 95 Ft On E & W (7125 Sq Ft), Block C, Collingsworth Subdivision, City of El Paso, El Paso County, Texas, PID #C730-999-000C-3100

to be \$355.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 20th day of January, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED FIFTY FIVE AND 00/100 DOLLARS (\$355.00) 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 9.04 of the El Paso City Code, CASAS DIAMANTINA LLC, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

211 Polo Inn Rd, more particularly described as S 50 Ft Of N 138.26 Ft Of E 212.8 Ft Of 67 (0.25 Ac), VALLEY GATE Subdivision, City of El Paso, El Paso County, Texas, PID #V150-999-000D-0500

to be \$385.50, in accordance with the El Paso City Code Section 9.04.880 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 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED EIGHTY FIVE AND 50/100 DOLLARS (\$385.50) 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 9.04 of the El Paso City Code, VILLEGAS JOAQUIN, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

227 Barker Rd 5, more particularly described as Lot 5-B (2.0971 Ac) & 6-K (0.922 Ac) (3.0191 Ac), Block 23, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PID #Y805-999-023A-0502

to be \$1817.50, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 10th day of February, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount ONE THOUSAND EIGHT HUNDRED SEVENTEEN AND 50/100 DOLLARS (\$1817.50) 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 9.04 of the El Paso City Code, GAYTAN B EVA L & CONCEPCIO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

1749 Dean Jones St, more particularly described as Lot 13 (5722.50 Sq Ft), Block 101, Vista Hills #30 Subdivision, City of El Paso, El Paso County, Texas, PID #V897-999-1010-1300

to be \$570.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 15th day of December, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FIVE HUNDRED SEVENTY AND 00/100 DOLLARS (\$570.00) 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 9.04 of the El Paso City Code, GONZALEZ JUAN C, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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 Ralpheene St, more particularly described as Lot 44 (5532.92 Sq Ft), Block 4, Alto Terrace 2nd Replat Subdivision, City of El Paso, El Paso County, Texas, PID #A496-999-0040-8700

to be \$393.50, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 22nd day of December, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED NINETY THREE AND 50/100 DOLLARS (\$393.50) 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 9.04 of the El Paso City Code, HERNANDEZ CATALINA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

104 Retta Ct, more particularly described as Lot 29, Block 3, Valle De San Miguel Subdivision, City of El Paso, El Paso County, Texas, PID #V094-999-0030-5700

to be \$405.50, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 24th day of February, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED FIVE AND 50/100 DOLLARS (\$405.50) 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 9.04 of the El Paso City Code, RUBIO CARLOS SR, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental

Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

227 Sofia Pl, more particularly described as Lot 15 & Tr 6-H, Blk 43 Ysleta (0.03 Acre), Block Lone Star Subdivision, City of El Paso, El Paso County, Texas, PID #L639-999-0020-9700

to be \$423.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 23th day of February, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED TWENTY THREE AND 00/100 DOLLARS (\$423.00) 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 9.04 of the El Paso City Code, QUINTANA JAIME S & OTILIA B, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

319 Milton Rd, more particularly described as Lot 29 (0.468 Ac), Block 1, North Loop Gardens #2 Subdivision, City of El Paso, El Paso County, Texas, PID #N446-999-0010-7900

to be \$675.15, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 8th day of March, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount SIX HUNDRED SEVENTY FIVE AND 15/100 DOLLARS (\$675.15) 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 9.04 of the El Paso City Code, GUTIERREZ RAUL S, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

325 Guadalajara St, more particularly described as Lot 63, SINGH Subdivision, City of El Paso, El Paso County, Texas, PID #S445- 999-0010-6300

to be \$339.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 17th day of February, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED THIRTY NINE AND 00/100 DOLLARS (\$339.00) 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 9.04 of the El Paso City Code, GARCIA ARMANDO, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

321 Chermonet Dr, more particularly described as Lot 11 (7500 Sq Ft), Block 6, Crestmont Hills Subdivision, City of El Paso, El Paso County, Texas, PID #C942-999-0060-2100

to be \$386.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 2nd day of December, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED EIGHTY SIX AND 00/100 DOLLARS (\$386.00) 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 9.04 of the El Paso City Code, HOFFER JUSTIN, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation

of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

333 Thunderbird Dr, more particularly described as Lot 2 (8030 Sq Ft), Block 7, Coronado Country Club Ft Hills Subdivision, City of El Paso, El Paso County, Texas, PID #C809-999-0070-0400

to be \$411.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 15th day of December, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED ELEVEN AND 00/100 DOLLARS (\$411.00) 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 9.04 of the El Paso City Code, LIMELIGHT HOLDINGS LLC SERIES B-1410 DELTA, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

1410 Delta Dr, more particularly described as Lots 9 & 10 Ext E Pt (55 Ft On Cotton St- 0.60 Ft On S- 53.51 Ft On W- 9 Ft On N) (8084.73 Sq Ft), Block 63, Magoffin Subdivision, City of El Paso, El Paso County, Texas, PID #M028-999-0630-4300

to be \$333.50, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 8th day of December, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED THIRTY THREE AND 50/100 DOLLARS (\$333.50) 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 9.04 of the El Paso City Code, GARCIA GUILLERMO M & 2, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

3219 Pera Ave, more particularly described as Lot 11 (3500.00 Sq Ft), Block 13, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999-0130-2100

to be \$465.00, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 9th day of December, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED SIXTY FIVE AND 00/100 DOLLARS (\$465.00) 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 9.04 of the El Paso City Code, MONTELONGO IRENE M, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

3229 Pera Ave, more particularly described as Lots 13 & 14 (7000 Sq Ft), Block 13, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999-0130-2700

to be \$381.50, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 8th day of December, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount THREE HUNDRED EIGHTY ONE AND 50/100 DOLLARS (\$381.50) 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.

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

11.

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

WHEREAS, WinterFest Opening Day (hereinafter referred to as "Grantee") has submitted an application for a Special Event Permit as per Chapter 13.38 (Special Events) of the El Paso City Code, for the use and closure of rights-of-way within the City of El Paso's (hereinafter referred to as "the City") for the **WinterFest Opening Day from Saturday, November 19, 2022 6:00 a.m. to 3:00 a.m. on Sunday, November 20, 2022**, (hereinafter referred to as the "Event"); and

WHEREAS, The Event will utilize both City and State rights-of-way: and

WHEREAS, The City of El Paso (hereinafter referred to as the "City") has found the Event serves a public purpose; and

WHEREAS, The State of Texas (hereinafter referred to as the "State") owns and operates a system of highways for public use and benefit, including **Mesa St. between Franklin Ave. and Texas Ave.** within El Paso, Texas; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of portions of the State Highway System for periods of time exceeding four hours; and

WHEREAS, the State in recognition of the public purpose for the Event, provides a means of cooperating with the City for the temporary closure of State right-of-way, provided the closure is in accordance with the requirements of 43 TAC, Section 22.12 and the City enters into an Agreement for the Temporary Closure of State Right-of-Way for the Event (Form TEA 30A).

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

That the closure of rights-of-way within the City of El Paso for the **WinterFest Opening Day from Saturday, November 19, 2022 6:00 a.m. to 3:00 a.m. on Sunday, November 20, 2022**, serves a public purpose of providing cultural and recreational activities for the residents and visitors of the City of El Paso, and in accordance with 43 TAC, Section 22.12, the City Manager be authorized to sign an Agreement For The Temporary Closure of State Right Of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the temporary closure and use of State owned and operated street (s) in excess of four hours for portions of **Mesa St. between Franklin Ave. and Texas Ave.** upon the issuance of required permits from the City of El Paso and substantial conformity to the finalized TEA30 agreement between the City of El Paso and State of Texas Department of Transportation.

12.

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

WHEREAS, WinterFest Parade (hereinafter referred to as "Grantee") has submitted an application for a Special Event Permit as per Chapter 13.38 (Special Events) of the El Paso City Code, for the use and closure of rights-of-way within the City of El Paso's (hereinafter referred to as "the City") for the **WinterFest Parade from Saturday, November 19, 2022 6:00**

a.m. to 3:00 a.m. on Sunday, November 20, 2022 and Saturday, November 19, 2022 12:00 p.m. to 10:00 p.m., (hereinafter referred to as the “Event”); and

WHEREAS, The Event will utilize both City and State rights-of-way: and

WHEREAS, The City of El Paso (hereinafter referred to as the “City”) has found the Event serves a public purpose; and

WHEREAS, The State of Texas (hereinafter referred to as the “State”) owns and operates a system of highways for public use and benefit, including **Mesa St. between Franklin Ave. and Paisano Dr. and Texas Ave. between Oregon St. and Ange St.** within El Paso, Texas; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of portions of the State Highway System for periods of time exceeding four hours; and

WHEREAS, the State in recognition of the public purpose for the Event, provides a means of cooperating with the City for the temporary closure of State right-of-way, provided the closure is in accordance with the requirements of 43 TAC, Section 22.12 and the City enters into an Agreement for the Temporary Closure of State Right-of-Way for the Event (Form TEA 30A).

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

That the closure of rights-of-way within the City of El Paso for the **WinterFest Parade from Saturday, November 19, 2022 6:00 a.m. to 3:00 a.m. on Sunday, November 20, 2022 and Saturday, November 19, 2022 12:00 p.m. to 10:00 p.m.,** serves a public purpose of providing cultural and recreational activities for the residents and visitors of the City of El Paso, and in accordance with 43 TAC, Section 22.12, the City Manager be authorized to sign an Agreement For The Temporary Closure of State Right Of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the temporary closure and use of State owned and operated street (s) in excess of four hours for portions of **Mesa St. between Franklin Ave. and Paisano Dr. and Texas Ave. between Oregon St. and Ange St.** upon the issuance of required permits from the City of El Paso and substantial conformity to the finalized TEA30 agreement between the City of El Paso and State of Texas Department of Transportation.

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

13. *RESOLUTION

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

That the Mayor be authorized to sign a contract by and between the City of El Paso (City) and the Horizon Regional Municipal Utility District – Summer Sky North Defined Area to join various other entities for whom the City acts as property tax assessor/collector.

.....
14. *RESOLUTION

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

That the Mayor be authorized to sign a contract by and between the City of El Paso (City) and the Horizon Regional Municipal Utility District - Hunt Properties Defined Area to join various other entities for whom the City acts as property tax assessor/collector.

15.

***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 a contract by and between the City of El Paso (City) and the Horizon Regional Municipal Utility District – Ravenna, LLC Defined Area to join various other entities for whom the City acts as property tax assessor/collector.

16.

***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 a contract by and between the City of El Paso (City) and the Horizon Regional Municipal Utility District – Rancho Desierto Bello Defined Area to join various other entities for whom the City acts as property tax assessor/collector.

17.

***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 a contract by and between the City of El Paso (City) and the Horizon Regional Municipal Utility District - Hunt Communities GP, LLC Defined Area to join various other entities for whom the City acts as property tax assessor/collector.

18.

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

WHEREAS, the Consolidated Tax Assessor/Collector of the City of El Paso (the “**City**”) has entered the amount of tax as provided by Section 26.09(e) of the Texas Tax Code in the appraisal roll, creating a tax roll for entities, for which the Consolidated Tax Assessor/Collector collects taxes, a summary of which is attached hereto and incorporated herein by reference;

WHEREAS, the tax roll for the remaining entities is on file and available for inspection in the City Tax Office; and

WHEREAS, the Consolidated Tax Assessor/Collector now submits the tax roll to the City Council for approval as the 2022 tax roll.

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

THAT the tax roll attached hereto as Attachment A** is hereby approved and constitutes the 2022 tax roll for all entities for which the Consolidated Tax Assessor/Collector collects taxes.

** Attachment A of the Resolution available at the Clerk’s Office.

CONSENT AGENDA – BOARD APPOINTMENTS:

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

19. *Motion made, seconded, and unanimously carried to **APPOINT** Linda Y. Rivas to the Committee on Border Relations by Representative Peter Svarzbein, District 1.

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

20. *Motion made, seconded, and unanimously carried to **APPOINT** Juan Uribe to the Building and Standards Commission by Representative Isabel Salcido, District 5.
21. *Motion made, seconded, and unanimously carried to **APPOINT** Isabel Otten to the Historic Landmark Commission by Representative Isabel Salcido, District 5.

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

22. *Motion made, seconded, and unanimously carried to **APPOINT** Roman G. Robles to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Isabel Salcido, District 5.

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Goal 8: Nurture and Promote a Healthy, Sustainable Community

23. *Motion made, seconded, and unanimously carried to **APPOINT** Brian Kanof to the Veterans Affairs Advisory Committee by Representative Peter Svarzbein, District 1.
24. *Motion made, seconded, and unanimously carried to **APPOINT** Maxey M. Scherr to the Women's Rights Commission by Representative Peter Svarzbein, District 1.

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CONSENT AGENDA – APPLICATIONS FOR TAX REFUNDS

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

25. *Motion made, seconded, and unanimously carried to **APPROVE** the tax refunds listed below and posted on the attachment with this agenda:
1. Ryan Tax Compliance Services LLC, in the amount of \$4,746.66 made an overpayment on January 30, 2022 of 2021 taxes. (Geo. # 2001-999-4092-0034)
 2. Corelogic Tax Services, in the amount of \$3,445.90 made an overpayment on June 07, 2022 of 2021 taxes. (Geo. # C518-999-1140-2500)
 3. CJ2 & Associates LLC, in the amount of \$2,933.65 made an overpayment on January 10, 2022 of 2021 taxes. (Geo. # P481-999-0210-0500)

.....
CONSENT AGENDA – NOTICE FOR NOTATION

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

26. *Motion made, seconded, and unanimously carried to **ACCEPT** the donation of \$1,000 from El Paso Electric to be used towards a COVID-19 safe, inclusive and sensory friendly, Halloween event in District 3
27. *Motion made, seconded, and unanimously carried to **ACCEPT** the donations of \$1000 from Marathon Petroleum, \$1000 from the Aguilar Family Foundation, and \$1000 from El Paso

Electric toward the 3rd Annual Halloween Costume Giveaway event to be held on October 19, 2022 at the Chamizal Community Center in District 8.

CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS

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

28. *Motion made, seconded, and unanimously carried to **ACCEPT** the notation pursuant to Section 2.92.080 of the City Code, receipt of the following campaign contributions by City Representative Claudia L. Rodriguez, District 6: \$5000.00 from El Paso Association of Contractors; \$2500.00 from Stanley Jobe; \$250.00 from Rachel B. Harracksingh; \$200.00 from Mark & Kathleen Walker; \$500.00 from Eduardo and Maria Rodriguez; \$1000.00 from Donald & Adair Margo; \$1000.00 from Pam Agullo; \$2500.00 from Woody & Gale Hunt; \$1000.00 from Sharon Butterworth; \$1000.00 from J. Kirk Robison; \$1000.00 from Will Harvey; \$2500.00 from Paul Foster; \$2500.00 from Woody Hunt.

CONSENT AGENDA – BIDS:

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

29. *Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2022-0492 Ladder Testing to Diversified Inspections/ITL Inc. for an initial three (3) year term for an estimated amount of \$87,756.60. The award also includes a two (2) year option for an estimated amount of \$58,504.40. The total value of the contract is, including the initial term plus the option, for a total of five (5) years, for an estimated amount of \$146,261.00.

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$13,320.60 for the initial term, which represents a 17.90% increase due to increased unit prices and an increase in required services.

Department:	Fire Department
Award to:	Diversified Inspections/ITL Inc. Peoria, AZ
Item(s):	All
Term:	3 Years
Annual Estimated Amount:	\$29,252.20
Initial Term Estimated Amount:	\$ 87,756.60
Option to Extend:	\$ 58,504.40 (2 years)
Total Estimated Award:	\$146,261.00 (5 years)
Account No.:	522250-322-1000-22090-P2216
Funding Source:	General Fund
District(s):	All

This is a low bid, unit cost contract.

The Purchasing & Strategic Sourcing and Fire Departments recommend award as indicated to Diversified Inspections/ITL Inc., the lowest, responsive, responsible bidder. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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<u>REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL:</u>
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Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development
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30.

RESOLUTION

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

THAT the Mayor be authorized to sign, in counterpart originals in both English and Spanish, a Sister City Agreement between the City of El Paso, State of Texas, and the City of Parras, State of Coahuila, of the United Mexican States.

Representative Svarzbein read floor amendments into the record.

1ST MOTION

Motion made by Representative Svarzbein, seconded by Representative Rivera, and unanimously carried to **AMEND** the Resolution.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

2ND AND FINAL MOTION

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

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

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

31.

RESOLUTION

WHEREAS, for the past two years, the Office of District 3 has organized COVID-19 safe Halloween events at various locations throughout District 3; and

WHEREAS, these past holiday events have been funded through a combination of donations from community partners and District 3 discretionary funds; and

WHEREAS, the Office of District 3 seeks to continue the holiday tradition, and this year will host a sensory friendly “Trunk-or-Treat” Halloween event in partnership with the Autism Society of El Paso and the Office of JP Judge Josh Herrera; and

WHEREAS, the office of District 3, City Representative wishes to host this event to create an inclusive and safe Halloween experience for all including those with sensory sensitivities, food allergies and/or disabilities; and

WHEREAS, Representative of District 3, Cassandra Hernandez, desires to contribute discretionary funds in an amount not to exceed \$1,500.00 for permitted activities associated with hosting an inclusive and safe Halloween experience; and

WHEREAS, the City Council finds that the expenditure of District 3 discretionary funds in an amount not to exceed \$1,500.00 to be used towards a COVID-19 safe, inclusive and sensory friendly, Trunk-or-Treat Halloween event in District 3, serves a municipal purpose by setting the standard for a safe and secure city, enhancing El Paso's quality of life, promoting transparent and consistent communication among all members of the community, and nurturing and promoting a healthy and sustainable community.

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

That the City Council declares the expenditure of District 3 discretionary funds in an amount not to exceed \$1,500.00 to be used towards a COVID-19 safe, inclusive and sensory friendly, Trunk-or-Treat Halloween event in District 3, serves a municipal purpose by setting the standard for a safe and secure city, enhancing El Paso's quality of life, promoting transparent and consistent communication among all members of the community, and nurturing and promoting a healthy and sustainable community.

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 to carry out the purpose of this resolution.

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

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

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

32.

RESOLUTION

WHEREAS, there are 1.3 million individuals living in 15,600 nursing homes, and over 800,000 individuals living in 28,900 assisted living/residential care facilities in the U.S.; and

WHEREAS, the federal Nursing Home Reform Act of 1987 guarantees residents their individual rights in order to promote and maintain their dignity and autonomy; and

WHEREAS, all residents should be aware of their rights so they may be empowered to live with dignity and self-determination; and

WHEREAS, we wish to honor and celebrate these citizens, to recognize their rich individuality, and to reaffirm their right to vote and participate politically, including the right to have a say in their care; and

WHEREAS, the Sanctuary for Longevity Project, the Texas Silver-Haired Legislature, the Rio Grande Area Agency on Aging, groups, and individuals across the country will be celebrating Residents' Rights Month with the theme – "Inspiring Unity within Our Community" – emphasizing the importance of fostering meaningful community within the Long Term Care facility and encouraging residents' connection to their local community.

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

Recognizes October 2022 as National Long-Term Care Residents' Rights Month, in the City of El Paso, and encourages all citizens to join in these important observances.

Representative Annello read the Resolution into the record.

The following members of the public commented:

1. Ms. Alicia de Jong-Davis
2. Mr. Jorge Soto

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

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

33.

RESOLUTION

WHEREAS, the crime of domestic violence violates an individual's dignity and humanity, due to the systematic use of physical, emotional, sexual, psychological, and economic control; and

WHEREAS, the problems of domestic violence are not confined to any group or groups of people but cut across all economic, racial, and societal barriers, and are supported by societal indifferences; and

WHEREAS, in 2022, the Center Against Sexual and Family Violence celebrated 45 years of being at the forefront of advocating for safety and justice through intervention, education, and community collaboration in the tri-county area of El Paso, Hudspeth, and Culberson counties; and

WHEREAS, this year's campaign, "BE KIND, REWIND TO A HEALTHY START," highlights the importance of changing this learned behavior, because only then, will we break the cycle of abuse; and

WHEREAS, in recognition of the important work done by domestic violence programs, it is important for all citizens to actively participate in scheduled activities and programs to work toward improving victim safety and holding perpetrators of domestic abuse accountable for their actions against individual victims and our society as a whole; and

WHEREAS, since 1987, much progress has been made to support domestic violence victims and survivors, to hold abusers accountable, and to create and update legislation to further those goals; and

WHEREAS, the month of October has served to bring awareness nationwide since 1987 and to unite individuals and organizations working on domestic violence issues.

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

That the month of October, 2022 shall be known as: "**DOMESTIC VIOLENCE AWARENESS MONTH.**"

Representative Annello read the Resolution into the record.

Ms. Yazmin Perez, citizen, commented.

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

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

34.

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 \$10,000.00, to cover costs of stage rental, audio/visual equipment, entertainment, hiring of off-duty law enforcement officers or private security officers, barrier rental for vehicle pedestrian control, permitting fees, and/or portable restroom rental related to the holding of the Segundo Barrio Community Block Party by the Southside Neighborhood Association, serves the municipal purpose of fostering community pride, encouraging civic engagement and celebrating the heritage and culture of one of the oldest neighborhoods in El Paso's history; and

That the City Attorney be authorized to negotiate and the City Manager be authorized to sign an appropriate contract and contract amendment to ensure that the funds are properly expended for the municipal purpose.

Motion made by Mayor Pro Tempore Lizarraga, seconded by Representative Molinar, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

REGULAR AGENDA – OPERATIONAL FOCUS UPDATES

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

35. Presentation and discussion on the Grants and Strategic Initiatives Program.

Mr. Tommy Gonzalez, City Manager, introduced the item.

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

Representatives Svarzbein, Annello, Hernandez, Molinar, and Lizarraga commented.

Ms. Yvette Hernandez, City Engineer, commented.

NO ACTION was taken on this item.

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

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36. Presentation and discussion on Pavement Condition Index (PCI) results.

Motion made by Representative Annello, seconded by Representative Hernandez, and unanimously carried to **DELETE** the presentation and discussion on Pavement Condition Index (PCI) results.

AYES: Representatives Annello, Hernandez, Molinar, Salcido, Rodriguez, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

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

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37. Presentation and discussion on El Paso Animal Services Medical Operations.

Motion made by Representative Annello, seconded by Representative Hernandez, and unanimously carried to **DELETE** the presentation and discussion on El Paso Animal Services Medical Operations.

AYES: Representatives Annello, Hernandez, Molinar, Salcido, Rodriguez, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

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The Regular City Council Meeting was **RECESSED** at 10:41 a.m. in order to convene the Mass Transit Board Meeting.

The Regular City Council Meeting was **RECONVENED** at 11:31 p.m.

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REGULAR AGENDA – OTHER BUSINESS:

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

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38. RESOLUTION

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

That the City Manager be authorized to sign a Chapter 380 Economic Development Program Agreement by and between CITY OF EL PASO ("City") and FINHABITS, INC. ("Applicant") for the establishment of the Applicant's financial investment technology company in El Paso, Texas. The City shall provide economic incentives in an aggregated amount of \$132,000 over a period of four years.

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

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera and Lizarraga

NAYS: None,

.....
The Regular City Council Meeting was **RECESSED** at 11:33 a.m. for press conference.

The Regular City Council Meeting was **RECONVENED** at 12:01 p.m.

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

39. Presentation and discussion by the City Manager's Office and the Office of Emergency Management providing information on key activities, efforts, and processes related to the migrant crisis.

Mr. Tommy Gonzalez, City Manager, introduced the item.

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

1. Chief Mario D' Agostino, Deputy City Manager
2. Ms. Laura Cruz-Acosta, Strategic Communications Director
3. Ms. Nicole Cote, Interim Managing Director of Office of Management and Budget and Purchasing and Strategic Sourcing

Mayor Leaser and Representatives Svarzbein, Annello, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga commented.

Ms. Karla Nieman, City Attorney, provided legal advice.

Motion made by Representative Annello, seconded by Representative Molinar, and unanimously carried to **SUSPEND** the Virtual Attendance Resolution to **ALLOW** Mayor Oscar Leaser to participate virtually.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

NO ACTION was taken on this item.

40.

ORDINANCE 019390

**AN EMERGENCY ORDINANCE EXTENDING EMERGENCY
ORDINANCE NO. 019333 AUTHORIZING THE CITY MANAGER TO ASSIGN
PERSONNEL AND RESOURCES TO ASSIST IN ADDRESSING THE HUMANITARIAN
AND PUBLIC SAFETY CRISIS RESULTING FROM A MASS MIGRATION THROUGH EL
PASO**

WHEREAS, on May 23, 2022, the Mayor and City Council of the City of El Paso (the "City") passed an Emergency Ordinance No. 019333 "Authorizing the City Manager to Assign Personnel and Resources to Assist in Addressing the Humanitarian and Public Safety Crisis Resulting from a Mass Migration through the City of El Paso"; and

WHEREAS, thousands of migrants from Latin America have already gathered at or near the U.S.- Mexico border in hopes that President Biden will ease immigration restrictions that will make it easier to enter the United States; and

WHEREAS, because of war between Russia and Ukraine and the political situation in Turkey, Ukrainians, Russians, and Turks are arriving at the Southern border for admission to the United States; and

WHEREAS, on April 1, 2022, the Centers for Disease Control and Prevention (“CDC”) announced the repeal of the Public Health Services Act, 42 U.S.C. §265 (“Title 42”), which was expected to allow for the inflow of migrants from the southern border; and

WHEREAS, federal litigation ensued to enjoin the CDC from repealing Title 42 on the intended date of May 23, 2022; and

WHEREAS, on June 30, 2022, a United States Supreme Court ruling allowed the President to end the Migrant Protection Protocols, which would allow for the inflow of migrants from the southern border; and

WHEREAS, the Southwest had 203,597 land border encounters in the month of August, 2022; and

WHEREAS, the El Paso sector of CBP had 29,703 land border encounters in the month of August, 2022 and a total of 258,766 encounters for federal fiscal year 2022; and

WHEREAS, although Title 42 remains in place as a result of the federal litigation, the number of Border Patrol encounters remains high, averaging 1,600 per day; and

WHEREAS, due to this high volume, the number of refugees and asylum seekers amounts to 900-1,000 releases to the Annunciation House network, a local non-governmental organization (“NGO”) and the City’s Migrant Welcome Center, on a daily basis; and

WHEREAS, on some days, the number of releases is lower due to the limited NGO space; and

WHEREAS, when the City faced a migrant surge in March of 2019, the NGO was able to establish over thirty hospitality sites throughout the El Paso region, versus today’s fifteen hospitality sites; and

WHEREAS, the primary challenge is that the NGO does not have the volunteer base to sustain or increase current capacity at its current hospitality sites (ten in El Paso, Texas, three in Las Cruces, New Mexico, one in Deming, New Mexico, and another in Albuquerque, New Mexico); and

WHEREAS, although NGO volunteer recruitment efforts will continue, it is not anticipated that the volunteer base will keep up with the current demand, despite the NGO having identified additional facilities that could receive migrants; and

WHEREAS, when the U.S. Customs and Border Protection’s (“CBP”) Central Processing Center is over capacity and NGO space is unavailable, that is when the potential for street releases arises; and

WHEREAS, on May 15, 2022, the federal authorities released 119 single adults on the downtown streets of the City of El Paso; and

WHEREAS, in response to the May 15, 2022, street release, the El Paso City-County Office of Emergency Management (“OEM”) reallocated twenty-nine COVID-19 Operations staff to assist as migrant shelter surge staff, and on May 17, 2022, this staff began orientation training at Casa del Refugiado, the NGO’s largest hospitality site; and

WHEREAS, OEM has created a job specification, for general disaster operations to include humanitarian relief duties to hire and assign staff to assist with NGO capacity with over 40 staff currently assigned; and

WHEREAS, the El Paso City Charter Section 3.10, allows for the adoption of one or more emergency ordinances to meet a public emergency affecting life, health, property, or the public peace; and

WHEREAS, Section 121.003 of the Texas Health & Safety Code states that a municipality may enforce any law that is reasonably necessary to protect public health; and

WHEREAS, Section 122.006 of the Texas Health & Safety Code provides home-rule municipalities express authority to adopt rules to protect the health of persons in the municipality, including quarantine rules to protect the residents against communicable disease; and

WHEREAS, OEM continues to provide COVID-19 isolation and quarantine hotel support to migrant shelters, expanding operations when outbreaks occur in congregate shelter facilities; and

WHEREAS, OEM has provided isolation and quarantine services to over 2,581 migrants in close coordination with NGOs since April 2020; and

WHEREAS, the release of mass groups of people without access to potable water, food, or shelter exposes the migrants and El Paso residents to the origination and spread of potential and actual disease; and

WHEREAS, there are significant public safety and security concerns related to the wave of migration, including but not limited to the risk to injury or loss of life with migrants in El Paso streets with little or no resources on days that reach hot or cold temperatures and the inherent risks that come with increased demand on local shelters; and

WHEREAS, for these reasons, the City is faced with the imminent threat of widespread injury or loss of life resulting from a surge in transient migrants traveling to the region during an ongoing global pandemic; and

WHEREAS, there is the potential for loss of property for both residents and migrants due to those who would take financial advantage of this wave of migrants; and

WHEREAS, the City of El Paso is home to 4 of the 28 international ports of entry between Texas and Mexico; and

WHEREAS, based on mass migration events in the recent past, the City anticipates significant delays at the international ports-of-entry to include trade; and

WHEREAS, the potential encampment of large groups of migrants on City rights of way and parks poses safety risks to migrants and citizens alike; and

WHEREAS, in awaiting the due support of the federal government, the City finds that the expenditure of public funds for staff to coordinate resources and supplies, serve as shelter surge staff and transport migrants released in the City of El Paso accomplishes a valid public purpose of protecting public infrastructure, and protecting the health, safety and welfare of the citizens of El Paso; and

WHEREAS, in order to protect the health of persons in the municipality, the City Council wishes to continue to assist the local NGO with surge staff, coordination of resources and supplies, and transportation in light of the continued high number of community releases; and

WHEREAS, OEM and the City will continue to prepare and evaluate the need for mass emergency sheltering in anticipation of the eventual repeal of Title 42 and other regional migration surges that may impact the El Paso region; and

WHEREAS, this Ordinance shall remain in effect until otherwise terminated, re-enacted, or superseded by a conflicting ordinance, El Paso Local Health Authority Ordinance, or state or federal law.

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

1. That the Emergency Ordinance No. 019333 passed and adopted by the City Council of the City of El Paso on May 23, 2022 is hereby re-enacted and shall continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by City Council, whichever is sooner.
2. This ordinance is adopted as an emergency measure with the unanimous vote of the City Council Representatives present and the consent of the Mayor and pursuant to City Charter Section 3.10.

Mayor Leeser and Representatives Hernandez and Molinar commented.

Mr. Juan Gonzalez, Senior Assistant City Attorney, commented.

Mr. Mario Maese, citizen, commented.

Motion made by Representative Annello, seconded by Representative Molinar, and unanimously carried to **ADOPT** the Emergency Ordinance.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

Mayor Leeser consented to the adoption of the Emergency Ordinance.

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CALL TO THE PUBLIC – PUBLIC COMMENT:

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The following members of the public commented:

1. Ms. Crystal Durant
2. Mr. Ron Comeau
3. Ms. Barbara Duchouquette
4. Ms. Susan Martinez

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The Regular City Council Meeting was **RECESSED** at 12:16 p.m. for lunch.

The Regular City Council Meeting was **RECONVENED** at 12:52 p.m.

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REGULAR AGENDA – FIRST READING OF ORDINANCES:

Motion made by Representative Annello, seconded by Representative Molinar, 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 Annello, Hernandez, Molinar, Salcido, Rodriguez, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

Goal 3: Promote the Visual Image of El Paso

41. An Ordinance changing the zoning of the property described as Lot 3, Block 42, Magoffin Addition, 815 Tays Street, City of El Paso, El Paso County, Texas from A-3 (Apartment) and C-1 (Commercial) to S-D (Special Development), pursuant to Section 20.04.360, and approving a detailed site development plan pursuant to Section 20.04.150 and 20.10.360 of the El Paso City Code to allow for an office and district area, front yard setback and side yard setback reductions as permitted in the S-D (Special Development) zone district. 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: 815 Tays Street

Applicant: ALU-Copper A R LLC. - PZRZ22-00026

42. An Ordinance granting Special Permit No. PZST22-00008, to allow for parking spaces (serving another property) on the property described as Tract 6-B and 18-B, Block 4, Upper Valley Surveys, 5020 Country Club Place, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.260 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.

The proposed special permit 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: 5020 Country Club Place

Applicant: El Paso Country Club - PZST22-00008

43. An Ordinance changing the zoning of Lots 1 and 2, Block 6, Highland Park, 1837 Grandview Avenue, City of El Paso, El Paso County, Texas from R-5 (Residential) to A-O (Apartment/Office), and imposing a condition. 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: 1837 Grandview Ave.

Applicant: Marcela V. De Panetta, PZRZ21-00033

44. An Ordinance releasing conditions No. 2 and No. 3 placed on property by Ordinance No. 5193 which changed the zoning of portion of H. F. Fisher Survey No. 293, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

The proposed condition release 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: 1837 Grandview Ave.
Applicant: Marcela V. De Panetta, PZCR22-00001

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45. An Ordinance changing the zoning of a portion of Lots 14 through 26, Block 4, Hughes Subdivision of Block 2, Alameda Acres, 5713 Welch Avenue, City of El Paso, El Paso County, Texas from S-D/sp (Special Development/special permit) to M-1 (Light Manufacturing), 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.

Subject Property: 5713 Welch Ave.
Applicant: Jose Manuel Valenzuela and Maria Del Sol Covarrubias, PZRZ22-00016

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PUBLIC HEARING WILL BE HELD ON NOVEMBER 8, 2022 FOR ITEMS 41 THROUGH 45

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REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:

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

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

WHEREAS, on July 7, 2021 the City of El Paso ("City") awarded Contract No. 2021-1146 for the construction of the Hondo Pass Citizen Collection Station ("Contract") to Perikin Enterprises, LLC ("Contractor") for the contract price of \$2,247,463.12;

WHEREAS, Contractor has requested an increase in the contract price based on an increase in labor and material costs and supply chain issues resulting from the COVID-19 pandemic;

WHEREAS, the Contract does not provide for a contract price increase based on an increase in labor and material costs and supply chain issues;

WHEREAS, Contractor has not performed any work under the Contract;

WHEREAS, Section 6.9.2 of the General Conditions of the Contract permits the City to terminate the Contract at any time, without cause, and for any reason by giving Contractor seven days prior written notice;

WHEREAS, the City desires to terminate the Contract pursuant to Section 6.9.2 of the General Conditions of the Contract.

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

That the Purchasing and Strategic Sourcing Director is authorized to notify Contractor that the City is terminating Contract No. 2021-1146 for the construction of the Hondo Pass Citizen Collection Station pursuant to Section 6.9.2 of the General Conditions of said Contract; and that the Purchasing and Strategic Sourcing Director is authorized to sign all documents necessary to terminate said Contract.

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

AYES: Representatives Annello, Hernandez, Molinar, Salcido, Rodriguez, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

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47. Motion made by Representative Hernandez, seconded by Representative Salcido, and carried to **APPROVE** the request that the Director of Purchasing & Strategic Sourcing Department be authorized to issue a Purchase Order to Aetna Life Insurance Company referencing Contract 2017-1357R Self-funded Comprehensive Health Plan Administration, Stop Loss, Employer Assistance Program and Fully Insured Supplemental Benefit Plan. This will be a change order to increase the contract by \$2,600,000.00 for a total amount not to exceed \$226,606,332.85. The change order will cover the increase in administrative fees for health insurance administration services from January 1, 2023, to December 31, 2024.

Department:	Human Resources
Award to:	Aetna Life Insurance Company
Hartford, CT	
Total Estimated Amount:	\$2,600,000.00
Account No.:	522000-209-3500-14045-P1414
Funding Source:	Benefit Administrators
District(s):	All

This is a Request for Proposal, services contract.

AYES: Representatives Hernandez, Molinar, Salcido, Rodriguez, and Lizarraga

NAYS: Representative Anello

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

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

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48. **RESOLUTION**

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 architectural services on a task-by-task basis by and between the City of El Paso and each of the following six (6) consultants:

5. Alvidrez Architecture Inc.
6. Brown Reynolds Watford Architects, Inc.
7. Carl Daniel Architects, Inc
8. Countryman & Co., PLLC
9. In *Situ Architecture, PLLC
10. MNK Architects, Inc.

Each On-Call Agreement will be for an amount not to \$750,000.00, 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 bud et transfers and execute any and all documents necessary for execution of each On-Call Agreement.

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

AYES: Representatives Annello, Hernandez, Molinar, Salcido, Rodriguez, and Lizarraga
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

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49. Motion made by Representative Hernandez, seconded by Representative Rodriguez, and unanimously carried to **AWARD** Solicitation 2022-0678 Job Order Contracting and Facilities Construction to Veliz Company, LLC dba Veliz Construction, Keystone GC, LLC and Jordan Foster Construction, LLC. Each contract has an initial term of two (2) and three (3), one (1) year options. The length of each contract including the initial term plus options is five (5) years for an estimated total aggregate of \$20,000,000.00. The award of the contracts will allow to perform maintenance, repair, alteration, renovation, remediation, or minor construction for City of El Paso facilities using the Job Order contract method.

Award to: Contractor 1 Veliz Company, LLC dba Veliz Construction
El Paso, TX

Initial Term: 2 years

Option to Extend: Three (3), one (1) year terms

Award to: Contractor 2 Keystone GC, LLC
El Paso, TX

Initial Term: 2 years

Option to Extend: Three (3), one (1) year terms

Award to: Contractor 3 Jordan Foster Construction, LLC
El Paso, TX

Initial Term: 2 years

Option to Extend: Three (3), one (1) year terms

Total Estimated Award: \$20,000,000.00 (5 years)

Account No.: Various

Funding Source: 2012 Quality of Life Bond, 2019 Public Safety Bond and Capital Improvement Plans

District(s): All

This is a Competitive Sealed Proposal, Requirements Contract.

The Purchasing & Strategic Sourcing and the Capital Improvement departments recommend award as indicated to Veliz Company, LLC dba Veliz Construction Keystone GC, LLC and Jordan Foster Construction, LLC the highest ranked offerors based on evaluation factors established 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.

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 Annello, Hernandez, Molinar, Salcido, Rodriguez, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

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50. Motion made by Representative Rodriguez, seconded by Representative Hernandez, and unanimously carried to **AWARD** Solicitation 2022-0747 Rojas Drive Widening to International Eagle Enterprise, Inc. for an estimated award of \$12,024,880.90. This project consists of the widening of existing Rojas Dr. from a four-lane roadway to a six - lane divided facility new construction of asphalt and concrete pavement, medians, illumination, signing and striping, shared use path, traffic signalization, landscaping, drainage improvements and ADA compliant facilities.

Department:	Capital Improvement
Award to:	International Eagle Enterprise, Inc. El Paso, TX
Item(s):	Base Bid I and Base Bid II
Initial Term:	337 Standard Work Week Days
Base Bid I:	\$10,550,550.90
Base Bid II:	\$1,474,330.00
Total Estimated Award:	\$12,024,880.90
Funding Source:	Federal Highway Administration, 2011 Certificates of Obligation and 2018 Certificates of Obligation
Accounts:	190-4530-28330-580270-PCP20TRAN05 190-4741-38290-580270-PCP20TRAN05 190-4950-38170-580270-PCP20TRAN05 190-4970-38230-580270-PCP20TRAN05
District(s):	6

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to International Eagle Enterprise, Inc., 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 Annello, Hernandez, Molinar, Salcido, Rodriguez, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:

Goal 3: Promote the Visual Image of El Paso

51. ORDINANCE 019391

The City Clerk read an Ordinance entitled: **AN ORDINANCE RENEWING AND EXTENDING THE SPECIAL PRIVILEGE LICENSE GRANTED TO THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE DEPARTMENT OF THE NAVY, NAVAL FACILITIES ENGINEERING COMMAND SOUTHEAST, AS OWNER OF THE NAVAL OPERATIONS SUPPORT CENTER (NOSC) EL PASO, TO PERMIT THE CONTINUED USE, MAINTENANCE AND REPAIR OF A SURFACE ENCROACHMENT OF CURBING, GUTTERING AND SECURITY FENCE OVER A PORTION OF CITY RIGHT-OF-WAY ALONG TRUMAN AVENUE AND ADJACENT TO THE NOSC EL PASO LOCATED AT 4810 POLLARD STREET, EL PASO, TEXAS; SETTING THE LICENSE TERM FOR A TERM OF ONE (1) YEAR WITH SIX (6) ADDITIONAL ONE (1) YEAR RENEWAL OPTIONS.**

Motion duly made by Representative Molinar, seconded by Representative Hernandez, 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 Annello, Hernandez, Molinar, Salcido, Rodriguez, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

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 6: Set the Standard for Sound Governance and Fiscal Management

52. ITEMS 52, 53, 54, AND EX1. WERE TAKEN TOGETHER

The City Clerk read an Ordinance entitled: **AN ORDINANCE PROPOSED BY INITIATIVE PETITION UNDER CITY CHARTER SECTION 3.11 TO LIMIT INDIVIDUAL CONTRIBUTIONS TO POLITICAL CAMPAIGNS FOR MAYOR AND CITY COUNCIL TO \$1,000 PER ELECTION AND REQUIRE DONORS TO DISCLOSE THEIR PLACE OF EMPLOYMENT.**

- 53.** The City Clerk read an Ordinance entitled: **AN ORDINANCE PROPOSED BY INITIATIVE PETITION UNDER CITY CHARTER SECTION 3.11 TO PROVIDE PUBLIC FINANCING FOR CANDIDATES FOR MAYOR AND CITY COUNCIL WHO VOLUNTARILY AGREE TO LIMIT THEIR CAMPAIGN CONTRIBUTIONS AND EXPENDITURES AND DEMONSTRATE COMMUNITY SUPPORT FOR THEIR CANDIDACY.**

- 54.** The City Clerk read an Ordinance entitled: **AN ORDINANCE PROPOSED BY INITIATIVE PETITION UNDER CITY CHARTER SECTION 3.11 TO USE RANKED CHOICE VOTING FOR THE ELECTION OF MAYOR AND CITY COUNCIL WHERE VOTERS RANK CANDIDATES IN ORDER OF PREFERENCE, AND IF NO CANDIDATE RECEIVES A MAJORITY, THE CANDIDATES WITH THE FEWEST VOTES ARE ELIMINATED AND THE VOTES THEY RECEIVED ARE TRANSFERRED TO VOTER'S SECOND CHOICE, AND SO ON UNTIL THERE IS A MAJORITY VOTE FOR ONE CANDIDATE, SO LONG AS PERMITTED BY STATE LAW.**

Representatives Annello, Hernandez, Rodriguez, and Lizarraga commented.

Ms. Karla Nieman, City Attorney and Mr. Charles Zech, Outside Counsel, commented.

The following members of the public commented:

1. Anne Giangliullo, statement read into the record by the City Clerk
2. Kim Shulte, statement read into the record by the City Clerk
3. Alyssa Garza, statement read into the record by the City Clerk
4. Veronica Carbajal
5. Vanessa Medrano
6. Robby Rodriguez, statement read into the record by the City Clerk
7. Ivonne Diaz, statement read into the record by Representative Salcido
8. Kenneth Bell, statement read into the record by Representative Annello
9. Jean-Carlo Tirado
10. Ana Reza
11. Raquel Rojo
12. Aby Perea
13. Andrew Segura
14. Josh Simmons
15. Miguel Escoto
16. Ana Fuentes
17. Sylvia Searfoss
18. Janet Flores, statement read into the record by Representative Molinar

1ST MOTION

Motion made by Representative Rodriguez, seconded by Representative Rivera, and carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 2:57 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 items:

SECTION 551.071 CONSULTATION WITH ATTORNEY

AYES: Representatives Svarzbein, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: Representative Annello

2ND MOTION

Motion made by Representative Hernandez, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the Executive Session at 5:36 p.m. and **RECONVENE** the meeting of the City Council at which time motions were made:

AYES: Representatives Annello, Hernandez, Molinar, Salcido, Rodriguez, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

3RD MOTION

Motion made by Representative Hernandez, seconded by Representative Lizarraga and carried to **DIRECT** the City Manager and City Attorney's office to create a cross functional team to explore and develop a fair campaign elections ordinance that are within the legal parameters established by the federal, state, local laws and that are prescribed by the City of El Paso's strategic plan and present an update at a work session meeting for the first meeting in December 2022.

AYES: Representatives Annello, Hernandez, Molinar, Rodriguez, and Lizarraga

NAYS: Representative Salcido

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

4TH AND FINAL MOTION

Motion made by Representative Hernandez, seconded by Representative Rodriguez and carried to **DENY** the Ordinances.

AYES: Representatives Hernandez, Molinar, Rodriguez, and Lizarraga

NAYS: Representatives Annello and Salcido

NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

REGULAR AGENDA – OTHER BUSINESS:

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

55. *Motion made, seconded, and unanimously carried to **DELETE** the Resolution authorizing the City Manager to execute a Subrecipient Agreement by and between the City of El Paso and LiftFund, providing \$2,500,000 to LiftFund to administer American Rescue Plan Act (ARPA) funds to institute the City of El Paso Small Business Grant & Interest Buy-Down Program to entities affected by the COVID-19 pandemic.
56. *Motion made, seconded, and unanimously carried to **DELETE** the Resolution authorizing the City Manager to execute a Subrecipient Agreement by and between the City of El Paso and Better Business Bureau (the "BBB"), providing \$1,435,522.24 to BBB to administer American Rescue Plan Act ("ARPA") funds to continue the EPBusinessStrong and Buy El Paso Program and to implement the El Paso Small Business Rewards Program.
57. *Motion made, seconded, and unanimously carried to **DELETE** the Resolution that the City Manager be authorized to execute a Subrecipient Agreement by and between the City of El Paso and Project Vida, providing \$200,000 to Project Vida to administer American Rescue Plan Act (ARPA) funds to provide Microenterprise Technical Assistance to entities affected by the COVID-19 pandemic.

58. RESOLUTION

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

That the City Manager be authorized to execute a Chapter 380 Economic Development Program Agreement by and between the **CITY OF EL PASO, TEXAS**, a home-rule municipality of El Paso County, Texas and **SCHNEIDER ELECTRIC USA, INC.**, a Delaware Corporation for the expansion of its operations within the city limits of the City of El Paso.

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

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

-
59. **ITEM:** Discussion and action requesting City Council support for the staff recommended project selected to submit for the Reconnecting Communities Pilot (RCP) Discretionary Grant Program.

Motion made by Alternate Mayor Pro Tempore Hernandez, seconded by Representative Annello, and unanimously carried to **SUPPORT** the staff recommended project selected to submit for the Reconnecting Communities Pilot (RCP) Discretionary Grant Program.

AYES: Representatives Annello, Hernandez, Molinar, Salcido, Rodriguez, and Lizarraga
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

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

60.

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 the First Amendment to 2019-607R Management of Fixed Transit Services and Contracted Service for Lift Paratransit-Solicitation by and between the City of El Paso and MV Contract Transportation, Inc. improving the quality of the services provided to citizens and increasing the contract value to an amount not to exceed \$57,905,447.15.

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

AYES: Representatives Annello, Hernandez, Molinar, Salcido, Rodriguez, and Lizarraga
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

.....
EXECUTIVE SESSION
.....

TAKEN WITH ITEMS 52, 53 AND 54

EX1. Initiative petition by El Pasoans for Fair Elections. Matter No. 22-1065-156 (551.071)

NO ACTION was taken on this item.

.....
ADJOURN
.....

Motion made by Representative Annello, seconded by Representative Hernandez, and unanimously carried to **ADJOURN** this meeting at 6:48 p.m.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, and Lizarraga
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Svarzbein and Rivera

.....
APPROVED AS TO CONTENT:
.....

Laura D. Prine, City Clerk

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
PETER SVARZBEIN, DISTRICT 1
ALEXSANDRA ANNELLO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
JOE MOLINAR, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
CLAUDIA L. RODRIGUEZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

**AGENDA REVIEW MINUTES
COUNCIL CHAMBERS AND VIRTUALLY
CITY HALL, 300 N. CAMPBELL
October 10, 2022
9:00 A.M.**

.....
The City Council met at the above place and date. Meeting was called to order at 9:03 a.m. Mayor Leeser present and presiding. The following Council Members answered roll call: Alexandra Anello, Joe Molinar, Isabel Salcido, Claudia Rodriguez, and Cissy Lizarraga. Henry Rivera participated via videoconference. Peter Svarzbein and Cassandra Hernandez requested to be excused.

The agenda items for the October 11, 2022 Regular City Council and Mass Transit Board Meetings were reviewed.

.....
ITEMS 32 AND 33 WERE REVIEWED TOGETHER

32. REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL

Discussion and action to recognize October 2022 as National Long-Term Care Residents' Rights Month.

33. REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL

Discussion and action to recognize the month of October 2022 as Domestic Violence Awareness Month.

Mayor Leeser and Representative Anello commented.

.....
38. REGULAR AGENDA – OTHER BUSINESS

Discussion and action that the City Manager be authorized to sign a Chapter 380 Economic Development Program Agreement by and between the City of El Paso and Finhabits Inc. for the establishment of Finhabits' financial investment technology company in El Paso, Texas. The City shall provide economic incentives in an aggregated amount of \$132,000 over a period of four years.

Mayor Leeser and Representative Lizarraga questioned the following City staff members:

- Ms. Mirella Craigo, Economic and International Development Assistant Director
- Ms. Tracey Jerome, Senior Deputy City Manager

.....
ITEMS 39 AND 40 WERE REVIEWED TOGETHER

39. REGULAR AGENDA – UPDATE AND EMERGENCY ORDINANCE

Presentation and discussion by the City Manager's Office and the Office of Emergency Management providing information on key activities, efforts, and processes related to the migrant crisis.

40. REGULAR AGENDA – UPDATE AND EMERGENCY ORDINANCE

Discussion and action on an Emergency Ordinance re-enactment authorizing the city manager to assign personnel and resources to assist in addressing the humanitarian and public safety crisis resulting from mass migration through El Paso.

Mayor Leaser questioned the following City staff member:

- Chief Mario D'Agostino, Deputy City Manager

.....
ITEMS 52, 53 AND 54 WERE REVIEWED TOGETHER

52. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

An Ordinance proposed by Initiative Petition under City Charter Section 3.11 to limit individual contributions to political campaigns for Mayor and City Council to \$1,000 per election and require donors to disclose their place of employment.

53. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

An Ordinance proposed by Initiative Petition under City Charter Section 3.11 to provide public financing for candidates for Mayor and City Council who voluntarily agree to limit their campaign contributions and expenditures and demonstrate community support for their candidacy.

54. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES

An Ordinance proposed by Initiative Petition under City Charter Section 3.11 to use ranked choice voting for the election of Mayor and City Council where voters rank candidates in order of preference, and if no candidate receives a majority, the candidates with the fewest votes are eliminated and the votes they received are transferred to voter's second choice, and so on until there is a majority vote for one candidate, so long as permitted by state law.

Mayor Leaser and Representatives Annello, Molinar, Rodriguez, and Lizarraga questioned the following City staff members:

- Ms. Laura Prine, City Clerk
- Ms. Karla Nieman, City Attorney

.....
ITEMS 55, 56 AND 57 WERE REVIEWED TOGETHER

55. REGULAR AGENDA – OTHER BUSINESS

Discussion and action on a Resolution authorizing the City Manager to execute a Subrecipient Agreement by and between the City of El Paso and LiftFund, providing \$2,500,000 to LiftFund to administer American Rescue Plan Act (ARPA) funds to institute the City of El Paso Small Business Grant & Interest Buy-Down Program to entities affected by the COVID-19 pandemic.

56. REGULAR AGENDA – OTHER BUSINESS

Discussion and action on a Resolution authorizing the City Manager to execute a Subrecipient Agreement by and between the City of El Paso and Better Business Bureau (the "BBB"), providing \$1,435,522.24 to BBB to administer American Rescue Plan Act ("ARPA") funds to continue the EPBusinessStrong and Buy El Paso Program and to implement the El Paso Small Business Rewards Program.

57. REGULAR AGENDA – OTHER BUSINESS

Discussion and action on a Resolution that the City Manager be authorized to execute a Subrecipient Agreement by and between the City of El Paso and Project Vida, providing \$200,000 to Project Vida to administer American Rescue Plan Act (ARPA) funds to provide Microenterprise Technical Assistance to entities affected by the COVID-19 pandemic.

Mayor Leeser and Representative Rodriguez questioned the following City staff member:

- Ms. Elizabeth Triggs, Economic and International Development Director

.....
Motion made by Representative Annello, seconded by Representative Molinar, and unanimously carried to **ADJOURN** this meeting at 9:37 a.m.

AYES: Representatives Annello, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

ABSENT: Representatives Svarzbein and Hernandez

.....
APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
PETER SVARZBEIN, DISTRICT 1
ALEXSANDRA ANNELLO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
JOE MOLINAR, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
CLAUDIA L. RODRIGUEZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

**CITY COUNCIL WORK SESSION MINUTES
OCTOBER 10, 2022
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY
9:05 A.M.**

.....
The City Council of the City of El Paso met at the above place and date. Meeting was called to order at 9:38 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Alessandra Annello, Joe Molinar, Isabel Salcido, Claudia Rodriguez, and Cissy Lizarraga. Henry Rivera joined virtually. Late arrival: Peter Svarzbein joined virtually at 10:48 a.m. Cassandra Hernandez requested to be excused.
.....

AGENDA

-
1. Presentation and discussion by the COVID-19 Response and Recovery Cross-Functional Team providing information on key activities, efforts, and processes.

1. Overview (Tommy Gonzalez)

Ms. Tracey Jerome, Senior Deputy City Manager, began the presentation by explaining that the downward trend in the number of new COVID-19 cases continued along with the decrease in the number of related hospitalizations. She stressed the importance of staying up to date with vaccinations and said that the new Bivalent booster was available free of charge to individuals 12 and older at the City's clinics without an appointment. She also explained that the initial booster was still available to individuals five and older with the initial round of vaccinations available to those 6 months of age and older. Ms. Jerome ended by mentioning that the City remained ahead of State and National statistics related to vaccination rates with 84% of the community fully vaccinated and 43% receiving a booster.

2. City Attorney Overview (Karla Nieman)

- a. State Disaster Declaration
- b. Emergency Ordinances
- c. Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso & Statewide Mask Mandate Litigation
- d. Additional Updates

Ms. Karla Nieman, City Attorney, reported that the State's Disaster Declaration was expected to be renewed next month and highlighted the need to renew the local Emergency Ordinances related to the virus. She stated that her office was still monitoring the mask mandate litigation pending in the 4th, 5th and 8th Texas Courts of Appeal as no updates had been made. She continued by mentioning that the

Centers for Disease Control and Prevention (CDC) had discontinued any travel advisories specific to countries and ended her portion of the presentation by providing an update on trial settings related to COVID-19 currently filed in the Municipal Courts.

3. Team Lead Report
 - a. Health Focus (Hector Ocaranza, M.D.)

Dr. Hector Ocaranza, Public Health Authority, continued the presentation by urging the public to seek booster vaccinations as the Omicron strain was expected to remain the dominant strain during the winter season. He added that there would be a rise in hospitalizations related to influenza during the flu season and reminded the community to remain aware of their risk level for viruses in the coming weeks. Dr. Ocaranza said there was also a decline in the number of new Monkeypox cases reported and explained that a vaccination was only available to high-risk individuals and reported that only two cases had been reported in the City.

4. City Manager Wrap-up (Tommy Gonzalez)

Ms. Jerome closed out the presentation by saying that key virus indicators remained positive and encouraged the community to seek vaccinations and non-pharmaceutical interventions such as the use of face masks in order to prevent exposure to viruses during the upcoming travel and holiday seasons.

Mayor Leeser and Representatives Annello, Salcido, Rodriguez, and Rivera commented.

NO ACTION was taken on this item.

2. ITEMS 2 THROUGH 4 WERE TAKEN TOGETHER

ORDINANCE 019387

**AN EMERGENCY ORDINANCE RE-ENACTING EMERGENCY ORDINANCE NO. 019035
EXTENDING A DISASTER DECLARATION DUE TO A PUBLIC HEALTH EMERGENCY**

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a state of disaster and the President of the United States of America declared a national emergency in relation to COVID-19; and

WHEREAS, on March 13, 2020, the Mayor signed a Local Emergency Declaration and requested the aid of the State Government pursuant to Texas Government Code Section 418.108; and

WHEREAS, pursuant to El Paso City Code Section 2.48.020(C), a local state of disaster declaration may not be continued or renewed for a period in excess of seven days except by or with the consent of City Council; and

WHEREAS, City Charter Section 3.10 allows for the City Council to adopt an emergency ordinance to meet a public emergency affecting life, health, property or the public peace; and

WHEREAS, on March 17, 2020, the City Council adopted Emergency Ordinance No. 019035, Extending a Disaster Declaration Due to a Public Health Emergency; and

WHEREAS, since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035 monthly, with the most recent re-enactment taking place on September 12, 2022; and

WHEREAS, despite local COVID-19 cases continuing to decline, the risk of contracting COVID-19 remains and new variants of the virus are expected to arise; and

WHEREAS, as of September 27, 2022, the number of new COVID-19 active cases reported in El Paso is 46 and the cumulative number is 284,666; and

WHEREAS, pursuant to City Charter Section 3.10, every emergency ordinance shall stand repealed automatically as of the 31st day following the date on which it was adopted, but may be re-enacted to continue a Disaster Declaration; and

WHEREAS, Emergency Ordinance No. 019373 which re-enacts Emergency Ordinance No. 019035 is set to expire on October 12, 2022;

WHEREAS, the condition necessitating a declaration of a state of disaster continues to exist.

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

1. That the state of disaster proclaimed for the City of El Paso by the Mayor on March 13, 2020, and extended by Emergency Ordinance No. 019035, is hereby re-enacted and shall continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by City Council, whichever is sooner.
2. This ordinance is adopted as an emergency measure with the unanimous vote of the City Council Representatives present and the consent of the Mayor and pursuant to City Charter Section 3.10.

3.

ORDINANCE 019388

**AN EMERGENCY ORDINANCE RE-ENACTING EMERGENCY ORDINANCE NO. 019036
INSTITUTING EMERGENCY MEASURES, AS RE-ENACTED, RESTATED AND
AMENDED BY EMERGENCY ORDINANCE NO. 019151; AND FURTHER RE-ENACTED
AND AMENDED BY EMERGENCY ORDINANCE NOS. 019156, 019169, 019191 and
019284; PENALTY AS PROVIDED IN SECTION 8**

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a state of disaster and the President of the United States of America declared a national emergency in relation to COVID-19; and

WHEREAS, by proclamation issued on March 13, 2020, the Mayor declared a local state of disaster for the City of El Paso resulting from a public health emergency; and

WHEREAS, on March 17, 2020, the City Council, pursuant to City Charter Section 3.10, adopted Emergency Ordinance No. 019036 to meet a public emergency affecting life, health, property or the public peace; and

WHEREAS, since March 2020, City Council has re-enacted Emergency Ordinance No. 019036 monthly, with the most recent re-enactment, re-statement and amendment taking place on March 16, 2021, and with the most recent re-enactment taking place on September 12, 2022; and

WHEREAS, pursuant to City Charter Section 3.10, every emergency ordinance shall stand repealed automatically as of the 31st day following the date on which it was adopted, but may be re-enacted if the emergency still exists; and

WHEREAS, a disaster continues to exist and requires that certain emergency measures be taken to meet a public emergency affecting life, health, property or the public peace; and

WHEREAS, the City Council desires to re-enact Emergency Ordinance No. 019036, as re-enacted, restated and amended on March 16, 2021 through Emergency Ordinance No. 019151, as further re-enacted and amended on March 29, 2021 through Emergency Ordinance No. 019156, as further re-enacted and amended on April 26, 2021 through Emergency Ordinance No. 019169, as further re-enacted and amended on May 24, 2021 through Emergency Ordinance No. 019191, as further re-enacted and amended on January 31, 2022 through Emergency Ordinance No. 019284, which shall remain in effect for thirty days or until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order.

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

1. Emergency Ordinance No. 019036, as re-enacted, restated and amended by Emergency Ordinance No. 019151, and as further re-enacted and amended by Emergency Ordinance Nos. 019156, 019169, 019191, and 019284, penalty as provided in Section 8, is hereby re-enacted.
2. Emergency Ordinance No. 019036, as re-enacted, restated and amended by Emergency Ordinance No. 019151, and further re-enacted and amended by Emergency Ordinance Nos. 019156, 019169, 019191, and 019284, penalty as provided in Section 8, shall remain in full force and effect and continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by the City Council, whichever is sooner.
3. This ordinance is adopted as an emergency measure with the unanimous vote of the City Council Representatives present and the consent of the Mayor, pursuant to City Charter Section 3.10.

4.

ORDINANCE 019389

AN EMERGENCY ORDINANCE RE-ENACTING EMERGENCY

ORDINANCE NO. 019241; ALLOWING TEMPORARY USES ON THE PUBLIC RIGHT OF WAY AND PRIVATE PROPERTY BY SUSPENDING VARIOUS CITY ORDINANCES; PENALTY AS PROVIDED IN SECTION 6.

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a state of disaster and the President of the United States of America declared a national emergency in relation to COVID-19; and

WHEREAS, by proclamation issued on March 13, 2020, the Mayor declared a local state of disaster for the City of El Paso resulting from a public health emergency; and

WHEREAS, on March 17, 2020, El Paso City Council adopted Emergency Ordinance No. 019035 extending the City's Disaster Declaration due to a Public Health Emergency; and

WHEREAS, since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035, with the most recent re-enactment taking place on September 12, 2022; and

WHEREAS, Governor Abbott has similarly renewed the State's COVID- 19 Disaster Declaration, with the most recent extension taking place on September 19, 2022; and

WHEREAS, El Paso City Charter Section 3.10 allows City Council to adopt an emergency ordinance to meet a public emergency affecting life, health, property, or the public peace; and

WHEREAS, the El Paso City Council desires to support restaurants and similar establishments in their efforts to safely operate during the COVID-19 pandemic by further facilitating outdoor service and dining opportunities; and

WHEREAS, on October 11, 2021, City Council enacted an Emergency Ordinance Instituting Emergency Measures to Allow Temporary Uses on the Public Right of Way and Private Property by Suspending Various City Ordinances ("**Emergency Ordinance No. 019241**"); and

WHEREAS, pursuant to City Charter Section 3.10, every emergency ordinance shall stand repealed automatically as of the 31st day following the date on which it was adopted, but may be re-enacted if the emergency still exists; and

WHEREAS, City Council re-enacted Emergency Ordinance No. 019241, with the most recent re-enaction taking place on September 12, 2022 (Ord. No.019375) ("Re-enacting Ordinance"); and

WHEREAS, a disaster continues to exist and requires that certain emergency measures be taken to meet a public emergency affecting life, health, property or the public peace; and

WHEREAS, City Council desires to re-enact its October 11, 2021, Emergency Ordinance No. 019241, which shall take effect immediately, and remain in effect until November 09, 2022 until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order.

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

1. That Emergency Ordinance No. 019241, is re-enacted and shall remain in full force and continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by the City Council, whichever is sooner;
2. This ordinance is adopted as an emergency measure with the unanimous vote of the City Council Representatives present and the consent of the Mayor and pursuant to City Charter Section 3.10.

Mayor Leeser and Representative Annello commented.

The following members of City staff responded to questions from Members of the City Council:

- Ms. Karla Nieman, City Attorney
- Mr. Alex Hoffman, Assistant Director, Capital Improvement Department

Motion made by Representative Annello, seconded by Representative Molinar, and unanimously carried to **ADOPT** the Emergency Ordinances

AYES: Representatives Annello, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

ABSENT: Representative Hernandez

Mayor Leeser consented to the adoption of the Emergency Ordinances.

5. Presentation on active planning studies being led by the Capital Improvement Department.

Mr. Alex Hoffman, Assistant Director, Capital Improvement Department, presented a PowerPoint presentation (copy on file in the City Clerk's Office) and responded to questions.

Representatives Svarzbein, Annello, Molinar, Rodriguez, and Lizarraga commented.

The following City staff members responded to questions from Members of the City Council:

- Mr. Ben Fyffe, Managing Director, Cultural Affairs and Recreation
- Ms. Tracey Jerome, Senior Deputy City Manager

NO ACTION was taken on this item.

6. Management Update: WinterFest 2022.

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

- Mr. Ben Fyffe, Managing Director, Cultural Affairs and Recreation
- Ms. Laura Cruz-Acosta, Strategic Communications Director

Mayor Leaser and Representatives Svarzbein, Annello, Molinar, Rodriguez, and Rivera commented.

Ms. Tracey Jerome, Senior Deputy City Manager, commented.

NO ACTION was taken on this item.

.....
EXECUTIVE SESSION

Motion made by Representative Annello, seconded by Representative Salcido, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 11:59 a.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:

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

AYES: Representatives Svarzbein, Annello, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

ABSENT: Representative Hernandez

Motion made by Representative Annello, seconded by Representative Rodriguez, and unanimously carried to **ADJOURN** the Executive Session at 2:33 p.m. and **RECONVENE** the meeting of the City Council at which time motions were made:

AYES: Representatives Svarzbein, Annello, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

ABSENT: Representative Hernandez

.....
EX1. Decision by the Civil Service Commission on August 11, 2022 – Mark Avalos. Matter No. 22-1043-906 (551.071)

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rodriguez, and carried that the El Paso City Council:

1. Finds that the action of the Civil Service Commission (hereinafter the "Commission") on August 11, 2022 regarding the appeal by Mark Avalos, "to not sustain Mrs. Palafox's recommendation so that person is reinstated" was not within the scope of the Commission's authority granted in City Charter Section 6.13-8; and
2. Advises the Commission that the City Manager and the Human Resources Director are responsible under the Charter to oversee policy and procedures relating to City employees, and the department heads, including the Fire Chief, are responsible under the Charter for all personnel decisions provided such fall within the Charter and policy and procedures; and
3. In accordance with section 5.2.2(b) of the Commission's bylaws, directs the Commission, to reconsider item number 4 from the August 11, 2022 meeting and in

doing such, to comply with the City Charter, including but not limited to Sections 5.2(1), 6.9-5 and 6.13-8, both procedurally and substantively; and

4. Directs that the Civil Service receive and heed to additional training by the City staff regarding the City's policies on prevention of violence in the workplace, prevention of hostile workplace, ethics, and the code of conduct.

AYES: Representatives Svarzbein, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: Representatives Annello and Molinar

ABSENT: Representative Hernandez

EX2. Railroad Motor Vehicle Storage Facility Service Members Civil Relief Act claim. (551.071)

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rodriguez, and unanimously carried that the City Attorney's Office be authorized to negotiate regarding the Railroad Motor Vehicle Storage Facility Service Members Civil Relief Act claim; in Matter Number 20-1026-11058, and that the City Attorney, in consultation with the City Manager, be given the authority to sign all documents or agreements necessary to effectuate this authority.

AYES: Representatives Svarzbein, Annello, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

ABSENT: Representative Hernandez

EX3. Steve Hernandez v. City of El Paso. Matter No. 17-1007-779 (551.071)

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rivera and unanimously carried that the City Attorney's Office be authorized to participate in the mediation of Steven Hernandez v. City of El Paso; Cause No.: 2016DCV4711, Matter 17-1006-779, and to take all steps necessary; including the execution of any required documents, should a settlement be reached in the case.

AYES: Representatives Svarzbein, Annello, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

ABSENT: Representative Hernandez

EX4. Canalda, Jaime vs. The City of El Paso. Matter No. 19-1006-1166.001 (551.071)

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Salcido, and carried that the City Attorney's Office be authorized to participate in the mediation of Jaime Canalda v. City of El Paso, Cause No. 2019DCV3453, in Matter Number 19-1006-1166.001, and to take all steps necessary, including the execution of any required documents, should a settlement be reached in the case.

AYES: Representatives Svarzbein, Annello, Molinar, Salcido, Rivera, and Lizarraga

NAYS: Representative Rodriguez

ABSENT: Representative Hernandez

.....
EX5. Application of El Paso Electric Company to Reconcile Fuel Costs, Public Utility Commission of Texas Docket No. 54142. Matter No. 22-1008-201 (551.071)

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rodriguez, and unanimously carried that the City Attorney is authorized to retain Norman Gordon as outside counsel and any other necessary consultants, in consultation with the City Manager, to file an intervention in the Application to Reconcile Fuel Costs filed by El Paso Electric on September 23, 2022, under Public Utilities Commission Docket No. 54142.

AYES: Representatives Svarzbein, Annello, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

ABSENT: Representative Hernandez

.....
EX6. Purchase, lease, exchange or value of real property located in El Paso, Texas. Matter No. 22-1004-1432 (551.071)

NO ACTION was taken on this item.

.....
ADJOURN

Motion made by Representative Annello, seconded by Representative Molinar and unanimously carried to **ADJOURN** the meeting at 2:43 p.m.

AYES: Representatives Svarzbein, Annello, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

ABSENT: Representative Hernandez

.....
APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1348, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Excuse Mayor Oscar Leeser from the October 25, 2022 Regular Council Meeting.



Legislation Text

File #: 22-1419, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Streets and Maintenance, Richard Bristol, (915) 212-7015

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

A Resolution to authorize the City Manager to sign an agreement between the City of El Paso and the Sun Bowl Association relating to services provided by the City of El Paso and the Sun Bowl Association in conjunction with the Sun Bowl Association events.

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

AGENDA DATE: October 25, 2022

PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Richard Bristol, Director (915)212-7015

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: 1 – Cultivate an Environment Conducive to Strong, Sustainable Economic Development
3 – Promote the Visual Image of El Paso
4 – Enhance and Sustain El Paso's Infrastructure Network

SUBGOAL: 1.2 – Enhance Visitor revenue opportunities
3.3 – Establish a brand that celebrates and promotes El Paso's unique identity and offerings

SUBJECT:

A resolution to authorize the City Manager to sign an agreement between the City of El Paso and the Sun Bowl Association relating to services provided by the City of El Paso and the Sun Bowl Association in conjunction with the Sun Bowl Association events.

BACKGROUND / DISCUSSION:

PRIOR COUNCIL ACTION:

2006 – agreement
2011 – agreement
2021 – amendment for contract extension

AMOUNT AND SOURCE OF FUNDING:

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Streets and Maintenance

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:

Richard Bristol

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

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

That the City Manager be authorized to sign an agreement between the City of El Paso and the Sun Bowl Association relating to services provided by the City of El Paso and the Sun Bowl Association in conjunction with the Sun Bowl Association events.

ADOPTED this _____ day of _____, 2022.

THE CITY OF EL PASO

Oscar Leaser
Mayor

ATTEST:

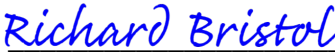
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Evy A. Sotelo
Assistant City Attorney

APPROVED AS TO CONTENT:



Richard Bristol, Director
Streets & Maintenance Department

STATE OF TEXAS)
)
COUNTY OF EL PASO)

CONTRACT
(Sun Bowl Association)

THIS CONTRACT is entered into by and between the **CITY OF EL PASO**, a municipal corporation organized and existing under the laws of the State of Texas, hereinafter referred to as "the City", and the **Sun Bowl Association**, a Texas Nonprofit corporation, hereinafter referred to as "Contractor."

WHEREAS, Contractor has hired staff to produce the **Sun Bowl Parade, YMCA Turkey Trot, Sun Bowl Fan Fiesta, and the Sun Bowl Football Game, Collegiate Golf Tournament, Soccer Tournament, and the Don Haskins Basketball Tournament**, hereinafter referred to as "Events" in the best possible manner; and

WHEREAS, the Events serve a public purpose through the promotion of the City of El Paso through tourism and national television; and

WHEREAS, the City Council believes this Contract will provide a benefit to the people served by the City and will serve the governmental purpose of promoting tourism and provide economic impact for the benefit of taxpayers; and

WHEREAS, the City Council finds that participation by the City in the Event provides a direct benefit to the public with equipment and services maintained for and provided to the public by the City, and as such, the City is willing to provide the services set forth in this Contract;

NOW, THEREFORE, for the consideration set forth in this Contract, the parties agree as follows:

1. CONTRACTUAL RELATIONSHIP

1.1 Annually, the City provides in-kind services to the Contractor valued at up to \$65,000.00 in exchange for the Contractor performing services related to the production and promotion of the Sun Bowl Events.

1.2 The Contractor is an independent contractor. Except as may be expressly and unambiguously provided in this Contract, no partnership or joint venture is intended to be created by this Contract, no any principal-agent or employee-employee relationship between the parties or any of their officers, employees, agents or representatives.

1.2.1 As an independent contractor, Contractor understands and agrees to be responsible for its acts and omissions, and the City shall in no way be responsible as an employer to the Contractor or to the Contractor's officers, employees, agents, representatives or subcontractors who perform any service in connection with this Contract.

1.3 The Contractor shall not receive any compensation or benefits from the City, other than as expressly set forth in this Contract.

1.4 The Contractor understands and expressly agrees that, in all things relating to this Contract, the City is performing a governmental function, as defined by the Texas Tort Claims Act. The parties hereby agree that the City enters into this Contract as a governmental entity for the purpose of performing a governmental function.

1.5 The Contractor understands and expressly agrees that the City shall not be obligated or liable hereunder to any person other than Contractor, other than as expressly set forth in this Contract.

2. SCOPE OF SERVICES

2.1 The Contractor agrees to hold the following Events:

2.1.1 Manage and operate the Sun Bowl Parade (hereinafter referred to as "Parade") on Thanksgiving of each year. The route of the parade shall be described in Exhibit "A" which is attached hereto and incorporated herein as though set forth in full for all purposes (hereinafter referred to as "Parade Route").

2.1.1.a Permit the YMCA of El Paso to hold the YMCA Turkey Trot fun run and walk on Thanksgiving of each year prior to the Sun Bowl Parade. The route of the fun run and walk shall be described in Exhibit "B" which is attached hereto and incorporated herein as though set forth in full for all purposes (hereinafter referred to as "Race Route").

2.1.2 Manage and operate the Don Haskins Basketball Classic (hereinafter referred to as "Basketball Tournament") each year at the Don Haskins Basketball Center.

2.1.3 Manage and operate the Sun Bowl Fan Fiesta (hereinafter referred to as "Fiesta") the night before the Sun Bowl Football Game at the El Paso Convention Center.

2.1.4 Manage and operate the Sun Bowl Football Game (hereinafter referred to as "Game") on New Years Eve of each year at the Sun Bowl Football Stadium or on such alternate day as specified by contractual obligations with the National Collegiate Athletic Association (NCAA) and/or the national television company.

2.1.5 Manage and operate the Collegiate Golf Tournament (hereinafter referred to as "Golf Tournament") each year.

- 2.2 The Contractor agrees to provide the following in-kind services to the City:
- 2.2.1 Recognition of the City's funding for the Events by including the City logo in the Events and/or advertisements of the Events, with the City's prior approval of such display.
 - 2.2.2 Permit the City to enter ten (10) exhibits in the Parade. The City shall be exempt from the insurance and indemnification requirements set forth by Contractor for other parade entries.
 - 2.2.3 Allow the City to show four (4) thirty second City of El Paso commercials during the national telecast of the Game.
 - 2.2.4 Allow the City to show four (4) fifteen second City of El Paso commercials on the Jumbo Tron during the Game.
 - 2.2.5 Provide the promotional banners for the City light fixtures and utility poles along portions of Montana Avenue between Copia Street and Campbell Street designated as the Official Sun Bowl Parade Route to the El Paso Department of Streets and Maintenance as requested by the Department of Streets and Maintenance as prescribed in Section 2.3.1 of this Contract.
 - 2.2.6 Provide the promotional banners for the City light fixtures and utility poles along portions of Airway Boulevard, Airport Road, and the El Paso International Airport between Gateway Boulevard West and Convair Road to the El Paso Department of Streets and Maintenance 30 days prior to the installation date as prescribed in Section 2.3.2 of this Contract.
 - 2.2.7 Inclusion of the City of El Paso logo on the bunting around the perimeter of the Sun Bowl Stadium during the Football Game.
 - 2.2.8 Provide opportunities for visual exposure for the City of El Paso during the Football Game.
 - 2.2.9 Provide assistance to the Convention and Visitors Bureau with volunteers for hospitality during the Conference USA Basketball Tournaments.
- 2.3 The City agrees to provide the following services to the Contractor:
- 2.3.1 Install forty-two (42) promotional banners on City light fixtures and utility poles along portions of Montana Avenue between Copia Street and Campbell Street designated as the Official Sun Bowl Parade Route and permit the Sun Bowl Parade logo to be placed onto the roadway on Montana Avenue between Ange Street and Virginia Street as requested by the

Department of Department of Streets and Maintenance to ensure banners are maintained in good repair.

- 2.3.2 Install seventy-nine (79) promotional banners on City light fixtures and utility poles along portions of Airway Boulevard, Airport Road and at the El Paso International Airport between Gateway Boulevard West and Convair Road promoting the Sun Bowl Football Game no later than October 31st.
- 2.3.3 Remove the banners described in Section 2.3.3 of this Contract no later than January 31st of each year.
- 2.3.4 Provide necessary assistance for traffic control along the Parade Route, the Race Route, and during the Fiesta as required by the El Paso Police Department and the Traffic Engineer.
- 2.3.5 Provide stand-by assistance from the City Fire Department personnel and Emergency Medical Service personnel as determined to be appropriate by the City. Such personnel may inspect the floats and other exhibits in the parade and perform any other assignments as may be determined solely by the City to be appropriate.
- 2.3.6 Process applications for special privileges within City rights-of-way for Game teams upon request of the individual teams, related alumni and student organizations. This contract shall serve as the 30-day advance receipt of such right-of-way closure
- 2.3.7 Perform all street, sidewalk, and other right-of-way cleaning prior to and after the events as required by Section 13.36.080 and 15.08.120.L.5.d of the El Paso City Code.
- 2.3.8 Authorize the distribution of the percentage of rental car tax collected in accordance with Ordinance No. 013431 dated December 23, 1997.
- 2.3.9 Host the Rotary Luncheon at the El Paso Civic Center each year as mutually agreed upon by the Convention and Visitors Bureau and the Sun Bowl Association.
- 2.3.10 Host the Sun Bowl Fan Fiesta at the El Paso Convention Center the day prior to the Game each year.
- 2.3.11 Provide advertisement of the Events on the Convention and Visitors Bureau Marquee.
- 2.3.12 Allow Football Game teams to submit requests for pre-game events in accordance with Section 15.08.120 (Special Privilege Licenses and Permits).

3. TERM

This contract shall be for a term of 5 years, with an additional three-year option to extend followed by one more two-year option to extend for potentially a total of ten years from the effective date hereof, unless terminated earlier as provided herein. At the end of the term, the City shall have the unilateral option to renew this contract for additional potential ten-year term upon the request of the Contractor. Contractor understands, agrees and accepts that the City may require the terms, conditions and provisions of this contract be modified as a condition of the renewals.

4. CONSIDERATION

Contractor shall pay one-half (50%) of the parade title sponsorship to the City for the annual Thanksgiving Day Parade.

The City shall invoice the Contractor within thirty (30) calendar days of the last Event and Contractor shall pay such amount within thirty (30) calendar days of receipt of the invoice.

5. DOCUMENTS

5.1 The contractor shall provide the following documents to the City at the time reimbursement is submitted to the City.

5.1.1 Provide Temporary Traffic Control during the Events as determined necessary by the Traffic Engineer and the Texas Department of Transportation (TXDOT) in accordance with Section 12.30 (Temporary Traffic Control) of the El Paso City Code.

5.1.3 Notice of changes in dates, times or locations of the Events no less than sixty (60) days prior to the Event.

6. LEGAL RELATIONSHIP

The City of El Paso may be considered a co-sponsor of the Event only to the extent of assisting Contractor with the payment of the fees required for the necessary police traffic-control assistance. Otherwise, nothing in this Agreement shall be construed as creating a legal relationship of co-sponsorship or responsibility for the promotion, conducting, or operation of the Event on the part of the City. Contractor is an independent contractor, and nothing herein shall be construed as creating the relationship of employer and employee or principal and agent between the parties. The City's waiver of any or all fees for necessary police traffic-control assistance, to the extent such assistance is provided, shall not be construed as the City's co-sponsorship of the Event nor as support or opposition to any issue by the City.

City shall not be liable for any and all demands, claims, damages, causes of action, costs or losses for personal injury, property damage, or death caused by or arising out of the

negligence of Contractor while Contractor is promoting, conducting, or operating the Event, or which are caused by or arise from the failure of Contractor to abide by appropriate laws, rules and regulations.

7. EQUIPMENT

All equipment used by the Contractor or which is permitted to be used in the Event by the Contractor shall be maintained in satisfactory working condition. The Contractor shall not intentionally or knowingly use any equipment in any manner that may cause injury to the property of the City or third parties or any persons.

8. SAFETY

Contractor shall comply with all applicable laws, ordinances, and regulations and shall encourage its participants in the Event to comply with all applicable laws, ordinances, and regulations. Contractor shall exercise every precaution for the safety of public and private property and persons.

9. INSURANCE AND INDEMNIFICATION PROVISIONS

9.1 **LIABILITY INSURANCE.** The Contractor shall provide public liability insurance for personal injuries and death growing out of any one accident or other cause in a minimum amount of Two Hundred Fifty Thousand and No/100 Dollars (\$250,000.00) per person, and Five Hundred Thousand and No/100 Dollars (\$500,000.00) for two (2) or more persons in any one accident, and, in addition, shall provide property damage liability insurance in a minimum sum of One Hundred Thousand and No/100 Dollars (\$100,000.00) for property damage growing out of any one accident or other cause.

9.1.1 Because the granting of this Contract is solely for the benefit of the Contractor and recognizing that the City taxpayers should not incur any costs associated with the Contractor's enjoyment of this Contract, except as provided herein, the Contractor is required to purchase liability insurance on behalf of the City or, alternatively, may name the City as an additional insured on the policy of general liability insurance referenced above. Such insurance shall provide coverage for any alleged acts or omissions of the City, its agents, employees, or independent contractors, alleged or asserted by any individual, in connection with the performance of this agreement.

9.1.2 The Contractor shall maintain said insurance with a solvent insurance company authorized to do business in Texas. The policy shall provide that the insurer will defend against all claims and lawsuits which arise and will pay any final judgment of a court of competent jurisdiction against the City, its officers, agents, servants or employees and the Contractor, its officers, agents, servants, or employees.

9.1.3 This Contract shall not be executed by the City until the Contractor files a copy of the policy or certificate of liability insurance as herein set forth with the Department of Department of Streets and Maintenance. Such policy or certificate shall provide that the insurance cannot be canceled or the amount of coverage changed thirty (30) calendar days prior written notice to the City with ten (10) calendar days prior written notice as to non-payment of insurance

policy premiums. Failure to keep the policy in full force and effect throughout the term of the contract shall be grounds for cancellation of the Parade Permit and City Sponsorship. Certificates of Insurance that state the insurer shall endeavor to give notice and/or that there shall be no liability for the failure to give the notice required herein shall not meet the requirements of this section.

9.2 INDEMNITY.

As a condition of the granting of this Contract, the Contractor or its insurer will **INDEMNIFY, DEFEND AND HOLD** the City, its officers, agents and employees, **HARMLESS FOR AND AGAINST ANY AND ALL CLAIMS, CAUSES OF ACTION, LIABILITY, DAMAGES OR EXPENSE, (INCLUDING BUT NOT LIMITED TO ATTORNEY FEES AND COSTS)** FOR ANY DAMAGE TO OR LOSS OF ANY PROPERTY, OR ANY ILLNESS, INJURY, PHYSICAL OR MENTAL IMPAIRMENT, LOSS OF SERVICES, OR DEATH TO ANY PERSON ARISING OUT OF OR RELATED TO THIS AGREEMENT. Without modifying the conditions of preserving, asserting or enforcing any legal liability against the City as required by the City Charter or any law, the City will promptly forward to the Contractor every demand, notice, summons or other process received by the City in any claim or legal proceeding contemplated herein. The Contractor will 1) investigate or cause the investigation of accidents or occurrences involving such injuries or damages; 2) negotiate or cause to be negotiated the claim as the Contractor may deem expedient; and 3) defend or cause to be defended on behalf of the City all suits for damages even if groundless, false or fraudulent, brought because of such injuries or damages. The Contractor will pay all judgments in actions defended by the Contractor pursuant to this section along with all attorneys' fees and costs incurred by the City including interest accruing to the date of payment by the Contractor, and premiums on any appeal bonds. The City, at its election will have the right to participate in any such negotiations or legal proceedings to the extent of its interest. The City will not be responsible for any loss of or damage to the Contractor's property from any cause.

10. DISCRIMINATION

Contractor, its officers, agents, servants, employees, volunteers, and third parties will not discriminate on account of race, color, religion, sex, or national origin, permit or allow any discrimination in the work done pursuant to this Contract in violation of the law.

11. ACCESSIBILITY STANDARDS FOR DISABLED PERSONS

The Contractor agrees that in the performance of this Contract, it will comply with the Americans with Disabilities Act ("ADA"). The Contractor must file any Assurance required under City Ordinance 9779, prohibiting discrimination against disabled persons.

12. COMPLIANCE WITH LAWS

Contractor shall comply with all applicable federal, state and local laws and regulations. Failure to do so in any manner that materially impairs the quality of performance hereunder, or affects the administration of the funds provided hereunder shall constitute a material breach of this Contract.

13. TERMINATION

13.1 Termination by Mutual Consent. The parties may terminate this Contract by mutual consent upon such terms as they may agree in writing.

13.2 Termination by Any Party. It is further understood and agreed by the parties that any party to this Contract may terminate this Contract, in whole or in part, upon **one hundred and eighty days (180)** written notice if any of the other parties fails to perform any of its material obligations hereunder and fails to completely cure the breach.

13.3 Time of Performance Termination – Force Majeure. No party to this Contract will be liable for failure to comply with any term of this Contract when such failure is caused by an event of war, fire, earthquake, flood, strike, any law, rule, regulation or act of governmental authority, or any other act, event, cause or occurrence rendering a party to this Contract unable to perform its obligations, which is not within its reasonable control. The party affected by such event will immediately notify the other parties in writing.

13.4 Termination Shall Not Be Construed as Release. Termination by any party shall not be construed as a release of any claims that may be lawfully asserted against the terminating party(s). Further, the terminated party(s) shall not be relieved of any liability for damages sustained by the terminating party by virtue of any breach of this Contract.

13.4.1 Upon termination of this Contract, except as otherwise provided herein, all duties and obligations of the parties to this Contract shall cease.

14. AMENDMENTS AND WAIVER

The parties may amend this Contract at any time by mutual consent. Unless otherwise provided herein, this Contract may be amended only by written instrument duly executed on behalf of the City and the Contractor. No claim or right arising out of a breach of this Contractor can be discharged in whole or in part by a waiver or renunciation of the claim or right unless the waiver or renunciation is supported by consideration and is in writing signed by the aggrieved party.

15. COMPLETE AGREEMENT

This Contract constitutes the entire agreement between the parties relating to the terms and conditions of the Contract. The parties expressly acknowledge and warrant that there exists no other written or oral understanding, agreements or assurances with respect to such matters except as are set forth herein. Unless expressly stated, this Contract confers no rights on any person(s) or business entity(s) that is not a party hereto. This Contract shall not be construed against or unfavorably to any party because of such party's involvement in the preparation or drafting of this Contract.

16. GOVERNING LAW

This Contract shall be construed and interpreted in accordance with the laws of the State of Texas, along with any applicable provisions of the federal law, the City Charter(s) and/or any ordinance of the City.

17. SEVERABILITY

Every provision of this Contract is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of the Contract.

18. NOTICES

All notices and communications under this Contract shall be either hand-delivered or mailed, certified, postage prepaid in the United States Postal Services, return receipt requested, to the respective parties at the respective addresses shown below, unless and until either party is otherwise notified in writing:

CITY: City Manager
City of El Paso

El Paso, Texas 79901

WITH COPY TO: Department of Department of Streets and Maintenance
City of El Paso

El Paso, TX 79901

CONTRACTOR: Sun Bowl Association
Attn: Bernie Olivas
4150 Pinnacle Suite 100
El Paso, Texas 79902-1019

19. ASSIGNABILITY

This Contract, its rights, duties and responsibilities may not be assigned by any of the parties without the prior written consent of the City Council.

20. WARRANTY OF CAPACITY TO EXECUTE CONTRACT

The people signing this Contract on behalf of the parties warrants that he/she has the authority to do so and to bind the party for which he/she has authority to sign this Contract and all the terms and conditions contained herein.

Each person signing below represents that he or she has read this Contract in its entirety; understands its terms; and agrees on behalf of such party that such party will be bound by those terms.

21. EFFECTIVE DATE. This Contract is effective as of the last date of entered below.

WITNESS THE FOLLOWING SIGNATURES AND SEALS

THE CITY OF EL PASO

Tomás González
City Manager

APPROVED AS TO FORM:

Evy A. Sotelo
Evy A. Sotelo
Assistant City Attorney

APPROVED AS TO CONTENT:

Richard Bristol
Richard Bristol, Director
Streets & Maintenance Department

ACCEPTANCE

The attached instrument, with all conditions thereof, is hereby accepted this ____ day of _____, 2022.

CONTRACTOR:



10/19/22

Name Printed: Bernie Olivas

Title: Executive Director



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1358, Version: 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

District 3

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

A Resolution approving the Lien on 7515 Taxco owned by HUDSON J C E & DOROTHY J for \$425.50.

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

AGENDA DATE: October 25, 2022

PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Ellen A. Smyth, (915) 212-6000

DISTRICT(S) AFFECTED: 3

STRATEGIC GOAL: Goal 3 – Promote the Visual Image of El Paso

SUBGOAL:

SUBJECT:

A resolution approving the Lien on 7515 Taxco owned by HUDSON J C E & DOROTHY J for \$425.50.

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Environmental Services Department

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, HUDSON J C E & DOROTHY J, referred to as owner, regardless of number, of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code; and the owner failed to comply with due notices. In accordance with El Paso City Code Chapter 9.04, the Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; 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:

7515 Taxco Dr, more particularly described as Lot 8 (12358 Sq Ft),
Block 25, Hacienda Heights #4 Subdivision, City of El Paso, El Paso
County, Texas, PID #H012-999-0250-2200

to be \$425.50, in accordance with the El Paso City Code Section 9.04.880 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 7th day of December, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 9.04 of the El Paso City Code, declares the above total amount FOUR HUNDRED TWENTY FIVE AND 50/100 DOLLARS (\$425.50) 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.

PASSED AND APPROVED this _____ day of _____, 2022.


CITY OF EL PASO:

Oscar Leeson
Mayor

ATTEST:


Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Wendi Vineyard
Assistant City Attorney

APPROVED AS TO CONTENT:



Ellen A. Smyth, P.E., Chief Transit and Field
Operations Officer
Environmental Services Department

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 2022,
by Oscar Leaser, as Mayor, of the City of El Paso.

Notary Public, State of Texas
Notary's Printed or Typed Name:

My Commission Expires:

PREPARED IN THE OFFICE OF:

Office of the City Attorney
P.O Box 1890
El Paso, Texas 79950-1890

FOR PAY-OFF INFORMATION PLEASE CONTACT:

Environmental Services Department
7968 San Paulo
El Paso, Texas 79907
(915) 212-6000



Legislation Text

File #: 22-1352, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

A Resolution to grant the City Manager or designee the authority to sign and cause to be recorded the Release of Lien attached to the Resolution as Attachment A and effectuate any accounting adjustments associated with the removal of the specific sales tax amounts previously invoiced to the properties identified in Exhibit A of Attachment A.

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

AGENDA DATE: October 25, 2022
PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Ellen A. Smyth, (915) 212-6000

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: Goal 6 – Set the Standard for Sound Governance & Fiscal Management

SUBGOAL:

SUBJECT:

A Resolution to grant the City Manager or designee the authority to sign and cause to be recorded the Release of Lien attached to this Resolution as Attachment A and effectuate any accounting adjustments associated with the removal of the specific sales tax amounts previously invoiced to the properties identified in Exhibit A of Attachment A.

BACKGROUND / DISCUSSION:

The City of El Paso Environmental Services Department ("ESD") previously placed liens on properties which were invoiced for clean-up services provided under Chapter 9.04 of the El Paso City Code. Said invoices included sales tax associated with the services provided. The Texas Comptroller of Public Accounts has provided guidance that municipalities should not charge sales tax in addition to the fee(s) for services provided. ESD is adjusting the property owner's account by removing the sales tax charged to the property and adjusting the existing liens to reflect the removal of this amount.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

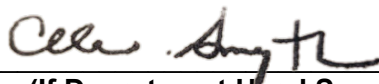
HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Environmental Services Department

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, the Environmental Services Department (“ESD”) had previously placed liens on properties which were invoiced for the clean-up services provided under Chapter 9.04 including commensurate sales tax (“Sales Tax”); and

WHEREAS, the Texas Comptroller of Public Accounts has provided guidance that municipalities should not charge sales tax on the invoiced amounts for services provided; and

WHEREAS, ESD wishes to adjust the property owner’s account by removing the Sales Tax charged to the property; and

WHEREAS, ESD wishes to release portions of liens, solely associated with the Sales Tax, previously placed on the properties; and

WHEREAS, upon removal of the portion of the lien associated with the Sales Tax, the remaining lien amounts will remain in full force and effect.

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

1. The City Manager or designee is granted authority to effectuate any accounting adjustments associated with the removal of the Sales Tax amounts invoiced to the properties identified in Exhibit A of Attachment A.

2. The City Manager or designee is granted authority to sign the Release of Lien attached hereto and made a part hereof for all purposes intended as Attachment A.

3. The portion of the existing liens amounts reflected in the column labeled “Sales Tax Amount” in Exhibit A of Attachment A shall be released from the properties identified in said Attachment.

4. The remaining lien amounts reflected in the column labeled "Revised Invoice Amount" will remain in full force and effect on the properties described in Exhibit A of Attachment A.

5. The City Clerk is directed to give notice by filing a copy of this Resolution and the Release of Lien for record with the County Clerk.

6. All records of the City Clerk's office relating to the above described proceedings are made a part of this Resolution by reference.

PASSED AND APPROVED this _____ day of _____, 20____.

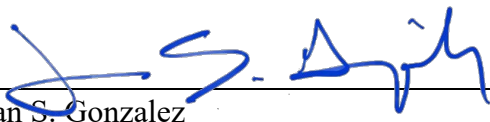
CITY OF EL PASO:

Oscar Leoser
Mayor

ATTEST:

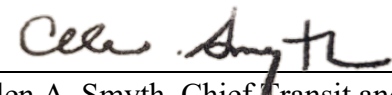
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Ellen A. Smyth, Chief Transit and
Field Operations Officer
Environmental Services Department

PREPARED IN THE OFFICE OF:

Office of the City Attorney
P.O Box 1890
El Paso, Texas 79950-1890

Attachment A

Release of Lien

for portions of existing liens associated with
the invoicing of Sales Tax
on certain identified properties

STATE OF TEXAS)
)
COUNTY OF EL PASO)

RELEASE

WHEREAS, in accordance with Chapter 9.04 of the El Paso City Code, after providing the notices to the property owner of the hereinafter described property that the property owner's property constituted a public nuisance due to the accumulation of trash, vegetation, weeds or other objectionable, unsightly or unsanitary matter in violation of the El Paso City Code, the property owner failed to comply after due notice, and the City's Environmental Services Department proceeded to clean and dispose of the trash, vegetation, weeds and/or other rubbish; and

WHEREAS, fees associated with the cost of addressing the nuisance under Chapter 9.04 were assessed on the property; and

WHEREAS, in addition to the above fee(s), a commensurate sale tax ("Sales Tax") was also charged by the Environmental Services Department for the City of El Paso; and

WHEREAS, the El Paso City Council, in accordance with Chapter 9.04 of the El Paso City Code, previously declared amounts due for work performed which included the Sales tax and recorded said liens with the Real Property Records of El Paso County, Texas; and

WHEREAS, the Environmental Service Department wishes to release the portions of the liens associated with the Sales Tax.

NOW, THEREFORE, the City of El Paso does release the portion of the previously filed lien associated with the Sales Tax on the properties listed in **Exhibit A**.

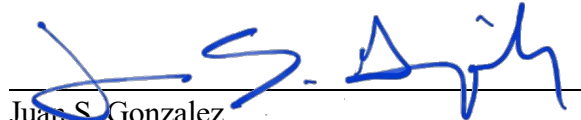
(SIGNATURES BEGIN ON THE FOLLOWING PAGE)

EXECUTED this _____ day of _____, 2022.

CITY OF EL PASO:

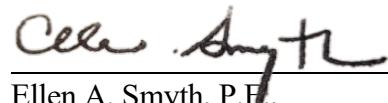
Tomás González
City Manager

APPROVED AS TO FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Ellen A. Smyth, P.E.,
Chief Transit and Field Operations Officer

ACKNOWLEDGMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the _____ day of _____, 2022, by Tomás González, as City Manager of the City of El Paso, a Texas municipal corporation, as the act and deed of the City of El Paso.

Notary Public, State of Texas

Exhibit A

Listing of previously filed liens,
Original lien amount shown in the column titled “Original Invoice Amount”,
the amount of each lien to be released in the column titled “Sales Tax Amount”, and
“Revised Invoice Amount” reflecting the remaining lien amount
to remain in full force and effect.

Exhibit A

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
3/26/2013	116.73	8.90	107.83	PRC0007576	M85199907406900	8937 Mount Rushmore Lane	TREJO, JAIME H H	8937 Mount Rushmore Ln, more particularly described as Lot 1829 (7245 Sq Ft), Block 74, Mountain View Subdivision, City of El Paso, El Paso County, Texas, PID #M851-999-0740-6900
5/14/2013	135.72	10.34	125.38	PRC0007647	C23199902900450	4440 General Maloney Cir	OGUNSANYA OLAYINKA A & CHERITA N	4440 General Maloney Circle, more particularly described as Lot 9 (7140.00 SQ FT), Block 29, Castner Heights #7 Subdivision, City of El Paso, El Paso County, Texas, PID #C23 I-999-0290-0450
4/9/2013	2,563.09	195.34	2367.75	PRC0007716	R745999001B4500	7789 Rosedale St	TINOCO BERNARDO & CELESTINA	7789 Rosedale Street, more particularly described as TR 19 EXC N 145.56 FT (1.0 ACRE), Rosedale Farms #2 Subdivision, City of El Paso, El Paso County, Texas, PID #R745-999-001B-4500
4/9/2013	182.51	13.91	168.60	PRC0007860	S03399900702700	0 Arabian Nights Dr	SCHMIDT, MARY L	Lot(s) 6 (6000 SQ FT), Block 7, Sahara Subdivision, El Paso, El Paso County, Texas, Parcel# S033-999-0070-2700
4/9/2013	145.06	11.06	134.00	PRC0007861	S03399900703000	0 McCombs St	SCHMIDT, MARY L.	Lot 12 (6000 SQ FT), Block 7, Sahara Subdivision, City of El Paso, El Paso County, Texas, PID #S033-999-0070-5500
4/23/2013	244.65	18.65	226.00	PRC0007871	Y805999036B1809	162 Davis Dr (North)	ARRIAGA MARGARITA	162 N Davis Drive, more particularly described as TR 18-C (0.200 AC), Block 36, Y sleta Subdivision, El Paso, El Paso County, Texas, Parcel# Y805-999-036B-1809
4/9/2013	225.03	17.15	207.88	PRC0007872	M91599900100100	7315 Bishop Flores Dr	CHURCH OF JESUS CHRIST OF L D S	7315 Bishop Flores Drive, more particularly described as Lot(s) 1 (181273.22 SQ FT), Block 1, Mt Franklin Stake Subdivision, El Paso, El Paso County,Texas, Parcel# M915-999-0010-0100
12/10/2013	116.78	8.90	107.88	PRC0007964	G56999902100100	3901 Tularosa Ave	CUEVAS LUCIO & SOCORRO	3901 Tularosa Ave., more particularly described as Lot 1 (3500 Sq. Ft.), Block 21, Government Hill Subdivision, City of El Paso, El Paso County, Texas, PIO #O569- 999-0210-0100
6/11/2013	200.67	15.29	185.38	PRC0007983	H86799900200900	5714 Dailey Ave	ESPINOZA GREGORIA & LUISA	5714 Dailey Ave., more particularly described as Lot 6 (2873 SQ FT), Hughes SID, Block 2, Alameda Acres Subdivision, City of El Paso, El Paso County, Texas, PID #H867-999-0020-0900
12/10/2013	117.99	8.99	109.00	PRC0008036	L44799901604900	4230 Flory Ave	VILLA SOCORRO	4230 Flory Ave, more particularly described as Lot 17 & 18 (6000 Sq Ft), Block 16, Logan Heights Subdivision, City of El Paso, El Paso County, Texas, PID #L447- 999-0160-4900
7/9/2013	159.13	12.13	147.00	PRC0008259	E01499900706700	3508 Pera Ave	ELIZONDO JESUS JR & 2	3508 Pera Avenue, more particularly described as Lot 27 & E 13 FT OF 28 (5320 SQ FT), Block 7, East ElPaso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999-0070-6700
7/23/2013	134.77	10.27	124.50	PRC0008279	G569999000Y9200	1953 Happer Way	AVILA, GUILLERMO & EVA	1953 Happer Way, more particularly described as Lot(s) 24 & 25, Block Y, Government Hill Subdivision, El Paso, El Paso County, Texas, Parcel # O569-999-000Y- 9200
8/13/2013	123.13	9.38	113.75	PRC0008295	F95099900802300	12329 O'Brian St	THOMAS IRMA I	12329 O'Brian Street, more particularly described as Lot(s) 23, Block 8, Future Land Subdivision, El Paso, El Paso County, Texas, Parcel # F950-999-0080-2300
7/23/2013	134.77	10.27	124.50	PRC0008298	L21299900102575	0 Lawndale/Irondale	LAWNDALE PLACE HOMEOWNERS ASSOCIATION	Lot PT OF VACATED DRAINAGE ROW BTW 5 & 6 (EXC ELY PT), Block 1, LAWNDALE PLACE REPLAT A Subdivision, City ofEl Paso, El Paso County, Texas, PID #L212- 999-0010-2575
7/23/2013	307.43	23.43	284.00	PRC0008373	E01499906802600	3215 Missouri (East)	HARRELSON IRMA & JOHNNY L	3215 E Missouri Avenue, more particularly described as Lot(s) 13 & W 1/2 OF 14 (5250 SQ FT), Block 68, East El Paso Subdivision, El Paso, El Paso County, Texas, Parcel# E014-999-0680-2600
8/13/2013	111.10	8.47	102.63	PRC0008401	S3639990010610	10729 Jadestone St	UNKNOWN OWNER	10729 Jadestone Street, City of El Paso El Paso County, Texas, more particularly described as Lot 31, Block 1, Shearman #2 . Subdivision, Parcel #S363-999- 0010-6100
7/23/2013	167.52	12.77	154.75	PRC0008409	B202999000B1000	2012 Cypress Ave	SALAS JESUS & VERONICA	2012 Cypress Ave, more particularly described as Lot 8 & 9(5500 SQ FT), Block B, Bassett Subdivision, City of El Paso, El Paso County, Texas, PIO #B202-999-000B- 1000
9/24/2013	171.04	13.04	158.00	PRC0008476	F71699902305700	4304 Tularosa Avenue	ANAYA, JUAN G.	4304 Tularosa, more particularly described as Lot 19 & 3 1/2 of 18 (5250 SQ FT), Block 23, French Subdivision, City of El Paso, El Paso County, Texas, Parcel #F716-999-0230-5700
8/27/2013	215.69	16.44	199.25	PRC0008534	Y80599904501301	192 Zaragoza Rd & New World	PATRICIA URIAS	192 N Zaragoza Road, more particularly described as Lot(s) TR 13 (0.665 ACRE), Block 45, Yselta Subdivision, (PID#Y805-999-0450-1301)

Exhibit A

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
12/10/2013	109.60	8.35	101.25	PRC0008684	M39599902000100	11745 Lapstone Way	MARTIN STEPHANIE	11745 Lapstone Way, more particularly described as Lot(s) 1 (5368.66 Sq Ft), Block 20, Mesquite Hills #2 Subdivision, El Paso, El Paso County, Texas, PID #M395- 999-0200-0100
11/12/2013	134.77	10.27	124.50	PRC0008737	D41599900200800	10656 Obsidian St	BUSCH VICTORIA L & C/O TEXAS REALTY	10656 Obsidian Street, more particularly described as Lot(s) 8 (5250.00 Sq Ft), Block 2, Desert Aire Park Subdivision, El Paso, El Paso County, Texas, PID #D415- 999-0020-0800
1/14/2014	108.12	8.24	99.88	PRC0008748	F95099900800800	12342 O'Donnell St	CORONA JESUS M	12342 O'Donnell Street, more particularly described as Lot(s) 8, Block .8, Future Land Subdivision, El Paso, El Paso County, Texas, PID #F950-999-0080-0800
9/23/2014	270.90	20.65	250.25	PRC0008770	S16299902202700	5537 Longview Cir	DELGADILLO CARLOS	5537 Longview Cir., more particularly described as Lot 14, Block 22, Sarah Anne Park #2 Subdivision, City of El Paso, El Paso County, Texas, PID #S I 62-999-0220- 2700
12/10/2013	168.47	12.84	155.63	PRC0008786	S58799900101300	8706 Roseway Drive	LUJAN, MANUEL % LUJAN, NORMA	8706 Roseway Drive, more particularly described as Lot(s) PT OF TR 1 (0.147 ACRE) 98.93 FT ON N 67 FT ON E 93.10 FT ON S 67 FT ON W, Spohr Subdivision, (PID# S587-999-0010-1300)
2/25/2014	193.77	14.77	179.00	PRC0008813	L21299900102575	0 Lawndale/Irondale	LAWNDALE PLACE HOMEOWNERS ASSOCIATION	Lot PT OF VACATED DRAINAGE ROW BTW 5 & 6 (EXC ELY PT), Block 1, LAWNDALE PLACE REPLAT A Subdivision, City of El Paso, El Paso County, Texas, PID #L212- 999-0010-2575
12/10/2013	201.35	15.35	186.00	PRC0008876	S82099900101000	0 Common Open Space @ Valle D	GEO-BEAZER LP	Lot(s) 10 (31367.00 Sq FT), Block 1, Sun Valley Ranch Subdivision, El Paso, El Paso County, Texas, PID #S820-999- 0010-1000
12/10/2013	139.78	10.65	129.13	PRC0008878	S82099900100900	0 Common Open Space @ Valle D	GEO-BEAZER LP	Lot(s) 9 (8735.00 SQ FT), Block 1, Sun Valley Ranch Subdivision, El Paso, El Paso County, Texas, Parcel# S820-999-0010-0900
12/10/2013	128.82	9.82	119.00	PRC0008879	S82099900102010	0 Equinox (5975 Block of)	RESORTVIEW HOMES I LTD	Lot 20 COS (4974.00 Sq. Ft.), Block 1, Sun Valley Ranch Replat A Subdivision, City of El Paso, El Paso County, Texas, PID #S820-999-0010-2010
12/10/2013	229.49	17.49	212.00	PRC0008892	D46699900101300	10913 Desert View Dr	SIBERT COEN JENNIFER E	10913 Desert View Drive, more particularly described as Lot(s) 7, Block 1, Desert View Mobile Home Subdivision, El Paso, El Paso County, Texas, Parcel# D466- 999-0010-1300
4/8/2014	135.58	10.33	125.25	PRC0008907	F52499900704100	5320 Garry Owen Dr	CARRILLO RAFAEL	5320 Garry Owen Drive, more particularly described as Lot 115 (6840 SQ FT), Block 7, Foster Heights Subdivision, City of El Paso, El Paso County, Texas, PID #F524-999-0070-4100
12/10/2013	264.67	20.17	244.50	PRC0008909	Y80599904000366	0 Padilla Dr	TRIEN JOHN H	Tr 3-C .5054 Acre, Block 40, Y sleta Subdivision, City of El Paso, El Paso County, Texas, PID #Y805-999-0400-0366
7/22/2014	338.01	25.76	312.25	PRC0008911	M48899900301900	3114 Findley Ave	GARCIA, CARMEN R	3114 Findley A venue, more particularly described as Lot 7, Block 3, fyiraflor Subdivision, City of El Paso, El Paso County, Texas, PID#M488-999-0030-1900
2/11/2014	193.77	14.77	179.00	PRC0008956	C81899902702100	116 De Leon Dr.	SHARP A R	116 De Leon Dr., more particularly described as Lot 385 (8856.24 Sq. Ft.), Block 27, Coronado Hills Subdivision, City of El Paso, El Paso County, Texas, PID #C818- 999-0270-2100
9/23/2014	183.35	13.97	169.38	PRC0009036	M79499910704300	3801 Pierce Ave.	GUTIERREZ, JOSE	3801 Pierce Avenue, more particularly described as Lot(s) 16 & W 1/2 of 15 (5100 Sq. Ft.), Block 107, Morningside Heights - Subdivision, City of El Paso, El Paso County, Texas, PID #M794- 999- 1070-4300
1/28/2014	195.39	14.89	180.50	PRC0009039	C62299900107100	5616 Flower Dr	ABDULLAH MAHMOOD K	5616 Flower Drive, more particulary described as, Lot(s) 36, Block 1, Clardy Fox Subdivision, City of El Paso, El Paso County, Texas, PID #C622-999-0010-7100
1/28/2014	168.47	12.84	155.63	PRC0009071	S16299901803700	10737 Texarkana Pl	ROAM HARLEY R & BOK H L	10737 Texarkana Lot(s) 19 (6011 SQ FT), Block 18, Sarah Anne Park #2 Subdivision, (PID# S162-999-0180-3700)
2/11/2014	683.06	52.06	631.00	PRC0009095	Y80599901900541	0 Carolina/Green Valley	GUTIERREZ, J J III	TR 5-F (0.192 Acre) & TR 6-D (0.152 Acre), Block 19, Ysleta - Subdivision, City of El Paso, El Paso County, Texas, PID #Y805- "" 999-0190-0541
2/25/2014	196.89	15.01	181.88	PRC0009121	E11499900300100	10201 Bon Aire Dr	DOMINGUEZ INEZ & AMBER & 1	10201 Bon Aire Drive, more particularly described as Lot 1, Block 3, Eastern Hills Subdivision, City of El Paso, El Paso County, Texas, PID #EI 14-999-0030-0100

Exhibit A

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
2/11/2014	349.38	26.63	322.75	PRC0009162	S82099900101000	0 Common Open Space @ Valle D	GEO-BEAZER LP	Lot 10 (31367.00 SQ FT), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, PIII #S820-999-0010- 1000
4/8/2014	169.14	12.89	156.25	PRC0009169	S16299902202700	5537 Longview Cir	DELGADILLO CARLOS	5537 Longview Cir., more particularly described as Lot 14, Block 22, Sarah Anne Park #2 Subdivision, City of El Paso, El Paso County, Texas, PID #S I 62-999-0220- 2700
2/11/2014	127.19	9.69	117.50	PRC0009245	S82099900100900	0 Common Open Space @ Valle D	GEO-BEAZER LP	0 Valle Del Sol Lot(s) 9 (8735.00 SQ FT), Block 1, Sun Valley Ranch Subdivision, (PID# S820-999-0010-0900)
3/11/2014	162.65	12.40	150.25	PRC0009277	H45399906907000	2334 Copper Ave	ERICA GOJARA & OMAR A AMAYA	2334 Copper Ave., more particularly described as N 80 FT OF 17 & 18 (4000 SQ FT), Block 69, HIGHLAND PARK Subdivision, City of El Paso, El Paso County, Texas, PID #H453-999-0690- 7000
3/25/2014	200.67	15.29	185.38	PRC0009279	M85199903305500	5005 Louis Dr	GUTIERREZ JULIO J & GUTIERREZ CLEMENTINA	5005 Louis Drive, Lot(s) 865 (6936 SQ FT), Block 33, Mountain View Subdivision, (PID#M851-999-0330-5500)
4/22/2014	150.34	11.46	138.88	PRC0009339	E01499901302100	3219 Pera Ave	GARCIA GUILLERMO M & 2	3219 Pera Ave., more particularly described as Lot 11 (3500.00 SQ. FT.), Block 13, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999- 0130-2100
6/2/2015	58.95	4.49	54.46	PRC0009395	T52799903004500	9216 Salisbury Dr	MANZANERA JAIME	9216 Salisbury Drive, more particularly described as Lot 12 (6840 SQ. FT), Block 30, Tobin Park Subdivision, City of El Paso, El Paso County, Texas, PID #T527-999- 0300-4500
6/24/2014	163.19	12.44	150.75	PRC0009431	G68699907906700	0 Nations Ave	TRIEEN JOHN REALTY	Lot(s) 25 & E 1/2 of 26 (4500 Sq. Ft.), Block 79, Grandview Subdivision, City of El Paso, El Paso County, Texas, PID #G686- 999 0790-6700
6/24/2014	422.99	32.24	390.75	PRC0009527	A69999900100700	0 Harding Way	RAMIREZ LAURO JAYME JORGE & NELVA	Lot(s) 7 (6145.25 Sq. Ft.), Block 1, Arizona Subdivision, City of El Paso, El Paso County, Texas, PID #A699-999-0010-0700
5/27/2014	136.81	10.43	126.38	PRC0009535	C81899902702100	116 De Leon Dr.	SHARP A R	116 De Leon Dr., more particularly described as Lot 385 (8856.24 Sq. Ft.), Block 27, Coronado Hills Subdivision, City of El Paso, El Paso County, Texas, PID #C818- 999-0270-2100
10/14/2014	195.93	14.93	181.00	PRC0009611	V8979990980100	12036 Autumn Gate Dr	ONEWEST BANK FSB	12036 Autumn Gate Drive, more particularly described as Lot 10 (5460.00 SQ FT), Block 98, Vista Hills #30 Subdivision, City of El Paso, El Paso County, Texas, PID #V897-999-0980-1000
7/7/2015	137.35	10.47	126.88	PRC0009645	C74299900402800	5772 Rick Husband	TUNC MUSTAFA & RAHIME	5772 Rick Husband Drive, more particularly described as Lot 28 (47f6.00 SQ FT), Block 4, Columbia North Subdivision, City of El Paso, El Paso County, Texas, PID #C742-999-0040 2800
7/22/2014	136.40	10.40	126.00	PRC0009674	Y805999017A0906	7588 North Loop Dr	TEMPLO RESTAURACION DIVINA	7588. North Loop Drive, more particularly described as 9-B (0.4395 AC) & 9-C (0.4349 AC) & 9-K (1.3079 AC) & 9-L (0.2539 AC) & TR 17 Blk. 19 Ysleta (2.4563 AC), Block 17, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PID #Y805-999-.017A-0906
9/23/2014	152.36	11.61	140.75	PRC0009711	A46299916603600	2215 Campbell (North)	FLORES ALBERT	2215 North Campbell Street, more particularly described as Lot(s) 8 & S 1/2 of 9 (4758 Sq. Ft.), Block 166, Alexander Subdivision, City of El Paso, El Paso County, Texas, PID #A462-999-166Q- 3660
7/8/2014	138.02	10.52	127.50	PRC0009747	P65499905500900	3453 Wayside Dr	LARRY & VIRGINIA C MASCORRO	3453 Wayside Dr., more particularly described as Lot 5 (7395 SQ Fn, Block 55, Pebble Hills Subdivision, City of El Paso, El Paso County; Texas, PIO #P654-999- 0550-0900
7/22/2014	138.83	10.58	128.25	PRC0009759	V89399924501100	11530 Jim Ferriell Dr.	VIVAR RODRIGO	11530 Jim Ferriell Drive, more particularly described as Lot(s) 6, Block 245, Vista Del Sol #46 Replat A Subdivision, City of El Paso, El Paso County, Texas, PID #V893-999-2450-I 100
10/14/2014	154.80	11.80	143.00	PRC0010032	B49799900107100	516 Walnut (South)	SOTO PETRA V & 5	516 S Walnut Street, more particularly described as Lot(s) 111, Block 1, Bischoff Subq. ivision, El Paso, El Paso County, Texas, Parcel #B497-999-0010-7100
6/23/2015	150.20	11.45	138.75	PRC0010076	R57699901103400	720 Milton Henry Ave	RIVERA JACOB B JR & BARBRA	720 Milton Henry A venue, more particularly described as Lot 34 (6116.00 SQ FT), Block 11, River Park West #3 Subdivision, City ofEl Paso, El Paso County, Texas, PID #R576-999-0110-3400
6/23/2015	183.75	14.00	169.75	PRC0010159	S16299900301700	5201 Sweetwater Dr	GARLICK ARTHUR R III & MARISELA	5201 Sweetwater Drive, more particularly described as Lot 9 (7915 SQ FT), Block 3, Sarah Anne Park #2 Subdivision, City of El Paso, El Paso County, Texas, PID #S162-999-0030-I 700

Exhibit A

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
1/27/2015	250.06	19.06	231.00	PRC0010196	S82099900101000	0 Common Open Space @ Valle D	GEO-BEAZER LP	Lot 10 (31367.00 SQ FT), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, PIII #S820-999-0010- 1000
1/27/2015	127.46	9.71	117.75	PRC0010230	C76299902202700	5301 Roger Maris Drive	REALZOLA OCTAVIO	5301 Roger Maris Drive, more particularly described as Lot 27 EXC WLY 2.0 FT (5880 SQ FT), Block 22, Coopertown #2 Subdivision, City of El Paso, El Paso County, Texas PID #C762-999-0220-2700
1/13/2015	103.65	7.90	95.75	PRC0010296	S82099900102010	0 Equinox	RESORTVIEW HOMES I LTD	Lot 20 COS (4974.00 SQ FT); Block 1, Sun Valley Ranch Replat A Subdivision, City of El Paso, El Paso County, Texas; PID #S820-999-0010-2010
1/13/2015	235.71	17.96	217.75	PRC0010301	L447999074C5000	3600 Sheppard Ave	JACKSON ESPERANZA	3600 Sheppard Ave., more particularly described as Lot 18 & 19 (6000 Sq. Ft.), Block 74-C, Logan Heights Subdivision, City of El Paso, El Paso County, Texas, PID #L447-999-074C-5000
2/9/2015	125.84	9.59	116.25	PRC0010316	R87499900601600	637 Pete Payan Dr	PINON JORGE L	637 Pete Payan Drive, more particularly described as Lot 16 (4198.49 SQ FT) PRORATION 6/4/03,Block 6, Rubin Heights #2 RPLA (Amendplat) Subdivision, City of El Paso, El Paso County, Texas, PID #R874-999-0060-1600
1/13/2015	142.76	10.88	131.88	PRC0010319	C84099901402300	216 Three Rivers Dr	TISCARENO ALEJANDRA	216 Three Rivers Drive, more particularly described as Lot 9, Block 14, Coronado Terrace Replat Subdivision, City of El Paso, El Paso County, Texas, PID #C840- 999-0140-2300
1/13/2015	102.84	7.84	95.00	PRC0010327	S82099900100900	0 Common Open Space @ Valle D	GEO-BEAZER LP	Lot(s) 9 (8735.00 SQ FT), Block 1, Sun Valley Ranch Subdivision, El Paso, El Paso County, Texas, Parcel# S820-999-0010-0900
1/13/2015	110.42	8.42	102.00	PRC0010335	W14599902102400	801 Arredondo Dr	SRMOF REO 2011-1TRUST	01 Arredondo Drive, more particularly described as Lot 24 (7540.44 SQ.FT), Block 21, West Hills #8 Subdivision, City of El Paso, El Paso County, Texas, PID #W145-999-0210-2400
5/5/2015	137.21	10.46	126.75	PRC0010346	A64299902706700	10600 Polycrates	DE LA CRUZ FRANCISCO & GLORIA	10600 Polycrates Place; more particularly described as Lot 34 (7396 SQ FT), Block 27, Apollo Heights Subdivision, City of El Paso, El Paso County, Texas, PID #A642-999-0270-6700
4/21/2015	202.97	15.47	187.50	PRC0010365	L536999001D5300	1017 Wyatt Dr	GARCIA JOSE & JOSEFINA	1017 Wyatt Drive, more particularly described as TR 636(8036 SQ.FT), Loma Terrace #4-C Subdivision, City of El Paso, El Paso County, Texas, PID #L536-999- 001D-5300
12/9/2014	102.98	7.85	95.13	PRC0010392	G68699903604100	3405 Mountain Ave	VEGA THEODORE & ESPERANZA B	3405 Mountain Ave, more particularly described as Lot 13 & I 4 (6000 SQ FT), Block 36, Grandview Subdivision, City of El Paso, El Paso County, Texas, PIO #0686- 999-0360-4100
3/10/2015	135.58	10.33	125.25	PRC0010418	G56999908600100	4401 Cambridge Ave	BROYLES, JP % BROYLES, BL	4401 Cambridge A venue, more particularly described as Lot 1 & W 1/2 OF Lot 2 (5250 SQ FT), Block 86, Government Hill Subdivision, City of El Paso, El Paso County, Texas, PID #0569- 999-0860-0100
3/10/2015	153.99	11.74	142.25	PRC0010458	B74699900300100	461 Viale Lungo Ave	DELGADO CARLA	461 Viale Lungo Avenue, more particularly described as Lot 1 (6595.00 SQ FT), Block 3, Brillo De La Luna Subdivision, City of _ ElPaso, El Paso County, Texas, PID #B746-999-0030-0100
2/9/2015	113.93	8.68	105.25	PRC0010498	V13899900800100	5732 Valley Cedar Drive	VEGA JOE	5732 Valley Cedar Drive, being more particularly described as Lot 1 (14830.74 SQ FT), Block 8, Valley Creek #1 Subdivision, City of El Paso, El Paso County, Texas, PID #V138-999-0080-0100'.
6/2/2015	111.23	8.48	102.75	PRC0010495	S16299902202700	5537 Longview Cir	DELGADILLO CARLOS	5537 Longview Cir., more particularly described as Lot 14, Block 22, Sarah Anne Park #2 Subdivision, City of El Paso, El Paso County, Texas, PID #S I 62-999-0220- 2700
3/10/2015	146.14	11.14	135.00	PRC0010525	S22599900104300	9425 Falkirk Dr	ZABEL MARIA A	9425 Falkirk Drive, more particularly described as Lot 22, Block 1, Scotsdale Subdivision, City of El Paso, El Paso County, Texas, PID #S225-999-0010-43 00
2/24/2015	177.94	13.56	164.38	PRC0010593	F95099900501400	7356 O'Dell Ln	THIGPEN HORTENSE	7356 O'Dell Lane, more parti ularly described as Lot 14 (8800 SQ . FT), Block 5, Future Land Subdivision, City of El Paso, El Paso-County, Texas, PID #F950-999- 0050-1400
5/5/2015	241.13	18.38	222.75	PRC0010616	C97999900205400	235 Shasta Dr	MONTANA DEL REY LP	235 Shasta Drive, more particularly described as Lot 54 (EXC NE- TRIA) (7.2956 AC), Block 2, Cumbre Estates (Amending Plat) Subdivision, City of El Paso, El Paso County, Texas, PID #C979.- 999-0020-5400
4/7/2015	133.15	10.15	123.00	PRC0010628	F52499900704100	5320 Garry Owen Dr	CARRILLO RAFAEL	5320 Garry Owen Drive, more particularly described as Lot 115 (6840 SQ FT), Block 7, Foster Heights Subdivision, City of El Paso, El Paso County, Texas, PID #F524-999-0070-4100

Exhibit A

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
3/10/2015	289.84	22.09	267.75	PRC0010674	S82099900101000	0 Common Open Space @ Valle D	GEO-BEAZER LP	Lot 10 (31367.00 SQ FT), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, PIII #S820-999-0010- 1000
3/10/2015	95.94	7.31	88.63	PRC0010664	E22299915605700	9809 Daphne Ct	WEBB CHARLES E & FAITH	9809 Daphne Court, more particularly described as Lot 11 & W 52.4 FT OF Lot 10 (13481.99 SQ FT), Block 156, Eastwood Heights Subdivision, City of El Paso, El Paso County, Texas, PID E222-999-1560-5700
4/7/2015	201.62	15.37	186.25	PRC0010751	C62299902300800	304 Encino Dr	HERRERA ANNETTE C & 2	304 Encino Drive, more ity particularly of El Paso, described El Paso as Lot 2, County, Block Texas;23, Clardy Fox Subdivision, City of El Paso, El Paso County, Texas, PID Clardy Fox #C622-999.:023Subdivision, 0-0800C
3/24/2015	191.06	14.56	176.50	PRC0010883	E01499906802600	3215 Missouri (East)	HARRELSON IRMA & JOHNNY L	3215 E Missouri Avenue, more particularly described as Lot(s) 13 & W 1/2 OF 14 (5250 SQ FT), Block 68, East El Paso Subdivision, El Paso, El Paso County, Texas, Parcel# E014-999-0680-2600
7/7/2015	182.94	13.94	169.00	PRC0010923	P65499905500900	3453 Wayside Dr	LARRY & VIRGINIA C MASCORRO	3453 Wayside Dr., more particularly described as Lot 5 (7395 SQ. FT.), Block 55, PEBBLE HILLS Subdivision, City of El Paso, El Paso County, Texas, PIO #P654-999- 0550-0900
6/23/2015	353.98	26.98	327.00	PRC0010988	C81899902702100	116 De Leon Dr.	SHARP A R	116 De Leon Dr., more particularly described as Lot 385 (8856.24 Sq. Ft.), Block 27, Coronado Hills Subdivision, City of El Paso, El Paso County, Texas, PID #C818- 999-0270-2100
6/2/2015	153.99	11.74	142.25	PRC0011015	C45499900500375	0 Schwabe Road	GONZALEZ, MARIA	PT OF Lot 7 UNRECORDED MAP BEG 70.36 FT NEL Y OF S Y COR (309.85' ON SWLY - 70.32' ON NWL Y". "IRREGON NEL Y - 12.50' ON. ST), Block 5, Christy Subdivision, City of El Paso, El Paso County, Texas, PID #C454-999-0050-0375
6/25/2015	173.20	13.20	160.00	PRC0011077	S16199900207200	10625 Elsa Pl	WILLENBACHER JOSEPHINE V	10625 Elsa Place , more particularly described as Lot 42, Block 2, Sar< h Anne Park Subdivision, City of El Paso El Paso County, Texas, PID #S 161-999-0020-7200
6/2/2015	138.83	10.58	128.25	PRC0011121	F60799908204600	1013 Newman	TOVAR JORGE	1013 Newman Street, more particularly described as 37.5 FT OF Lots 13 TO 16 BEG 37.5 FT S OF NEC (3751 SQ FT), Block 82, Franklin Heights Subdivision, City of El Paso, El Paso County, Texas, PID #F607-999-0820-4600
6/2/2015	171.58	13.08	158.50	PRC0011134	M76599900500300	441 Clayton Road	MOUNTAIN VISTA BUILDERS INC	441 Clayton Road, more particularly described as Lot 3 (1582.44 SQ FT),Block 5, Montoya Gardens Subdivision, City of El Paso, El Paso County, Texas PID #M765- 999-0050-0300
7/7/2015	199.59	15.21	184.38	PRC0011169	I25699903600500	11312 Tenaha Avenue	JOHNSON AARON RAMIREZ BLANCA E	11312 Tenaha Avenue, more particularly described as Lot 5 (5961.86 SQFT), Block 36, Indian Ridge #5 Subdivision, City of El Paso, El Paso County, Texas, PID #I256-999-0360-0500
6/23/2015	259.94	19.81	240.13	PRC0011170	B20299902005100	1905 San Antonio Ave (East)	VISLAR JUAN & ROSA M	1905 East San Antonio Avenue, more particularly described as Lot 19 (3000 SQ FT), Block 20, Bassett Subdivision, City of El Paso, El Paso County, Texas, PID #B202-999-0200-5100
7/7/2015	182.94	13.94	169.00	PRC0011181	R76699900303700	514 Atkinson Way	TORRES MARIE E	514 Atkinson Way, more particularly described as Lot 7 & W 10 FT OF 8 (9773 SQ FT), Block 3, Rosedale Farms- #5 Subdivision, City of El Paso, El Paso County, Texas, PID #R766-999-:0030- 3700
6/23/2015	185.65	14.15	171.50	PRC0011192	L36299900100700	577 Gallagher St	WEATHERS MARIA	577 Gallagher St., more particularly described as Lot 4 EXC NE 50 Ft 125 Ft (12865 Sq. Ft.), Block I, Linda Vista Gardens Subdivision, City of El Paso, El Paso County, Texas, PID #L362-999-0010-0700
6/23/2015	138.83	10.58	128.25	PRC0011229	V08899900704100	252 Val Verde St	HERNANDEZ BELEN S	252 Val Verde St, more particularly described as Lot 25 &26 (7500 Sq Ft) (7500 Sq Ft), Block 7, Val Verde Subdivision, City of El Paso, El Paso County, Texas, PID #V088-999-0070-4100
7/7/2015	138.97	10.59	128.38	PRC0011250	I25699903500900	11333 Tenaha Avenue	LOPEZ JOSE L	11333 Tenaha Avenue, more particularly described as Lot 9 (5152.48 SQ FT), Block 35, Indian Ridge #5 Subdivision, City of El Paso, El Paso County, Texas, PID #I256-999-0350-0900
7/7/2015	138.83	10.58	128.25	PRC0011302	W17799900404100	0 Pershing Dr	MALOOLY, A A (ET AL)	N 115 FT OF Lots 18 & 19, Block 4., Westlyn Heights Subdivision, City of El Paso, El Paso County, Texas, PID #W177-999-0040-4100
7/7/2015	650.04	49.54	600.50	PRC0011331	T24099903006300	7941 Knights Dr. #A-C	MC LURE INC CONTRACTORS	7941 Knights Drive A-C, more particularly described as Lot 32 EXC SELY COR (161.06 FT ON ST 134.81 FT ON W-141.54 FT ON N-117.50 FT ONE) (34452.91 SQ FT), Block 30, Thomas Mapor #10 Subdivision, City of El Paso; El J>aso County, Texas, PID #T240-999-0300-6300
7/7/2015	219.48	16.73	202.75	PRC0011332	S03399900703000	0 McCombs	SCHMIDT, MARY L.	Lot 7 (6000 SQ FT), Block 7, Sahara Subdivision, City of El Paso, El I Paso County, Texas, PID #S033-999-0070-3000

Exhibit A

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7/7/2015	221.91	16.91	205.00	PRC0011356	H453999021A4100	2101 Murchison	ARCHITECTURAL SOLUTIONS BY DESIGN PLLC	2101 Murchison Drive, more particularly de.scribed as Lots 15 & 16, Block 21, Highland Park Subdivision, City of El Paso, El Paso County, Texas, PID #H453-999- 021A-4100
7/21/2015	110.42	8.42	102.00	PRC0011359	L44799904002600	4007 Thomason Avenue	IKHLAIL AHMAD & KHLAYEL ISSA	4007 Thomason Avenue, more particularly described as Lot 11 & 12 (6000 SQ FT), Block 40, Logan Heights Subdivision, City of El Paso, El Paso County, Texas, PID #L447-999-0400-2600
7/21/2015	136.40	10.40	126.00	PRC0011360	L44799904003100	4005 Thomason Avenue	IKHLAIL AHMAD & KHLAYEL ISSA	4005 Thomason Avenue, more particularly described as Lot 13 & 14 (6000 SQ FT), Block 40, Logan Heights Subdivision, City of El Paso, El Paso County, Texas, PID #L447-999-0400-3100
7/7/2015	130.17	9.92	120.25	PRC0011361	M48899900301900	3114 Findley Ave	GARCIA, CARMEN R	3114 Findley A venue, more particularly described as Lot 7, Block 3, fylirafior Subdivision, City of El Paso, El Paso County, Texas, PID#M488-999-0030-1900
7/7/2015	234.63	17.88	216.75	PRC0011407	E01499900706700	3508 Pera Ave	ELIZONDO JESUS JR & 2	3508 Pera Avenue, more particularly described as Lot 27 & E 13 FT OF 28 (5320 SQ FT), Block 7, East ElPaso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999-0070-6700
8/4/2015	188.90	14.40	174.50	PRC0011413	L21299900102575	0 Lawndale Place	LAWNDALE PLACE HOMEOWNERS ASSOCIATION	Lot PT OF VACATED DRAINAGE ROW BTW 5 & 6 (EXC ELY PT), Block 1, LAWNDALE PLACE REPLAT A Subdivision, City ofEl Paso, El Paso County, Texas, PID #L212- 999-0010-2575
7/7/2015	134.91	10.28	124.63	PRC0011418	S03399900601300	0 Taj Mahal St	GUAYO, LOCIO A	Lot 5 & 6, Block 6, Sahara Subdivision, City of El Paso, El Paso County, Texas, PID #S033 999-0060-1300
6/23/2015	184.71	14.08	170.63	PRC0011422	M39099900101110	408 Mesilla Vista Ln	TRUJILLO LUZ M	408 Mesilla Vista Lane, more particularly described as Lot 11 (15408.90 SQ FT), Block 1, Mesilla Addition Subdivision, City of El Paso, El Paso County, Texas, PID #M390-999-0010-1100
8/4/2015	144.65	11.02	133.63	PRC0011423	M3909990010100	412 Mesilla Vista Lane	TRUJILLO LUZ M	412 Mesilla Vista Lane, more particularly described as Lot(s) 10 (16169.83 SQ FT), Block 1, Mesilla Addition Subdivision, El Paso, El Paso County, Texas, Parcel #M390-999-0010-1000
7/7/2015	236.26	18.01	218.25	PRC0011425	C62299900406500	653 Barcelona Dr	ACOSTA ALICIA M	653 Barcelona Drive, more particularly described as Lot 33, Block 4, Clardy Fox Subdivision, City of El Paso, El Paso County, Texas, PID #C622-999-0040-6500
6/23/2015	418.12	31.87	386.25	PRC0011486	S82099900101000	0 Valle Del Sol	GEO-BEAZER LP	Lot 10 (31367.00 SQ FT), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, PID #S820-999-0010-1000
6/23/2015	125.03	9.53	115.50	PRC0011487	S82099900100900	0 Valle Del Sol	GEO-BEAZER LP	Lot(s) 9 (8735.00 Sq Ft), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, Parcel #S820-999-0010-0900
6/23/2015	172.39	13.14	159.25	PRC0011501	H4539990350290	0 Pittsburg Ave	SCHMIDT-MAYO MARY L	Lot 9 & 10 (6000 SQ FT), Block 35, Highland Park Subdivision, City of El Paso, El Paso County, Texas, PID #H453-999-0350- 2900
6/28/2016	239.50	18.25	221.25	PRC0011626	B20299902007800	1923 San Antonio Ave (East)	CARPIO SANTIAGO JR & ANNA P	1923 E San Antonio A venue, more particularly described as Lot 27 & 28 (6000 SQ FT), Block 20, Bassett Subdivision, City of El Paso, El Paso County, Texas, PID #B202-999-0200-7800
12/22/2015	511.48	38.98	472.50	PRC0011680	H21199900402100	1624 Ladrillo Place	GUTIERREZ RAUL S	1624 Ladrillo Place, more particularly described as Lot 6(2500 SQ FT), Block 4, Heafield & Hudspeth Subdivision, City of El Paso, El Paso County, Texas, PID #H211-999-0040-2100
4/4/2017	197.83	15.08	182.75	PRC0011750	M85199906002200	5013 MOUNT VERNON CT	CHAVIRA, LEONOR T.	5013 Mount Vernon Ct., more particularly described as Lot 1468 (6006 SQ FT), Block 60, MOUNTAIN VIEW Subdivision, City of El Paso, El Paso County, Texas, PID #M851-999-0600-2200
12/22/2015	118.95	9.07	109.88	PRC0011785	L68199901601600	824 Raynolds St	PEREZ ELIBORIO V & ISABEL H	Lot 17, Block 16, Loretto Place Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map or plat thereof, recorded in Back of Book 556, Deed Records of El Paso County, Texas.
12/22/2015	134.10	10.22	123.88	PRC0011802	B69099900100009	6352 Pascal St	ROMERO ANDREA	6352 Pascal St., more particularly described as Lot 9 (7430 SQ FT), Block 10, Borderland Heights Subdivision, City of El Paso, El Paso County, Texas, PIO #B690- 999-0010-0009
2/23/2016	111.37	8.49	102.88	PRC0011841	J18899900101500	5012 Rico Valles Ln	SOTO SAUL R	5012 Rico Valles Ln, more particularly described as Lot 15 (10028.74 SQ FT), Block 1, Jardines Del Valle Subdivision, City of El Paso, El Paso County, Texas, PIO #J188-999-0010-1500

Exhibit A

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12/22/2015	148.98	11.35	137.63	PRC0011851	S16299902202700	5537 Longview Cir	DELGADILLO CARLOS	5537 Longview Cir., more particularly described as Lot 14, Block 22, Sarah Anne Park #2 Subdivision, City of El Paso, El Paso County, Texas, PID #S I 62-999-0220- 2700
2/23/2016	208.25	15.87	192.38	PRC0011861	Y85599900100100	0 Billy The Kid	JANDL HILARY QUADRIGA ART INC	0 Billy The Kid St more particularly described as Lot(s) 1 (183518 SQ FT) Block 1, Ysleta Industrial Dist #2 RPL Subdivision, (PID# Y855-999-0010-0100)
12/22/2015	153.99	11.74	142.25	PRC0011876	T28799916701500	14301 Island Point Dr.	WILKINS TERRY L JR	14301 Island Point Drive, more particularly described as Lot 15 (5005.00 SQ FT), Block 167, Tierra Del Este #49 Subdivision, City of El Paso, El Paso County, Texas, PIO #T281-999-1670- 1500
12/22/2015	171.72	13.09	158.63	PRC0011904	M88999900604500	6032 Deer Ave	THE CARRILLO TRUST	6032 Deer Ave., more particularly described as Lot 23 (6363 SQ FT), Block 6, Mountaineire #3 Subdivision, City of El Paso, El Paso County, Texas, PIO #M889-999- 0060-4500
7/12/2016	165.76	12.63	153.13	PRC0011930	D36199901607100	0 GATEWAY (NORTH) BLVD	SCHMIDT-MAYO MARY L	N Gateway Boulevard, more particularly described as Lot(s) 33, Block 16, Del Norte Acres Subdivision, (PID# D361-999-0160-7100)
2/23/2016	166.16	12.66	153.50	PRC0011947	V89799908802800	11949 Paseo Real Cir	LARA EFRIAN & MARIA I	11949 Paseo Real Cir, more particularly described as Lot 28, Block 88, Vista Hills #25 REPLAT Subdivision, City of El Paso, El Paso County, Texas, PID #V897-999- 0880-2800
2/23/2016	163.73	12.48	151.25	PRC0011952	S24399902604500	10132 DunBarton Dr	VALERIO MARTHA I	10132 Dunbarton Dr., more particularly described as Lot 22, Block 26, Scotsdale #4 Subdivision, City of El Paso, El Paso County, Texas, PID #8243-999-0260-4500
2/23/2016	188.08	14.33	173.75	PRC0011960	L20399900901400	3641 Macaw Palm Drive	LAS PALMAS PHASE III JOINT	3641 Macaw Palm Dr, more particularly described as Lot 14 (4224.50 SQ FT), Block 9, Las Palmas #3 Subdivision, City of El Paso, El Paso County, Texas, PID #L203-999-0090-1400
3/22/2016	173.88	13.25	160.63	PRC0011988	B20299902400100	401 Piedras St (south)	PARRA EDUARDO & ALMA R	401 S. Piedras St., more particularly described as Lot 12 TO 17 (9600 SQ FT), Block 24, Bassett Subdivision, City of El Paso, El Paso County, Texas, PIO #8202-999- 0240-0100
2/23/2016	443.15	33.77	409.38	PRC0012004	V89399933200150	0 Pendale Rd	GL JOINT VENTURE	Pendale Rd., more particularly described as Lot PT OF 1 BEG 812.04'SLY of NELY COR (293.88' ON ST-384.65' ON SLY-295.07' ON WLY-352.14' ON NLY), Block 323, Vista Del Sol #67Subdivision, City of El Paso, El Paso County, Texas, PID #V893-999-3320-0150
2/23/2016	184.84	14.09	170.75	PRC0012038	E01499906802600	3215 Missouri (East)	HARRELSON IRMA & JOHNNY L	3215 E Missouri Avenue, more particularly described as Lot(s) 13 & W 1/2 OF 14 (5250 SQ FT), Block 68, East El Paso Subdivision, El Paso, El Paso County, Texas, Parcel# E014-999- 0680-2600
2/23/2016	170.76	13.01	157.75	PRC0012039	E01499906803100	3217 Missouri (East) Ave.	CARRERA ROSINA	3217 E. Missouri Ave., more particularly described as Lot 15 & E 1/2 OF 14 (5250 SQ FT), Block 68, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999-0680-3100
3/22/2016	136.67	10.42	126.25	PRC0012060	T28799915001260	14006 Tierra Yukon Ln	DE LA ROCHA ARAT & GLORIA	14006 Tierra Yukon Ln, more particularly described as Lot 126 (5060.00 SQ FT), Block 150, Tierra Del Este #44 Subdivision, City of El Paso, El Paso County, Texas, PIO #T287-999-1500- 1260
3/22/2016	458.85	34.97	423.88	PRC0012149	M76599900200100	5854 Rio Dulce Avenue	JP MORGAN CHASE BANK NA	5854 Rio Dulce Ave., more particularly described as Lot 1 (10231.92 SQ FT), Block 2, Montoya Gardens Subdivision, City of El Paso, El Paso County, Texas, PID #M765-999-0020-0100
3/22/2016	365.61	27.86	337.75	PRC0012163	S82099900101000	0 Valle Del Sol Dr	GEO-BEAZER LP	Lot(s) 10 (31367.00 Sq. Ft.), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, PID #S820-999-0010-1000
3/22/2016	184.57	14.07	170.50	PRC0012181	V08899900704100	252 Val Verde St	HERNANDEZ BELEN S	252 Val Verde St, more particularly described as Lot 25 & 26 (7500 Sq Ft) (7500 Sq Ft), Block 7, Val Verde Subdivision, City of El Paso, El Paso County, Texas, PID #V088-999-0070-4100
3/22/2016	191.33	14.58	176.75	PRC0012183	W81399901705300	6161 Tampa Ave	SOTELO IGNACIO SR	6161 Tampa Ave., more particularly described as Lot 28, Block 17, Womble Subdivision, City of El Paso, El Paso County, Texas, PID #W813-999-0170-5300
10/18/2016	231.66	17.66	214.00	PRC0012201	L36299900100700	577 GALLAGHER ST	WEATHERS MARIA	577 Gallagher St., more particularly described as Lot 4 EXC NE 50 Ft 125 Ft (12865 Sq. Ft.), Block I, Linda Vista Gardens Subdivision, City of El Paso, El Paso County, Texas, PID #L362-999-0010-0700
3/22/2016	126.79	9.66	117.13	PRC0012217	C849999021A1500	2207 Montana Ave	GURGUIA CARLOS	2207 Montana Ave, more particularly described as Lot 4 & E 1/2 OF 3 & W 1/2 OF 5 (3300 SQ FT), Block 21, Cotton Subdivision, City of El Paso, El Paso County, Texas, PIO #C849-999-021A-1500

Exhibit A

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3/22/2016	716.34	54.59	661.75	PRC0012232	T24099903006300	7941 Knights Dr # A-C	MC LURE INC CONTRACTORS	7941 Knights Drive A-C, more particularly described as Lot 32 EXC SELY COR (161.06 FT ON ST 134.81 FT ON W-141.54 FT ON N-117.50 FT ONE) (34452.91 SQ FT), Block 30, Thomas Mapor #10 Subdivision, City of El Paso; El J>aso County, Texas, PID #T240-999-0300-6300
3/22/2016	138.83	10.58	128.25	PRC0012315	M02899904009900	820 Park St	NEVAREZ, HECTOR L (TR)	820 Park St., more particularly described as Lot 20, Block 40, Magoffin Subdivision, City of El Paso, El Paso County, Texas, PID #M028-999-0400-9900
4/19/2016	157.10	11.97	145.13	PRC0012324	F52499900300100	1604 Weightman Cir	GONZALES RAFAELA	1604 Weightman Cir, more particularly described as Lot 38 (8879 SQ FT), Block 3, Foster Heights Subdivision, City of El Paso, El Paso County, Texas, PID #F524- 999-0030-0100
4/19/2016	165.76	12.63	153.13	PRC0012332	T28799924201400	2649 Partisan Rock	MARTINEZ DANIEL A	2649 Partisan Rock Pl., more particularly described as Lot 14, Block 242, Tierra Del Este #61Subdivision, City of El Paso, El Paso County, Texas, PID #T287-999- 2420-1400
3/22/2016	138.16	10.53	127.63	PRC0012357	T11699902105900	5412 Dearborne Dr.	TIERRA DEL SOL HOUSING CORPORATION	5412 Dearbome Dr., more particularly described as Lot 30 (6000 SQ FT), Block 21, Temple Hills Subdivision, City of El Paso, El Paso County, Texas, PID #TI 16-999- 0210-5900
4/19/2016	295.12	22.49	272.63	PRC0012370	S55999900204100	1081 Dona Beatriz Cir	VARELA ALFRED	1081 Dona Beatriz Circle, more particularly described as Lot(s) 41 (16524.66 Sq Ft), Block 2, Spanish Pines #3 Subdivision, El Paso, El Paso County, Texas, Parcel #S559-999-0020-4100
4/19/2016	211.50	16.12	195.38	PRC0012422	M34499903400350	5652 MESA (North) ST	VILLARREAL COMMERCIAL PROPERTY LP	5652 N Mesa St., more particularly described as Lot UNIT 17 SLY PT OF 3 (100.00' ON ST--479.75' ON NWLY IRREG ON NELY- 610.30' ON SEL Y (56702.49 SQ FT), Block 34, Mesa Hills Subdivision, City of El Paso, El Paso County, Texas, PID #M344- 999-0340-0350
6/28/2016	349.79	26.66	323.13	PRC0012514	S65899900705900	7221 Stiles Drive	MORENO RAMON R	7221 Stiles Drive, more particularly described as Lot 60 FT OF 45, Block 7, STILES GARDENS E Subdivision, City of El Paso, El Paso County, Texas, PID #S658-999- 0070-5900
8/9/2016	255.34	19.46	235.88	PRC0012667	S82099900101000	0 VALLE DEL SOL	GEO-BEAZER LP	Lot(s) 10 (31367.00 Sq. Ft.), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, PID #S820-999-0010-1000
6/28/2016	141.41	10.78	130.63	PRC0012739	B202999000B1000	2012 CYPRESS AVE	SALAS JESUS & VERONICA	2012 Cypress Ave, more particularly described as Lot 8 & 9(5500 SQ FT), Block B, Bassett Subdivision, City of El Paso, El Paso County, Texas, PIO #B202-999-000B- 1000
9/6/2016	168.47	12.84	155.63	PRC0012743	E01499903002100	3125 FRUTAS AVE	LUEVANO DANIEL & MARGIE	3125 Frutas Ave, more particularly described as Lot 12 & W 24 Ft Of 13 (6860 Sq Ft), Block 30, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E014-999-0300-2100
9/6/2016	163.46	12.46	151.00	PRC0012850	T28799929701400	14302 CAVE AVE (SOUTH)	WHITE JUSTIN W	14302 South Cave Ave, more particularly described as Lot 14, Block 297, Tierra Del Este #64 Subdivision, City of El Paso, El Paso County, Texas, PIO #T287-999- 2970-I 400
7/12/2016	185.92	14.17	171.75	PRC0012854	F95099900802200	0 O'BRRRIAN ST	BACA JUAN D	Lot(s) 22, Block 8, Future Land Subdivision, City of El Paso, El Paso County, Texas, Parcel # F950-999-0080-2200.
7/12/2016	189.58	14.45	175.13	PRC0012866	W88699900404800	151 Boone St (North)	US SPRINT COMMUNICATIONS CO	151 North Boone Street, more particularly described as Lot 8 TO 10 & PT OF 6 & 7 (77.42 FT FT ON FRUTAS 110 FT ON BOONE 118.99 FT ON S 117.59 FT ON W), Block 4, Woodlawn Subdivision, City of El Paso, El Paso County, Texas, PID #W886-999-0040-4800
7/12/2016	158.05	12.05	146.00	PRC0012867	E01499901302100	3219 Pera Ave	GARCIA GUILLERMO M & 2	3219 Pera Ave., more particularly described as Lot 11 (3500.00 SQ. FT.), Block 13, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999- 0130-2100
7/12/2016	142.89	10.89	132.00	PRC0012890	G68699903604100	3405 MOUNTAIN AVE	VEGA THEODORE & ESPERANZA B	3405 Mountain Ave, more particularly described as Lot 13 & I 4 (6000 SQ FT), Block 36, Grandview Subdivision, City of El Paso, El Paso County, Texas, PIO #0686- 999-0360-4100
10/18/2016	133.83	10.20	123.63	PRC0013205	C39899900103500	5855 TRANSMOUNTAIN RD	RUIZ MARTHA & ARTECHE FRANK	5855 Trans Mountain Road, more particularly described as Lot (s) E 50.0 FT OF 10(5101.6712 SQ FT), Block , Chick-A-Dee Aces Subdivision, City of El Paso, El Paso County, Texas, PID #C398-999-0010-3500
11/15/2016	153.04	11.66	141.38	PRC0013280	M45299901207700	191 BEN SWAIN DR	EMMANUELLE CONDE & MELISSA HERNANDEZ	191 Ben Swain Dr, more particularly described as Lot 20, Block 12, Millers Lakeside Subdivision, City of El Paso, El Paso County, Texas, PIO #M452-999-0120-7700
11/1/2016	112.85	8.60	104.25	PRC0013284	C77699900006200	6206 Weems Way	MEDINA JOSE A	6206 Weems Way, more particularly described as Lot 59 (8054.25 Sq. Ft.), Corbin Replat Subdivision, City of El Paso, El Paso County, Texas, PID #C776-999-0000- 6200

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
10/18/2016	233.28	17.78	215.50	PRC0013299	S82099900101000	0 Common Open Space @ Valle D	GEO-BEAZER LP	Lot 10 (31367.00 SQ FT), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, PIII #S820-999-0010- 1000
11/15/2016	119.08	9.08	110.00	PRC0013315	U81999900910880	0 VALLEY DR	ROCHA VIRGINIA R	TR 8-P-2 (0.7765 AC), Block 9, Upper Valley Subdivision, City of El Paso, El Paso County, Texas, PIO #U819-999-009 I-0880
10/18/2016	124.22	9.47	114.75	PRC0013346	M05699900600100	2700 LEBANON AVE	VEGA HECTOR & S	2700 Lebanon Ave, more particularly described as Lot 1 & W 24 FT of2 (5880 sq ft), Block 6, Manhattan Heights Subdivision, City of El Paso, El Paso County, Texas, PIO #M056-999-0060-0100
10/18/2016	267.11	20.36	246.75	PRC0013351	S912999001Q0100	3613 Skyline Ave	RODRIGUEZ ANTONIO	3613 Skyline Ave, more particularly described as Lot W 102 FT OF S 143 FT & 80 FT OF N 75 FT EXC W 5 FT OF S 100 FT OF 492 (HOMESITE) (6695.33 SQ FT), Sunrise Acres #1 Subdivision, City of El Paso, El Paso County, Texas, PID #S912- 999-001Q-0100
10/18/2016	189.58	14.45	175.13	PRC0013374	M85199900203300	8204 MOUNT EVEREST DR	THE SHERIFF OF TARRANT COUNTY	8204 Mount Everest Dr, more particularly described as Lot 2 (6600 SQ FT), Block 2, Mountain View Subdivision, City of El Paso, El Paso County, Texas, PID #M85 I-999-0020-3300
12/20/2016	123.55	9.42	114.13	PRC0013406	V89399941400250	11626 Scott Simpson Drive	HUERTA CONSUELO J	11626 Scott Simpson Dr., more particularly described as the ELY 34.7 FT OF LOT 2 4164.00 SQ FT, Block 414, Vista Del Sol #91 Subdivision, City of El Paso, El Paso County, Texas, PID #V893- 999-4 I 40-0250
12/20/2016	164.00	12.50	151.50	PRC0013445	X58199920200237	9311 DIANA DR	TAPNIM FUTURE L P	9311 Diana Dr, more particularly described as Lot 2-M-2-B (20051.00 Sq Ft), Block 81, Tsp 2 Sec 2 T & P Surv Subdivision, City of El Paso, El Paso County, Texas, PID #X581-999-2020-0237
12/20/2016	124.22	9.47	114.75	PRC0013466	M02899908004900	1104 SAN ANTONIO AVE (EAST)	INVESTORS HOLDINGS INC	1104 E. San Antonio Ave., more particularly described as Lot(s) 17 TO 19, Block 80, Magoffin Subdivision, City of El Paso, El Paso County, Texas, PIO #M028-999- 0800-4900
12/20/2016	171.72	13.09	158.63	PRC0013504	C97999900205700	235 Shasta Dr	CUMBRE DEVELOPMENT CORP	Lot 57, Block 2, Cumbre Estates (Amending Plat) Subdivision, City of El Paso, El Paso County, Texas, PID #C979-999-0020- 5700
2/28/2017	119.62	9.12	110.50	PRC0013527	P94799900103100	136 WHITNEY WAY	GUZMAN, JORGE & TERESA	136 Whitney Way, more particularly described as Lot 4, PULLIAM Subdivision, City of El Paso, El Paso County, Texas, PIO #P947-999-00 I 0-3 I 00
2/28/2017	125.17	9.54	115.63	PRC0013568	S78299900201700	6987 RED OAK CT	CARDINA CHRISTOPHER M & BLANCA E	6987 Red Oak Ct., more particularly described as Lot 17 (16814.16 SQ FT), Block 2, Summerlin Subdivision, City of El Paso, El Paso County, Texas, PID #S782-999- 0020-I 700
2/28/2017	333.14	25.39	307.75	PRC0013575	F60799901504300	1107 MYRTLE AVE	NAVARRO OCTAVIO, NAVARRO OCTILLIO & LUIS	1107 Myrtle Ave, more particularly described as Lot(s) 19 & 20 (6000 Sq Ft), Block 15, Franklin Heights Subdivision, City of El Paso, El Paso County, Texas, PIO #F607-999-0150-4300
2/28/2017	172.39	13.14	159.25	PRC0013591	E01499903002100	3125 FRUTAS AVE.	LUEVANO DANIEL & MARGIE	3125 Frutas Avenue, more particularly described as Lot 12 & W 24 FT OF 13 (6860 SQ FT), Block 30, East EL Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999-0300- 2100
4/4/2017	138.97	10.59	128.38	PRC0013602	W88699902206400	3813 FINDLEY AVE	RUBEN & MARIA CANCHOLA (CS)	3813 Findley Ave., more particularly described as Lot 26 & 27, Block 22, Woodlawn Subdivision, City of El Paso, El Paso County, Texas, PIO #W886-999-0220- 6400
4/4/2017	268.73	20.48	248.25	PRC0013625	S65899900705900	7121 STILES DRIVE	MORENO RAMON R	7121 Stiles Drive A, more particularly described as Lot N 1/2 OF 48 (0.215 AC), Block 4, Stiles Gardens Subdivision, City of El Paso, El Paso County, Texas, PID #S658-999-0040-5100
4/4/2017	139.64	10.64	129.00	PRC0013632	G56999907108500	4300 CLIFTON AVE	ESPERANZA C. & LARRY MASCORRO	4300 Clifton Ave., more particularly described as Lot N 90 Ft. of 31 & 32 (4500 Sq. Ft.), Block 71, Government Hill Subdivision, City of El Paso, El Paso County, Texas, PIO #0569-999-0710-8500.
2/28/2017	362.37	27.62	334.75	PRC0013659	A43899900603360	252 Glenwood St.	DE AVILA MANUEL III	252 S Glenwood St, more particularly described as Lot N 50. 70 Ft Of W 120 Ft Of 17 (6084.00 Sq Ft), Block 6, Alameda Acres Subdivision, City of El Paso, El Paso County, Texas, PID #A438- 999-0060-3360
4/4/2017	151.15	11.52	139.63	PRC0013689	T28799917303000	14262 PATRIOT POINT	STEWART ROBERT W & DEA A	14262 Patriot Point Dr., more particularly described as Lot 30 (4845.75 SQ FT), Block 173, TIERRA DEL ESTE #49 Subdivision, City of El Paso, El Paso County, Texas, PID #T287-999-1730-3000
4/4/2017	152.63	11.63	141.00	PRC0013750	B49799900107100	516 Walnut (South)	SOTO PETRA V & S	516 S Walnut Street, more particularly described as Lot(s) 111, Block 1, Bischoff Subq,ivision, El Paso, El Paso County, Texas, Parcel #B497-999-0010-7100

Exhibit A

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
6/27/2017	221.51	16.88	204.63	PRC0013788	P65499905500900	3453 WAYSIDE DR	LARRY & VIRGINIA C MASCORRO	3453 Wayside Dr., more particularly described as Lot 5 (7395 SQ. FT.), Block 55, PEBBLE HILLS Subdivision, City of El Paso, El Paso County, Texas, PIO #P654-999- 0550-0900
5/2/2017	163.33	12.45	150.88	PRC0013830	M45299901207700	191 Ben Swain Dr	EMMANUELLE CONDE & MELISSA HERNANDEZ	191 Ben Swain Dr, more particularly described as Lot 20, Block 12, Millers Lakeside Subdivision, City of El Paso, El Paso County, Texas, PIO #M452-999-0120-7700
6/27/2017	125.84	9.59	116.25	PRC0013889	H45399906907000	2334 COPPER AVE	ERICA GOJARA & OMAR A AMAYA	2334 Copper Ave., more particularly described as N 80 FT OF 17 & 18 (4000 SQ FT), Block 69, HIGHLAND PARK Subdivision, City of El Paso, El Paso County, Texas, PID #H453-999-0690- 7000
5/2/2017	104.46	7.96	96.50	PRC0013905	F31599901303900	5544 CAROUSEL DR	GALETA PAVEL & TARIN VANESSA	5544 Carousel Dr., more particularly described as Lot 20, Block 13, Fiesta Hills REPLA T Subdivision, City of El Paso, El Paso County, Texas, PIO #F315-999-0130- 3900
5/2/2017	150.61	11.48	139.13	PRC0013909	P94799900103100	136 WHITNEY WAY	GUZMAN, JORGE & TERESA	136 Whitney Way, more particularly described as Lot 4, Pulliam Subdivision, City of El Paso, El Paso County, Texas, PIO #P947-999-0010-3100
4/4/2017	112.04	8.54	103.50	PRC0013969	Y80599900801608	0 ZARAGOZA	GEORGE LEY, JR.	O ZARAGOZA more particularly described as 8 YSLET A TR 16-C (0.23 ACRE), PIO#Y8059990080160
12/17/2019	150.61	11.48	139.13	PRC0014011	H79699900103100	5818 MACIAS ST	MACIAS GUADALUPE & 2	5818 Macias St. more particularly described as Lot 20 (4173.00 Sq. Ft.), Howell Subdivision, City of El Paso, El Paso County, Texas, PIO #H796-999-00 I 0-3100
6/27/2017	140.45	10.70	129.75	PRC0014014	H86799900200900	5714 Dailey Ave	ESPINOZA GREGORIA & LUISA	5714 Dailey Ave., more particularly described as Lot 6 (2873 SQ FT), Hughes SID, Block 2, Alameda Acres Subdivision, City of El Paso, El Paso County, Texas, PID #H867-999-0020-0900
6/27/2017	123.55	9.42	114.13	PRC0014016	M02899908004900	1104 San Antonio (East)	INVESTORS HOLDINGS INC	1104 E. San Antonio Ave., more particularly described as Lot(s) 17 TO 19, Block 80, Magoffin Subdivision, City of El Paso, El Paso County, Texas, PIO #M028-999- 0800-4900
12/17/2019	244.37	18.62	225.75	PRC0014017	E01499900203700	3030 Pera Ave	PALMA GLORIA E	3030 Pera Ave., more particularly described as Lot 17 & 18 (7000 Sq. Ft.), Block 2, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999- 0020-3700
12/17/2019	124.36	9.48	114.88	PRC0014023	S05299901507800	200 SEVILLE DR (North)	JYA GROUP LLC	200 N. Seville Dr., more particularly described as Lot 24 & S. Pt. of Lot 23 Adj. W. 1/2 of Closed Alley, Block 15, Sambrano Subdivision, City of El Paso, El Paso County, Texas, PID #S052- 999-0150-7800
12/17/2019	111.37	8.49	102.88	PRC0014030	E014999000B6100	3012 RIVERA AVE	SANCHEZ MARIA T	3012 Rivera Ave., more particularly described as Lot 25 & 26 (Homesite) (3500.00 Sq. Ft.), Block B, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E014-999-000B-6100
6/27/2017	294.17	22.42	271.75	PRC0014097	V08899900704100	252 Val Verde St	HERNANDEZ BELEN S	252 Val Verde St, more particularly described as Lot 25 &26 (7500 Sq Ft) (7500 Sq Ft), Block 7, Val Verde Subdivision, City of El Paso, El Paso County, Texas, PID #V088-999-0070-4100
4/27/2021	125.84	9.59	116.25	PRC0014108	L07099900600800	0 BERRINGER ST	TROPICANA DEVELOPMENT	0 Berringer St. more particularly described as BLK 6 La Puesta Del Sol #1 Lot 8 (Private Access & Landscape Easement), PID #L070-999-0060-0800
6/27/2017	202.70	15.45	187.25	PRC0014112	T24099900601700	7731 BROADWAY DR	VARGAS SOCORRO P	7731 Broadway Dr., more particularly described as Lot 9, Block 6, Thomas Manor Subdivision, City of El Paso, El Paso County, Texas, PIO #T240-999-0060-I 700
6/27/2017	988.59	75.34	913.25	PRC0014114	C454999000B0100	401 RIVERSIDE DR	401 RIVERSIDE DR	40 I Riverside Dr., more particularly described as Lot E. 192.5 Ft. of N.185.18 Ft. & W 68.99 Ft. ofN. I 05 Ft. of TR I EXC 0.062 ACRE NEC (40206 Sq. Ft.), Block B, Christy Subdivision, City of El Paso, El Paso County, Texas, PIO #C454-999-000B-0100
6/27/2017	125.17	9.54	115.63	PRC0014136	L63999900209700	227 SOFIA PLACE	RUBIO CARLOS SR	227 Sofia Pl., more particularly described as Lot 15 & TR 6-H BLK 43 Ysleta (0.03 ACRE), Block 2, Lone Star Subdivision, City of El Paso, El Paso County, Texas, PIO #L639-999-0020-9700
6/27/2017	124.36	9.48	114.88	PRC0014249	H63699900100375	5300 DONIPHAN DR	WEST VALLEY PARTNERS LP	5300 Doniphan Dr. 30, more particularly described as PT OF 1 BEG 128.50 FT SLY OF NEC (110 FT ON ST-211.07 FT ON SLY-110 FT ON WLY-209.75 FT ON NLY (23144.85 SQ FT), Block 1, Hillview Subdivision, City of El Paso, El Paso County, Texas, PID #H636-999-0010-0375
12/17/2019	125.03	9.53	115.50	PRC0014288	I90099900300400	3124 WAYSIDE DR	LARA JOSE M	3124 Wayside Dr, more particularly described as Lot Sly 29 Ft Of I (3480 Sq Ft), Block 3, Ivanhoe Subdivision, City of El Paso, El Paso County, Texas, PIO #I900- 999-0030-0400

Exhibit A

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12/17/2019	110.42	8.42	102.00	PRC0014290	S05299901507800	200 SEVILLE	JYA GROUP LLC	200 N. Seville Dr., more particularly described as Lot 24 & S. Pt. of Lot 23 Adj. W. 1/2 of Closed Alley, Block 15, Sambrano Subdivision, City of El Paso, El Paso County, Texas, PID #S052- 999-0150-7800
9/5/2017	252.22	19.22	233.00	PRC0014337	B202999000B1000	2012 CYPRESS AVE	SALAS JESUS & VERONICA	2012 Cypress Ave, more particularly described as Lot 8 & 9(5500 SQ.FT), Block B, Bassett Subdivision, City of El Paso, El Paso County, Texas, PIO #B202-999-000B- 1000
9/19/2017	139.78	10.65	129.13	PRC0014388	E378999001B2400	6510 DE HAVILLAND DR	BUDGET CAR RENTAL	6510 De Havilland Dr., more particularly described as RPL IMPS ONLY ON 2 (OUT OF E378-999-001B-2200), Block 1-8, EL PASO INTL AIRPORT TRS Subdivision, City of El Paso, El Paso County, Texas, PID #E378-999-001B-2400
10/17/2017	124.36	9.48	114.88	PRC0014465	E01499901302100	3219 Pera Ave	GARCIA GUILLERMO M & 2	3219 Pera Ave., more particularly described as Lot 11 (3500.00 SQ. FT.), Block 13, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999- 0130-2100
8/7/2018	224.89	17.14	207.75	PRC0014466	E01499900203700	3030 Pera Ave	PALMA GLORIA E	3030 Pera Ave., more particularly described as Lot 17 & 18 (7000 Sq. Ft.), Block 2, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999- 0020-3700
9/19/2017	140.45	10.70	129.75	PRC0014467	B20299902005600	1907 SAN ANTONIO AVE (EAST)	VISLAR JUAN & ROSA M	1907 E. San Antonio Ave., more particularly described as Lot 20 (3000 SQ.FT), Block 20, Bassett Subdivision, City of El Paso, El Paso County, Texas, PID #B202- 999-0200-5600
10/17/2017	155.21	11.83	143.38	PRC0014473	G56999907108500	4300 CLIFTON AVE	ESPERANZA C. & LARRY MASCORRO	4300 Clifton Ave., more particularly described as Lot N 90 Ft. of 31 & 32 (4500 Sq. Ft.), Block 71, Government Hill Subdivision, City of El Paso, El Paso County, Texas, PIO #0569-999-0710-8500.
10/17/2017	111.37	8.49	102.88	PRC0014499	V08899900704100	252 Val Verde St	HERNANDEZ BELEN S	252 Val Verde St, more particularly described as Lot 25 &26 (7500 Sq Ft) (7500 Sq Ft), Block 7, Val Verde Subdivision, City of El Paso, El Paso County, Texas, PID #V088-999-0070-4100
10/17/2017	125.03	9.53	115.50	PRC0014523	E014999000B6100	3012 RIVERA AVE	SANCHEZ MARIA T	3012 Rivera Ave., more particularly described as Lot 25 & 26 (Homesite) (3500.00 Sq. Ft.), Block B, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E014-999-000B-6100
9/19/2017	162.52	12.39	150.13	PRC0014571	S82099900100900	0 VALLE DEL SOL	GEO-BEAZER LP	Lot 9 (8735.00 SQ.FT), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, PID #S820-999-0010-0900
10/31/2017	136.81	10.43	126.38	PRC0014572	S82099900102010	0 EQUINOX ST	RESORTVIEW HOMES I LTD	Lot 20 COS (4974.00 SQ.FT); Block 1, Sun Valley Ranch Replat A Subdivision, City of El Paso, El Paso County, Texas; PID #S820-999-0010-2010
12/12/2017	137.62	10.49	127.13	PRC0014643	A43899900603360	252 Glenwood St (South)	DE AVILA MANUEL III	252 S Glenwood St, more particularly described as Lot N 50. 70 Ft Of W 120 Ft Of 17 (6084.00 Sq Ft), Block 6, Alameda Acres Subdivision, City of El Paso, El Paso County, Texas, PID #A438- 999-0060-3360
10/31/2017	153.59	11.71	141.88	PRC0014653	E01499903002100	3125 FRUTAS AVE	LUEVANO DANIEL & MARGIE	3125 Frutas Ave, more particularly described as Lot 12 & W 24 Ft Of 13 (6860 Sq Ft), Block 30, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E014-999-0300-2100
10/31/2017	152.63	11.63	141.00	PRC0014684	E01499900203700	3030 Pera Ave	PALMA GLORIA E	3030 Pera Ave., more particularly described as Lot 17 & 18 (7000 Sq. Ft.), Block 2, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999- 0020-3700
12/12/2017	127.19	9.69	117.50	PRC0014695	P65499905500900	3453 WAYSIDE DR	LARRY & VIRGINIA C MASCORRO	3453 Wayside Dr., more particularly described as Lot 5 (7395 SQ.Fn, Block 55, Pebble Hills Subdivision, City of El Paso, El Paso County; Texas, PIO #P654-999- 0550-0900
10/31/2017	197.02	15.02	182.00	PRC0014732	F60799901504300	1107 Myrtle Ave	NAVARRO OCTAVIO, NAVARRO OCTILLIO & LUIS	1107 Myrtle Ave, more particularly described as Lot(s) 19 & 20 (6000 Sq Ft), Block 15, Franklin Heights Subdivision, City of El Paso, El Paso County, Texas, PIO #F607-999-0150-4300
2/6/2018	141.27	10.77	130.50	PRC0014770	B202999000B1000	2012 CYPRESS AVE	SALAS JESUS & VERONICA	2012 Cypress Ave, more particularly described as Lot 8 & 9(5500 SQ.FT), Block B, Bassett Subdivision, City of El Paso, El Paso County, Texas, PIO #B202-999-000B- 1000
11/13/2018	154.80	11.80	143.00	PRC0014791	B20299902005600	1907 SAN ANTONIO AVE	VISLAR JUAN & ROSA M	1907 E. San Antonio Ave., more particularly described as Lot 20 (3000 SQ.FT), Block 20, Bassett Subdivision, City of El Paso, El Paso County, Texas, PID #B202- 999-0200-5600
2/6/2018	125.44	9.56	115.88	PRC0014805	S44599900101300	9218 Santa Rosalia Ct	CHAVEZ JESUS B & ANA M U	9218 Santa Rosalia Ct., more particularly described as Lot 13, Singh Subdivision, City of El Paso, El Paso County, Texas, PID #S445-999-0010-13 00

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2/6/2018	118.80	9.05	109.75	PRC0014849	E014999000B6100	3012 RIVERA AVE	SANCHEZ MARIA T	3012 Rivera Ave., more particularly described as Lot 25 & 26 (Hombsite) (3500.00 Sq. Ft.), Block B, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999-000B-6100
2/6/2018	168.60	12.85	155.75	PRC0014906	C77699900006200	6206 Weems Way	MEDINA JOSE A	6206 Weems Way, more particularly described as Lot 59 (8054.25 Sq. Ft.), Corbin Replat Subdivision, City of El Paso, El Paso County, Texas, PID #C776-999-0000- 6200
5/1/2018	139.37	10.62	128.75	PRC0014973	C62299901106900	325 DE VARGAS DR.	BACA ROSE E	325 De Vargas Dr., more particularly described as Lot 18, Block 11, Clardy Fox Subdivision, City of El Paso, El Paso County, Texas, PID #C622-999-0110-6900
4/17/2018	110.96	8.46	102.50	PRC0015030	T28799915000070	4100 TIERRA VENADO	IRA DANIEL B	4100 Tierra Venado Dr., more particularly described as Lot 7 (5949.56 Sq. Ft.), Block 150, Tierra Del Este #36 Subdivision, City of El Paso, El Paso County, Texas, PIO #T287-999-1500-0070
4/17/2018	302.02	23.02	279.00	PRC0015042	U81999900101871	0 FRONTERA	CHAPARRO JOSE D & SILVIA A	Lot 18-D-1 (0.2300 AC) & 18-J (0.7005 AC) (0.9305 AC), Block 1, Upper Valley Subdivision, City of El Paso, El Paso County, Texas, PID #U819-999-'0010-1871
4/27/2021	692.80	52.80	640.00	PRC0015044	Y805999023A0354	0 BARKER	WHITELEY FLORENCE H	0 Barker more particularly described as 23 YSLET A TR 3-G-2 (0.123 AC), City of El Paso, El Paso County, Texas, PIO #Y805- 999--023A-0354
3/20/2018	517.16	39.41	477.75	PRC0015083	S82099900101000	0 VALLE DEL SOL	GEO-BEAZER LP	Lot 10 (31367.00 SQ FT), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, PIII #S820-999-0010- 1000
3/20/2018	156.42	11.92	144.50	PRC0015134	G56999902103700	3915 TULAROSA AVE	GRANADOS SAUL O	3915 Tularosa Ave., more particularly described as Lot 9 (3500 Sq. Ft.), Block 21, Government Hill Subdivision, City of El Paso, El Paso County, Texas, PIO #0569- 999-0210-3700
3/20/2018	138.29	10.54	127.75	PRC0015147	E014999000B6100	3012 RIVERA AVE	SANCHEZ MARIA T	3012 Rivera Ave., more particularly described as Lot 25 & 26 (Homesite) (3500.00 Sq. Ft.), Block B, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E014-999-000B-6100
5/1/2018	141.27	10.77	130.50	PRC0015153	P94799900103100	136 WHITNEY WAY	GUZMAN, JORGE & TERESA	136 Whitney Way, more particularly described as Lot 4, PULLIAM Subdivision, City of El Paso, El Paso County, Texas, PIO #P947-999-0010-3100
5/1/2018	119.62	9.12	110.50	PRC0015156	V89399903208900	1717 LOMALAND DR	MARTINEZ GUILLERMO R	1717 Lomaland Dr., more particularly described as Lot 36 (EXC SLY PTS) (7915.00 Sq. Ft.), Block 32, Vista Del Sol #6 Replat B Subdivision, City of El Paso, El Paso County, Texas, PIO #V893- 999-0320-8900
5/1/2018	138.83	10.58	128.25	PRC0015173	L21299900102575	0 IRONDALE RD	LAWNDALE PLACE HOMEOWNERS ASSOCIATION	Pt of Vacated Drainage R O W BTW 5 & 6 (EXC ELY PT) (12962.16 Sq. Ft.), Block 1,"Lawndale Place Subdivision REPLAT A, City of El Paso, El Paso County, Texas, PIO #L212-999-0010-2575
5/1/2018	198.91	15.16	183.75	PRC0015188	C84099900901100	232 Vista Bonita St	SALDIVAR OSCAR H A & 1	232 Vista Bonita St., more particularly described as Lot 3 & NWL Y 2 Ft of 2 (7022 Sq. Ft.), Block 9, Coronado Terrace Subdivision, City of El Paso, El Paso County, Texas, PID #C840-999-0090-1100
5/1/2018	136.40	10.40	126.00	PRC0015190	C34099914305100	6133 LOS FUENTES DR	NORRIS JERI L	6133 Los Fuentes Dr., more particularly described as Lot 51 (10099.67 Sq. Ft.), Block 143, Chaparral Park #39 Subdivision, City of El Paso, El Paso County, Texas, PID #C340-999-1430-5100
5/1/2018	225.70	17.20	208.50	PRC0015227	F95099900802200	0 OBRIAN	BACA JUAN D	Lot(s) 22, Block 8, Future Land Subdivision, City of El Paso, El Paso County, Texas, Parcel # F950-999-0080-2200.
5/1/2018	579.95	44.20	535.75	PRC0015251	C454999000B0100	401 RIVERSIDE DR	401 RIVERSIDE DR	401 Riverside Dr., more particularly described as Lot E. 192.5 Ft. of N.185.18 Ft. & W 68.99 Ft. ofN. I 05 Ft. of TR I EXC 0.062 ACRE NEC (40206 Sq. Ft.), Block B, Christy Subdivision, City of El Paso, El Paso County, Texas, PIO #C454-999-000B-0100
5/1/2018	147.49	11.24	136.25	PRC0015252	E01499901101100	3425 Pera Ave	SANCHEZ JORGE & SONIA	3425 Pera Ave., more particularly described as Lot 9 to 12 (14000.00 Sq. Ft.), Block 11, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E014- 999-0110-1100
5/1/2018	119.62	9.12	110.50	PRC0015254	S67099900600180	6253 ROYAL GORGE DR.	FRAGOSO CARLOS A	6253 Royal Gorge Dr., more particularly described as Lot 18 (4633.00 Sq. Ft.), Block 6, Stonebridge Addition Subdivision, City of El Paso, El Paso County, Texas, PID #S670-999-0060-0180
5/1/2018	283.62	21.62	262.00	PRC0015280	Y80599904000366	0 Padilla Dr	TRIEN JOHN H	TR 3-C (.5054 ACRE), Block 40, Y sleta Subdivision, City of El Paso, El Paso County, Texas, PID #Y805-999-0400-0366

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
5/15/2018	153.17	11.67	141.50	PRC0015340	P69599900101600	8912 ORTEGA CT	ESQUER PHILLIP & SILVA ROBERT	8912 Ortega Ct, more particularly described as Lot 17 (Homesite) (6000 Sq Ft), Phelps Subdivision, City of El Paso, El Paso County, Tex.as, PIO #P695-999-0010- 1600
5/29/2018	112.85	8.60	104.25	PRC0015359	V89799909603100	12074 VILLAGE GATE DR.	GALINDO LAURA E	12074 Village Gate Dr., more particularly described as Lot 31 (5617.50 Sq. Ft.), Block 96, Vista Hills #30 Subdivision, City of El Paso, El Paso County, Texas, PIO #V897-999-0960-3100
5/1/2018	118.80	9.05	109.75	PRC0015382	Y805999039B1301	0 Padilla Dr	TRIEN JOHN H	Lot 13-A (2.9550 AC), Block 39, Ysleta Tr Subdivision, City of El Paso, El Paso County, Texas, PID #Y805-999-039B-1301
5/29/2018	222.45	16.95	205.50	PRC0015413	X58199920200237	9311 DIANA DR	TAPNIM FUTURE L P	9311 Diana Dr, more particularly described as Tr 2-M-2-B (20051.00 Sq Ft), Block 81, Tsp 2 Sec 2 T & P Surv Subdivision, City of El Paso, El Paso County, Texas, PIO #X581-999-2020-0237
5/29/2018	151.01	11.51	139.50	PRC0015440	P68299900701700	8716 APARICIO DR	FUENTES JOSE L & SOFIA	8716 Aparicio Dr., more particularly described as Lot 9 (6330 Sq. Ft.), Block 7, Penrose Subdivision, City of El Paso, El Paso County, Texas, PIO #P682-999-0070- 1700
5/29/2018	133.96	10.21	123.75	PRC0015443	V08899900704100	252 Val Verde St	HERNANDEZ BELEN S	252 Val Verde St, more particularly described as Lot 25 &26 (7500 Sq Ft) (7500 Sq Ft), Block 7, Val Verde Subdivision, City of El Paso, El Paso County, Texas, PID #V088-999-0070-4100
5/29/2018	148.57	11.32	137.25	PRC0015450	M45299901207700	191 Ben Swain Dr	EMMANUELLE CONDE & MELISSA HERNANDEZ	191 Ben Swain Dr, more particularly described as Lot 20, Block 12, Millers Lakeside Subdivision, City of El Paso, El Paso County, Texas, PIO #M452-999-0120-7700
5/29/2018	392.14	29.89	362.25	PRC0015459	A43899900605201	374 Glenwood St (South)	CARRASCO CANDELARIO & LUZ B	374 S Glenwood St, more particularly described as Lot NLY 65.2 Ft Of Lot 28 (Exe W IO Ft)(23964.00 Sq FT), Block 6, Alameda Acres Subdivision, City of El Paso, El Paso County, Texas, PIO #A438-999-0060-5201
5/1/2018	136.40	10.40	126.00	PRC0015466	E01499903002100	3125 FRUTAS AVE	LUEVANO DANIEL & MARGIE	3125 Frutas Ave, more particularly described as Lot 12 & W 24 Ft Of 13 (6860 Sq Ft), Block 30, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E014-999-0300-2100
5/29/2018	185.65	14.15	171.50	PRC0015491	E01499900203700	3030 Pera Ave	PALMA GLORIA E	3030 Pera Ave., more particularly described as Lot 17 & 18 (7000 Sq. Ft.), Block 2, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PID #E014-999- 0020-3700
8/7/2018	159.94	12.19	147.75	PRC0015521	C81899902702100	116 De Leon Dr.	SHARP A R	116 De Leon Dr., more particularly described as Lot 385 (8856.24 Sq. Ft.), Block 27, Coronado Hills Subdivision, City of El Paso, El Paso County, Texas, PID #C818- 999-0270-2100
6/26/2018	167.79	12.79	155.00	PRC0015543	V89399926101600	1510 BENGAL DR	ZEPEDA HECTOR	1510 Bengal Dr., more particularly described as Pt of Lot 6 Beg 236.81 Ft. N. of SWC (187.1 7 Ft. on St- 81.82 Ft. on NL Y- Irreg on E- 149.90 Ft. on SLV) (29967.00 Sq. Ft.), Block 261, Vista Del Sol #50 Subdivision, City of El Paso, El Paso County, Texas, PID #V893-999-2610-1600
6/26/2018	170.76	13.01	157.75	PRC0015557	T28799901602700	2996 TIERRA LIMON DR	RAMIREZ JOSE B & RAQUEL A	2996 Tierra Limon Dr., more particularly described as Lot 27 (7120.22 Sq. Ft.), Block I 6, Tierra Del Este #7 Subdivision, City of El Paso, El Paso County, Texas, PID #T287-999-0160-2700
6/26/2018	198.10	15.10	183.00	PRC0015562	S65899900705900	7221 STILES DR	MORENO RAMON R	7221 Stiles Dr, more particularly described as Lot E 60 Ft Of 45, Block 7, Stiles Gardens Subdivision, City of El Paso, El Paso County, Texas, PIO #S658-999-0070- 5900
6/26/2018	390.78	29.78	361.00	PRC0015576	N44699900107900	319 MILTON	QUINTANA, JAIME S. & OTILIA B.	319 Milton, Lot 29 (0.468 ACRE), Block 1, North Loop Gardens #2 Subdivision, City of El Paso, El Paso County, Texas, Parcel #N446-999-0010-7900
7/24/2018	168.87	12.87	156.00	PRC0015578	S82099900102010	0 EQUINOX ST	RESORTVIEW HOMES I LTD	Lot 20 COS (4974.00 SQ FT); Block 1, Sun Valley Ranch Replat A Subdivision, City of El Paso, El Paso County, Texas; PID #S820-999-0010-2010
7/24/2018	423.80	32.30	391.50	PRC0015580	L36299900100700	577 GALLAGHER ST	WEATHERS MARIA	577 Gallagher St., more particularly described as Lot 4 EXC NE 50 Ft 125 Ft (12865 Sq. Ft.), Block I, Linda Vista Gardens Subdivision, City of El Paso, El Paso County, Texas, PID #L362-999-0010-0700
6/26/2018	184.03	14.03	170.00	PRC0015601	H087999000M0100	3924 PERSHING DR	MUNOZ IDA & YSABEL	3924 Pershing Dr., more particularly described as Lot I & N 1/2 of 2 (21), Block M, Hague Subdivision, City of El Paso, El Paso County, Texas, PIO #H087-999- 000M-0100
2/26/2019	187.27	14.27	173.00	PRC0015607	B202999000B1000	2012 CYPRESS AVE	SALAS JESUS & VERONICA	2012 Cypress Ave, more particularly described as Lot 8 & 9 (5500 Sq Fl), Block B, Bassett Subdivision, City or El Paso, El Paso County, Texas, PIO #B202-999-000B- 1000

Exhibit A

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
6/26/2018	168.87	12.87	156.00	PRC0015612	M02899904009900	820 PARK ST	NEVAREZ, HECTOR L (TR)	820 Park St., more particularly described as Lot 20, Block 40, Magoffin Subdivision, City of El Paso, El Paso County, Texas, PID #M028-999-0400-9900
6/26/2018	187.27	14.27	173.00	PRC0015615	L63999900209700	227 SOFIA PLACE	RUBIO CARLOS SR	227 Sofia Pl., more particularly described as Lot 15 & TR 6-H BLK 43 Ysleta (0.03 ACRE), Block 2, Lone Star Subdivision, City of El Paso, El Paso County, Texas, PIO #L639-999-0020-9700
6/26/2018	168.87	12.87	156.00	PRC0015639	T28799908900375	12377 TIERRA ARENA DR	GUZMAN ANTHONY	12377 Tierra Arena Dr., more particularly described as Lot 5 (4130.00 Sq. Ft.), Block 89, Tierra Del Este #18 Subdivision, City of El Paso, El Paso County, Texas, PID #T287-999-0890-0375
8/7/2018	296.61	22.61	274.00	PRC0015683	D3279990604500	10219 WHITETAIL DR	AVILA HECTOR & LERMA LORENA	10219 Whitetail Dr, more particularly described as Lot 23 (6741 SQ FT), Block 6, Deer Valley# I Subdivision, City of El Paso, El Paso County, Texas, PIO #D327-999- 0060-4500
8/7/2018	187.27	14.27	173.00	PRC0015695	C20399900501000	6035 BRIDALVEIL DR	DEUTSCHE BANK NATIONAL TRUST CO	6035 Bridalveil Dr., more particularly described as E 25.19 Ft. of I 0 & W 4.71 Ft. of Lot 9 (3007.02 Sq. Ft.), Block 5, Cascade Park Subdivision, City of El Paso, El Paso County, Texas, PIO #C203- 999-0050-I 000
8/7/2018	188.90	14.40	174.50	PRC0015726	S81299901100900	12268 ROBERT DAHL DR	RAYOS MARTIN	12268 Robert Dahl Dr., more particularly described as Lot 9 (6380.05 Sq. Ft.), Block 11, Sun Ridge #3 Subdivision, City of El Paso, El Paso County, Texas, PIO #S812-999-0I to-0900
8/7/2018	187.27	14.27	173.00	PRC0015733	S36399906063700	10716 JADESTONE ST	ESTATE OF ROBERT W VETTER	10716 Jadestone St, more particularly described as Lot 19, Block 6, Shearman #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #S363-999-0060-3700
8/7/2018	300.94	22.94	278.00	PRC0015749	S82099900101000	0 VALLE DEL SOL	GEO-BEAZER LP	Lot(s) 10 (31367.00 Sq. Ft.), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, PID #S820-999-0010-1000
8/7/2018	187.27	14.27	173.00	PRC0015759	V89799910101300	1749 DEAN JONES ST	GAYTAN B EVA L & CONCEPCION	1749 Dean Jones St., more particularly described as Lot 13 (5722.50 Sq. Ft.), Block 101, Vista Hills #30 Subdivision, City of El Paso, El Paso County, Texas, PID #V897-999-1010-1300
8/21/2018	187.27	14.27	173.00	PRC0015792	C97999900300500	310 GRANT TETONS DR	CUMBRE DEVELOPMENT CORP	310 GRAND TETON DR. more particularly described as 3 CUMBRE ESTATES (AMENDING PLAT) LOT 5 (102360.89 SQ FT), PID #C97999900300500
8/21/2018	269.00	20.50	248.50	PRC0015805	H21199900402100	1624 Ladrillo Place	GUTIERREZ RAUL S	1624 Ladrillo Place, more particularly described as Lot 6(2500 SQ FT), Block 4, Heafield & Hudspeth Subdivision, City of El Paso, El Paso County, Texas, PID #H211-999-0040-2100
8/21/2018	192.14	14.64	177.50	PRC0015810	S16199900200500	10608 MURPHY ST	DAVIDS, FREDERICK J & EVA M	10608 Murphy Street, more particularly described as Lot 5, Block 2, Sarah Anne Park Subdivision, City of El Paso, El Paso County, Texas, PID #S161-999-0020- 0500
10/30/2018	187.27	14.27	173.00	PRC0015849	R20099900601600	7736 PHOENIX AVE	BURNS W H & MARTHA J	7736 Phoenix Ave., more particularly described as Lot 6, Block 6, Ranchland Hills Subdivision, City of El Paso, El Paso County, Texas, PID #R200-999-0060-I 600
11/13/2018	199.18	15.18	184.00	PRC0015902	E05499900200130	3016 E GLEN DR UNIT A LEFT SIDE	ASANO TORU	3016 E Glen Dr, more particularly described as Lot S 63.33 Ft Of N 166.99 Ft Of W 120 Ft Of 1 (7599.60 Sq Ft), Block 2, East Glen #1 Subdivision, City of El Paso, El Paso County, Texas, PID #E054-999-0020-0130
10/2/2018	202.43	15.43	187.00	PRC0015934	R22199902807900	7424 KINGMAN DRIVE	HARRIS ALVIN L & KATHERINE	7424 Kingman Drive, more particularly described as Lot 30 EXC PT IN SEC(1.65 FT ON N 66.10 FT ON E 4.40 FT ON S S 66.16 FT ON W), Block 28, Ranchland Hills #5 Subdivision, City of El Paso, El Paso County, Texas, PID #R211-999-0280-7900
10/2/2018	1,621.04	123.54	1497.50	PRC0015945	U819999011E0029	0 STRAHAN	PRITAM B DANDADE	Lot TR 9-F (7.8335 AC), Block 11, Upper Valley Subdivision, City of El Paso, El Paso County, Texas, PID #U819-999-011 E-0029
10/2/2018	198.64	15.14	183.50	PRC0015958	E01499901101100	3425 PERA AVE	SANCHEZ JORGE & SONIA	3425 Pera Ave, more particularly described as Lot 9 To 12 (14000.00 Sq Ft), Block 11, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E014- 999-01 I0-1100
10/2/2018	199.18	15.18	184.00	PRC0015964	E20799901904900	1302 WEDGEWOOD DR	ACEVES GUADALUPE	1302 Wedgewood Dr., more particularly described as Lot 9, Block 19, Eastwood Subdivision, City of El Paso, El Paso County, Texas, PIO #E207-999-0190-4900
10/2/2018	184.03	14.03	170.00	PRC0015971	P64399900102900	0 CONEJO LN	HARO JUAN E	TR 42 7545.37 Sq. Ft., Pavo Real Subdivision, City of El Paso, El Paso County, Texas, PIO #P643-999-0010-2900

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10/2/2018	156.42	11.92	144.50	PRC0015979	B20299902500100	2328 MAGOFFIN AVE	AUTO BODY SUPPLY INC	2328 Magoffin Ave, more particularly described as Lot 6 & 7 & FR 2 To 5 (11400 Sq Ft), Block 25, Bassett Subdivision, City of El Paso, El Paso County, Texas, PIO #B202-999-0250-0100
10/2/2018	192.14	14.64	177.50	PRC0015984	M88999900905700	6056 POMPEII ST	MORENO SANDRA	6056 Pompeii St., more particularly described as E. 5 Ft. of 8 & W. 60.69 Ft. of 9 (6831.75 Sq. Ft.), Block 9, Mountainaire #1 Subdivision, City of El Paso, El Paso County, Texas, PID #M889- 999-0090-5700
10/2/2018	202.43	15.43	187.00	PRC0015999	L536999001C4900	1038 BURGESS	WILLIAM M. INGRAM	1038 Burgess Dr, more particularly described as Lot Tr 584 (7000 Sq Ft), Loma Terrace #4-C Subdivision, City of El Paso, El Paso County, Texas, PIO #L536-999- 001C-4900
12/17/2019	212.17	16.17	196.00	PRC0016014	S16299900403700	5225 BALLINGER DR	CHELLIS THOMAS W	5225 Ballinger Dr., more particularly described as Lot 19 (7651.11 Sq. Ft.), Block 4, Sarah Anne Park #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #SI62-999-0040-3700
10/30/2018	187.27	14.27	173.00	PRC0016061	C62299901106900	325 DE VARGAS DR.	BACA ROSE E	325 De Vargas Dr., more particularly described as Lot 18, Block 11, Clardy Fox Subdivision, City of El Paso, El Paso County, Texas, PID #C622-999-0110-6900
10/2/2018	184.57	14.07	170.50	PRC0016066	E01499907600100	3301 WYOMING AVE	PREECE DAVID	3301 Wyoming Ave., more particularly described as Lot I (3500 Sq. Ft.), Block 76, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E014-999- 0760-0100
10/2/2018	184.03	14.03	170.00	PRC0016078	V89399908902100	10809 SAM SNEAD DR	GOMEZ JOSE R JR & GENEVIEVE M	10809 Sam Snead Dr., more particularly described as Lot 9 Exe W. 23 Ft. & E. 1.70 Ft., Block 89, Vista Del Sol Subdivision, City of El Paso, El Paso County, Texas, PIO #V893-999-0890-2100
11/13/2018	350.19	26.69	323.50	PRC0016082	Y805999039B1101	0 PADILLA DR	TRIEHN JOHN H	TR 11-A TR 11-B TR 12-A, Block 39, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PIO #Y805-999-039B-1 I O 1
10/30/2018	284.70	21.70	263.00	PRC0016095	S55999900201100	1040 LOS MOROS DR	MAGALLON ABRAHAM I & MARIANA A	1040 Los Moros Dr., more particularly described as Lot 11 (10000.00 Sq. Ft.), Block 2, Spanish Pines #1 Subdivision, City of El Paso, El Paso County, Texas, PIO #S559-999-0020-I 100
10/30/2018	267.38	20.38	247.00	PRC0016096	C454999000B0100	401 RIVERSIDE DR	401 RIVERSIDE DR	401 Riverside Dr., more particularly described as E 192.5 FT ofN 185.18 FT & W 68.99 FT of N 105 FT of TR I EXC 0.062 Acre NEC (40206 Sq. Ft.), Block B, Christy Subdivision, City of El Paso, El Paso County, Texas, PID #C454-999-000B-0100
10/2/2018	238.69	18.19	220.50	PRC0016218	S917999002H1975	4853 Apollo Ave.	OLIVAS EVELIA (CS)	4853 Apollo Ave., more particularly described as W. 52.6 Ft. of (198 & S. 65.35 Ft. of 197) (11080.19 Sq. Ft.), Sunrise Acres #2 Subdivision, City of El Paso, El Paso County, Texas, PID #S917- 999-002H-1975
10/30/2018	243.56	18.56	225.00	PRC0016221	M79499906002500	3717 TYLER AVE	LAM PIKLING	3717 Tyler Ave, more particularly described as Lot 7 To 10 (12000 Sq. Ft.), Block 60, Morningside Heights Subdivision, City of El Paso, El Paso County, Texas, PID #M794-999-0600-2500
10/2/2018	278.20	21.20	257.00	PRC0016223	S917999002H1955	4857 Apollo Ave.	OLIVAS EVELIA (CS)	4857 Apollo Ave., more particularly described as W. 52.6 Ft. of E. 105.2 Ft. of (198 & S 65.35 Ft. of Lot 197) (11080.19 Sq. Ft.), Sunrise Acres #2 Subdivision, City of El Paso, El Paso County, Texas, PID #S917-999-002H-1955
10/30/2018	187.27	14.27	173.00	PRC0016255	B20299907805100	2331 WYOMING AVE	CROWN ATLANTIC COMPANY L L C	233 I Wyoming Ave., more particularly described as Lot 31 & 32 (6000 Sq. Ft.), Block 78, Bassett Subdivision, City of El Paso, El Paso County, Texas, PID #B202- 999-0780-5100
10/30/2018	187.27	14.27	173.00	PRC0016271	X58199920200237	9311 DIANA DR	TAPNIM FUTURE L P	9311 Diana Dr., more particularly described as TR 2-M-2-B (20051.00 Sq. Ft.), Block 81, Tsp 2 Sec 2 T & P Surv Subdivision, City of El Paso, El Paso County, Texas, PID #X581-999-2020-0237
10/30/2018	202.43	15.43	187.00	PRC0016288	E01499900203700	3030 PERA AVE	PALMA GLORIA E	3030 Pera Ave., more particularly described as Lot 17 & 18 (7000 Sq. Ft.), Block 2, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO # EO 14- 999-0020-3 700
10/30/2018	184.03	14.03	170.00	PRC0016290	M05699903704900	1315 N PIEDRAS	GARCIA TERESA A C/O GARCIA ROGELIO A	1315 N. Piedras St., more particularly described as 40 Ft. of Lot 11 to 14 Beg. 40 Ft. S. of Nee. (3887 Sq. Ft.), Block 37, Manhattan Heights Subdivision, City of El Paso, El Paso County, Texas, PID #M056-999-03 70-4900
10/30/2018	259.26	19.76	239.50	PRC0016292	O26399900205000	209 HARDESTY PL	RODARTE MANUELA O	209 Hardesty Pl, more particularly described as Lot 20 To 22, Block 2, Orchard Park Subdivision, City of El Paso, El Paso County, Texas, PIO #O263-999-0020-5000
10/30/2018	177.53	13.53	164.00	PRC0016308	M32899900100400	285 AMELIA DR	GIL JOSE A	285 Amelia Dr., more particularly described as Lot 4, Block 1, Mesa Encantada Subdivision, City of El Paso, El Paso County, Texas, PIO #M328-999-0010-0400

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11/13/2018	284.70	21.70	263.00	PRC0016325	V08899900704100	252 VAL VERDE ST	HERNANDEZ BELEN S	252 Val Verde St., more particularly described as Lot 25 & 26 (7500 Sq. Ft.) (7500 Sq. Ft.), Block 7, Val Verde Subdivision, City of El Paso, El Paso County, Texas, PIO #V05S-999-0070-4100
11/13/2018	253.31	19.31	234.00	PRC0016341	Y805999023A0502	227 BARKER	VILLEGAS JOAQUIN	227 Barker Rd. 5, more particularly described as Lot 5-B (2.097 l Ac) & 6-K (0.922 Ac) (3.0191 Ac), Block 23, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PID #Y805-999-023A-0502
11/13/2018	187.27	14.27	173.00	PRC0016368	X23999900002050	0 N DESERT BLVD	TRANSMOUNTAIN PARTNERS LLC	Abst 9-B (9.6734 Ac) & 10-C-3 (15.4701 Ac) & 11-A (l.0049 Ac) (25.5400 Ac), Nellie D Mundy Surv 239, City of El Paso, El Paso County, Texas, PID #X239-999- 0000-2050
12/11/2018	168.87	12.87	156.00	PRC0016376	M32799901201400	0 LE CONTE	LUCAS PAULA	Lot 14 (2015.17 Sq Ft.), Block 12, Mesa Del Castillo #4 Subdivision, City of El Paso, El Paso County, Texas, PID #M327-999-0120-1400
11/13/2018	168.87	12.87	156.00	PRC0016377	S13799901402500	11213 DUSTER	JETER BOBBY	11213 Duster St., more particularly described as Lot 25 (5025.00 Sq. Ft.), Block 14, Sandstone Ranch #3 Subdivision, City of El Paso, El Paso County, Texas, PIO #S 137-999-0140-2500
11/13/2018	159.13	12.13	147.00	PRC0016401	L06999901302300	5460 RIDGE ST	CABADA ILEANA	5460 Ridge St., more particularly described as Lot 12 (6336.50 Sq. Ft.), Block 13, La Paz Estates #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #L069- 999-0130-2300
12/11/2018	253.31	19.31	234.00	PRC0016445	K38399900100300	11408 PATRICIA AVE	QUINTANA, JAVIER & BEATRIZ	11408 Patricia Avenue, more particularly described as Lot(s) 3, Block 1, Kimberly Heights Subdivision, City of El Paso, El Paso County, Texas, PID #K383-999-0010- 0300
12/11/2018	410.54	31.29	379.25	PRC0016450	M64099900100100	10110 MONTANA AVE	MASSAAD THERESE & CHAFIC	10110 Montana Ave., more particularly described as Lot 1 (42680.85 Sq. Ft.), Block 1, Montana & Lome Commercial Dist. Subdivision, City of El Paso, El Paso County, Texas, PIO #M640- 999-0010-0100
12/11/2018	198.10	15.10	183.00	PRC0016475	I00399900800200	1121 ALZA DR	UNITED LOGISTICS	1121 Alza Dr., more particularly described as Lot 2 (87016.60 Sq. Ft.), Block 8, 1-10 Industrial Park Rpl A Subdivision, City of El Paso, El Paso County, Texas, PIO #I003-999-0080-0200
12/11/2018	267.38	20.38	247.00	PRC0016489	D36199900700100	8601 ROBERT DR	ARYAN PROPERTIES LLC	8601 Robert Dr., more particularly described as Lot 1 (29620.80 Sq. Ft.), Block 7, Del Norte Acres Subdivision, City of El Paso, El Paso County, Texas, PID #D361- 999-0070-0100
12/11/2018	207.30	15.80	191.50	PRC0016507	L12299900101100	7943 SAN JOSE AVE	DOMINGUEZ DEREK	7943 San Jose Rd., more particularly described as E. Pt. of TR 3 (0.84 AC), Lafayette Subdivision, City of El Paso, El Paso County, Texas, PIO #L122-999-0010-1100
1/22/2019	202.97	15.47	187.50	PRC0016518	T28799901602700	2996 TIERRA LIMON DR	RAMIREZ JOSE B & RAQUEL A	2996 Tierra Limon Dr., more particularly described as Lot 27 (7120.22 Sq. Ft.), Block 16, Tierra Del Este #7 Subdivision, City of El Paso, El Paso County, Texas, PIO #T287-999-0160-2700
1/22/2019	168.87	12.87	156.00	PRC0016522	M57699901702100	4050 N STANTON ST	GARCIA DIANA P	4050 N. Stanton St., more particularly described as Lot 6, Block 17, Mission Hills Subdivision, City of El Paso, El Paso County, Texas, PIO #M576-999-0170-2100
1/22/2019	202.43	15.43	187.00	PRC0016531	S16299902203700	5517 LONGVIEW CIR	SILVA REBECCA L	5517 Longview Cir., more particularly described as Lot 19 (6000 Sq. Ft.), Block 22, Sarah Anne Park #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #S 162-999-0220-3 700
1/22/2019	187.27	14.27	173.00	PRC0016551	E01499904804000	0 RAYNOR	DIVERSIFIED RECYCLING SERV INC	SE Pt. of Lot 14 To 16 (73 Ft. on S. 103.24 Ft. on NW 73 Ft. on E), Block 48, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E0 l 4-999-0480- 4000
1/22/2019	230.57	17.57	213.00	PRC0016558	S917999002A1600	8144 DYER ST	CCR PROPERTIES INC	8144 Dyer St., more particularly described as Lot 3 Exe W. 20 Ft. & 20 Ft. Aly (82252 Sq. Ft.), Sunrise Acres #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #S9 l 7-999-002A-1600
1/22/2019	184.03	14.03	170.00	PRC0016587	B30099900504700	5480 JOYCE CIR	SIQUEIROS RODOLFO C/O SIQUEIROS IRMA	5480 Joyce Cir., more particularly described as Lot 43 (6040.41 Sq. Ft.), Block 5, Beaumont Subdivision, City of El Paso, El Paso County, Texas, PIO #B300-999- 0050-4700
1/22/2019	185.11	14.11	171.00	PRC0016590	G56999902209100	3900 LA LUZ AVE	CASTANEDA SOCORRO M	3900 La Luz Ave, more particularly described as Lot 32 & W 15 FT of 31 (5600 SQ FT), Block 22, Government Hill Subdivision, City of El Paso, El Paso County, Texas, PIO #O569-999-0220-9100
2/5/2019	193.23	14.73	178.50	PRC0016606	L447999074C5000	3600 SHEPPARD AVE	JACKSON ESPERANZA	3600 Sheppard Ave., more particularly described as Lot 18 & 19 (6000 Sq. Ft.), Block 74-C, Logan Heights Subdivision, City of El Paso, El Paso County, Texas, PID #L447-999-074C-5000

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2/26/2019	220.83	16.83	204.00	PRC0016625	L12599900602500	418 LAFAYETTE DR	MORENO JOE M	418 Lafayette Dr., more particularly described as S. 47 Ft. of N. 53 Ft. of Lot 4 (6766 Sq. Ft.), Block 6, Lafayette Place Subdivision, City of El Paso, El Paso County, Texas, PID #L125-999-0060-2500
10/27/2020	187.27	14.27	173.00	PRC0016635	S67099900300050	10947 STONEBRIDGE DR	EL PASO HOUSING AUTHORITY	10947 Stonebridge Dr., more particularly described as 3 Stonebridge Addition Lot 5 (4500.00 Sq. Ft.), PID #S670-999-0030- 0050, City of El Paso, El Paso County, Texas
2/26/2019	168.87	12.87	156.00	PRC0016642	V89799910101300	1749 DEAN JONES ST	GAYTAN B EVA L & CONCEPCION	1749 Dean Jones St., more particularly described as Lot 13 (5722.50 Sq. Ft.), Block 101, Vista Hills #30 Subdivision, City of El Paso, El Paso County, Texas, PID #V897-999-1010-1300
2/26/2019	168.87	12.87	156.00	PRC0016643	T24099900601700	7731 BROADWAY DR	VARGAS SOCORRO P	7731 Broadway Dr., more particularly described as Lot 9, Block 6, Thomas Manor Subdivision, City of El Paso, El Paso County, Texas, PIO #T240-999-0060-I 700
2/26/2019	231.66	17.66	214.00	PRC0016646	P48199901104400	2713 ARCHIE DR	MOYA ENRIQUE & CAROLINA	2713 Archie Dr, more particularly described as Lot 20 (7088 Sq. Ft.), Block 11, Parkwood Subdivision, City of El Paso, El Paso County, Texas, PIO #P481-999-0110- 4400
2/26/2019	192.14	14.64	177.50	PRC0016647	M45299901207700	191 BEN SWAIN DR	EMMANUELLE CONDE & MELISSA HERNANDEZ	191 Ben Swain Dr, more particularly described as Lot 20, Block 12, Millers Lakeside Subdivision, City of El Paso. El Paso County, Texas, PIO #M452-999-0120-7700
2/26/2019	181.32	13.82	167.50	PRC0016652	B202999000B1000	2012 CYPRESS AVE	SALAS JESUS & VERONICA	2012 Cypress Ave, more particularly described as Lot 8 & 9 (5500 Sq Ft), Block B, Bassett Subdivision, City or El Paso, El Paso County, Texas, PIO #B202-999-000B- 1000
2/26/2019	259.26	19.76	239.50	PRC0016660	E01499900203700	3030 PERA AVE	PALMA GLORIA E	3030 Pera Ave., more particularly described as Lot 17 & 18 (7000 Sq. Ft.), Block 2, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO # EO 14- 999-0020-3 700
2/26/2019	188.90	14.40	174.50	PRC0016661	A43899900603360	252 S GLENWOOD ST	DE AVILA MANUEL III	252 S Glenwood St, more particularly described as Lot N 50. 70 Ft Of W 120 Ft Of 17 (6084.00 Sq Ft), Block 6, Alameda Acres Subdivision, City of El Paso, El Paso County, Texas, PID #A438- 999-0060-3360
2/26/2019	184.03	14.03	170.00	PRC0016673	Y80599904000366	0 PADILLA	TRIEH JOHN H	TR 11-A TR 11-B TR 12-A, Block 39, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PIO #Y805-999-039B-1 I O 1
2/26/2019	187.27	14.27	173.00	PRC0016678	V89399911603500	1901 LEE ELDER DR	AURELIO & JOSE RUIZ	1901 Lee Elder Dr., more particularly described as Lot 18, Block 116, Vista Del Sol #35 Subdivision, City of El Paso, El Paso County, Texas, PID #V893-999-I 160- 3500
2/26/2019	193.77	14.77	179.00	PRC0016683	O26399900205000	209 HARDESTY PL	RODARTE MANUELA O	209 Hardesty Pl, more particularly described as Lot 20 To 22, Block 2, Orchard Park Subdivision, City of El Paso, El Paso County, Texas, PIO #O263-999-0020-5000
2/26/2019	168.87	12.87	156.00	PRC0016716	C34099914305100	6133 LOS FUENTES DR	NORRIS JERI L	6133 Los Fuentes Dr., more particularly described as Lot 51 (10099.67 Sq. Ft.), Block 143, Chaparral Park #39 Subdivision, City of El Paso, El Paso County, Texas, PJD #C340-999-I 430-5 I 00
2/26/2019	168.87	12.87	156.00	PRC0016717	S54199900600700	12504 JON EVANS DR	GARCIA ALFONSO O	12504 Jon Evans Dr., more particularly described as Lot 7 (4515.00 Sq. Ft.), Block 6, Sombras Del Sol #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #S541-999-0060-0700
2/26/2019	188.90	14.40	174.50	PRC0016722	H93199900004100	8316 POLARIS ST	FARIAS JAIME G	8316 Polaris St., more particularly described as N. 60. 76 Ft. of Lot 6, Huntington Park Subdivision, City of El Paso, El Paso County, Texas, PIO #H93 I-999-0000-4 I 00
2/26/2019	168.87	12.87	156.00	PRC0016729	T64599900702700	353 GRAPHITE DR	ROJO CARLOS E & ELENA	353 Graphite Dr., more particularly described as Lot 14, Block 7, Town & Country Village Subdivision, City of El Paso, El Paso County, Texas, PID #T645-999-0070- 2700
2/26/2019	192.14	14.64	177.50	PRC0016732	E01499901101100	3425 PERA AVE	SANCHEZ JORGE & SONIA	3425 Pera Ave, more particularly described as Lot 9 To 12 (14000.00 Sq Ft), Block 11, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E014- 999-01 I0-1100
3/5/2019	168.87	12.87	156.00	PRC0016758	V89799901200900	11418 JACK CUPIT LN	L. COLBERT PAVLOVA P	11418 Jack Cupit Ln, more particularly described as Lot 5, Block 12, Vista Hills #1 Subdivision, City of El Paso, El Paso County, Texas, PIO #V897-999-0120-0900
2/26/2019	198.10	15.10	183.00	PRC0016760	A52099901804700	0 COPIA	MONTELONGO ANTONIO JR	Lot 31 to 33 & N. 10 Ft. of Lot 30, Block 18, Altura Park Subdivision, City of El Paso County, Texas, PID #A520-999-0180-4700

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3/5/2019	172.12	13.12	159.00	PRC0016761	T28799914600620	14137 TIERRA MORENA	MONCADA SAMUEL	14137 Tierra Morena Dr., more particularly described as Lot 62 (5789.99 Sq. Ft.), Block 146, Tierra Del Este #36 Subdivision, City of El Paso, El Paso County, Texas, PIO #T287-999-1460-0620
3/5/2019	187.27	14.27	173.00	PRC0016792	S16299900403700	5225 BALLINGER DR	CHELLIS THOMAS W	5225 Ballinger Dr., more particularly described as Lot 19 (7651.11 Sq. Ft.), Block 4, Sarah Anne Park #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #S162-999-0040-3700
3/5/2019	187.27	14.27	173.00	PRC0016793	T10999900104400	5943 TROWBRIDGE DR	LUEVANO MARGARITA	5943 Trowbridge Dr., more particularly described as Lot 44, Block 1, Tejas Subdivision, City of El Paso, El Paso County, Texas, PID #TI 09-999-00 I 0-4400
6/25/2019	290.65	22.15	268.50	PRC0016776	X58199920900705	0 HONDO PASS	MORALES BENJAMIN	Tr 7-B (2.2080 AC), Block 81, TSP 2 Sec 9 T & P Surv Subdivision, City of El Paso, El Paso County, Texas, PID #X581-999-2090-0705
3/19/2019	243.56	18.56	225.00	PRC0016828	C77699900006200	6206 WEEMS WAY	MEDINA JOSE A	6206 Weems Way, more particularly described as Lot 59 (8054.25 Sq. Ft.), Corbin Replat Subdivision, City of El Paso, El Paso County, Texas, PID #C776-999-0000- 6200
3/19/2019	207.30	15.80	191.50	PRC0016830	V08899900704100	252 VAL VERDE ST	HERNANDEZ BELEN S	252 Val Verde St., more particularly described as Lot 25 & 26 (7500 Sq. Ft.) (7500 Sq. Ft.), Block 7, Val Verde Subdivision, City of El Paso, El Paso County, Texas, PIO #V0SS-999-0070-4100
3/19/2019	198.10	15.10	183.00	PRC0016841	B55599900040001	240 MESILLA CT	URLAUB JAMES	240 Mesilla Ct., more particularly described as Lot 1 (4773 Sq. Ft.), Block 4, Bonanza Mobile Homes Subdivision, City of El Paso, El Paso County, Texas, PIO #B555-999-0004-000 I
3/19/2019	187.27	14.27	173.00	PRC0016844	E05499900402500	3012 BERT YANCEY DR	GONZALEZ STEPHANIE S & KEVIN ALEXIS	3012 Bert Yancey Dr., more particularly described as Lot 13 (7350 Sq. Ft.), Block 4, East Glen Subdivision, City of El Paso, El Paso County, Texas, PID #E054-999- 0040-2500
3/19/2019	292.00	22.25	269.75	PRC0016848	X24199912A00100	6487 SONGLAND RD	CARRILLO JOSE D & GONZALEZ CONSTANCIA	6487 Songland Rd., more particularly described as TR 12 (0.1840 Acre), Nellie D Mundy Sur 241 Abst 8425 Subdivision, City of El Paso, El Paso County, Texas, PIO #X241-999-12A0-0100
3/19/2019	205.68	15.68	190.00	PRC0016850	S22599901901000	3112 KIRKCALDY RD	NICHOLS JOSHUA D & MONAREZ BERENICE	3112 Kirkcaldy Rd., more particularly described as Lot 4, Block 19, Scotsdale Subdivision, City of El Paso, El Paso County, Texas, PIO #S225-999-0190-1000
3/19/2019	238.15	18.15	220.00	PRC0016858	S56499900100200	1061 MAXIMO DR	LEVERAGE INVESTMENT GROUP LLC	1061 Maximo Dr., more particularly described as Lot 2 (13652.84 Sq. Ft.), Block 1, Spanish Courts Subdivision, City of El Paso, El Paso County, Texas, PIO #S564- 999-0010-0200
3/19/2019	168.87	12.87	156.00	PRC0016859	R46099905301700	6965 SWEDE JOHNSEN DR	ROJAS DANIEL & ELVA M	6965 Swede Johnsen Dr., more particularly described as Lot 17 (6267.00 Sq. Ft.), Block 53, Ridge View Estates #18 Subdivision, City of El Paso, El Paso County, Texas, PIO #R460-999-0530-1700
3/19/2019	168.87	12.87	156.00	PRC0016869	E0789990JJ00100	10540 ASHRIDGE DR	HERNANDEZ JOE	10540 Asbridge Dr., more particularly described as Lot 1 (1224.11 Sq. Ft.), Block JJ, Eastridge #11 Subdivision, City of El Paso, El Paso County, Texas, PIO #E078- 999-0JJ0-0100
3/19/2019	173.74	13.24	160.50	PRC0016872	V897999001D0100	1840 ESTRADA DR	TIME WARNER CABLE TEXAS LLC/REAL ESTATE	1840 Estrada Dr., more particularly described as Lot I, Block 1, Vista Hills #2 Replat D Subdivision, City of El Paso, El Paso County, Texas, PID #V897-999-001D- 0100
4/2/2019	168.87	12.87	156.00	PRC0016884	V92799903205400	3564 CACHET PL	DAVIS RICHARD L	3564 Cachet Pl., more particularly described as Lot 107 (5186.99 Sq. Ft.), Block 32, Vista Real #3 Subdivision, City of El Paso, El Paso County, Texas, PID #V927- 999-0320-5400
4/2/2019	214.88	16.38	198.50	PRC0016893	A43899900605101	370 S GLENWOOD ST	GUZMAN, PAUL M	370 S. Glenwood St., more particularly described as S. 55 Ft. of Lot 27 (Excw IO Ft. on St.) (20185 Sq. Ft.), Block 6, Alameda Acres Subdivision, City of El Paso, El Paso County, Texas, PID #A438- 999-0060-5101
4/2/2019	207.30	15.80	191.50	PRC0016904	E01499900086100	3012 RIVERA AVE	SANCHEZ MARIA T	3012 Rivera Ave., more particularly described as Lot 25 & 26 (Homesite) (3500.00 Sq. Ft.), Block B, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E014-999-0008-6100
4/2/2019	218.12	16.62	201.50	PRC0016906	A43899900605201	374 S GLENWOOD ST	CARRASCO CANDELARIO & LUZ B	374 S Glenwood St, more particularly described as Lot NLY 65.2 Ft Of Lot 28 (Exe W IO Ft)(23964.00 Sq FT), Block 6, Alameda Acres Subdivision, City of El Paso, El Paso County, Texas, PIO #A438-999-0060-5201
4/2/2019	218.12	16.62	201.50	PRC0016914	C62299901106900	325 VARGAS DR	BACA ROSE E	325 De Vargas Dr., more particularly described as Lot 18, Block I 1, Clardy Fox Subdivision, City of El Paso, El Paso County, Texas, PID #C622-999-0 I 10-6900

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4/2/2019	270.08	20.58	249.50	PRC0016915	T21899900405300	625 RAMSGATE RD	DIAZ MAYRA Y R	625 Ramsgate Rd., more particularly described as Lot 18 (12852 Sq. Ft.), Block 4, The Village Subdivision, City of El Paso, El Paso County, Texas, PIO #T2 I 8-999- 0040-5300
6/25/2019	187.27	14.27	173.00	PRC0016926	S81299904400100	2048 CRYSTAL RIDGE DR	ENRIQUEZ NOEL & ORTEGA GABRIEL	2048 Crystal Ridge Dr., more particularly described as Lot 1 (6752.59 Sq. Ft.), Block 44, Sun Ridge #9 Subdivision, City of El Paso, El Paso County, Texas, PID #S812-999-0440-0100
4/2/2019	187.27	14.27	173.00	PRC0016927	T28799911702200	12785 TIERRA SONORA DR	HARRIS STACEY S & LAVINIA M	12785 Tierra Sonora Dr., more particularly described as Lot 22 (5575.50 Sq. Ft.), Block 117, Tierra Del Este #34 Subdivision, City of El Paso, El Paso County, Texas, PIO #T287-999-I I 70-2200
5/14/2019	187.27	14.27	173.00	PRC0016962	P69599900101600	8912 ORTEGA CT	ESQUER PHILLIP & SILVA ROBERT	8912 Ortega Ct, more particularly described as Lot 17 (Homesite) (6000 Sq. Ft.), Phelps Subdivision, City of El Paso, El Paso County, Texas, PID #P695-999-0010- 1600
6/25/2019	174.28	13.28	161.00	PRC0016978	V893999111A5500	1513 BUD ALLIN PL	MASCORRO LARRY & VIRGINIA	1513 Bud Allin Pl., more particularly described as Lot 28, Block 111-A, Vista Del Sol #20 Replat A Subdivision, City of El Paso, El Paso County, Texas, PIO #V893- 999-1 I IA-5500
6/25/2019	187.27	14.27	173.00	PRC0016992	R20099900308100	7761 RANCHLAND DR	DAUGHERTY EDGAR	7761 Ranchland Dr., more particularly described as Lot 5 (7790.79 Sq. Ft.), Block 3, Ranchland Hills Subdivision, City of El Paso, El Paso County, Texas, PIO #R200- 999-0030-8 I 00
6/25/2019	270.08	20.58	249.50	PRC0017025	S65899900705900	7221 STILES DR	MORENO RAMON R	7221 Stiles Dr., more particularly described as E 60 Ft. of Lot 45, Block 7, Stiles Gardens Subdivision, City of El Paso, El Paso County, Texas, PID #S658-999-0070- 5900
6/25/2019	184.03	14.03	170.00	PRC0017026	E01499912908600	1412 N COPIA ST	MERCADO LUCIANO LOPEZ SYLVIA	1412 N Copia St, more particularly described as S 40 Ft of Lots 31 & 32 & S 40 Ft of W 20 Ft of Lot 30 (2800 Sq Ft), Block 129, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E0 14-999-1290-8600
6/25/2019	202.43	15.43	187.00	PRC0017047	M85199907406900	8937 MOUNT RUSHMORE LN	TREJO, JAIME H H	8937 Mount Rushmore Ln, more particularly described as Lot 1829 (7245 Sq Ft), Block 74, Mountain View Subdivision, City of El Paso, El Paso County, Texas, PID #M851-999-0740-6900
6/25/2019	168.87	12.87	156.00	PRC0017057	M57699901702100	4050 N STANTON ST	GARCIA DIANA P	4050 N. Stanton St., more particularly described as Lot 6, Block 17, Mission Hills Subdivision, City of El Paso, El Paso County, Texas, PIO #M576-999-0170-2100
6/25/2019	187.27	14.27	173.00	PRC0017071	A64299902000500	10407 CRETE DR	BRANON GWENDOLYN W	10407 Crete Dr, more particularly described as Lot 3 (7463 Sq Ft), Block 20, Apollo Heights Subdivision, City of El Paso, El Paso County, Texas, PIO #A642-999- 0200-0500
6/25/2019	2,216.96	168.96	2048.00	PRC0017084	B30099900905900	5564 JOYCE CIR	BALDERRAMA REBECCA R	5564 Joyce Cir, more particularly described as Lot 30 (7019.39 Sq Ft), Block 9, Beaumont Subdivision, City of El Paso, El Paso County, Texas, PIO #B300-999-0090- 5900
6/25/2019	225.70	17.20	208.50	PRC0017094	U819999011E0029	0 STRAHAN RD	PRITAM B DANDADE	TR 9-F (7.8335 AC), Block 11, Upper Valley Subdivision, City of El Paso, El Paso County, Texas, PID #U819-999-011E-0029
6/25/2019	752.34	57.34	695.00	PRC0017110	X58099911606980	0 LYNN FIELD	DIRECT HOME SALES INC	Lot Tr 7-A (2.506 Ac), Block 80, Tsp 1 Sec 16 T & P Surv Subdivision, City of El Paso, El Paso County, Texas, PID #X580-999-1160-6990
7/23/2019	942.86	71.86	871.00	PRC0017111	X58099911606990	0 LYNN FIELD	DIRECT HOME SALES INC	Lot Tr 7-A (2.506 Ac), Block 80, Tsp 1 Sec 16 T & P Surv Subdivision, City of El Paso, El Paso County, Texas, PID #X580-999-1160-6990
6/25/2019	202.43	15.43	187.00	PRC0017117	E01499903002100	3125 FRUTAS AVE	LUEVANO DANIEL & MARGIE	3125 Frutas Ave, more particularly described as Lot 12 & W 24 Ft Of 13 (6860 Sq Ft), Block 30, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E014-999-0300-2100
6/25/2019	187.27	14.27	173.00	PRC0017121	L20499900300300	9303 ELGIN DR	ALVAREZ ARMANDO & LINDA N	9303 Elgin Dr, more particularly described as Lot 2 (6970 Sq Ft), Block 3, Lancaster #3 Subdivision, City of El Paso, El Paso County, Texas, PID #L204-999-0030- 0300
7/23/2019	180.78	13.78	167.00	PRC0017123	W88699902506100	3809 E PAISANO DR	FATEMA SALEM BA ARMAH TRUST	3809 E. Paisano Dr., more particularly described as Lot N Pt of 27 (25 Ft on N 111.31 Ft on E 26.88 Ft on S IO 1.43 Ft on W) (2650.00 Sq Ft), Block 25, Woodlawn Subdivision, City of El Paso, El Paso County, Texas, PID #W886-999-0250-6100
6/25/2019	168.87	12.87	156.00	PRC0017129	L01199900000700	3 SAN MARCOS DR	TALAVERA JUAN	3 San Marcos Dr, more particularly described as Lot 3 (7318 Sq Ft), La Calavera Settlement Subdivision, City of El Paso, El Paso County, Texas, PIO #L01 I-999- 0000-0700

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7/23/2019	217.58	16.58	201.00	PRC0017130	X054999000E3000	762 EXECUTIVE CENTER BLVD	HARRISON MICHAEL F FOSTER ROBERT D	762 Executive Center Blvd, more particularly described as Lot 54 Abst 2804 (2.066 Acres), Harrison Surv Subdivision, City of El Paso, El Paso County, Texas, PIO #X054-999-000E-3000
6/25/2019	385.10	29.35	355.75	PRC0017145	S65899900403500	7151 STILES DR	GALLEGOS ROBERTO	7151 Stiles Dr, more particularly described as Lot 33 (0.43 Ac), Block 4, Stiles Gardens Subdivision, City of El Paso, El Paso County, Texas, PIO #S658-999-0040- 3500
7/23/2019	185.65	14.15	171.50	PRC0017147	S65899900502600	7160 NORTH LOOP DR	LOYA, CESAR	7160 North Loop Dr, more particularly described as Lot 25 Exe (N Pt) (0.2985 Ac), Block 5, Stiles Gardens Subdivision, City of El Paso, El Paso County, Texas, PID #S658-999-0050-2600
7/23/2019	187.27	14.27	173.00	PRC0017148	Y80599901300601	8123 SAN JOSE RD	BUCIO OLGA L M	8123 San Jose Rd., more particularly described as TR 6 (0.2481 AC), Block 13, Ysleta Subdivision, City of El Paso, El Paso County, Texas, P ID #Y805-999-0130-060 I
7/23/2019	240.32	18.32	222.00	PRC0017162	L536999001C4900	1038 BURGESS DR	WILLIAM M. INGRAM	1038 Burgess Dr, more particularly described as Lot Tr 584 (7000 Sq Ft), Loma Terrace #4-C Subdivision, City of El Paso, El Paso County, Texas, PIO #L536-999- 001C-4900
7/23/2019	192.14	14.64	177.50	PRC0017166	L68199900707300	611 LORETTO RD	ESPINOSA RAUL & LILLIAN M	611 Loretto Rd., more particularly described as S. 26 ft. of Lot 10 & N. 42 Ft. of Lot 11 (7480 Sq. Ft.), Block 7, Loretto Place Subdivision, City of El Paso, El Paso County, Texas, PIO #L68 I- 999-0070-7300
6/12/2019	188.90	14.40	174.50	PRC0017168	M45299901207700	191 BEN SWAIN DR	EMMANUELLE CONDE & MELISSA HERNANDEZ	191 Ben Swain Dr, more particularly described as Lot 20, Block 12, Millers Lakeside Subdivision, City of El Paso. El Paso County, Texas, PIO #M452-999-0120-7700
7/23/2019	192.14	14.64	177.50	PRC0017176	E01499901101100	3425 PERA AVE	SANCHEZ JORGE & SONIA	3425 Pera Ave, more particularly described as Lot 9 To 12 (14000.00 Sq Ft), Block 11, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO #E014- 999-01 I0-1100
7/23/2019	173.74	13.24	160.50	PRC0017184	N51599900105900	112 CERES PL	CALDERON ENRIQUE	112 Ceres Pl, more particularly described as Lot 53(21050 SQ FT), NORTH V ALUMBROSA Subdivision, City of El Paso, El Paso County, Texas, PIO #N515-999-00 I 0-5900
7/23/2019	204.05	15.55	188.50	PRC0017196	B202999000B1000	2012 CYPRESS AVE	SALAS JESUS & VERONICA	2012 Cypress Ave, more particularly described as Lot 8 & 9 (5500 Sq Fl), Block B, Bassett Subdivision, City or El Paso, El Paso County, Texas, PIO #B202-999-000B- 1000
7/23/2019	159.13	12.13	147.00	PRC0017198	D36199900606400	8606 N GATEWAY BLVD	J O N INVESTMENTS LLC	8606 N Gateway Blvd, more particularly described as Lot N 46.667 Ft of S 95.333 Ft of W 130 Ft of 4, Block 6, Del Norte Acres Subdivision, City of El Paso, El Paso County, Texas, PIO #D361- 999-0060-6400
7/23/2019	184.03	14.03	170.00	PRC0017247	B55299900205500	3666 BISHOP WAY	CASARES JOE (280795)	3666 Bishop Way, more particularly described as Lot 48 & E 1/2 of 49, Block 2, Bishop Subdivision, City of El Paso, El Paso County, Texas, PIO #B552-999-0020- 5500
6/12/2019	219.21	16.71	202.50	PRC0017254	R210999001A4700	1120 BELEN RD	WHITE EDDIE M C/O FANNIE MC COY	1120 Belen Rd, more particularly described as Lot 24, Ranchland Hills #3 Subdivision, City of El Paso, El Paso County, Texas, PIO #R210-999-001A-4700
7/23/2019	245.19	18.69	226.50	PRC0017257	S44599900101300	9218 SANTA ROSALIA CT	CHAVEZ JESUS B & ANA M U	9218 Santa Rosalia Ct., more particularly described as Lot 13, Singh Subdivision, City of El Paso, El Paso County, Texas, PID#S455-999-0010-1300
7/23/2019	188.90	14.40	174.50	PRC0017276	G56999908600100	4401 CAMBRIDGE AVE	BROYLES, JP % BROYLES, BL	4401 Cambridge Ave, more particularly described as Lot 1 & W 1/2 of2 (5250 SQ FT), Block 86, Government Hill Subdivision, City of El Paso, El Paso County, Texas, PIO #O569-999-0860-0100
7/23/2019	281.45	21.45	260.00	PRC0017280	T11699901906300	10457 OMEGA CIR	BOSTIC ANNA M & O'LEARY BONNIE & 1	I 0457 Omega Cir, more particularly described as Lot 32 (6000 Sq Ft), Block 19, Temple Hills Subdivision, City of El Paso, El Paso County, Texas, PIO #T1 16-999- 0190-6300
7/23/2019	203.51	15.51	188.00	PRC0017284	E01499900203700	3030 PERA AVE	PALMA GLORIA E	3030 Pera Ave., more particularly described as Lot 17 & 18 (7000 Sq. Ft.), Block 2, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO # EO 14- 999-0020-3 700
7/23/2019	219.21	16.71	202.50	PRC0017305	G56999902209100	3900 LA LUZ AVE	CASTANEDA SOCORRO M	3900 La Luz Ave, more particularly described as Lot 32 & W 15 FT of 31 (5600 SQ FT), Block 22, Government Hill Subdivision, City of El Paso, El Paso County, Texas, PIO #O569-999-0220-9100
7/23/2019	188.90	14.40	174.50	PRC0017307	E073999000Q0500	10237 RIDGEWOOD DR	VILLAREAL MARIA	10237 Ridgewood Dr., more particularly described as Lot 3 (10200 Sq. Ft.), Block Q, Eastridge Subdivision, City of El Paso, El Paso County, Texas, PID #E073-999- 000Q-0500

Exhibit A

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
7/23/2019	188.90	14.40	174.50	PRC0017314	V89799901200900	11418 JACK CUPIT LN	L. COLBERT PAVLOVA P	11418 Jack Cupit Ln, more particularly described as Lot 5, Block 12, Vista Hills #1 Subdivision, City of El Paso, El Paso County, Texas, PIO #V897-999-0120-0900
7/23/2019	256.01	19.51	236.50	PRC0017319	S23199901304600	3218 KILKENNY	KILKENNY POOL CORP	3218 Kilkenney Rd, more particularly described as Lot 10 Exe S 97.10 Ft Of E 99.10 Ft (34923.39 Sq Ft), Block 13, Scotsdale #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #S231-999-013 0-4600
7/23/2019	188.90	14.40	174.50	PRC0017324	T28799913701400	3504 TIERRA AIDA LN	RAMIREZ ELIZABETH	3504 Tierra Aida Pl, more particularly described as Lot 14 (6963.00 SQ FT), Block 137, Tierra Del Este #40 Subdivision, City of El Paso, El Paso County, Texas, PIO #T287-999-1370-1400
7/23/2019	219.21	16.71	202.50	PRC0017327	G12699900201700	2909 CYPRESS AVE	NAVA ROBERT & MANUELA D	2909 Cypress Ave., more particularly described as Lot 5 (3500 Sq. Ft.), Block P-1, Garden Subdivision, City of El Paso, El Paso County, Texas, PID #G126-999-0020- 1700
7/23/2019	187.27	14.27	173.00	PRC0017337	G68699901604100	3105 NATIONS AVE	PIZARRO SILVIANO	3105 Nations Ave, more particularly described as Lot 11 & 12 (5880 SQ FT), Block 16, Grandview Subdivision, City of El Paso, El Paso County, Texas, PID #0686- 999-0160-4100
7/23/2019	184.03	14.03	170.00	PRC0017340	B72499900808100	5622 FRUTAS AVE	QUINONES JO ANN	5622 Frutas Ave, more particularly described as Lot 35 (3000 SQ FT), Block 8, Brentwood Heights Subdivision, City of El Paso, El Paso County, Texas, PIO #B724- 999-0080-8100
7/23/2019	184.03	14.03	170.00	PRC0017342	W81399900606900	6225 CLEVELAND AVE	ASCARATE GROUP LLP	6225 Cleveland Ave, more particularly described as Lot 35 (6000 SQ FT), Block 6, Womble Subdivision, City of El Paso, El Paso County, Texas, PIO #WS 13-999- 0060-6900
7/23/2019	184.03	14.03	170.00	PRC0017343	W81399900607100	6221 CLEVELAND AVE	RODRIGUEZ OSCAR O & JOHNNY M & 1	6221 Cleveland Ave, more particularly described as Lot 36 (6000 SQ FT), Block 6, Womble Subdivision, City of El Paso, El Paso County, Texas, PIO #W813-999- 0060-7100
8/6/2019	217.58	16.58	201.00	PRC0017354	D32799900604500	10219 WHITETAIL DR	AVILA HECTOR & LERMA LORENA	10219 Whitetail Dr, more particularly described as Lot 23 (6741 SQ FT), Block 6, Deer Valley# 1 Subdivision, City of El Paso, El Paso County, Texas, PIO #D327-999- 0060-4500
8/6/2019	378.88	28.88	350.00	PRC0017357	C454999000B0100	401 RIVERSIDE	401 RIVERSIDE DR	401 Riverside Dr., more particularly described as E 192.5 FT ofN 185.18 FT & W 68.99 FT of N 105 FT of TR I EXC 0.062 Acre NEC (40206 Sq. Ft.), Block B, Christy Subdivision, City of El Paso, El Paso County, Texas, PID #C454-999-000B-0100
8/6/2019	215.42	16.42	199.00	PRC0017360	S16199900200500	10608 MURPHY ST	DAVIDS, FREDERICK J & EVA M	I 0608 Murphy St, more particularly described as Lot 5, Block 2, Sarah Anne Park Subdivision, City of El Paso, El Paso County, Texas, PIO #S161-999-0020-0500
8/6/2019	188.90	14.40	174.50	PRC0017382	A43899900605201	374 GLENWOOD ST	CARRASCO CANDELARIO & LUZ B	374 S Glenwood St, more particularly described as Lot NLY 65.2 Ft Of Lot 28 (Exe W IO Ft)(23964.00 Sq Ft), Block 6, Alameda Acres Subdivision, City of El Paso, El Paso County, Texas, PIO #A438-999-0060-5201
8/6/2019	168.87	12.87	156.00	PRC0017397	V88799901400100	243 MIDIANITE	CONTRERAS MARCELA V	243 Midianite Dr, more particularly described as Lot I & Sly Pt Of 2 (17 Ft On Sly- Irreg On Wly-116.58 Ft On Nly-107 Ft On Ely) (12512.34 Sq Ft), Block 14, Vista Del Prado #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #V887-999-0140-0100
8/6/2019	188.90	14.40	174.50	PRC0017416	C62299901801300	625 DE VARGAS DR	HALPERN MICHAEL P & MYERS JANE B & 1	625 De Vargas Dr, more particularly described as Lot 7 (11188 Sq Ft), Block 18, Clardy Fox Subdivision, City of El Paso, El Paso County, Texas, PIO #C622-999- 0180-1300
9/3/2019	361.56	27.56	334.00	PRC0017442	L44799901604900	4230 FLORY AVE	ZAMORA OSCAR A	4230 Flory Ave, more particularly described as Lot 17 & 18 (6000 Sq Ft), Block 16, Logan Heights Subdivision, City of El Paso, El Paso County, Texas, PID #L447- 999-0160-4900
9/3/2019	185.65	14.15	171.50	PRC0017454	G68699902902600	0 HAMILTON	BAILY GEORGE R	Lot 11 & 12, Block 29, GRANDVIEW Subdivision, City of El Paso, El Paso County, Texas, PIO #0686-999-0290-2600
9/3/2019	184.03	14.03	170.00	PRC0017461	W09699900304900	4010 PERA AVE	RAYNOR PROPS LLC	4010 Pera Ave, more particularly described as Lot 13 & 14, Block 3, Washington Park Subdivision, City of El Paso, El Paso County, Texas, PIO #W096-999-0030- 4900
8/6/2019	188.90	14.40	174.50	PRC0017467	C30199901400100	7328 ALPHA AVE	REVERSE MORTGAGE FUNDING LLC c/o CELINK	7328 Alpha Ave, more particularly described as Lot I, Block 14. Cedar Grove Park Subdivision, City of El Paso, El Paso County, Texas, PID #C301-999-0140-0100
4/27/2021	184.03	14.03	170.00	PRC0017469	Y805999023A0660	7224 BARKER RD	DIAZ RENE	7224 Barker Rd, more particularly described as Tr 6-B (1.833 Ac), Block 23, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PIO #Y805-999-023A-0660

Exhibit A

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
9/3/2019	192.69	14.69	178.00	PRC0017471	P68299900500500	8738 PLAINS DR	DELGADO MARIA D	8738 Plains Dr, more particularly described as Lot 3, Block 5, Penrose, City of El Paso, El Paso County, Texas, PIO #P682-999-0050-0500
9/3/2019	231.66	17.66	214.00	PRC0017472	X58199920900615	0 NORTON	MORALES BENJAMIN	Tr 6-B-1B-2 (0.647 Ac), Block 81, TSP 2 Sec 9 T & P Surv Subdivision, City of El Paso, El Paso County, Texas, PID #X581-999-2090-0615
9/3/2019	168.87	12.87	156.00	PRC0017476	D04799902506100	5857 GALAXIE DR	PHILLIPS SANDRA P	5857 Galaxie Dr, more particularly described as Lot 11 (8044 Sq Ft), Block 25, Dale Bellamah Replat Subdivision, City of El Paso, El Paso County, Texas, PIO #D047-999-0250-6100
9/3/2019	244.65	18.65	226.00	PRC0017479	L14499900106500	7075 CANARY CT	SALAS OSCAR & MARY E	7075 Canary Ct, more particularly described as Tr 33 & W 0.75 Ft Of Tr 32 & E 0.5 Ft Of Tr 34, Lakeside #1 Subdivision, City of El Paso, El Paso County, Texas, PID #L144-999-0010-6500
9/3/2019	184.03	14.03	170.00	PRC0017503	M63499900102100	3674 DOMINICAN ST	ALVAREZ RIGOBERTO & 1 C/O MILLS ESCROW C	3674 Dominican St, more particularly described as Lot 21 (5175.00 Sq Ft), Block 1, Montana Palms Subdivision, City of El Paso, El Paso County, Texas, PID #M634- 999-0010-2100
9/3/2019	252.76	19.26	233.50	PRC0017510	H18699900200500	1781 KUNA LOOP	MADELINE & LAUREN PROPERTIES LTD	1781 Kuna Loop, more particularly described as Lot 2 (1.68 Acres), Block 2, Hawaiian Estates #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #HI 86- 999-0020-0500
9/3/2019	240.32	18.32	222.00	PRC0017511	V89399905203100	2102 ABRIL DR	BROWN JAMES W JR	2102 Abril Dr, more particularly described as Lot 16, Block 52, Vista Del Sol, City of El Paso, E Paso County, Texas, PID #V893-999-0520-3100
9/3/2019	188.90	14.40	174.50	PRC0017521	C51899901101300	1428 GREENWOOD CIR	PETERS C A & DOROTHY	1428 Greenwood Cir., more particularly described as Lot 7 (8064 Sq. Ft.), Block 11, Cielo Vista Park Subdivision, City of El Paso, El Paso County, Texas, PIO #C518- 999-01 10-1300
9/3/2019	188.90	14.40	174.50	PRC0017528	Y80599904900510	9322 SOCORRO RD	CHAVEZ RAUL R & ABREO GENOVEVA C & 2	9322 Socorro Rd, more particularly described as Lot 5-C (0.05 Acre) & 5-D (0.05 Ac & 5-E (0.0147 Ac) (0.1147 Ac), Block 49, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PIO #Y805-999-0490-0510
9/3/2019	165.62	12.62	153.00	PRC0017532	M34499903000375	0 PARAGON	CASTRO ARTURO J & ELMA M	Lot Sly Pts Of 3 (321.65' On Nely- Ireeg On Sely & Swly-242.0' On Nwly) (94158.99 Sq Ft), Block 30, Mesa Hills #15, City of El Paso, El Paso County, Texas, PIO #M344-999-0300-0375
12/17/2019	217.58	16.58	201.00	PRC0017563	C51899908400700	8605 HOPEWELL DR	BEALL LAVOIE CAROLYN	Lot 11 & 12, Block 29, GRANDVIEW Subdivision, City of El Paso, El Paso County, Texas, PIO #0686-999-0290-2600
4/28/2020	198.10	15.10	183.00	PRC0017577	M05699903106100	2735 SILVER AVE	HARRIS-JOHNSON AIMEE	2735 Silver Ave., more particularly described as Lot 30 To 32, Block 31, Manhattan Heights Subdivision, City of El Paso, El Paso County, Texas, PID #M056-999-03 1 0-6100
4/28/2020	247.89	18.89	229.00	PRC0017578	C84799900401900	1158 TIO DINK CIR	ARREDONDO JESUSITA & VERONICA	1158 Tio Dink Cir., more particularly described as Lot 19 (6720.90 Sq. Ft.), Block 4, Corrales Estates #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #C847-999-0040-1900
4/28/2020	204.05	15.55	188.50	PRC0017582	L63999900209700	227 SOFIA PL	RUBIO CARLOS SR	227 Sofia Pl., more particularly described as Lot 15 & TR 6-H BLK 43 Ysleta (0.03 ACRE), Block 2, Lone Star Subdivision, City of El Paso, El Paso County, Texas, PIO #L639-999-0020-9700
4/28/2020	204.05	15.55	188.50	PRC0017592	C72999901001100	9635 VALLARTA DR	R & SONS BUILDERS	9635 Vallarta Dr, more particularly described as Lot 6, Block 10, Colonia Del Prado Subdivision, City of El Paso, El Paso County, Texas, PID #C729-999-0100-1100
4/28/2020	188.90	14.40	174.50	PRC0017609	P94799900103100	136 WHITNEY WAY	GUZMAN, JORGE & TERESA	136 Whitney Way, more prticularly described as Lot 4, Pulliam Subdivision, City of El Paso, El Paso County, Texas, PID #P947-999-010-3100
9/17/2019	265.21	20.21	245.00	PRC0017615	M85199904109500	8617 MOUNT SHASTA DR	MONTANO CONCEPCION R	8617 Mount Shasta Dr, more particularly described as Lot 1085 (7134 Sq Ft), Block 41, Mountain View Subdivision, City of El Paso, El Paso County, Texas, PIO #M851-999-0410-9500
9/17/2019	281.45	21.45	260.00	PRC0017621	M05699900600100	2700 LEBANON AVE	VEGA HECTOR & 5	2700 Lebanon Ave, more particularly described as Lot 1 & W 24 Ft of2 (5880 Sq Ft), Block 6, Manhattan Heights Subdivision, City of El Paso, El Paso County, Texas, PID #M056-999-0060-0100
9/17/2019	184.03	14.03	170.00	PRC0017623	R20099900601600	7736 PHOENIX AVE	BURNS W H & MARTHA J	7736 Phoenix Ave., more particularly described as Lot 6, Block 6, Ranchland Hills Subdivision, City of El Paso, El Paso County, Texas, PIO #R200-999-0060-1600

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
10/1/2019	225.16	17.16	208.00	PRC0017636	F95099900700200	12307 O'DONNELL ST	CORONA ELISA	12307 O'Donnell St, more particularly described as Lot 2 (9600 Sq Ft), Block 7, Future Land Subdivision, City of El Paso, El Paso County, Texas, PID #F950-999- 0070-0200
10/1/2019	265.21	20.21	245.00	PRC0017637	O26399900205000	209 HARDESTY PL	RODARTE MANUELA O	209 Hardesty Pl, more particularly described as Lot 20 To 22, Block 2, Orchard Park Subdivision, City of El Paso, El Paso County, Texas, PIO #0263-999-0020-5000
11/12/2019	184.03	14.03	170.00	PRC0017687	T28799925303200	2616 MONICA SELES PL	CASTILLO TEODORO III	2616 Monica Seles Pl., more particularly described as Lot 32, Block 253, Tierra Del Este #63 Subdivision, City of El Paso, El Paso County, Texas, PIO #T287-999- 2530-3200
11/12/2019	218.67	16.67	202.00	PRC0017689	D36199901004600	0 HERBERT ST	REIGH E & MARTHA PECK	Lot 21 & ADJ 10 Ft Of CLSD Alley, Block 10, Del Norte Acres Subdivision, City of El Paso, El Paso County, Texas, PID #D361-999-0100-4600
11/12/2019	217.58	16.58	201.00	PRC0017694	C74199903106700	5437 EDMONTON AVE	RAMIREZ JASON S	5437 Edmonton Ave., more particularly described as Lot 23, Block 31, Colonia Verde Subdivision, City of El Paso, El Paso County, Texas, PIO #C741-999-0310- 6700
11/12/2019	251.14	19.14	232.00	PRC0017705	F60799904201300	1512 WYOMING AVE	ESPARZA ENRIQUE JR & CECILIA A	S 12 Wyoming Ave, more particularly described as Lot 7 & W 1 /2 Of 8 (4500 Sq Ft), Block 42, Franklin Heights Subdivision, City of El Paso, El Paso County, Texas, PIO #F607-999-0420-1300
11/12/2019	198.10	15.10	183.00	PRC0017727	G47499900100100	6298 ALAMEDA AVE	DOMINGUEZ PROPERTIES LTD	6298 Alameda Ave, more particularly described as Lot 2 To 4 & 1 EXC NWL Y COR (58391.19 Sq Ft), Block I, Glendale Subdivision, City of El Paso, El Paso County, Texas, PIO #0474-999-001 0-0100
11/12/2019	184.03	14.03	170.00	PRC0017743	S917999002C5900	4801 ATLAS AVE	RAMOS-MARTINEZ ERNESTO	4801 Atlas Ave A, more particularly described as WL Y 77.40 Ft Of SLY 130.30 Ft Of 83 (1 0085.22 Sq Ft), Sunrise Acres #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #S917- 999-002C-5900
12/17/2019	165.62	12.62	153.00	PRC0017763	C34099902702300	6212 PINO REAL DR	PURSUIT OF HAPPINESS LLC	6212 Pino Real Dr, more particularly described as Lot 1 2, Block 27, Chaparral Park # I O Subdivision, City of El Paso, El Paso County, Texas, PID #C340-999-0270- 2300
11/12/2019	168.87	12.87	156.00	PRC0017769	T28799918803400	14189 RUDY VALDEZ DR	ZEPEDA JOAQUIN & ZULEMA C	14189 Rudy Valdez Dr., more particularly described as Lot 34 (5952.02 Sq Ft), Block 188, Tierra Del Este #50 Subdivision, City of El Paso, El Paso County, Texas, PIO #T287-999-1880-3400
12/17/2019	184.03	14.03	170.00	PRC0017776	M57999900102700	9744 LA MORENITA CIR	AVILA, GUADALUPE & HOLGUIN, ERIKA	9744 La Morenita Cir, more particularly described as Lot 27 (5300.00 Sq Ft), Block I, Mission Pass Subdivision, City of El Paso, El Paso County, Texas, PIO #M579- 999-0010-2700
12/17/2019	430.56	32.81	397.75	PRC0017787	W14299901604600	149 DAVIS DR	TRIEN JOHN H	149 Davis Dr, more particularly described as Lot 3 & E 10.4 Ft Of 2, Block 16, West Y sleta Subdivision, City of El Paso, El Paso County, Texas, PID #W142-999- 0160-4600
12/17/2019	173.74	13.24	160.50	PRC0017794	N51599900105900	112 CERES PL	CALDERON ENRIQUE	112 Ceres Pl, more particularly described as Lot 53(21050 SQ FT), NORTH V ALUMBROSA Subdivision, City of El Paso, El Paso County, Texas, PIO #N515-999-00 I 0-5900
11/12/2019	193.77	14.77	179.00	PRC0017795	K38399901000900	11332 ARDELLE AVE	DE LA CRUZ, PEDRO	11332 Ardelle Ave., more particularly described as Lot 9, Block 10, Kimberly Heights Subdivision, City of El Paso, El Paso County, Texas, PIO #K383-999-0100- 0900
11/12/2019	296.33	22.58	273.75	PRC0017797	F60799901504300	1107 MYRTLE AVE	NAVARRO OCTAVIO, NAVARRO OCTILLIO & LUIS	1107 Myrtle Ave, more particularly described as Lot(s) 19 & 20 (6000 Sq Ft), Block 15, Franklin Heights Subdivision, City of El Paso, El Paso County, Texas, PIO #F607-999-0150-4300
11/12/2019	168.87	12.87	156.00	PRC0017798	P69599900101600	8912 ORTEGA	ESQUER PHILLIP & SILVA ROBERT	8912 Ortega Ct, more particularly described as Lot 17 (Homesite) (6000 Sq. Ft.), Phelps Subdivision, City of El Paso, El Paso County, Texas, PID #P695-999-0010- 1600
11/12/2019	212.71	16.21	196.50	PRC0017799	L12299900101100	7943 SAN JOSE RD	DOMINGUEZ DEREK	7943 San Jose Rd., more particularly described as E. Pt. of TR 3 (0.84 AC), Lafayette Subdivision, City of El Paso, El Paso County, Texas, PIO #L122-999-0010-1100
11/12/2019	198.10	15.10	183.00	PRC0017805	X58199920200237	9311 DIANA DR	TAPNIM FUTURE L P	9311 Diana Dr., more particularly described as TR 2-M-2-B (20051.00 Sq. Ft.), Block 81, Tsp 2 Sec 2 T & P Surv Subdivision, City of El Paso, El Paso County, Texas, PID #X581-999-2020-0237
11/12/2019	184.03	14.03	170.00	PRC0017816	S16299900403700	5225 BALLINGER DR	CHELLIS THOMAS W	5225 Ballinger Dr., more particularly described as Lot 19 (7651.11 Sq. Ft.), Block 4, Sarah Anne Park #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #S162-999-0040-3700

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11/12/2019	168.87	12.87	156.00	PRC0017819	G56999902209100	3900 LA LUZ AVE	CASTANEDA SOCORRO M	3900 La Luz Ave, more particularly described as Lot 32 & W 15 FT of 31 (5600 SQ FT), Block 22, Government Hill Subdivision, City of El Paso, El Paso County, Texas, PIO #0569-999-0220-9100
11/12/2019	184.03	14.03	170.00	PRC0017824	F60799903204500	159 NEWMAN ST	BRISENO, SOCORRO	159 Newman St, more particularly described as S 30 Ft Of 15 & 16 & S 30 Ft Of E 15 Ft Of 14 (1950 Sq Ft), Block 32, Franklin Heights Subdivision, City of El Paso, El Paso County, Texas, PIO #F607- 999-0320-4500
11/12/2019	168.87	12.87	156.00	PRC0017833	T28799914600620	14137 TIERRA MORENA DR	MONCADA SAMUEL	14137 Tierra Morena Dr., more particularly described as Lot 62 (5789.99 Sq. Ft.), Block 146, Tierra Del Este #36 Subdivision, City of El Paso, El Paso County, Texas, PIO #T287-999-1460-0620
12/17/2019	165.62	12.62	153.00	PRC0017834	H13299901308100	101 ARIZONA AVE	101 ARIZONA LTD	101 Arizona Ave, more particularly described as Lot 20 & S 19 FT of 19 (5400 Sq Ft), Block 13, Hart Subdivision, City of El Paso, El Paso County, Texas, PID #H132- 999-0130-8100
11/12/2019	239.23	18.23	221.00	PRC0017851	C05099904606200	1008 S OREGON ST	GONZALEZ GLORIA & 17	1008 S Oregon St, more particularly described as Frc 15 & 16 Exe RR R/W (3380 Sq Ft), Block 46, Campbell Subdivision, City of El Paso, El Paso County, Texas, PIO #C050-999-0460-6200
11/12/2019	184.03	14.03	170.00	PRC0017852	C05099904606800	1010 S OREGON ST	GONZALEZ GLORIA	1010 S Oregon St, more particularly described as Lot Frc 17 Exe RR R/W (676 Sq Ft), Block 46, Campbell Subdivision, City of El Paso, El Paso County, Texas, PID #C050-999-0460-6800
11/12/2019	170.49	12.99	157.50	PRC0017857	A43899900603360	252 GLENWOOD ST	DE AVILA MANUEL III	252 S Glenwood St, more particularly described as Lot N 50. 70 Ft Of W 120 Ft Of 17 (6084.00 Sq Ft), Block 6, Alameda Acres Subdivision, City of El Paso, El Paso County, Texas, PID #A438- 999-0060-3360
12/17/2019	194.85	14.85	180.00	PRC0017868	P69599900101900	8918 ORTEGA CT	LOPEZ ANGELICA M	8918 Ortega Ct., more particularly described as Lot 20 & Triangle In Sec Of 19, Phelps Subdivision, City of El Paso, El Paso County, Texas, P ID #P695-999-0010- 1900
12/17/2019	300.39	22.89	277.50	PRC0017878	063299910407034	1100 S OREGON ST	T-MOBILE C/O T-MOBILE WEST CORP	1100 S Oregon St, more particularly described as Cellular Mach Tower, City of El Paso, El Paso County, Texas, PIO #0632-999- 1047-0734
12/17/2019	200.80	15.30	185.50	PRC0017906	096499911080634	4640 DONIPHAN DR	FIGHTER PHYSIQUE	4640 Doniphan Dr. C, more particularly described as Cmp Furn Mach Sign Subdivision, City of El Paso, El Paso County, Texas, PID#0964-999-1108-0634
12/17/2019	184.03	14.03	170.00	PRC0017922	G56999911201700	1519 CARLYLE PL	SEPULVEDA LUIS & GRISELDA	1519 Carlyle Pl, more particularly described as Lot 4 & 5 (6600 Sq Ft), Block 112, Government Hill Subdivision, City of El Paso, El Paso County, Texas, PIO #0569- 999-1120-I 700
12/17/2019	168.87	12.87	156.00	PRC0017925	Y80599901300601	8123 SAN JOSE RD	BUCIO OLGA L M	8123 San Jose Rd., more particularly described as TR 6 (0.2481 AC), Block 13, Ysleta Subdivision, City of El Paso, El Paso County, Texas, P ID #Y805-999-0130-060 I
12/17/2019	217.58	16.58	201.00	PRC0017932	L68199900707300	611 LORETTO RD	ESPINOSA RAUL & LILLIAN M	611 Loretto Rd., more particularly described as S. 26 ft. of Lot 10 & N. 42 Ft. of Lot 11 (7480 Sq. Ft.), Block 7, Loretto Place Subdivision, City of El Paso, El Paso County, Texas, PIO #L68 I- 999-0070-7300
12/17/2019	184.03	14.03	170.00	PRC0017941	T52799905404100	5730 BAINBRIDGE AVE	COLLAZO AMPARO R	5730 Bainbridge Ave., more particularly described as Lot 21 (7380 Sq. Ft.), Block 54, Tobin Park #3 Subdivision, City of El Paso, El Paso County, Texas, PIO #T527- 999-0540-4100
12/17/2019	168.87	12.87	156.00	PRC0017945	T28799901602700	2996 TIERRA LIMON DR	RAMIREZ JOSE B & RAQUEL A	2996 Tierra Limon Dr., more particularly described as Lot 27 (7120.22 Sq. Ft.), Block 16, Tierra Del Este #7 Subdivision, City of El Paso, El Paso County, Texas, PIO #T287-999-0160-2700
3/3/2020	204.05	15.55	188.50	PRC0017961	M85199908504200	4909 BLUE RIDGE CIR	SWENSON S G & GEYER HOLLY G & 3	4909 Blue Ridge Cir., more particularly described as Lot 2091 (6955 SQ FD, Block 85, Mountain View Subdivision, City of El Paso, El Paso County, Texas, PIO #M851-999-0850-4200
4/28/2020	199.18	15.18	184.00	PRC0017968	A46299918100500	0 KERBEY	NAJAR ALICE	Lot W 1/2 of 1 To 4 (6344 Sq. Ft.), Block 181, Alexander Subdivision, City of El Paso, El Paso County, Texas, PID #A462-999-1810-0500
3/3/2020	174.28	13.28	161.00	PRC0017971	C20399900201250	10213 SILVER STRAND PL	SEAVEY RYAN	10213 Silver Strand Pl., more particularly described as Lot 4.50 Ft. of 12 & Sly 25 .50 Ft. of 13 3150.00 Sq. Ft., Block 2, Cascade Park Nly Subdivision, City of El Paso, El Paso County, Texas, PIO #C203-999-0020-1250.
3/3/2020	185.65	14.15	171.50	PRC0017991	G56999907108500	4300 CLIFTON AVE	ESPERANZA C. & LARRY MASCORRO	4300 Clifton Ave., more particularly described as N 90 FT OF 31 & 32 (4500 SQ FT), Block 71, Government Hill Subdivision, City of El Paso, El Paso County, Texas, PID #0569-999-0710-8500

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3/3/2020	184.03	14.03	170.00	PRC0017993	Z02199900404900	909 BOLIVIA ST	MADDEN AMALIA J	909 Bolivia St., more particularly described as Lot 17, Block 4, Zia Village Subdivision, City of El Paso, El Paso County, Texas, PID #Z021-999-0040-4900
3/3/2020	245.73	18.73	227.00	PRC0017995	G56999902100101	3903 TULAROSA AVE	MARTINEZ GLORIA & 4	3903 Tularosa Ave., more particularly described as Lot 2 (3500 Sq. Ft.), Block 21, Government Hill Subdivision, City of El Paso, El Paso County, Texas, PID #G569- 999-0210-0101
3/3/2020	179.70	13.70	166.00	PRC0018030	C97999900300500	0 GRAND TETON	CUMBRE DEVELOPMENT CORP	Lot 5 (102360.89 Sq. Ft.), Block 3, Cumbre Estates (Amending Plat) Subdivision, City of El Paso, El Paso County, Texas, PID #C979-999-0030-0500
3/3/2020	170.49	12.99	157.50	PRC0018031	T28799905500800	12248 TIERRA INCA DR	FIGUEROA JOHELMY	12248 Tierra Inca Dr., more particularly described as Lot 8 (4914.00 Sq. Ft.), Block 55, Tierra Del Este #8 Subdivision, City of El Paso, El Paso County, Texas, PID #T287-999-0550-0800
3/3/2020	199.18	15.18	184.00	PRC0018032	T82099901700800	13029 ENRIQUE GOMEZ	HERMOSILLO JOHN A	13029 Enrique Gomez Dr., more particularly described as Lot 8 (4411.00 Sq. Ft.), Block 17, Tres Suenos #4 Subdivision, City of El Paso, El Paso County, Texas, PID #T820-999-0170-0800.
3/3/2020	165.62	12.62	153.00	PRC0018033	T28799909803400	3905 TIERRA MARFIL	VALENZUELA ICELA	3905 Tierra Marfil Rd., more particularly described as Lot 34 (4357.50 Sq. Ft.), Block 98, Tierra Del Este #18 Subdivision, City of El Paso, El Paso County, Texas, PIO #T287-999-0980-3400.
3/3/2020	306.35	23.35	283.00	PRC0018071	N52599900107300	9316 ROSEWAY DR	NAKASHIMA MARIA B	9316 Roseway Dr., more particularly described as Lot TR 148 (9427 Sq. Ft.), North Valumbrosa #2 Subdivision, City of El Paso, El Paso County, Texas, PID #N525- 999-0010-7300.
4/28/2020	184.03	14.03	170.00	PRC0018077	Y80599904501624	161 N OLD PUEBLO DR	MANDERA BENJAMIN H & ELIZABETH	161 N Old Pueblo Dr, more particularly described as Tr 16-F (0.185 Ac), Block 45, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PIO #Y805-999-0450- 1624
4/28/2020	217.58	16.58	201.00	PRC0018078	W14599903303000	7632 WINDCREST DR	TORRES MARIA E	7632 Windcrest Dr, more particularly described as Lot 30 (7837.85 Sq. Ft.), Block 33, West Hills #12 Subdivision, City of El Paso, El Paso County, Texas, PID #W145-999-0330-3000
6/23/2020	184.03	14.03	170.00	PRC0018080	C51899914303500	9325 W H BURGES DR	PONS THEODORE J & LIANE C	9325 W H Burges Dr., more particularly described as Lot 18 (9283 Sq. Ft.), Block 143, Cielo Vista Park #BB Subdivision, City of El Paso, El Paso County, Texas, PID #C518-999-1430-3500
4/28/2020	187.27	14.27	173.00	PRC0018085	S36399900603700	10716 JADESTONE ST	ESTATE OF ROBERT W VETTER	10716 Jadestone St, more particularly described as Lot 19, Block 6, Shearman #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #S363-999-0060-3700
4/28/2020	233.28	17.78	215.50	PRC0018090	W14299901604600	149 DAVIS DR A	TRIEN JOHN H	149 Davis Dr, more particularly described as Lot 3 & E 10.4 Ft Of 2, Block 16, West Y sleta Subdivision, City of El Paso, El Paso County, Texas, PID #W142-999- 0160-4600
4/28/2020	188.90	14.40	174.50	PRC0018092	P94799900103100	136 WHITNEY WAY	GUZMAN, JORGE & TERESA	136 Whitney Way, more prticularly described as Lot 4, Pulliam Subdivision, City of El Paso, El Paso County, Texas, PID #P947-999-010-3100
4/28/2020	196.47	14.97	181.50	PRC0018095	P94799900107100	156 WHITNEY WAY	CONTRERAS MANUEL	156 Whitney Way, more particularly described as Pulliam Lot 8, City of El Paso, El Paso County, Texas, PID #P947-999-0010-7100
4/28/2020	194.85	14.85	180.00	PRC0018129	H01299900505500	7627 ADOBE DR	BRECEDA JOSE D D & MARIA D J R	7627 Adobe Dr., more particularly described as Lot 28 (9000 Sq. Ft.), Block 5, Hacienda Heights # 1 Subdivision, City of El Paso, El Paso County, Texas, PID #H012- 999-0050-5500
4/28/2020	168.87	12.87	156.00	PRC0018136	C34099914305100	6133 LOS FUENTES DR	NORRIS JERI L	6133 Los Fuentes Dr., more particularly described as Lot 51 (10099.67 Sq. Ft.), Block 143, Chaparral Park #39 Subdivision, City of El Paso, El Paso County, Texas, PJD #C340-999-I 430-51 00
4/28/2020	495.79	37.79	458.00	PRC0018138	U819999011E0029	0 MEDIA LUNA & STRAHAN	PRITAM B DANDADE	TR 9-F (7.8335 AC), Block 11, Upper Valley Subdivision, City of El Paso, El Paso County, Texas, PID #U819-999-011E-0029
4/28/2020	187.27	14.27	173.00	PRC0018154	R57699900700700	6212 KENNETH CAPSHAW PL	FOLEY ANGELINA P	6212 Kenneth Capshaw Pl., more particularly described as Lot 7 (5660.00 Sq. Ft.), Block 7, River Park West #2 Subdivision, City of El Paso, El Paso County, Texas, PID #R576-999-0070-0700
6/23/2020	204.05	15.55	188.50	PRC0018172	B35199900700200	10149 TAPIR CT	FITZHUGH LUIS C (LE) & ALANIZ MARIANO M	10149 Tapir Ct., more particularly described as Lot 2, Block 7, Bellewood #2 Subdivision, City of El Paso, El Paso County, Texas, PID #B351-999-0070-0200

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4/28/2020	165.62	12.62	153.00	PRC0018175	T28799941101800	14741 BOER TRAIL AVE	ROGERS JAHLEEL R & LOPEZ DANIELA L	14741 Boer Trail Ave., more particularly described as Lot 18, Block 411, Tierra Del Este #75 Subdivision, City of El Paso, El Paso County, Texas, PID #T287-999- 4110-1800
4/27/2021	180.78	13.78	167.00	PRC0018182	M14199900004700	4465 ELEANOR ST	SEANEZ ERNEST A JR & ESTHER A (TR	4465 Eleanor Street more particularly described as, Lot 4 7, Marwood Replat Subdivision, City of El Paso, El Paso County, Texas, PIO #M 141-999-0000-4 700
6/23/2020	191.60	14.60	177.00	PRC0018183	C72999901005300	9733 VALLARTA DR	SANDOVAL, RAUL & MARTINEZ, ROSA M	9733 Vallarta Dr., more particularly described as Lot 27, Block 10, Colonia Del Prado Subdivision, City of El Paso, El Paso County, Texas, PID #C729-999-0100- 5300
6/23/2020	191.60	14.60	177.00	PRC0018184	C72999901005100	9731 VALLARTA DR	PEREZ, JUAN JR & VIRGINIA	9731 Vallarta Dr., more particularly described as Lot 26, Block 10, Colonia Del Prado Subdivision, City of El Paso, El Paso County, Texas, PID #C729-999-0I 00-5100
6/23/2020	188.90	14.40	174.50	PRC0018202	E01499900203700	3030 PERA AVE	PALMA GLORIA E	3030 Pera Ave., more particularly described as Lot 17 & 18 (7000 Sq. Ft.), Block 2, East El Paso Subdivision, City of El Paso, El Paso County, Texas, PIO # EO 14- 999-0020-3 700
6/23/2020	187.27	14.27	173.00	PRC0018205	G12699900201700	2909 CYPRESS AVE	NAVA ROBERT & MANUELA D	2909 Cypress Ave., more particularly described as Lot 5 (3500 Sq. Ft.), Block P-1, Garden Subdivision, City of El Paso, El Paso County, Texas, PID #G126-999-0020- 1700
6/23/2020	150.47	11.47	139.00	PRC0018230	D76899900101800	11726 DOS PALMAS DR	QUEZADA OSWALDO & JEMA	11726 Dos Palmas Dr., more particularly described as Lot 18 (7000.00 Sq. Ft.), Block 1, Dos Palm as Subdivision, City of El Paso, El Paso County, Texas, PID #D768- 999-0010-1800
6/23/2020	1,110.65	84.65	1026.00	PRC0018234	M14199900000200	308 BIRD AVE	PUGH GORDON P	308 Bird Ave, more particularly described as Lot 2, Block Marwood Replat Subdivision, City of El Paso, El Paso County, Texas, PID #M141-999-0000-0200
6/23/2020	200.80	15.30	185.50	PRC0018238	C51899908400700	8605 HOPEWELL DR	BEALL LAVOIE CAROLYN	Lot 11 & 12, Block 29, GRANDVIEW Subdivision, City of El Paso, El Paso County, Texas, PIO #0686-999-0290-2600
6/23/2020	180.78	13.78	167.00	PRC0018241	T28799909505800	12388 TIERRA VOLCAN AVE	MYERS ALEX	12388 Tierra Volcan Ave., more particularly described as Lot 58 (EXC WLY 1.09 Ft) (4440.39 Sq. Ft.), Block 95, Tierra Del Este #18 Subdivision, City of El Paso, El Paso County, Texas, PID #T287-999-0950-5 800
4/27/2021	184.03	14.03	170.00	PRC0018248	P69599900101600	8912 ORTEGA	ESQUER PHILLIP & SILVA ROBERT	8912 Ortega Ct, more particularly described as Lot 17 (Homesite) (6000 Sq. Ft.), Phelps Subdivision, City of El Paso, El Paso County, Texas, PID #P695-999-0010- 1600
6/23/2020	353.98	26.98	327.00	PRC0018252	P51899900100300	11254 MONTANA AVE	EP PARS LLC	11254 Montana Ave., more particularly described as Lot 3, Block 1, PARS Commercial Village Replat A Subdivision, City of El Paso, El Paso County, Texas, PID #P518-999-0010-0300
6/23/2020	184.03	14.03	170.00	PRC0018258	E073999000Q0500	10237 RIDGEWOOD DR	VILLAREAL MARIA	10237 Ridgewood Dr., more particularly described as Lot 3 (10200 Sq. Ft.), Block Q, Eastridge Subdivision, City of El Paso, El Paso County, Texas, PID #E073-999- 000Q-0500
6/23/2020	184.03	14.03	170.00	PRC0018261	E05499900402500	3012 BERT YANCEY DR	GONZALEZ STEPHANIE S & KEVIN ALEXIS	3012 Bert Yancey Dr., more particularly described as Lot 13 (7350 Sq. Ft.), Block 4, East Glen Subdivision, City of El Paso, El Paso County, Texas, PID #E054-999- 0040-2500
6/23/2020	617.03	47.03	570.00	PRC0018267	B68099900104500	8628 NORTH LOOP DR	TRUJILLO ENTERPRISES LTD	8628 North Loop Dr., more particularly described as Lot TR 8-C (EXC ELY PT) (2.3157 AC), Boothville Subdivision, City of El Paso, El Paso County, Texas, PID #B680-999-0010-4500
6/23/2020	184.03	14.03	170.00	PRC0018268	T28799926003200	14201 OTTER POINT CT	CASTRO ALEX	14201 Otter Point Ct., more particularly described as Lot 32, Block 260, Tierra Del Este #62 Subdivision, City of El Paso, El Paso County, Texas, PID #T287-999- 2600-3200
6/23/2020	187.27	14.27	173.00	PRC0018273	T64599900702700	353 GRAPHITE DR	ROJO CARLOS E & ELENA	353 Graphite Dr., more particularly described as Lot 14, Block 7, Town & Country Village Subdivision, City of El Paso, El Paso County, Texas, PID #T645-999-0070- 2700
6/23/2020	228.41	17.41	211.00	PRC0018277	N44699900107900	319 MILTON RD	QUINTANA, JAIME S. & OTILIA B.	319 Milton, Lot 29 (0.468 ACRE), Block 1, North Loop Gardens #2 Subdivision, City of El Paso, El Paso County, Texas, Parcel #N446-999-0010-7900,
6/23/2020	436.25	33.25	403.00	PRC0018280	S65899900908100	310 DODGE RD	HERNANDEZ MARIA B	310 Dodge Rd., more particularly described as Lot N PT of 10 (11550 Sq. Ft.), Block 9, Stiles Gardens Subdivision, City of El Paso, El Paso County, Texas, PIO #S658-999-0090-8100

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6/23/2020	180.78	13.78	167.00	PRC0018323	T28799917800800	14264 SMOLEY POINT DR	NICOLA ANTHONY	14264 Smokey Point Dr, more particularly described as Lot 8 (5555.00 Sq. Ft.), Block 178 Tierra Del Este #49, Tierra Del Este #49 Subdivision, City of El Paso, El Paso County, Texas, PID #T287-999-1780-0800
6/23/2020	203.51	15.51	188.00	PRC0018324	M16399900104700	0 MAXWELL AVE	BARRON RAYMOND JR	W 63.84 Ft. of Lot 5, Maxwell Subdivision, City of El Paso, El Paso County, Texas, PID #M163-999-0010-4700
6/23/2020	214.34	16.34	198.00	PRC0018326	X58199920900609	0 MAXWELL AVE	MORALES BENJAMIN	TR 6-B-1-B-1 (22794.00 Sq. Ft.), Block 81, Tsp 2 Sec 9 T & P Surv Subdivision, city of El Paso, El Paso County, Texas, PID #X581-999-2090-0609
6/23/2020	180.78	13.78	167.00	PRC0018335	S96999900400300	3913 TELESCOPE CT	TAYLOR SHANAE L	3913 Telescope Ct., more particularly described as Lot 3 (5807.00 Sq. Ft.), Block 4, Sunrise Terrace #2 Subdivision, City of El Paso, El Paso County, Texas, PID #S969-999-0040-0300
6/23/2020	184.03	14.03	170.00	PRC0018336	P40599901703100	6008 SABINE CT	DIVINE SAVIOR PRESBYTERIAN	6008 Sabine Ct., more particularly described as Lot 7, Block 17, Parkdale Subdivision, City of El Paso, El Paso County, Texas, PID #P405-999-0170-3100
6/23/2020	184.03	14.03	170.00	PRC0018345	S81699900207000	5732 WALDORF DR	VALDIVIA MARTINIANO	5732 Waldorf Dr., more particularly described as Lot 24 (6064 Sq. Ft.), Block 2, Sun Valley #1 Subdivision, City of El Paso, El Paso County, Texas, PID #S816-999- 0020-7000
6/23/2020	228.41	17.41	211.00	PRC0018350	H74899900504900	9040 MOUNT CARMEL AVE	WILSON MAKERS DEVELOPMENT LLC	9040 Mount Carmel Ave., more particularly described as Lot N. 129 Ft. of 7 & 129 Ft. ofW. 17 Ft. of 8, Block 5, Home Improvement #2 Subdivision, City of El Paso, El Paso County, Texas, PID #H748-999-0050-4900
6/23/2020	184.03	14.03	170.00	PRC0018353	L447999086B5700	3500 THOMASON AVE	DREWES LARRY & SARA	3500 Thomason Ave., more particularly described as Lot 18 (6000.00 Sq. Ft.), Block 86-B, Logan Heights Subdivision, City of El Paso, El Paso County, Texas, PID #L447-999-086B-5700
6/23/2020	184.03	14.03	170.00	PRC0018354	V89399932401800	1586 GENE TORRES DR	TAPIA ANGEL S & OROZO FRANCISCA V	1586 Gene Torres Dr., more particularly described as Lot 18, Block 324, Vista Del Sol #66 Subdivision, City of El Paso, El Paso County, Texas, PID #V893-999-3240- 1800
6/23/2020	347.48	26.48	321.00	PRC0018355	X58199920900705	0 MAXWELL AVE	MORALES BENJAMIN	TR 7-B (2.2080 Ac), Block 81, Tsp 2 Sec 9 T & P Surv Subdivision, City of El Paso, El Paso County, Texas, PID #X581-999-2090-0705
6/23/2020	187.27	14.27	173.00	PRC0018364	M39599902201500	11736 JIM WEBB DR	CHACON JONATHAN D	11736 Jim Webb Dr., more particularly described as Lot 15 (4950.64 Sq. Ft.), Block 22, Mesquite Hills #2 Subdivision, City of El Paso, El Paso County, Texas, PID #M395-999-0220-1500
6/23/2020	194.85	14.85	180.00	PRC0018371	R69699900100500	3609 SUNRISE AVE	BALDERRAMA JOSE L & MARIA A	3609 Sunrise Ave., more particularly described as Lot 3 (5971 Sq. Ft.), Block 1, Robbie Place Subdivision, City of El Paso, El Paso County, Texas, PID #R696-999- 0010-0500
6/23/2020	194.85	14.85	180.00	PRC0018372	A47599900309300	418 GONZALES ST	MADERA BENJAMIN & ELIZABETH	418 Gonzales St., more particularly described as Lot 97 (8208.60 Sq. Ft.), Block 3, Alexander To Ysleta Subdivision, City of El Paso, El Paso County, Texas, PID #A475-999-0030-9300
6/23/2020	184.03	14.03	170.00	PRC0018374	S917999002C5900	4801 ATLAS AVE	RAMOS-MARTINEZ ERNESTO	4801 Atlas Ave A, more particularly described as WL Y 77.40 Ft Of SLY 130.30 Ft Of 83 (1 0085.22 Sq Ft), Sunrise Acres #2 Subdivision, City of El Paso, El Paso County, Texas, PIO #S917- 999-002C-5900
6/23/2020	177.53	13.53	164.00	PRC0018375	S13799902504700	11220 CACTUS ROSE PL	MOLINA HUMBERTO JR & ALMA J	11220 Cactus Rose Pl., more particularly described as Lot 47 (8954.00 Sq. Ft.), Block 25, Sandstone Ranch 36 (Amending) Subdivision, City of El Paso, El Paso County, Texas, PID #S 13 7-999-0250-4 700
6/23/2020	316.09	24.09	292.00	PRC0018384	M13099901108500	4625 BOBOLINK WAY	PAYAN IDALI	4625 Bobolink Way, more particularly described as Lot 15, Block 11, Marwood Subdivision, City of El Paso, El Paso County, Texas, PIO #M130-999-0110-8500
6/23/2020	184.03	14.03	170.00	PRC0018385	F60799903203700	1332 MYRTLE AVE	EL PASO MOUNTAIN PROPERTIES LLC	1332 Myrtle Ave., more particularly described as Lot N. 91 Ft. of Lot 15 & 16 (4550.00 Sq. Ft.), Block 32, Franklin Heights Subdivision, City of El Paso, El Paso County, Texas, PID #F607-999-0320-3700
6/23/2020	184.03	14.03	170.00	PRC0018387	P65499900707300	10523 EAGLESTONE WAY	DOMINGUEZ ROLDAN F	10523 Eaglestone Way, more particularly described as Lot 37 & NLY 2 Ft. of 38, Block 7, Pebble Hills #1 Subdivision, City of El Paso, El Paso County, Texas, PID #P654-999-0070-7300
6/23/2020	184.03	14.03	170.00	PRC0018390	Y80599904701300	9349 SOCORRO RD	MCVAY ROSE M & FREDERICK J & 3	9349 Socorro Rd., more particularly described as TR 13-A (0.2100 Ac), Block 47, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PID #Y805-999-0470- 1300

Exhibit A

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
6/23/2020	184.03	14.03	170.00	PRC0018398	W14599900605100	676 ABINGTON DR	MITELMAN, MIKHAIL	676 Abington Dr., more particularly described as Lot 51 (5250 Sq. Ft.), Block 6, West Hills #2 Subdivision, City of El Paso, El Paso County, Texas, PID #W145-999- 0060-5100
6/23/2020	319.34	24.34	295.00	PRC0018405	G68899900090200	6046 OLEASTER DR	ROBERTS DANIEL O	6046 Oleaster Dr., more particularly described as Lot 9 (Exe Sely Tria) & Nwly Tria of 8 (12.50' on Wly- 39.82' on Nly- 35.10' on Sly) & Sly 101.65' of 10, Block 9, Green Acres Subdivision, City of El Paso, El Paso County, Texas, PID #G688-999-0009-0200
6/23/2020	187.27	14.27	173.00	PRC0018410	G68699908000100	3826 TOMPKINS	GUITERREZ, OSCAR	3826 Tompkins Rd., more particularly described as N. 95.25 Ft. of Lot(s) 1 & 2 (4481.83 Sq. Ft.), Block 80, Grandview N Subdivision, City of El Paso, El Paso County, Texas, PID #0686-999-0800-0100
7/7/2021	162.38	12.38	150.00	PRC0018416	Y805999039B0401	8820 ALAMEDA AVE	COURTRON LLC	8820 Alameda Ave., more particularly described as Lot 4-D (1.42 AC) & 4-D-I (0.11 AC) & 4-C-A (0.27 AC) & 4-C-B (0.16 AC) (0.96 AC), Block 39, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PID #Y805-999-039B-0401
10/27/2020	186.19	14.19	172.00	PRC0018458	M34499900201900	300 BARBAREE DR	BARRIO PARTNERS LLC	300 Barbaree Dr., more particularly described as Lot 10 (24120.00 Sq, Ft.), Block 2, Mesa Hills Rep lat Subdivision, City of El Paso, El Paso County, Texas, PID #M344-999-0020-1900
3/2/2021	184.03	14.03	170.00	PRC0018467	C80199900603400	932 CHERRY HILL	FRANKLIN ACQUISITIONS LLC	932 Cherry Hill Ln., more particularly described as Lot 35 & 0.079 AC of Lot A & 36 EXC E PT (49.94 Ft. on ST)(30987 Sq. Ft.), Block 6, Coronado Country Club Estates Subdivision, City of El Paso, El Paso County, Texas, PID #CS01-999-0060-3400
5/11/2021	188.36	14.36	174.00	PRC0018468	X13599900006625	0 MESQUITE	CEMEX EL PASO INC	0 Mesquite more particularly described as Andrew Stout Surv 135 ABST 2695 Lot TR 15-A (0.7819 AC), PID #X135-999-0000-6625
5/11/2021	490.37	37.37	453.00	PRC0018471	D46799900100200	0 BAKER	DESERT VILLAS LTD	Lot 9 (8735.00 SQ FT), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, PID #S820-999-0010- 0900
5/11/2021	184.03	14.03	170.00	PRC0018476	R20099900902100	7820 MUSTANG AVE	COBB ZOLLIE R JR	7820 Mustang Ave., more particularly described as 9 Ranchland Hills 6 6100 Sq. Ft., PID #R100-999-0090-2100
3/2/2021	168.87	12.87	156.00	PRC0018477	S82099900100900	0 VALLE DEL SOL	SUN VALLEY RANCH HOMEOWNERS ASSOCIATIO	Lot 9 (8735.00 SQ FT), Block 1, Sun Valley Ranch Subdivision, City of El Paso, El Paso County, Texas, PID #S820-999-0010- 0900
7/7/2021	184.03	14.03	170.00	PRC0018484	V88799901403500	9725 GALILEE DR	CASTRO, CESAR M	9725 Galilee Dr., more particularly described ns Lot 18 (I 0894.00 Sq. Ft.), Block 14, Vista Del Prado #3 Subdivision, City of El Paso, El Paso County, Texas, PID #V887-999-0J40-3500
7/7/2021	1,081.42	82.42	999.00	PRC0018485	C80199900405700	813 WINGFOOTE RD	KELLER ROBERT M & JANIS M	813 Wingfootc Rd., more particularly described as Lot 18 (21000 Sq. Ft.), Block 4, Coronado Country Club Estates Subdivision, City of El Paso, El Paso County, Texas, PID #CS01-999-0040-5700
7/7/2021	184.03	14.03	170.00	PRC0018487	V88799901403100	9736 GALILEE DR	CASTRO, CESAR M	9736 Galilee Dr., more particularly described as Lot 16 (11361 Sq. Ft.), Block 14, Vista Del Prado #3 Subdivision, City of El Paso, El Pnso County, Texas, PIO #V887- 999-0I40-3100
7/7/2021	165.62	12.62	153.00	PRC0018489	S56499900103300	0 MAXIMO	ESCOBAR ENRIQUE	Lot 33 (Private Open Area) (4683.72 Sq Ft), Block 1, Spanish Courts Subdivision, City of El Paso, El Paso County, Texas, PID #S564-999-0010-3300
7/7/2021	194.85	14.85	180.00	PRC0018491	S30799900102300	605 GREGGERSON DR	JAYME-ROJAS ALICIA	605 Greggerson Dr., more particularly described as Lot TR 3 (8444.00 Sq. Ft.), Seale Subdivision, City of El Paso, El Paso County, Texas, PIO #S307-999-0010-2300
7/7/2021	492.54	37.54	455.00	PRC0018492	C62299904100500	5100 E PAISANO DR	5100 E PAISANO LLC	5100 E. Paisano Dr., more particularly described as Lot W Pt. Of BLK (29.84 & 142.28 Ft. on Paisano 293.90 Ft. on E 186.17 Ft. on S 299.73 Ft. on Barcelona) (1.2203 AC), Block 41, Clardy Fox Subdivision City of El Paso, El Paso County, Texas, PID #C622-999-0410-0500
5/11/2021	198.10	15.10	183.00	PRC0018494	C80999900700400	333 THUNDERBIRD DR	HOFFER JUSTIN	333 Thunderbird Dr., more particularly described as 7 Coronado Country Club Fthills Lot 2 (8030 Sq. Ft.), PIO #C809-999-0070- 0400
5/11/2021	251.14	19.14	232.00	PRC0018498	P37699900002800	234 CARGILL ST	BLOOM LURDES V S & CHOU BERTH	234 Cargill St., more particularly described as Park Side 11 & N 11 Ft. of 12 & N 2 1/2 of S 39 Ft. of E 111 Ft. of 12 (12237 Sq. Ft.), PIO #P376-999-0000-2800
5/11/2021	2,095.72	159.72	1936.00	PRC0018499	Y80599900701260	0 PELL WAY	BEMITY GLOBAL LLC	0 PELL WAY more particularly described as 7 YSLETA TR 12-D (6.4490 AC), PIO #YS05-999-0070-1260

Resolution Date	Original Invoice Amount	Sales Tax Amount	Revised Invoice Amount	Invoice	Customer	Property Address	Name	Legal Description
5/11/2021	184.03	14.03	170.00	PRC0018505	C30199902605700	211 MANGO RD	GONZALEZ JOE & MARTHA H	211 Mango Rd., more particularly described as 26 Cedar Grove Park Replat Lot 29, PIO #C301-999-0260-5700
7/7/2021	251.14	19.14	232.00	PRC0018511	Y80599902600617	124 S CAROLINA DR	PIZARRO FRANCISCO	124 S Carolina Dr, more particularly described as Tr 6-C-2 (0.18 Ac) & Tr 5-B-3 (0.09 Ac) (0.27 Ac), Block 26, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PIO #Y805-999-0260-0617
7/7/2021	194.85	14.85	180.00	PRC0018513	H01299900104300	7599 HACIENDA AVE	SAMANIEGO RICARDO & ANA C	7599 Hacienda Ave., more particularly described as Lot 22, Block 1, Hacienda Heights Subdivision, City of El Paso, El Paso County, Texas, PIO #H012-999-0010- 4300
7/7/2021	174.28	13.28	161.00	PRC0018514	C84999906804800	1730 BASSETT AVE	A + PLUS REAL ESTATE	1730 Bassett Ave., more particularly described as Lot 17 to 28, Block 68, Cotton Subdivision, City of El Paso, El Paso County, Texas, PIO #C849-999-0680-4800
8/17/2021	184.03	14.03	170.00	PRC0018515	S36399900806900	10745 ONYXSTONE ST	CHEATHAM EUGENE	10745 Onyxstone St., more particularly described as Lot 35, Block 8, Shearman Subdivision, City of El Paso, El Paso County, Texas, PIO #S363-999-0080-6900
7/7/2021	2,259.18	172.18	2087.00	PRC0018517	H18699900103300	0 KUNA LOOP	GRANADOS RUDY M	Lot REPLAT I LOT 9 (1.01 ACRES), Block 1, Hawaiian Estates #2 Subdivision, City of El Paso, El Paso County, Texas, PID #HI 86-999-0010-3300
7/7/2021	199.18	15.18	184.00	PRC0018521	V92799905004100	3436 BUNKER FORGE PL	LIN MEI L	3436 Bunker Forge Pl., more particularly described as Lot 41 (9310.44 Sq. Ft.), Block 50, Vista Real #4 Subdivision, City of El Paso, El Paso County, Texas, PIO #V927-999-0500-4100
7/7/2021	187.27	14.27	173.00	PRC0018526	C23099900603400	3012 GRANT AVE	RIOS CRYSTAL	3012 Grant Ave., more particularly described as Lot 7 & W I /2 of 8 (4500 Sq. Ft.), Block 6, Castle Heights Subdivision, City of El Paso, El Paso County, Texas, PID #C230-999-0060-3400
7/7/2021	265.21	20.21	245.00	PRC0018530	S81699905900500	10373 KELLOGG ST	WHITFIELD ELMER JR & LOUISE	10373 Kellogg St., more particularly described as Lot 2 (7943 Sq. Ft.), Block 59, Sun Valley #6 Subdivision, City of El Paso, El Paso County, Texas, PID #S816-999- 0590-0500
7/7/2021	168.87	12.87	156.00	PRC0018535	S22599900504600	3441 KIRKWALL RD	ORTIZ GAVIOTA A	3441 Kirkwnll Rd., more particularly described as Lot S 6 Ft. of 15 & I 6 EXC S 5 Ft. (5050 Sq. Ft.), Block 5, Scotsdale Subdivision, City of El Paso, El Paso County, Texas, PIO #S225-999-0050-4600
7/7/2021	272.79	20.79	252.00	PRC0018536	H01399900303300	4020 HACIENDA ROJA DR	ZIMA PROPERTIES LLC C/O CESAR CHAPARRO	4020 Hacienda Roja Dr., more particularly described as Lot 33 (9025.55 Sq Ft), Block 3, Haciendas San Miguel # I Subdivision, City of El Paso, El Paso County, Texas, PIO #1-1013-999-0030-3300
7/7/2021	221.91	16.91	205.00	PRC0018538	H01299901302500	7517 HERMOSILLO DR	CONTRERAS VERONICA E	7517 Hennisillo Dr., more particularly described as Lot 9, Block 13, Hacienda Heights #2 Subdivision, City of El Paso, El Pnso County, Texas, PID #H012-999-0I30- 2500
7/7/2021	184.03	14.03	170.00	PRC0018540	H01299900203100	7570 HACIENDA AVE	HERNANDEZ CARLOS & RAMONA	7570 Hacienda Ave, more particularly described as Lot 16, Block 2, Hacienda Heights# 1 Subdivision, City of El Paso, El Paso County, Texas, PIO #HO 12-999- 0020-3100
7/7/2021	206.76	15.76	191.00	PRC0018546	C454999000C5600	551 CORA PL	CHABARRIA, ELVIRA F	551 Cora Pl., more particularly described as Lot 13 TR 13, Block C, Christy Subdivision, City of El Paso, El Paso County, Texas, PIO #C454-999-000C-5600
8/17/2021	177.53	13.53	164.00	PRC0018564	X58199920100104	9555 DYER T	KOO, RICHARD	9555 Dyer St., more particularly described as Lot 1-C-1 (0.23 AC) & I-C-2-B (0.2112 AC) (0.4412 AC), Block 81, TSP 2 SEC I T & P SURV Subdivision, City of El Paso, El Paso County, Texas, PIO #X58 I-999-2010-0104



Legislation Text

File #: 22-1371, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Economic and International Development, Mary Lou Espinoza, (915) 212-1882

Economic and International Development, Elizabeth Triggs, (915) 212-1619

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

A Resolution authorizing the City Manager to sign a Lease Agreement with the Government of the Country of El Salvador regarding the following described property: A portion of Block 46, Mills Addition, El Paso County, Texas, City of El Paso, municipally known and numbered as 400 W. San Antonio, Suite B, El Paso, Texas 79902.

The term of this lease is an initial term of five (5) years and two (2) five-year options to extend the term of the lease. The annual rental fee for the property will be \$38,959.92 with a 2% annual increase through the duration of the agreement and option periods.

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

AGENDA DATE: October 25, 2022
PUBLIC HEARING DATE: October 25, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Mary Lou Espinoza, Capital Assets Manager,
(915) 867-2629

DISTRICT(S) AFFECTED: ALL

STRATEGIC GOAL: No. 6: Set the Standard for Sound Governance and Fiscal Management

SUBGOAL: No. 6.6: Ensure continued financial stability and accountability through sound financial management, budgeting and reporting

SUBJECT:

A resolution authorizing the City Manager to sign a Lease Agreement with the Government of the Country of El Salvador regarding the following described property: A portion of Block 46, Mills Addition, El Paso County, Texas, City of El Paso, municipally known and numbered as 400 W. San Antonio, Suite B, El Paso, Texas 79902.

The term of this lease is an initial term of five (5) years and two (2) five-year options to extend the term of the lease. The annual rental fee for the property will be \$38,959.92 with a 2% annual increase through the duration of the agreement and option periods.

BACKGROUND / DISCUSSION:

The City of El Paso desires to enter into a new lease agreement with The Government of the County of El Salvador to continue the lease on the property located within the Sun Metro Union Plaza Transit Terminal.

PRIOR COUNCIL ACTION:

December 12, 2018; December 15, 2020

AMOUNT AND SOURCE OF FUNDING:

N/A: This is a revenue generating item

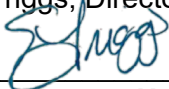
HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ___ YES x NO

PRIMARY DEPARTMENT: N/A

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD: Elizabeth Triggs, Director of Economic Development



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, the City of El Paso (“Landlord” or “City”) owns the premises and improvements located at 400 W. San Antonio, Suite B, El Paso, Texas, 79902 (“Premises”).

WHEREAS, eighty percent (80%) of the cost of construction of the Premises was paid through a grant from the United States Department of Transportation, through the Federal Transit Administration.

WHEREAS, the Government of the Country of El Salvador (“Tenant”) desires to enter into a lease agreement with Landlord for use of the Premises as the location of the El Salvadoran Consulate.

WHEREAS, Landlord has determined that use of the Premises by Tenant would benefit the City of El Paso by serving the public purpose of providing consulate services to the residents of the City; fostering the City of El Paso’s relationship with the Government of El Salvador; and growing the City of El Paso’s international visibility;

WHEREAS, the lease agreement between Landlord and Tenant limits the use of the Premises by Tenant solely as the Consulate for the Government of El Salvador;

WHEREAS, Tenant has indicated a willingness and ability to use the property solely to provide consulate services in accordance with the terms of this Lease;

WHEREAS, the proposed lease between the City and the Tenant complies with the City’s policies regulating leases.

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

THAT the City Manager is hereby authorized to sign, on behalf of the City of El Paso, a lease with the Government of the Country of El Salvador for the lease of 400 W. San Antonio, Suite B, El Paso, Texas 79902, for a five-year term, at an annual rental amount of \$38,959.92 with a 2% annual increase inclusive of the two, five-year options to extend.

(Signatures on the following page)

APPROVED this _____ day of _____, 2022.

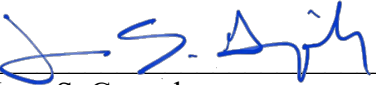
CITY OF EL PASO

Oscar Leaser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Mary Lou Espinoza
Capital Assets Manager

LEASE AGREEMENT

The parties agree as follows:

SECTION 1. LEASED PREMISES.

- A. Subject to the provisions of this Agreement, the Landlord leases to the Tenant the premises described below. The lease under this Agreement includes the right to access the premises in accordance to the provisions of this Agreement.
1. That certain office space containing 1,948 square feet, more or less as shown in Attachment "A" attached hereto, being a A portion of Block 46, Mills Addition, El Paso, El Paso County, Texas, City of El Paso, municipally known and numbered as 400 W. San Antonio Avenue, Suite B, El Paso, Texas ("**Premises**").
- B. The building where the Premises is located shall be referred to herein as ("**Building**") The Tenant will only use the Premises for the following purpose: office space for the El Salvadoran Consulate ("**Purpose**"). Tenant is responsible for ensuring that the Purpose complies with all zoning, subdivision, and development codes for the City of El Paso. Tenant shall not make any changes in the Purpose without prior written consent of Landlord.
- C. The Tenant may use all common areas of the Building, if any. The Tenant will follow the Landlord's policies for the use of the common areas, if any.
- D. Parking. During the lease term of this Agreement, Tenant shall have access to and the use of five parking spaces in the parking area above the Premises, one of which shall be reserved for the exclusive use of the Tenant at no additional cost. The remaining four spaces shall be leased to Tenant at a cost of THIRTY-ONE AND 50/100 DOLLARS (\$31.50) per month per space due at the time of the rent payment as described in Section 3 (A) of this Agreement.
- E. Tenant Improvements. Tenant shall not make any improvements, alterations, or changes of any nature to the Premises without the prior written consent of Landlord. Any

improvements made by Tenant will automatically become property of Landlord upon termination of this Agreement.


- F. Condition of Premises. Upon accepting possession of the Premises, the Tenant accepts the Premises and improvements in their present condition, including any existing easements, of record or apparent on the ground, and the proximity to loud noises and other aspects associated with the Premises. Relying on the Tenant's own inspection and judgment, the Tenant agrees that the Premises is suitable for the Tenant's Purpose. Landlord has not made any warranties expressed or implied with regard to the condition of the Premises or improvements or their suitability for a particular use. Tenant accepts the Premises and its surroundings "as is", including any improvements made by the Landlord, if any, with all faults, relying on the Tenant's own inspection and judgment and not in reliance on any representations of the Landlord. Landlord assumes no responsibility as to the condition of the Premises and assumes no responsibility for the maintenance, upkeep, or repair necessary to keep the premises in a safe and serviceable condition.

SECTION 2. TERM.

- A. INITIAL TERM. The initial term of this Agreement is five (5) years commencing on the Effective Date ("**Initial Term**").
- B. RENEWAL. The Tenant may extend the Initial Term of this Agreement for (2) periods of (5) years ("**Renewal Period**") by the mutual agreement of both parties. If the Tenant wishes to extend the Term of this Agreement, then the Tenant will notify the Landlord in writing that the Tenant wishes to extend the term at least 60 days before the expiration of the previous term. Any Renewal Period shall be subject to the provisions of this Agreement.

SECTION 3. RENTAL RATES OF LEASED PREMISES.

- A. BASE RENTAL FEE. Subject to the periodic increases outlined below, the Tenant will pay a monthly base rent of \$3,246.66 ("**Base Rental Fee**") every month during the term of this Agreement. The Tenant will pay the Landlord the Base Rental Fee no later than the first (1st) of every calendar month. The Base Rental Fee will be paid to the Landlord in the form of an ACH payment or check. If the Initial Term begins or ends on a day that is neither the first or the last day of the month, then the Base Rental Fee for that month will be prorated.
- B. BASE RENTAL FEE ADJUSTMENT. The Base Rental Fee will automatically increase by 2% every year after the Effective Date during the Initial Term and any Renewal Periods exercised by the Tenant. The Tenant is responsible for paying the Base Rental Fee increase regardless of whether the Landlord notifies the Tenant of the increase.

- C. **HOLDOVER.** If there is any holdover of the Premises by the Tenant at the expiration of this Agreement, then this Agreement will function as a month-to-month tenancy. During any holdover, the Tenant will pay the Landlord one and a half times the amount of the most recent Base Rental Fee. The Tenant will be liable to the Landlord for any loss or damage caused by the Tenant's holdover of the Premises. The Landlord may retake possession of the Premises during any holdover after providing a 30-day notice of such to the Tenant. The terms of this Agreement shall apply during any holdover period, including the Base Rental Fee Adjustment provision above. The Tenant will not construe action or lack thereof on the part of the Landlord as waiver of the right of the Landlord to retake the possession of the Premises or as a reinstatement or extension of this Agreement.
- D. **UNPAID BASE RENTAL FEE.** Any Base Rental Fee, or any other fees or charges accruing under this Agreement, that are not received by Landlord by the tenth (10th) day of the month in which payment is due, shall bear interest from the date such Base Rental Fee or other amount was due at the lesser of the rate of eighteen percent (18%) per year or the then maximum nonusurious rate under applicable law.
- E. **SECURITY DEPOSIT.** To secure Tenant's performance under this Agreement, prior to or on the Effective Date, the Tenant will pay to Landlord a security deposit in the amount of \$9,739.98, in the form of an irrevocable letter of credit ("**Security Deposit**"). The Security Deposit will be held for the duration of the Initial Term, and any Renewal Period. If the Base Rental Fee, or any other fees or charges accruing under this Agreement, are not paid in accordance with this Agreement, then Landlord may utilize the Security Deposit for any outstanding rent and fees. The Landlord will hold such Security Deposit until the end of the Initial Term and any Renewal Period. The Landlord will return the Security Deposit, minus any amounts owed by the Tenant to the Landlord at the termination of this Agreement. Tenant remains responsible for any amounts owed to the Landlord not covered by the Security Deposit.
- F. **NET LEASE.** This lease is an absolute net lease. Tenant will pay all expenses of every kind and nature whatsoever relating to or arising from the Premises, including any property taxes and other assessments of any kind on the Premises and/or improvements on the Premises and all expenses arising from the leasing, operation, management, construction, maintenance, repair, use, and occupancy of the Premises, except as otherwise expressly provided in this Lease. Notwithstanding the foregoing, Landlord agrees to pay the following expenses: (a) any expenses expressly agreed to be paid by Landlord in this Lease; (b) expenses incurred by Landlord to monitor and administer this Lease; (c) expenses incurred by Landlord prior to the Effective Date; and (d) expenses that are personal to Landlord.
- 

SECTION 4. Intentionally Deleted

SECTION 5. LANDLORD'S OBLIGATIONS, RIGHTS, AND WARRANTIES REGARDING THE PREMISES.

A. OBLIGATIONS. Dependent upon the Tenant fulfilling its obligations under this Agreement, the Landlord will provide the following regarding the Premises:

1. Air conditioning and heating;
2. Access to the Premises;
3. Connection points for water, sewer, and electrical.

B. The Landlord will maintain, repair, or replace all Structural elements of the Premises. "Structural" elements of the Premises are limited to the roof, foundation, load bearing walls, exterior walls, and exterior paint.

C. Intentionally deleted.

D. RIGHTS.

1. The Landlord reserves the right to enter the Premises to inspect the condition of the Premises, perform any maintenance or repairs under this Agreement, and/or show the Premises to prospective tenants. Prior to entering the Premises, the Landlord will provide the Tenant with 24 hours notice. The exercise of Landlord's right to enter the Premises for the purposes under this Section do not constitute an eviction or disturbance of the Tenant's rights under this Agreement.
2. The Landlord may allow the Tenant and the Tenant's employees, agents, and contractors access to the Premises before the Effective Date of this Agreement to allow the Tenant to make the Premises ready for Tenant occupancy. If the Landlord permits the Tenant or the Tenant's employees, agents, or contractors access to the Premises before the Effective Date of this Agreement, then the Tenant and the Tenant's employees, agents, and contractors will not interfere with the activities in the Building of the Landlord or other occupants in the Building. The Landlord may withdraw the early access permission granted to the Tenant and the Tenant's employees, agents, and contractors with 24 hours prior notice.
3. The Landlord is not responsible for making any improvement to the Premises before Tenant occupancy at the Effective Date of this Agreement.



4. Tenant agrees that in the event all or substantially all of its assets be placed in the hands of a receiver or trustee, and in the event such receivership or trusteeship continue for a period of ten (10) days, or should Tenant make an assignment for the benefit of creditors, or be adjudicated as bankrupt, or should Tenant institute any proceedings under any state or federal bankruptcy act wherein Tenant seeks to be adjudicated as bankrupt, or seeks to be discharged of its debts, or should any voluntary proceeding be filed against such Tenant under such bankruptcy laws and Tenant consents thereto or acquiesces therein by pleading or default, then this lease or any interest in and to the demised premises shall not become an asset in any such proceedings and, in any of such events and in addition to any and all rights or remedies of Landlord hereunder or as provided by law, it shall be lawful for Landlord at his option to declare the term hereof ended and to re-enter the demised premises and take possession thereof and remove all persons therefrom and Tenant shall have no further claim, therein or hereunder. This provision shall be binding upon all of Tenant's heirs, assigns and other successors in interest.

E. WARRANTIES.

1. Provided that the Tenant performs all obligations under this Agreement, the Landlord warrants that the Tenant may have quiet enjoyment of the Premises.
2. The Landlord makes no warranties to the Tenant regarding the condition of the Premises or the suitability of the Premises for use as intended by the Tenant. This disclaimer of warranty applies, but is not limited to, any issues of zoning and platting. It is up to the Tenant to verify that all zoning and platting requirements needed to use the Premises for the Purpose stated in this Agreement are in place.

SECTION 6. TENANT'S RIGHTS AND OBLIGATIONS REGARDING THE PREMISES.

A. OBLIGATIONS. The Tenant will abide by all of the following:

1. Pay all ad valorem taxes on all improvements made by the Tenant on the Premises and all personal property of the Tenant that is located on the Premises.
2. Maintain the Premises, for the term of this Agreement, in a clean and attractive condition. At the latter of the expiration of the Initial Term or any Renewal Period, the Tenant will return the Premises to the Landlord in the same condition that the Tenant received the Premises, except any improvements that are now part of the Premises and become property of the Landlord.



3. The Tenant is responsible for maintaining, repairing, or replacing all Non-Structural elements of the Premises. **"Non-Structural"** elements of the Premises are all those elements of the Premises that are not considered Structural under this Agreement.
4. Tenant is responsible for verifying and obtaining all zoning and platting requirements needed to use the Premises for the Purpose stated in this Agreement.
5. The Tenant is responsible for the costs of repairing damages to Structural elements of the Premises caused by the Tenant or the Tenant's employees, contractors, agents, invitees, and/or licensees. The Landlord will send an invoice for the costs or repairs to the Tenant. The Tenant will pay an invoice from the Landlord regarding repairs to the Structural elements of the Premises within 30 calendar days of receiving such invoice. The Landlord is responsible for performing all repairs to the Structural elements of the Premises.
6. The Tenant will not make any improvements to the Premises without the advance written permission of the Landlord. The Landlord may impose additional conditions on the Tenant in order to allow improvements on the Premises. The Tenant will abide by all additional conditions when making any improvements to the Premises. The Tenant will follow all federal, state, and local laws when performing any improvements to the Premises, including the ADA accommodations. The Tenant will obtain all building permits as required by law. Upon completion of the improvements, the Tenant will deliver "as-built" records of the construction signed and sealed by a professional engineer or architect licensed in Texas. The construction or removal of improvements creates no liability on the Landlord.
7. The Tenant will keep improvements and personal property located on the Premises in a good state of repair. Tenant will be responsible for repairing any damages to improvements and personal property caused by the Tenant's employees, operation, or patrons.
8. Tenant is responsible for extending utility lines to areas of the Premises as required by the Tenant. Landlord is only required under this Agreement to provide connection points. Tenant will obtain all permits required under law for the extension of utilities.
9. The Tenant is responsible for obtaining all utilities needed by the Tenant including but not limited to water, sewer, electricity, and solid waste removal.
10. Tenant will not place any signs without the advance approval of the Landlord.

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11. If a federal agency assesses a civil penalty against the Landlord for a violation related to an action or lack of action taken by the Tenant or the Tenant's agents, employees, contractors, or patrons, then the Tenant will reimburse the Landlord the civil penalty amount. The Tenant will reimburse the Landlord for the civil penalty within 30 days of receipt of notice from the Landlord of the civil penalty.
12. Tenant will comply with all environmental laws as outlined by this Agreement.
13. Tenant will not encumber the Building or Premises with any lien. If there is a lien that is filed, the Tenant will promptly discharge of the lien.
14. Tenant will allow access to any part of the Premises to the Landlord within 24 hours' notice from the Landlord to allow the Landlord to inspect and to make repairs or alterations to the Premises. If the Landlord gives 24 hours' notice to the Tenant, then the Tenant will allow the Landlord to access the Premises to show it to any prospective purchasers or tenants, or for any other purpose that the Landlord deems necessary. The Landlord entering the Premises for the purposes under this Section do not constitute an eviction or disturbance of the Tenant's rights under this Agreement.
15. Tenant will comply with all additional obligations as listed under this Agreement and **Attachment "B"** of this Agreement.

B. RIGHTS.

1. If the Tenant has prior written consent from the Landlord, then the Tenant may make changes or improvement to the Premises in accordance to any conditions imposed by the Landlord as provided in this Agreement. Any improvement that are attached to the Building and the Premises become property of the Landlord and will be surrendered with the Premises at the expiration of this Agreement without compensation. Tenant agrees that the title to all Personalty of the Tenant and improvements made by the Tenant to the Premises, now or hereafter located on the Premises, shall be vested in Tenant until either the termination or expiration of this lease, at which time all title to and ownership of the improvements made by the Tenant to the Premises and Personalty shall automatically and immediately vest (without the necessity of any further action being taken by Tenant or Landlord or any instrument being executed and delivered by Tenant to Landlord) in Landlord, and Tenant shall have no rights pertaining to such improvements or Personalty. Notwithstanding anything to the contrary, nothing in this subsection relieves the Tenant from any duties under this Agreement, including but not limited to the removal of the improvements and the restoration of the Premises. For purposes of this Agreement, "**Personalty**" means all machinery, equipment, appliances, furniture, and any other personal property of any kind or description owned



or leased by Tenant located on the Premises and used in the operation of the Premises, excluding trucks and cars.

SECTION 7. ENVIRONMENTAL LAWS.

A. For purposes of this Agreement:

1. **“Environmental Laws”** means any one or all of the following as the same are amended from time to time: the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq.; the Resource Conservation and Recovery Act, 42 U.S.C. Section 6941 et seq.; the Toxic Substances Control Act, 15 U.S.C. Section 2601 et seq.; the Safe Drinking Water Act, 42 U.S.C. Section 300h et seq.; the Clean Water Act, 33 U.S.C. Section 1251 et seq.; the Clean Air Act, 42 U.S.C. Section 7401 et seq.; and the regulations promulgated thereunder and any other laws, regulations and ordinances (whether enacted by the local, state or federal government) now in effect or hereinafter enacted that deal with the regulation or protection of the environment, including the ambient air, ground water, surface water, and land use, including sub-strata land.
2. **“Hazardous Material”** means all substances, materials and wastes that are, or that become, regulated under or classified as hazardous or toxic under any Environmental Law and all petroleum products, such as gasoline, kerosene, diesel fuel, and the like.
3. **“Releasing”** means releasing, spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, disposing, or dumping into the environment.

B. COMPLIANCE.

1. Tenant will not cause or permit any Hazardous Material to be used, generated, manufactured, produced, stored, brought upon, or released, on, under or about the Premises, or transported to and from the Premises or the Building, by Tenant, its sublessees, agents, employees, contractors, invitees, licensees, or a third party in violation of any Environmental Law. **Tenant will indemnify, defend and hold harmless the Landlord, its successors and assigns, its officers, directors, employees, agents and attorneys from and against any and all liability, loss, damage, expense, penalties and legal and investigation fees or costs, arising from or related to any claim or action for injury, liability, breach of warranty or representation, or damage to persons or property and any and all claims or actions brought by any person, entity or governmental body, alleging or arising in connection with contamination of, or adverse effects on, the environment or violation of any Environmental Law or other statute, ordinance, rule, regulation, judgment or order of any government or judicial entity which are incurred or**



assessed as a result (whether in part or in whole) of any activity or operation on or discharge from the Premises or any improvements thereon caused by the act or omission of the Tenant, its sublessees, agents, employees, contractors, licensees or invitees. This obligation includes, but is not limited to, all costs and expenses related to cleaning up the Premises, improvements, land, soil, underground or surface water to the extent required under Environmental Laws. Tenant's obligations and liabilities under this paragraph shall continue so long as the Landlord bears any liability or responsibility under the Environmental Laws for any action that occurred on the Premises or any improvements thereon. This indemnification of the Landlord by the Tenant includes, without limitation, costs incurred in connection with any investigation of site conditions or any cleanup, remedial, removal or restoration work to the extent required by any federal, state or local governmental agency or political subdivision having authority to enforce Environmental Laws because of Hazardous Material located on the Premises or any improvements thereon, or present in the soil or ground water on, under or about the Premises. The parties agree that the Landlord's right to enforce the Tenant's promise to indemnify is not an adequate remedy at law for the Tenant's violation of any provision of this Section. Landlord will also have all other rights and remedies provided by law or otherwise provided in this Agreement.

2. Without limiting the foregoing, if the presence of any Hazardous Material on, under or about the Premises or in any improvements thereon or permitted by the Tenant results in any contamination of the Premises or any improvements thereon, or any surrounding property, the Tenant will promptly take all actions at its sole cost and expense as are necessary to return the Premises or any improvements thereon or the surrounding property to the condition existing prior to the introduction of any such Hazardous Material to the Premises or in any improvements thereon or the surrounding property; provided that the Landlord's approval of such actions shall first be obtained.
3. Tenant will, at the Tenant's own expense, make all submissions to, provide all information to, and comply with all requirements of the appropriate governmental authority ("**Government**") under the Environmental Laws. If the Government determines that site characterization, site assessment and/or a cleanup plan be prepared or that a cleanup should be undertaken on the Premises or in any improvements thereon or on surrounding property to comply with applicable Environmental Laws, then the Tenant will, at the Tenant's own expense, prepare and submit the required plans and financial assurances, and carry out the approved plans. At no expense to the Landlord, the Tenant will promptly provide all information requested by the Landlord to determine the applicability of the Environmental Laws to the Premises to respond to any governmental investigation or to respond to any claim of liability by third parties

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which is related to environmental contamination of the Premises or the improvements thereon or the surrounding property.

4. Tenant will notify the Landlord promptly after the Tenant becomes aware of any of the following: (a) any correspondence or communication from any governmental entity regarding the application of Environmental Laws to the Premises or the Tenant's Purpose on the Premises, and (b) any change in the Tenant's Purpose on the Premises that will change or has the potential to change the Tenant's or Landlord's obligations or liabilities under the Environmental Laws.

C. RELEASING HAZARDOUS MATERIAL.

1. In the event of a Release of Hazardous Materials in violation of Environmental Laws on the Premises that presents an immediate threat of injury to persons or property that is not immediately remediated to the satisfaction of the Landlord or the expiration of cure periods provided for in this Agreement, then notwithstanding any other provision in this Agreement to the contrary, Landlord may "self-help" or similar remedy in order to minimize any damages, expenses, penalties and related fees or costs, arising from or related to a violation of any law on, under or about the Premises. The Tenant will be responsible for the cost of the Landlord's "self-help" in this Section, which can include but are not limited to attorneys' fees. Landlord will use its best efforts to notify the Tenant prior to its exercise of such self-help rights.
2. Tenant's failure or the failure of its agents, employees, contractors, licensees, invitees, or a third party to comply with any of the requirements and obligations of this section is a material default of this Agreement. As such, Landlord may pursue the remedies as set forth in this Agreement, in addition to all other rights and remedies provided by law.

D. REPORTING.

1. At any time that the Tenant submits any filing or response pertaining to its property, operations, or presence on City property with any governmental entity (other than the Internal Revenue Service) by way of example but not in limitation, the EPA or the TCEQ, or any successor agencies, the Tenant provide duplicate copies to Landlord of such filing(s) and response(s) with any related documents at the time same are made.

SECTION 8. MUTUAL COVENANTS.

A. FIRE OR OTHER CASUALTY.

1. If the Building and the Premises are entirely destroyed by fire or another casualty that was not caused by Tenant, then the Landlord may choose to rebuild. If the Landlord chooses not to rebuild the Building or the Premises, then either party may terminate this Agreement, with the termination date being the date of the fire or other casualty that caused the damage. Tenant is responsible for paying the Base Rental Fee and Operation Cost until the date of termination. If the Landlord chooses to rebuild, then the Landlord will be responsible for repairing the building and the Structural elements of the Premises and the Tenant is responsible for repairing the Non-Structural elements of the premises and improvements, if any. If the Landlord chooses to rebuild, then the Base Rental Fee will be abated during the time the Landlord is rebuilding the Building and the Premises and will resume when the Landlord repairs the Premises and the Building to a condition where the Landlord can fulfill the obligations of this Agreement, regardless of whether the Tenant has completed the repairs to the improvements and personal property needed to resume the Purpose on the Premises.
2. If only the Premises is damaged by fire or another casualty, then the Landlord may choose whether or not to rebuild. If the Landlord chooses not to rebuild the Premises, then either party may terminate this Agreement, with the termination date being the date of the fire or other casualty that caused the damage. The Tenant is responsible for paying the Base Rental Fee until the date of termination. If the Landlord chooses to rebuild the Premises, then the Landlord will be responsible for rebuilding the Structural elements of the Premises and the Tenant will be responsible for rebuilding the Non-Structural elements of the Premises. The Base Rental Fee will be abated for the time period that it takes the Landlord to repair the Structural elements of the Premises.
3. If the Building is damaged by fire or another casualty that was not caused by the Tenant, but the Premises remained unharmed, then the Landlord may choose to repair the building. If the Landlord chooses not to repair the Building, then either party may terminate this Agreement, with the termination date being the date of the fire or other casualty that caused the damage. If the Landlord chooses to repair the Building, then the Base Rental Fee will be abated during the time of repair.
4. If only the Premises is partially destroyed by a fire or another casualty but the Building remains unharmed, then the Landlord may choose to repair the Premises. If the Landlord chooses not to repair the Premises, then either party may terminate this Agreement, with the termination date being the date of the fire or other casualty that caused the damage. If the Landlord chooses to repair the Premises, then the Landlord will be responsible for repairing the Structural elements of the Premises and the Tenant will be responsible for repairing the Non-Structural elements of the Premises. The



Tenant will pay the Base Rental Fee only for the parts of the Premises that remained unharmed.

B. CONDEMNATION AND LOSS OR DAMAGE.

1. If the entire Building and Premises are condemned leaving the Premises untenable, then either party may terminate this Agreement, with the date of termination being the condemnation date.
2. If the Building is condemned, but the Premises remains tenable, then either party may terminate this Agreement, with the termination date being the date of the condemnation. If this Agreement is not terminated then the Tenant will only be responsible for paying the Base Rental Fee to the point that the Premises and Building are tenable and function for the Purpose needed by the Tenant.
3. If the Premises is completely condemned and deemed untenable but the Building remains unharmed, then either party may terminate this Agreement, with the termination date being the date of condemnation.
4. If the Building remains unharmed and the Premises is only partially condemned, then either party may terminate this Agreement with the termination date being the date of condemnation. If this Agreement is not terminated, then the Tenant will only be responsible for paying the Base Rental Fee for the portion of the Premises that is still tenable.

C. SUBORDINATION, NON-DISTURBANCE, ATTORNMENT, AND ESTOPPEL.

1. At the request of the Landlord, the Tenant will sign a Subordination, Nondisturbance, and Attornment agreement (“**SNDA**”). The Tenant agrees to the following which will also be included in the SNDA:
 - a. **SUBORDINATION.** The Tenant’s interest under this Agreement is, at all times, subordinate to other present and future liens on the Building or Premises and any modifications, supplements, extensions, amendments, renewals, consolidations, and replacements of said liens.
 - b. **NON-DISTURBANCE.** If the ownership of the Building or Premises changes in any way, then the Tenant’s right to quiet enjoyment and other rights under this Agreement will not be disturbed or terminated, provided that this Agreement is in full force and effect and that there are no defaults by the Tenant.



- c. ATTORNMEN. By signing this Agreement, the Tenant agrees to recognize any future owners of the Building or Premises as the Landlord and will continue to perform the obligations outlined in this Agreement until the termination or expiration of this Agreement to the full effect as with the original Landlord of this Agreement.
2. ESTOPPEL. At the Landlord's request the Tenant will execute an estoppel certificate addressed to the Landlord and Landlord's Mortgagee, or any third party that the Landlord requests. The Tenant will include the following in the estoppel certificate: the Effective Date and expiration date of this Agreement, the amounts that are to be paid under this Agreement, a statement that there have been no defaults on the part of the Landlord and that the Tenant has no claims against the Landlord, and any other information pertaining to this Agreement that the Landlord may request. However, the Tenant will not be obligated to sign any estoppel certificate if the Landlord is in material default of this Agreement.

SECTION 9. TERMINATION, DEPOSIT, AND OTHER LANDLORD REMEDIES.

A. This Agreement may be terminated as provided by this Section.

1. Expiration of Term. This Agreement will automatically terminate at the end of the Initial Term of this Agreement or, if exercised by the Tenant, at the end of any Renewal Periods.
2. TERMINATION BY EITHER PARTY FOR CAUSE. Either party may terminate this Agreement if one party fails to fulfill the obligations set out in this Agreement. Before terminating this Agreement pursuant to this provision, the terminating party will provide written notice of the intent to terminate enumerating the failure for which the termination is being sought and provide at least 30 calendar days to the non-terminating party to cure such failure. If the Landlord terminates this Agreement pursuant to this provision, then the Tenant will surrender the Premises to the Landlord immediately after being provided 30 calendar days to cure the default.
 - a. If the Landlord terminates the lease for the fault of the Tenant, then the Tenant will owe the Landlord the remainder of the Base Rate Fee for the term of the Agreement minus whatever the Landlord can recover. The Landlord will make a good faith attempt to mitigate damages in this instance.

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- b. If the Tenant terminates the lease for the fault of the Landlord, then the Tenant will only be responsible for paying the Base Rental Fee until the date of termination.
 - c. Abandonment of the Premises by the Tenant also constitutes a default under this Agreement.
3. **TERMINATION FOR CONVENIENCE.** Either party may terminate this Agreement for any reason by sending a written notice to the non-terminating party at least 30 calendar days before termination. If either party terminates this Agreement pursuant to this provision, the Landlord will allow the Tenant 30 days to return the Premises to the state the Tenant received it in and surrender the Premises to the Landlord. If the Landlord terminates this Agreement pursuant to this provision, the Tenant will be responsible for paying the amount that is due up until the date of termination. If the Tenant terminates this Agreement pursuant to this provision, the Tenant will pay the Base Rental Fee that would be due until 30 days following the termination date. Regardless of the party that terminates this Agreement pursuant to this provision, the Landlord will return the Security Deposit to the Tenant minus any amount that is needed to repair damages to the Premises or to pay Base Rental Fees or any other fees accruing under the Agreement.
4. **TERMINATION AS PROVIDED IN OTHER PARTS OF THIS AGREEMENT.** This Agreement may be terminated as otherwise provided in other sections of this Agreement.
5. **TERMINATION NOT A RELEASE.** Termination by either party is not a release of any claims that the terminating party may be lawfully entitle to assert against the terminated party. Further, the terminated party is not relieved of any liability for damages sustained by the terminating party by virtue of any breach of this Agreement.

SECTION 10 RIGHTS AND OBLIGATIONS FOLLOWING EXPIRATION OR TERMINATION.

- A. At the expiration of this Agreement or termination of this Agreement, the Tenant will surrender and return the Premises to the Landlord. The Tenant will surrender the Premises to the Landlord no later than the expiration or termination date of this Agreement. The Tenant will be responsible for paying the Landlord the Base Rental Fee while occupying the Premises to comply with the obligations under this section. Tenant will perform all obligations under this Section in accordance to all federal, state, and local laws and regulations. If the Tenant does not surrender the Premises over to the Landlord after the



time enumerated in the provisions above, the Landlord may take possession of the Premises. The Tenant will be responsible for any costs incurred by the Landlord in retaking possession of the Premises.

B. In the event of default by Tenant under this Agreement, following all required notifications, the Landlord may:


1. Enter into and upon the Premises or any part thereof and repossess the same, change the locks on the Premises, install fences and gates, expelling therefrom Tenant and all personal property of Tenant (which property may be removed and stored at the cost of and for the account of Tenant), using such force as may be necessary; and/or
2. Either cancel this Lease by notice or without canceling this Lease, relet the Premises or any part thereof upon such terms and conditions as shall appear advisable to Landlord. If Landlord shall proceed to relet the Premises and the amounts received from reletting the Premises during any month or part thereof be less than the rent due and owing from Tenant during such month or part thereof under the terms of this Lease, Tenant shall pay such deficiency to Landlord immediately upon calculation thereof, providing Landlord has exercised good faith in the terms and conditions of reletting. Payment of any such deficiencies shall be made monthly within ten (10) days after receipt of notice of deficiency.
3. If it appears that the Premises have been abandoned by the Tenant as defined by Chapter 93 of the Texas Property Code, then the Landlord may enter the Premises and may intentionally exclude the entrance of the Tenant to the Premises for the purpose of removing the contents of the Premises that were abandoned by the Tenant. The Landlord may remove and store the abandoned property of the Tenant to the Tenant's own expense. The Landlord will send a notice to the Tenant that the Landlord has the right to dispose of the Tenant's property if the Tenant does not claim the property within 60 days of the date the Landlord stored the property, pursuant to Chapter 93 of the Texas Property Code.
4. In the event of default in the payment by the Tenant to the Landlord as outlined by this Agreement, then the Landlord will have a lien upon all goods, chattels, personal property or equipment, save and except delivery vehicles or rolling stock belonging to the Tenant which are placed in, or become a part of, the Premises, as security for payment due and to become due for the remainder of the Lease term. This lien is not in lieu of or does not in any way affect the statutory landlord's lien given by law, but is in addition to the statutory lien. Tenant grants to the Landlord a security interest in all of Tenant's personal property placed in or on the Premises for purposes of this contractual lien. Provided, however, that the terms of this provision are only effective to the extent they are not inconsistent with the rules



and regulations of the Interstate Commerce Commission and any other laws pertaining thereto and the Railroad Commission of the State of Texas. Landlord agrees that the Landlord will not levy a landlord's lien against any delivery vehicle or rolling stock or any of the goods or personal property of third parties in the possession of Tenant, any sublessee or any assignee of the Tenant. If the Landlord exercises the option to terminate this Agreement as provided by this section, then the Landlord, after providing notice to Tenant as provided in this section of its intent to take possession and giving an opportunity to cure the default, may take possession of all of Tenant's property on the Premises and sell it at public or private sale after giving Tenant reasonable notice of time and place of any public sale or of the time after that any private sale is to be made, for cash or credit, for such prices and terms as the Landlord deems best. The proceeds of the sale will be applied first to the necessary and proper expense of removing, storing and selling such property, then to the payment of any rent due or to become due under this Agreement, with the balance, if any, to be paid to the Tenant.


- C. In the event of a default by the Tenant the Landlord may perform all of Tenant's obligations which the Tenant failed to fulfill under this Agreement. The Landlord may deduct from any deposits paid by the Tenant any expenses incurred by the Landlord for performing obligations of the Tenant and/or the Landlord may invoice the Tenant for the costs incurred by the Landlord for performing the Tenant's obligations. The Tenant will pay any invoices received from the Landlord within 30 calendar days of receipt.

SECTION 11. INDEMNIFICATION.

- A. WITHOUT LIMITING THE GENERALITY OF ANY OTHER INDEMNITY CONTAINED IN THIS AGREEMENT, TENANT AGREES TO INDEMNIFY AND HOLD LANDLORD AND ITS OFFICERS, DIRECTORS, AGENTS, AND EMPLOYEES HARMLESS AGAINST ANY AND ALL CLAIMS, DEMANDS, DAMAGES, COSTS, LIABILITIES AND EXPENSES, INCLUDING INVESTIGATION EXPENSES AND REASONABLE ATTORNEY'S FEES FOR THE DEFENSE OF SUCH CLAIMS AND DEMANDS, ARISING OUT OF OR ATTRIBUTED DIRECTLY OR INDIRECTLY TO THE OPERATION, CONDUCT OR MANAGEMENT OF TENANT'S ACTIVITIES ON THE PREMISES, ITS USE OF THE PREMISES, OR FROM ANY BREACH ON THE PART OF TENANT OF ANY TERMS OF THIS AGREEMENT, OR FROM ANY ACT OR NEGLIGENCE OF TENANT, ITS AGENTS, CONTRACTORS, EMPLOYEES, CONCESSIONAIRES, OR LICENSEES IN OR ABOUT THE PREMISES INCLUDING CLAIMS AND DAMAGES ARISING IN WHOLE, OR IN PART, FROM THE NEGLIGENCE OF THE LANDLORD. IN CASE OF ANY ACTION OR PROCEEDING BROUGHT AGAINST THE LANDLORD BY REASON OF ANY SUCH CLAIM, TENANT, UPON RECEIPT OF WRITTEN**
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NOTICE FROM THE LANDLORD, AGREES TO DEFEND THE ACTION OR PROCEEDING BY COUNSEL ACCEPTABLE TO THE LANDLORD. THE OBLIGATIONS OF TENANT UNDER THIS SECTION SHALL SURVIVE THE EXPIRATION OR SOONER TERMINATION OF THE LEASE.

SECTION 12. INSURANCE.

- A. **LIABILITY INSURANCE.** Tenant shall obtain, provide proof of, and maintain for the term or any holdover of this Lease:
1. Comprehensive General Liability Insurance in amounts not less than \$1,000,000 for bodily injury to one person for each occurrence, \$2,000,000 for bodily injury to more than one person for each occurrence, and \$1,000,000 for property damage for each occurrence.
 2. Comprehensive Pollution Liability Insurance in amounts not less than \$1,000,000 for each occurrence, which insurance shall cover, at a minimum, bodily injury, property damage, including natural resource damage, loss of use of damaged property or of property that has not been physically injured or destroyed, cleanup costs, removal, storage, disposal, and or use of the pollutant, and defense costs, including costs and expenses incurred in the investigation, defense, or settlement of claims, all covering the Premises and surrounding the Landlord's property.
- B. **FIRE AND OTHER RISKS INSURANCE.** Tenant, at the Tenant's sole cost and expense, will insure all improvements made on the Premises and personal property of the Tenant against loss or damage by fire and against loss or damage by other risks embraced by "extended coverage" and against civil commotions, riots, vandalism and malicious mischief in an amount equal to the actual replacement cost of such improvements, including costs of replacing excavations and foundation, but without deduction for depreciation ("**Full Insurable Value**") throughout the term of this Agreement. If a dispute arises as to the Full Insurable Value and cannot be resolved by the Tenant and the Landlord, then the Tenant will conduct an appraisal of the Premises and improvements at the Tenant's own expense. The Tenant will ensure the appraiser is approved by the Landlord.
- C. Tenant will maintain the insurance policies described above throughout the Initial Term, any Renewal Period, and any Holdover period of this Agreement. The Tenant will ensure that all policies comply with the following:
1. The Tenant may provide the insurances required in this section in more policies of insurance, the form of which must be approved by the City's Risk Manager.
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2. Prior to taking possession of the Premises, the Tenant will provide the City copies of all insurance policies along with all endorsements and certificates of insurance. If the Tenant is providing insurance policies to the Landlord for improvements made after taking possession of the Premises, then the Tenant will provide the insurance policies along with all endorsements and certificates of insurance to the Landlord before the improvements are completed. All policies will provide through an endorsement attached to the policy, that the insurance cannot be canceled or the amount of coverage changed without 30 calendar days prior written notice to the Landlord.
3. The Tenant will provide the Landlord all certificates evidencing renewal of replacement of said policies of insurance at least 15 calendar days prior to the expiration or cancellation of any such policies.
4. The issuer of any policy must have a certificate of authority to transact insurance business in the State of Texas. Each issuer must be responsible, reputable, and have financial capability consistent with the risks covered. The Landlord may reject an issuer if an insurance policy in the Landlord's sole discretion.
5. Each policy, must name the Landlord (and their elected and appointed officials, officers, agents and employees) as Additional Insured parties on the original policy and all renewals or replacements during the term of this Agreement.
6. Tenant will obtain the prior written approval if the City's Risk Manager for any deductibles, aggregate caps, and endorsements on any insurance policy required under this Agreement.

SECTION 13. GENERAL PROVISIONS

- A. NO WAIVER. Either party may waive any default without waiving any prior or subsequent defaults. Either party's failure to exercise or delay in exercising any right under this Agreement, will not operate as a waiver of such right.
- B. INDEPENDENT CONTRACTOR RELATIONSHIP. This Agreement does not create an employee-employer relationship between the Tenant and the Landlord. As such, the Landlord is not subject to the liabilities or obligations the Tenant obtains under the performance of this Agreement.
- C. TIME IS OF THE ESSENCE. The times and dates specified in this contract are material to this Agreement. For the purpose of this agreement "**business days**" means Monday through Friday excluding City of El Paso holidays and "**calendar days**" means Monday through Sunday excluding City of El Paso holidays.

D. **NOTICES.** The parties will send all notices required by this Agreement either in person, e-mail, or in writing postmarked and delivered by certified mail. All notices that are mailed are considered received 3 business days after the postmark date. All notices that are delivered in person or by e-mail are considered received on the date sent to the addresses or persons listed below. Parties may change their addresses or designated persons by sending a written notice to the other party. A new address is not official until the change of address notice is received by the other party as provided in this section. Upon receipt of proper notification of change of address the notified party will send all further notifications to the new address. Parties will address notices as follows:

To the City:

The City of El Paso
Attn: City Manager
P. O. Box 1890
El Paso, Texas 79950-1890

With a Copy to: The City of El Paso
Attn: Real Estate Division
218 N. Campbell St., 3rd Floor
El Paso, Texas 79901
Email: realestate@elpasotexas.gov


To the Tenant: The Government of the Country of El Salvador
Attn: Elsy Vanessa Sanchez de Cañas
Address: 400 W. San Antonio - Suite B
El Paso, TX 79901
Email: evsanchez@rree.gob.sv

E. **CONFIDENTIALITY.** The Tenant acknowledges that this Agreement is subject to Chapter 552 of the Texas Government Code (Texas Public Information Act). The release of the Agreement as a whole or in part must comply with Chapter 552 of the Texas Government Code (Texas Public Information Act).

F. GOVERNING LAW. This Agreement is governed by Texas law.

G. VENUE. The venue for disputes regarding this Agreement between the parties will be El Paso County, Texas.

H. SEVERABILITY. A future finding of invalidity of any provision of this Agreement does not affect the validity of any remaining provisions of this Agreement.

- I. HEADINGS. The headings and subheadings of this Agreement are for information purposes only and are not substantive terms.
- J. GOVERNMENTAL FUNCTIONS. The parties agree that the Landlord is entering this Agreement in the exercise of its governmental functions under the Texas Tort Claims Act. The parties also agree that the City is entering into this Agreement as a governmental entity performing a governmental function.
- K. COMPLIANCE WITH THE LAWS. The parties will comply with all applicable laws, administrative orders, and any rules or regulations relating to the obligations under this Agreement. If applicable, then the Tenant will procure all licenses and pay all fees or other charges as required to complete the Work under this agreement.
- L. AUDITING RECORDS FOR THE SPECIFIC PROJECT. The Tenant will allow the Landlord to inspect and copy all records pertaining to the Purpose to be performed on the Premises provided in this Agreement.
- M. FORCE MAJEURE. There is no breach of contract should either party's obligations within this Agreement be delayed due to an act of God, outbreak of hostilities, riot, civil disturbance, acts of terrorism, the act of any government or authority, fire, explosion, flood, theft, malicious damage, strike, lockout, or any cause or circumstances whatsoever beyond either party's reasonable control. The delayed party must resume performing its obligations in this Agreement after the reason for the delay is resolved.
- N. SUCCESSORS AND ASSIGNS. This Agreement is binding on the Landlord and the Tenant, and the Tenant's successors and assigns. Neither party may assign, sublet, or transfer its interest or obligations in this Agreement without the written consent of the other.
- O. THIRD-PARTY BENEFICIARIES. There are no third-party beneficiaries for this Agreement.
- P. PROVISIONS SURVIVING THIS AGREEMENT. Representations, releases, warranties, covenants, indemnities, and confidentiality survive past the execution, performance, and termination of this Agreement.
- Q. REPRESENTATIONS AND WARRANTIES. The Tenant warrants to the Landlord that the Tenant has all required licenses, permits, and expertise to perform the Purpose of this Agreement. The person executing this Agreement on behalf of both parties have the authority to sign on behalf of their respective parties.
- 

R. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement between the parties.

(Signatures begin on the following pages)

CITY OF EL PASO:

Tomás González
City Manager

APPROVED AS TO FORM:

Leslie Jean-Pierre
Assistant City Attorney

APPROVED AS TO CONTENT:

Mary Lou Espinoza
Capital Assets Manager

(Acknowledgement)

STATE OF TEXAS)
COUNTY OF EL PASO)

This Instrument was acknowledged before me on the ____ day of _____, 2022 by Tomás González, as City Manager of the City of El Paso, a municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

Notary's Commission Expires:
Notary's Name (printed)

(Tenant's Signature on following page)

TENANT:

The Government of the Country of El Salvador

[Signature]
Name: Ana Silvia Bonilla Torres
Title: Consul General de El Salvador.

(Acknowledgement)

STATE OF TEXAS)

COUNTY OF EL PASO)

This Instrument was acknowledged before me on the 13 day of October, 2022, by Ana Silvia Bonilla, as Consul of the Government of the Country of El Salvador, on behalf of N/A.

[Signature]
Notary Public, State of Texas

Notary's Commission Expires: 01-06-2026

Notary's Name (printed)

Angelica Emiliano



★ UNITED STATES DEPARTMENT OF STATE ★



CONSULAR IDENTIFICATION CARD

PID# **5011-2624-50** Expires: **09/30/2027**

Mission:
**EL SALVADOR
CONSULATE**

Name:
**BONILLA TORRES,
ANA SILVIA**
DOB: **03/20/1981**
Title:
CONSUL GENERAL

Location:
EL PASO, TX

SEE REVERSE SIDE FOR STATEMENT OF IMMUNITY

USA

This person has been duly recognized by the Department of State and under international law shall not be amenable to jurisdiction with respect to acts performed in the exercise of consular functions. This form of immunity must be asserted before, and proven to, the appropriate judicial authorities. The bearer shall not be liable to arrest or detention pending trial except on a warrant for a felony offense.

The bearer shall be treated with due respect and a notice of violation may be issued.

LAW ENFORCEMENT INQUIRIES
SHOULD BE DIRECTED TO:
(571) 345-3146 or toll free
(866) 217-2089.

IF FOUND, MAIL TO:
U.S. Department of State
Customer Service Center
SA-33, 1st Floor
Washington, DC 20522-3302
Return postage guaranteed



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R77



Legislation Text

File #: 22-1394, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Approve a Resolution that in conformity with Section 3.5A of the City Charter, the regular City Council meeting scheduled for December 20, 2022 is hereby rescheduled for Tuesday, December 13, 2022; and that the regular meetings of the City Council for the 2023 calendar year will resume on January 3, 2023.

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

DEPARTMENT: City Clerk

AGENDA DATE: October 25, 2022

N/ACONTACT PERSON NAME AND PHONE NUMBER: Laura D. Prine / (915) 212-0049

DISTRICT(S) AFFECTED: All Districts

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

SUBGOAL: 6.8 Support transparent and inclusive government

SUBJECT:

Approve a Resolution that in conformity with Section 3.5A of the City Charter, the regular City Council meeting scheduled for December 20, 2022 is hereby rescheduled for Tuesday, December 13, 2022; and that the regular meetings of the City Council for the 2023 calendar year will resume on January 3, 2023.

BACKGROUND / DISCUSSION:

In conformity with Section 3.5 of the City Charter Regular meetings of the Council shall be held in Council chambers no less than once every other week at such times as may be prescribed by resolution.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Yes, on October 13, 2020 Council approved a Resolution rescheduling the December 22, 2020 meeting to December 15, 2020.

AMOUNT AND SOURCE OF FUNDING:

No budgetary impact

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

DEPARTMENT HEAD:

Laura D. Prine 10/18/2022

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, pursuant to the City's 2022 calendar year City Council regular meeting schedule, City Council is scheduled to meet on Tuesday December 20, 2022; and

WHEREAS, the City Council desires to reschedule the December 20, 2022 meeting to Tuesday, December 13, 2022; and

WHEREAS, the City will resume its regular meeting of the City Council for the 2023 calendar year on Tuesday January 3, 2023.

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

That in conformity with Section 3.5A of the City Charter the regular City Council meeting scheduled on December 20, 2022 is hereby rescheduled for Tuesday December 13, 2022 and that the regular meetings of the City Council for the 2023 calendar year will resume on January 3 2023.

ADOPTED this ____ day of October, 2022.

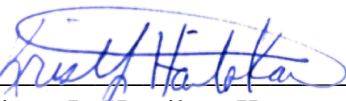
CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Kristen L. Hamilton-Karam
Senior Assistant City Attorney



Legislation Text

File #: 22-1372, Version: 2

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

District 4

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

That the City Manager, or designee, be authorized to sign an Agreement to Contribute Right of Way Funds by and between the City of El Paso and the State of Texas, acting through the Texas Department of Transportation, for the SS 320 from BU 54 Dyer St. to Railroad Dr. highway improvements project, which has an estimated total project cost of \$2,887,416.00 of which the estimated local government participation amount is estimated at \$115,496.64. Further, that the City Manager, or designee, is authorized to sign all documents and perform all actions required to carry out the obligations of the City under this agreement.

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

AGENDA DATE: October 25, 2022
PUBLIC HEARING DATE: N/A
CONTACT PERSON(S) NAME AND PHONE NUMBER: Yvette Hernandez, (915) 212-1860
DISTRICT(S) AFFECTED: 4
STRATEGIC GOAL: No.7: Enhance and Sustain El Paso's Infrastructure Network
SUBGOAL: N/A

SUBJECT:

That the City Manager, or designee, be authorized to sign an Agreement to Contribute Right of Way Funds by and between the City of El Paso and the State of Texas, acting through the Texas Department of Transportation, for the SS 320 from BU 54 Dyer St. to Railroad Dr. highway improvements project, which has an estimated total project cost of \$2,887,416.00 of which the estimated local government participation amount is estimated at \$115,496.64. Further, that the City Manager, or designee, is authorized to sign all documents and perform all actions required to carry out the obligations of the City under this agreement.

BACKGROUND / DISCUSSION:

As part of the TxDOT's improvements to SS 320 from BU 54 Dyer St. to Railroad Dr., the City is responsible for a share (4%) of the Project's cost for right of way acquisition and utility adjustments. Through this agreement, the City requests that TxDOT assume responsibility for acquisition of all necessary right of way and adjustment of utilities for this project. The City's estimated contribution is \$115,496.64.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

FHWA and State – 96%

CO's – 4%

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Capital Improvement Department

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:

Yvette Hernandez

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

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

THAT the City Manager, or designee, be authorized to sign an Agreement to Contribute Right of Way Funds by and between the City of El Paso and the State of Texas, acting through the Texas Department of Transportation, for the SS 320 from BU 54 Dyer St. to Railroad Dr. highway improvements project, which has an estimated total project cost of \$2,887,416.00 of which the estimated local government participation amount is estimated at \$115,496.64. Further, that the City Manager, or designee, is authorized to sign all documents and perform all actions required to carry out the obligations of the City under this agreement.

APPROVED this _____ day of _____ 2022.

THE CITY OF EL PASO:

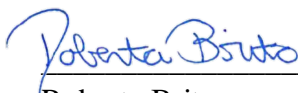
ATTEST:

Oscar Leaser
Mayor

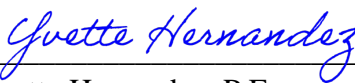
Laura D. Prine
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Roberta Brito
Assistant City Attorney



Yvette Hernandez, P.E.
City Engineer

County; El Paso
District: El Paso
ROW CSJ # 0665-02-003
CCSJ #0665-02-002
Federal Project #:N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

STATE OF TEXAS §

COUNTY OF EL PASO §

AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE)

THIS AGREEMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, (the “**State**”), and **City of El Paso, Texas**, acting through its duly authorized officials (the “**Local Government**”).

WITNESSETH

WHEREAS, Texas Transportation Code §§ 201.103 and 222.052 establish that the State shall design, construct, and operate a system of highways in cooperation with local governments; and

WHEREAS, Texas Transportation Code, §§ 201.209 authorizes the State and a Local Government to enter into agreements in accordance with Texas Government Code, Chapter 791; and

WHEREAS, the State has deemed it necessary to make certain highway improvements on Highway No. **SS 320** from **BU 54 Dyer St.** to **Railroad Dr.**, and this section of highway improvements will necessitate the acquisition of certain right of way and the relocating and adjusting of utilities (the “**Project**”); and

WHEREAS, the Local Government requests that the State assume responsibility for acquisition of all necessary right of way and adjustment of utilities for this highway project; and

WHEREAS, the Local Government desires to enter into a fixed price joint participation agreement pursuant to 43 TAC §15.52 to contribute to the State funding participation as defined in 43 TAC §15.55 for the cost of acquiring the right of way and relocating or adjusting utilities for the proper improvement of the State Highway System;

WHEREAS, the Governing Body of the Local Government has approved entering into this agreement by resolution or ordinance dated _____, 20__, which is attached to and made a part of this agreement as Attachment A. A map showing the Project location appears in Attachment B, which is attached to and made a part of this agreement.

NOW THEREFORE, the State and the Local Government do agree as follows:

County; El Paso
District: El Paso
ROW CSJ # 0665-02-003
CCSJ #0665-02-002
Federal Project #:N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

AGREEMENT

1. Agreement Period

This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed. This agreement shall remain in effect until the Project is completed or unless terminated as provided below.

2. Termination

This agreement shall remain in effect until the Project is completed and accepted by all parties, unless:

- A.** The agreement is terminated in writing with the mutual consent of the parties;
- B.** The agreement is terminated by one party because of a breach, in which case any cost incurred because of the breach shall be paid by the breaching party; or
- C.** The Project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds, in which case the State may in its discretion terminate this agreement.

3. Local Project Sources and Uses of Funds

- A.** The total estimated cost of the Project is shown in Attachment C, Project Budget Estimate and Payment Schedule, which is attached to and made a part of this agreement. The expected cash contributions from the Federal or State government, the Local Government, or other parties is shown in Attachment C. The Local Government shall pay to the State the amount shown in Attachment C as its required contribution of the total cost of the Project and shall transmit to the State with the return of this agreement, duly executed by the Local Government, a warrant or check for the amount and according to the payment schedule shown in Attachment C.
- B.** The Local Government's fixed price contribution set forth in Attachment C is not subject to adjustment unless:
 - 1.** site conditions change;
 - 2.** work requested by the Local Government is ineligible for federal participation; or
 - 3.** the adjustment is mutually agreed on by the State and the Local Government.
- C.** If the Local Government will perform any work under this contract for which reimbursement will be provided by or through the State, the Local Government must complete training before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures Qualification for the Texas Department of Transportation*. The Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local

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Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not designated a qualified individual to oversee the Project.

- D. Whenever funds are paid by the Local Government to the State under this agreement, the Local Government shall remit a warrant or check made payable to the "Texas Department of Transportation Trust Fund." The warrant or check shall be deposited by the State in an escrow account to be managed by the State. Funds in the escrow account may only be applied to this highway project.
- E. Notwithstanding that this is a fixed price agreement, the Local Government agrees that in the event any existing, future, or proposed Local Government ordinance, commissioner's court order, rule, policy, or other directive, including, but not limited to, outdoor advertising or storm water drainage facility requirements, is more restrictive than State or federal regulations, or any other locally proposed change, including, but not limited to, plats or re-plats, results in any increased costs to the State, then the Local Government will pay one hundred percent (100%) of all those increased costs, even if the applicable county qualifies as an Economically Disadvantaged County (EDC). The amount of the increased costs associated with the existing, future, or proposed Local Government ordinance, commissioner's court order, rule, policy, or other directive will be determined by the State at its sole discretion.
- F. If the Local Government is an EDC and if the State has approved adjustments to the standard financing arrangement, this agreement reflects those adjustments.
- G. If the Project has been approved for an "incremental payment" non-standard funding or payment arrangement under 43 TAC §15.52, the budget in Attachment C will clearly state the incremental payment schedule.

4. Real Property in Lieu of Monetary Payment

- A. Contributions of real property may be credited to the Local Government's funding obligation for the cost of right of way to be acquired for this project. Credit for all real property, other than property which is already dedicated or in use as a public road, contributed by the Local Government to the State shall be based on the property's fair market value established as of the effective date of this agreement. The fair market value shall not include increases or decreases in value caused by the project and should include the value of the land and improvements being conveyed, excluding any damages to the remainder. The amount of any credit for real property contributed for this project is clearly shown in Attachment C.
- B. The Local Government will provide to the State all documentation to support the determined fair market value of the donated property. This documentation shall include an appraisal of the property by a licensed appraiser approved by the State. The cost of appraisal will be the responsibility of the State. The State will review the submitted documentation and make a final determination of value; provided however, the State may perform any additional investigation deemed necessary, including supplemental appraisal work by State employees or employment of fee appraisers.

County; El Paso
District: El Paso
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- C.** Credit shall be given only for property transferred at no cost to the State after the effective date of this agreement and the issuance of spending authority, and only for property which is necessary to complete this project, has title acceptable to the State, and is not contaminated with hazardous materials. Credit shall be in lieu of monetary contributions required to be paid to the State for the Local Government's funding share of the right of way to be acquired for this project. The total credit cannot exceed the Local Government's matching share of the right of way obligation under this agreement, and credits cannot be reimbursed in cash to the Local Government, applied to project phases other than right of way, nor used for other projects.
- D.** In the event the Local Government's monetary contributions to the State for acquisition of right of way, when added to its real property credits, exceed the Local Government's matching share of the right of way obligation, there will be no refund to the Local Government of any portion of its contributed money.

5. Amendments

Amendments to this agreement due to changes in the character of the work, terms of the agreement, or responsibilities of the parties relating to the Project may be enacted through a mutually agreed upon, written supplemental agreement.

6. Notices

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid, to the following addresses:

Local Government:	State:
City Manager for the City of El Paso	Director of Right of Way Division
300 N. Campbell	Texas Department of Transportation
El Paso, Texas 79901	125 E. 11 th Street
	Austin, Texas 78701

All notices shall be deemed given on the date delivered or deposited in the mail, unless otherwise provided by this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail and that request shall be honored and carried out by the other party.

7. Remedies

This agreement shall not be considered as specifying the exclusive remedy for any agreement default, but all remedies existing at law and in equity may be availed of by either party to this agreement and shall be cumulative.

8. Legal Construction

If one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provisions and this agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

9. Responsibilities of the Parties

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

10. Compliance with Laws

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.

11. Sole Agreement

This agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the subject matter of this agreement.

12. Ownership of Documents

Upon completion or termination of this agreement, all documents prepared by the State shall remain the property of the State. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. All documents produced or approved or otherwise created by the Local Government shall be transmitted to the State in the form of photocopy reproduction on a monthly basis as required by the State. The originals shall remain the property of the Local Government. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

13. Inspection of Books and Records

The Local Government shall maintain all books, papers, accounting records and other documentation relating to costs incurred under this agreement and shall make such materials available to the State and, if federally funded, the Federal Highway Administration

County; El Paso
District: El Paso
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Not Research and Development

(FHWA) or their duly authorized representatives for review and inspection at its office during the contract period and for four (4) years from the date of completion of work defined under this agreement or until any impending litigation, or claims are resolved. Additionally, the State and FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

14. State Auditor

The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this agreement or indirectly through a subcontract under this agreement. Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

15. Procurement and Property Management Standards

The parties shall adhere to the procurement standards established in Title 49 CFR §18.36 and with the property management standard established in Title 49 CFR §18.32.

16. Civil Rights Compliance

The parties to this agreement shall comply with the regulations of the U.S. Department of Transportation as they relate to nondiscrimination (49 CFR Part 21 and 23 CFR Part 200), and Executive Order 11246 titled "Equal Employment Opportunity," as amended by Executive Order 11375 and supplemented in the Department of Labor Regulations (41 CFR Part 60).

17. Applicability of Federal Provisions

Articles 18 through 23 only apply if Federal funding is used in the acquisition of right of way or the adjustment of utilities.

18. Office of Management and Budget (OMB) Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in OMB Circular A-87 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

19. Disadvantaged Business Enterprise (DBE) Program Requirements

- A.** The parties shall comply with the DBE Program requirements established in 49 CFR Part 26.
- B.** The Local Government shall adopt, in its totality, the State's federally approved DBE program.

County; El Paso
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- C. The Local Government shall set an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. The Local Government shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally -Approved Disadvantaged Business Enterprise by Entity and attachments found at web address http://txdot.gov/business/business_outreach/mou.htm.
- E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC 3801 et seq.).
- F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.*

20. Debarment Certification

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the Local Government certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this

County; El Paso
District: El Paso
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contract to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

21. Lobbying Certification

In executing this agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- A.** No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B.** If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the Local Government shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C.** The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 USC §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

22. Federal Funding Accountability and Transparency Act Requirements

- A.** Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.
- B.** The Local Government agrees that it shall:
 - 1.** Obtain and provide to the State a System for Award Management (SAM) number (Federal Acquisition Regulation, Part 4, Sub-part 4.11) if this award provides more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://www.sam.gov/portal/public/SAM/>
 - 2.** Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows Federal government to track the

County; El Paso
District: El Paso
ROW CSJ # 0665-02-003
CCSJ #0665-02-002
Federal Project #:N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

distribution of federal money. The DUNS may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and

3. Report the total compensation and names of its top five (5) executives to the State if:

- i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
- ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

23. Single Audit Report

- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in OMB Circular A-133.
- B. If threshold expenditures of \$750,000 or more are met during the Local Government's fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 E. 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at <http://txdot.gov/inside-txdot/office/audit/contact.html>
- C. If expenditures are less than \$750,000 during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Audit Office as follows: "We did not meet the \$750,000 expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
- D. For each year the project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

24. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

County; El Paso
District: El Paso
ROW CSJ # 0665-02-003
CCSJ #0665-02-002
Federal Project #:N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

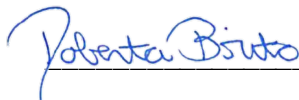
THE LOCAL GOVERNMENT

TOMAS GONZALEZ

City Manager

Date

APPROVED AS TO FORM:



Roberta Brito, Assistant City Attorney

APPROVED AS TO CONTENT:



SAM RODRIGUEZ, P.E., Chief Operations Officer



YVETTE HERNANDEZ, P.E., City Engineer

County; El Paso
District: El Paso
ROW CSJ # 0665-02-003
CCSJ #0665-02-002
Federal Project #:N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

THE STATE OF TEXAS

Rose Wheeler
Contracts and Finance Director
Right of Way Division
Texas Department of Transportation

Date

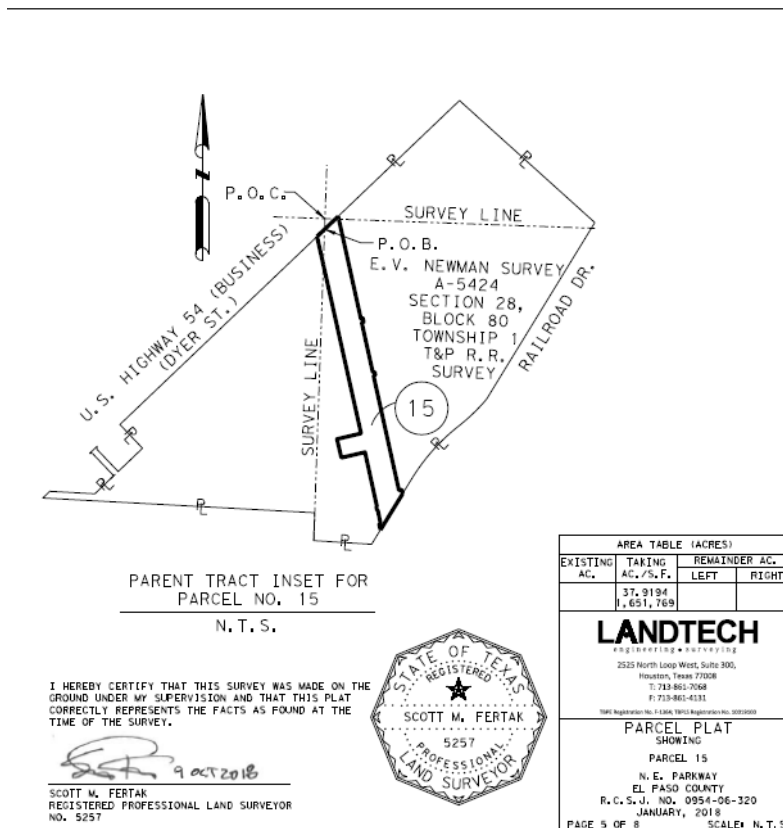
County; El Paso
District: El Paso
ROW CSJ # 0665-02-003
CCSJ #0665-02-002
Federal Project #:N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

ATTACHMENT A RESOLUTION OR ORDINANCE

County: El Paso
 District: El Paso
 ROW CSJ # 0665-02-003
 CCSJ #0665-02-002
 Federal Project #:N/A
 CFDA Title: Highway Planning & Construction
 CFDA # 20.205
 Federal Highway Administration
 Not Research and Development

ATTACHMENT B **LOCATION MAP SHOWING PROJECT**

SS 320 PH I – BU 54 (Dyer) to Railroad Dr.
EL PASO COUNTY
CONSTRUCTION CSJ: 0665-02-002
RIGHT OF WAY CSJ: 0665-02-003
PROJECT LIMITS
FROM: BU 54
TO: Railroad Dr.



ATTACHMENT C PROJECT BUDGET ESTIMATE



Texas Department of Transportation

County	El Paso	Federal Project #	N/A
District	El Paso District	CFDA Title:	Highway Planning and Construction
ROW CSJ #	0665-02-003	FHWA CFDA #	20.205
CCSJ #	0665-02-002	Federal Highway Administration	
		Not Research and Development	

Standard Agreement to Contribute

State Performs Work

EDC Adjustment

Attachment C

Description	Total Estimated Cost	Local Participation 10%	Participation				Total % (should be 100%)
			State		Local		
			EDC %	Cost	EDC %	Cost	
Right of Way Acquisition	\$ 1,937,416	\$193,741.60	60.0%	\$116,244.96	40.0%	\$77,496.64	100.0%
Reimbursable Utility Adjustments	\$ 950,000	\$95,000.00	60.0%	\$57,000.00	40.0%	\$38,000.00	100.0%
Joint Bid - Reimbursable Utility Adjustments							0.0%
TOTAL	\$2,887,416.00	\$288,741.60		\$173,244.96		\$115,496.64	

Fixed Amount

Except as otherwise provided in the Agreement, the fixed amount of Local Government participation will be that amount provided above.

Local Government requested and has been granted an Economically Disadvantaged County Adjustment from the Texas Transportation Commission on **October 28, 2021** by virtue of attached Minute Order No. **116142**, and approved a **60** percent adjustment to the required **10** percent local participation for this project. Also attached are completed Affidavit and EDC Program Information Sheet.



Legislation Text

File #: 22-1384, Version: 2

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

District 8

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

That the City Council approves a change order in the amount of \$305,143.22 to Lesna Construction Inc. for costs associated with project overhead and equipment standby for the Central Business District Phase IV Project, Contract No. 2021-0026. An additional sixty-six (66) working days are allowed for the completion of the work. The new contract sum, including this change order notice and previous change order notices, is \$13,217,428.02. The City Manager, or designee, is authorized to execute any documents and contract amendments needed to carry out the intent of this Resolution.

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

AGENDA DATE: October 25, 2022
PUBLIC HEARING DATE: N/A
CONTACT PERSON(S) NAME AND PHONE NUMBER: Yvette Hernandez, (915) 212-1860
DISTRICT(S) AFFECTED: 8
STRATEGIC GOAL: No.7: Enhance and Sustain El Paso's Infrastructure Network
SUBGOAL: N/A

SUBJECT:

That the City Council approves a change order in the amount of \$305,143.22 to Lesna Construction Inc. for costs associated with project overhead and equipment standby for the Central Business District Phase IV Project, Contract No. 2021-0026. An additional sixty-six (66) working days are allowed for the completion of the work. The new contract sum, including this change order notice and previous change order notices, is \$13,217,428.02. The City Manager, or designee, is authorized to execute any documents and contract amendments needed to carry out the intent of this Resolution.

BACKGROUND / DISCUSSION:

The change order is necessary in order to compensate the contractor for project overhead costs and equipment standby for 66 days cause by the unforeseen condition of the Franklin Canal uncovered underneath Campbell and Olivas V. Aoy as well as differing site conditions for the storm sewer at Campbell and Seventh.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

CO's - 100%

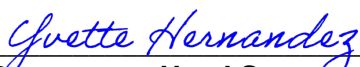
HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Capital Improvement Department

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:


(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

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

That the City Council approves a change order in the amount of \$305,143.22 to Lesna Construction Inc. for costs associated with project overhead and equipment standby for the Central Business District Phase IV Project, Contract No. 2021-0026. An additional sixty-six (66) working days are allowed for the completion of the work. The new contract sum, including this change order notice and previous change order notices, is \$13,217,428.02. The City Manager, or designee, is authorized to execute any documents and contract amendments needed to carry out the intent of this Resolution.

APPROVED THIS _____ DAY OF _____ 2022.

CITY OF EL PASO:

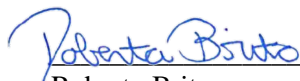
Oscar Leaser
Mayor

ATTEST:

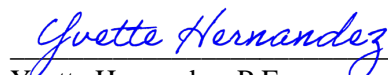
Laura D. Prine
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Roberta Brito
Assistant City Attorney



Yvette Hernandez, P.E.
City Engineer

CITY OF EL PASO CONSTRUCTION CHANGE ORDER

CONSTRUCTION CHANGE ORDER NO.: 6 DATE: October 11, 2022 SCOPE CHANGE
 PROJECT: Central Business Distric Phase IV SOLICITATION NO. Solicitation 2021-0026 CSJ 0924-06-562 CONSTRUCTION CHANGE

Original Contract Amount: \$ <u>12,736,130.53</u>	Contract Time to Final Completion <u>415</u>
Net Change by previous Change Orders: \$ <u>176,154.27</u>	Total days added due to Change Orders and CQN's <u>51</u>
Net Change by previous Construction Quantity Notices: \$ <u>-</u>	Total days added for this Change Order <u>66</u>
Amount of this Construction Change Order: \$ <u>305,143.22</u>	New Contract Time to Final Completion: <u>532</u>
New Amended Contract Amount: \$ <u>13,217,428.02</u>	Current Final Due Date <u>10/11/2023</u>
Change Order Percentage: <u>3.78%</u>	New final Due Date <u>1/24/2024</u>

CONTRACTOR NAME: Lesna Construction, Inc.

Please provide a detailed scope of work of the change order (see back for reason/justification):

Scope of Work: Compensate the contractor for overhead costs and equipment standby incurred from delays in the project.

Specifications: General Conditions Item 4L *Scope of Work*

Drawings: No changes to the plans required.

Cost and Bid Schedule: Add the following items:

- CO#6 - OVERHEAD AND EQUIPMENT STANDBY - 1 LS @ \$305,143.22/LS for a total amount of \$305,143.22.

Time: An additional 66 working days will be added to the contract.

Work described above shall be performed in accordance to applicable specifications, special provisions, terms and conditions of the original contract. Unless specifically noted, this change order addresses all compensation for time, money, material, equipment, labor, tools, and incidentals including all direct and indirect costs associated with the scope of work.

Summary:

INCREASE contract amount by **\$305,143.22**

INCREASE contract time by **66 days**.

WORKING DAYS ADDED TO CONTRACT TIME: 66

TOTAL CHANGE ORDER AMOUNT: \$ 305,143.22

CONTRACTOR

I, Jose Pison, Jr., of Lesna Construction, Inc. agree and accept the terms and conditions of this change order.

Signature: _____

Date: 17 Oct 2022

CITY OF EL PASO (OWNER)

I, Yvette Hernandez, P.E. of the City of El Paso hereby authorize and direct the Contractor to proceed with additional work as described in this form.

Signature: _____

Date: 10/17/22

Yvette Hernandez, P.E.

CITY OF EL PASO CONSTRUCTION CHANGE ORDER- Pg. 2

CONSTRUCTION CHANGE ORDER NO.: 6 DATE: October 11, 2022 ☐ SCOPE CHANGE
PROJECT: Central Business Distric Phase IV SOLICITATION NO. on 2021-0026SJ 0924-0 ☒ CONSTRUCTION CHANGE

Project Number PCP19TRAN03 PURCHASE ORDER # 2200000031
Class 38170/28300/28320/38290/38030/38230
Department 190
Fund 4950/4710/4510/4743/4970
Account 580272

CONTRACTOR NAME: Lesna Construction, Inc.

PROVIDE REASON/JUSTIFICATION FOR CHANGE ORDER:

The change order is necessary in order to compensate the contractor for project overhead costs and equipment standby for 66 work days caused by the unforeseen condition of the Franklin Canal uncovered underneath Campbell and Olivas V. Aoy as well as differing site conditions for the storm sewer at Campbell and Seventh.

Price and Time:

The contractor initially requested the compensation of \$1,139,089.49 for overhead costs, equipment standby, and anticipated profits as well as 139 additional working days. After review of the information provided by the contractor and project documentation, the City offered the contractor a total compensation of \$243,956.39 for the overhead costs and equipment standby as anticipated profits are not allowed to be claimed per the General Conditions. The contractor responded with a total compensation amount of \$325,002.47 for the overhead costs and standby. After review and negotiation, the contractor and the City agreed to a total compensation amount of \$305,143.22.

Contractor requested 139 additional working days for the delays. After the city reviewed the daily activity and timeline, it was determined by the City that the contractor should be compensated for 66 working days. The contractor agreed to the time after review of the back up justification provided by the City.

66

TOTAL CHANGE ORDER AMOUNT: \$ 305,143.22

Project Manager recommends approval: 

Engineering Division Manager recommends approval: Margaret K Schroeder

Financing Department approval:
(If Required)

REQUEST FOR PO INCREASE/DECREASE FOR CHANGE ORDER

CONSTRUCTION CHANGE ORDER NO.:		6	DATE:	October 11, 2022		INCREASE
PROJECT:		Central Business Distric Phase IV	SOLICITATION NO.	on 2021-0026	CSJ 0924-0	DECREASE

Project Number	PCP19TRAN03		
Class	38170/28300/28320/38290/38030/38230	PURCHASE ORDER #	2200000031
Department	190		
Fund	4950/4710/4510/4743/4970		
Account	580272		

CONTRACTOR NAME: Lesna Construction, Inc.

AS A RESULT OF THIS CHANGE ORDER, PLEASE MAKE THE FOLLOWING ADJUSTMENT TO THE PURCHASE ORDER:

LINE	ADDED AMOUNT
------	--------------

9	305143.22
---	-----------

TOTAL NET CHANGE TO
PURCHASE ORDER

305143.22

(should match cost below)

Additional funding/direction:

TOTAL CHANGE ORDER AMOUNT: **\$305,143.22**

Project Manager

Engineering Division Manager recommends approval:

Contract Compliance



Legislation Text

File #: 22-1378, Version: 2

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Capital Improvement Department, Yvette Hernandez, (915) 212-2860

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

That Joaquin Rodriguez, Transportation Planning Administrator, is appointed as the City's representative to the Metropolitan Planning Organization's Transportation Project Advisory Committee; that Yvette Hernandez will remain one of the City's representative on the Transportation Policy Board; and the Mayor shall sign a letter informing the Metropolitan Planning Organization and the Transportation Project Advisory Committee of the change in City representation.

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

AGENDA DATE: October 25, 2022
PUBLIC HEARING DATE: N/A
CONTACT PERSON(S) NAME AND PHONE NUMBER: Yvette Hernandez, (915) 212-1860
DISTRICT(S) AFFECTED: All Districts
STRATEGIC GOAL: No.7: Enhance and Sustain El Paso's Infrastructure Network
SUBGOAL: N/A

SUBJECT:

That Joaquin Rodriguez, Transportation Planning Administrator, is appointed as the City's representative to the Metropolitan Planning Organization's Transportation Project Advisory Committee; that Yvette Hernandez will remain one of the City's representative on the Transportation Policy Board; and the Mayor shall sign a letter informing the Metropolitan Planning Organization and the Transportation Project Advisory Committee of the change in City representation.

BACKGROUND / DISCUSSION:

The Transportation Project Advisory Committee (TPAC) includes sixteen (16) voting members. TPAC develops and provides recommendations to the TPB on projects with regard to the MTP and TIP project selection process criteria, as well as special transportation planning issues. The TPAC holds meetings monthly or as needed. One TPAC member will be selected by each governing body. The City of El Paso desires to appoint Transportation Planning Administrator, Joaquin Rodriguez, as the City representative to TPAC replacing City Engineer, Yvette Hernandez.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

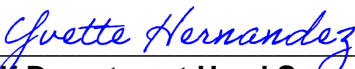
HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ____ YES ____ NO

PRIMARY DEPARTMENT: Capital Improvement Department

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, the By-laws and Procedures for the Metropolitan Planning Organization's Transportation Policy Board (TPB) provide that the City of El Paso ("City") shall have multiple representatives on the TPB and one representative on the Transportation Project Advisory Committee ("TPAC"); and

WHEREAS, Yvette Hernandez, City Engineer, is currently one of the City's representatives on the TPB and is currently the City's singular representative on the TPAC; and

WHEREAS, the City desires to appoint Joaquin Rodriguez, Transportation Planning Administrator, as its TPAC representative, thereby replacing Ms. Hernandez on the TPAC; and

WHEREAS, the City desires that Ms. Hernandez continue as one of the City's representative on the TPB.

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

That Joaquin Rodriguez, Transportation Planning Administrator, is appointed as the City's representative to the Metropolitan Planning Organization's Transportation Project Advisory Committee; that Yvette Hernandez will remain one of the City's representative on the Transportation Policy Board; and the Mayor shall sign a letter informing the Metropolitan Planning Organization and the Transportation Project Advisory Committee of the change in City representation.

PASSED AND APPROVED this ____ day of _____ 2022.

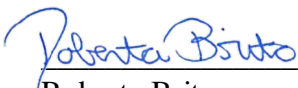
THE CITY OF EL PASO:

Oscar Leeser, Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Roberta Brito
Assistant City Attorney

PLEASE PLACE ON MAYOR'S LETTERHEAD

October 14, 2022

Mr. Jose M. Landeros
Transportation Project Advisory Committee

Mr. Eduardo Calvo
Metropolitan Planning Organization – Executive Director

RE: City of El Paso Transportation Project Advisory Committee (TPAC)

Dear Mr. Landeros and Mr. Calvo:

The intent of this letter is to appoint Mr. Joaquin Rodriguez to the Transportation Project Advisory Committee (TPAC) to replace City Engineer, Ms. Yvette Hernandez. Ms. Hernandez's role as the new City Engineer has impacted her ability to serve on both committees. Mr. Rodriguez will assume the representative role for the City of El Paso.

Please note that this change is only for TPAC, Ms. Hernandez will continue to serve on the Transportation Policy Board.

Thank you for your consideration.

Sincerely,

Oscar Leeser
Mayor



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1349, Version: 2

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Cissy Lizarraga, (915) 212-0008

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Rodolfo A. Barba to the Building and Standards Commission by Representative Cissy Lizarraga, District 8.



Board Appointment Form

Submitted On: Oct 12, 2022, 12:57PM MDT

City Clerk

Appointing Office	Representative District 8
Type of Agenda	Consent
Date of Council Meeting	Tuesday, October 25, 2022
Agenda Posting Language	Re-Appointment of Rodolfo A. "Rudy" Barba to the Building and Standard Commission by City Representative Cissy Lizarraga.
Name of Board/Committee/Commission	Building and Standard Commission
Appointment Type	Regular
Special Qualification Category (if applicable)	
Nominated By	Representative Cissy Lizarraga
Nominee Name	Rodolfo A. "Rudy" Barba
Nominee Email Address	[REDACTED]
Nominee Mailing Address	[REDACTED]
Zip Code	[REDACTED]
Nominee Primary Phone Number	[REDACTED]
Does the proposed appointee have a relative working for the city?	YES
If so, please provide his or her name, city position and relationship to the proposed appointee.	Peter Pacillas, Assistant Police Chief, Brother-in-Law Paul Pacillas, Sargent Police
Has appointee been a member of other city boards / commissions / committees?	YES
If so, please provide names and dates.	Bond Overview Advisory Committee- Jun 10, 2014- Dec 31,2022 (Present)
List all real estate owned by appointee in El Paso County (by address, if none, enter 'N/A')	[REDACTED]
Who was the last person to have held the position before it became vacant?	Rodolfo A. "Rudy" Barba
Incumbent Expiration Date	October 31, 2022
Reason person is no longer in office	Term Expired
Date of Appointment	October 25, 2022
Term begins on	October 31, 2022
Expiration Date of New Appointee	October 31, 2024
Term	2nd Term
Upload File(s)	Rodolfo A. Barba Resume (1).PNG Rodolfo A. Barba Resume (2) .png



Years of Experience

45 years

Years with Sundt

2 year

Education

Bachelor of Science,
Civil Engineering, UTEP

Certifications/Affiliations

Certified Professional
Engineer

LEED AP

Rodolfo A. Barba - Senior Estimator I

As an experienced senior estimator, I have lead preconstruction efforts and been responsible for proposal management of military multifamily projects up to \$120 million and commercial projects up to \$40 million in value. As a lead estimator, I have experience producing proposals and estimates under various procurement vehicles, CM at Risk, Design-Bid-Build, Design-Build, and Job Order Unit Costing. I have participated in design charrettes, contributed preliminary through final costs, developed construction strategies and schedules, assisted owner, administrator, facility user, architect, engineer construction teams to successful project outcomes. Both new construction and renovation projects, (infrastructure through vertical building scopes of work), are included in my preconstruction experience. Important general skills I have sharpened as a lead estimator entail communicating, listing, critical/ tight time management under pressure, attention to detail, mathematics, and reading. A few specific pre-construction skills I have refined are investigating project sites and all surrounding conditions, coordinating/defining scope with A&E teams, asking constructability questions and finding better solutions, suggesting cost saving choices, and checking bidding documents through the various levels of completion. In addition, important skills I have gained through the various phases of my proposal experience are locating and collaborating with suppliers and subcontractors, answering their questions, building trust by being fair and honest, creating better total scope understanding for all members of our team, procuring, analyzing and tabulating bids.

Project Experience:

Biggs Field - Fort Bliss, El Paso, TX, \$20,200,000

New single family homes, for the Army COE. Demo 174 and construct 140 Units, Area=294,000 SFGR

Camp Pendleton & Twenty Nine Palms, US Marines Bases, CA, \$65,000,000

MFH for the USMC. Construct 311 Units, Area= 625,000 SFGR, Including Community Centers and various site ancillary facilities.

Department of Homeland Security - Federal Law Enforcement Training Center, Artesia, NM, \$5,800,000

New Auditorium Building 1, Area=14,000 SFGR, \$5,800,000 Design-Bid-Build.

Dick Poe Toyota Dealership, El Paso, TX, \$16,000,000

Demolish and reconstruct, 80,000 SF-GR, 3- story plus mechanical penthouse.

Dyess AB - MFH Phase I, Abilene, TX, \$80,875,000

Demo 405 and construct 326 Units, Area=702,000 SFGR

El Paso County Texas Sports Park Rehabilitation, El Paso, TX, \$2,100,000

Completion of a default project which was idle for over a year. The scope of work included rehabilitation of 6 softball/baseball, restroom building (single story), office/concession structure (two story), and various utilities and site amenities.

HI Regional - Navy & Marine, \$247,000,000

MFH Project three neighborhoods (Ford Island, Manana, Camp Smith, and Waikulu), 1,680 total units, Area=1,766,000 total SF-GR

Las Torres Apartments Phase II, El Paso, TX, \$11,811,000

Private owner, 168 new units and one Community center, Area of 176,000 SF-GR.

Luke Airforce Base, Glendale, AZ, \$11,800,000

New single family homes, for the USAF, construct 95 Units, Area=199,000 SFGR

Medical Center of Americas, El Paso, TX, \$22,000,000

Proliferating biomedical research and technology, 62,000 SF-GR, 3- story plus mechanical penthouse.

Nellis Airforce Base, Las Vegas, NV, \$180,000,000

Demo 1,278 and construct 1,178 Units, Area= 2,476,000 SFGR, Including two (2) Community Centers and various site ancillary facilities.

Refurbished Aquatics Center fpr Socorro ISD, El Paso, TX, \$1,500,000

The scope of work included plaster removal and refinish of three swimming pools and spa, apply new pool deck surfacing, replace various 6" to 12" valves, controls, pumps, and in-pool play structure.

Region- 19 Job Order Contract, El Paso, TX, \$15,000,000

Various small rehabilitation contracts for City of El Paso, County of El Paso, El Paso Water Utility, Clint ISD, Canutillo ISD, and Socorro ISD, averaging approximately \$5,000,000 per year from 2014-2016, (Jordan Foster Construction).

Highlighted by two highly complex projects requiring a large amount of site survey and attention to detail to properly define an accurate scope of work.

Tays South Assisted Income Housing, El Paso, TX, \$32,635,000

HACEP, 198 new units and one Community center, Area=232,700 SF-GR

El Paso Medical Science Building II, El Paso, TX, \$65,432,000

Texas Tech University Health Science Center, five story new education and office building Area=219,900 SF-GR

Eastside Regional Park Phase I, El Paso, TX, \$28,741,000

City of El Paso, Community Park Recreational Center. The main building complex houses a Natatorium (Olympic size competition pool, warmup pool, 1,147 stadia seating), a Gymnasium (colligate basket and volleyball, weight training area, running track), and Community Building (multi-function meeting and classroom areas). The site consists of a Water Park (1 acre, five grand features, service building [commercial kitchen, food service, office, and restrooms]). The Site encompasses new roadway and parking. Buildings Area = 102,310 SF-GR, Site Area=7.9 acres.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1356, **Version:** 2

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Henry Rivera, (915) 212-0007

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Danny Padilla to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Henry Rivera, District 7.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1353, Version: 2

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Joe Molinar, (915) 212-0004

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Nathan Coleman to the City Accessibility Advisory Committee by Representative Joe Molinar, District 4.



Board Appointment Form

Submitted On: Oct 13, 2022, 01:56PM MDT

City Clerk

Appointing Office	Representative District 4
Type of Agenda	Consent
Date of Council Meeting	Tuesday, October 25, 2022
Agenda Posting Language	Appointment of Nathan Coleman to the City Accessibility Advisory Committee by City Representative Joe Molinar, District 4, as a regular appointment.
Name of Board/Committee/Commission	City Accessibility Advisory Committee
Appointment Type	Regular
Special Qualification Category (if applicable)	
Nominated By	Representative Joe Molinar
Nominee Name	Nathan Coleman
Nominee Email Address	
Nominee Mailing Address	
Zip Code	
Nominee Primary Phone Number	
Does the proposed appointee have a relative working for the city?	YES
If so, please provide his or her name, city position and relationship to the proposed appointee.	
Has appointee been a member of other city boards / commissions / committees?	NO
List all real estate owned by appointee in El Paso County (by address, if none, enter 'N/A')	N/A
Who was the last person to have held the position before it became vacant?	Luis Rodriguez
Incumbent Expiration Date	June 22, 2024
Reason person is no longer in office	Resigned
Date of Appointment	October 25, 2022
Term begins on	June 23, 2022
Expiration Date of New Appointee	June 22, 2024
Term	1st Term
Upload File(s)	Accessibility Advisory Committee Resume .docx Letter of Intent for District 4 AAC Seat.docx

Nathan Coleman



Due to my extensive experience with the Texas Council of Developmental Disabilities Grant-funded non-profit being a Peer Support Specialist for (3) advocacy organizations, participated in a student-led organization either as a UTEP student, intern, or as an individual who once sought these services that have to develop my personal abilities to share with others through personal experience or real work experience in the workforce in a call center or as a Field Representative for a Financial Management Agency – Managed Care Organization (MCO) Consumer Directed Services Option – CDS Option has empowered me to be active in my community by most recently being nominated to form part of the Children’s with Disabilities Information Coalition – CDIC Board of Directors and now going for that nomination to form part of the Sun Metro’s Accessibility Advisory Committee – AAC, as District 4 Board Member.

Work Experience

Children with Disabilities Information Coalition – CDIC

Board Member

October 2022 present

El Paso Coalition for People with Disabilities

September 2022 present

Team Captain of a coalition that will be designed for Youth with Disabilities

Disability Advocate

Arc of El Paso

July 2022 to Present

Serve as a Peer Support Specialist and empower individuals with Intellectual Disabilities to reach their potential with community partners who work directly with the disability community of all ages and serve as vital resources for families of individuals with intellectual disabilities – offer workshops, support groups, and most recently launched a book club that focuses on addressing disability barriers and finding ways to overcome these barriers so that they become barriers no more.

Project Amistad’s Peer Support Specialist for Amistad’s Money Basics Program

- Aide community/school settings to educate individuals with disabilities to learn the importance of handling their own money by presenting different “Money Management Workshops once a week for (4) weeks.

Peer Support Specialist

PROJECT AMISTAD - El Paso, TX

July 2021 to Present

Assist Project Amistad’s Resource Coach with the Peer Support Mentoring Program with the assigned Mentee that is either referred to the Program through the

Guardianship or Case Manager of the Dahab Center or States Center develop a Person Center Plan that includes goals that both the PSS and Mentee discover throughout a 4 session by completing a Pre & Post Assessment conducted by the Specialist. The PCP allows for the Mentor to report weekly progress notes to the Resource Coach and a way to also communicate with all parties involved to ensure support among the parties involved to also ensure that the goals are being worked on even when PSS is not there to empower the Mentee is the goal at the end of the day.

Peer Support Specialist for the Children's Disabilities Information Coalition

*Children's Disabilities Information Coalition - El Paso, TX
July 2021 to Present*

Serve as a Peer Support Specialist mentoring high school students with disabilities by participating in monthly workshops put together by the Facilitators of the organization. Topics cover different life skills to empower the student to look beyond their abilities by gaining useful knowledge of agencies as well as resources that are there to help them after they finish high school with the goal of continuing on to higher education through Project Search which as an agency that helps students with disabilities find a job that matches their individual skills or Project Higher which allows them to continue their education after high school by gaining work experience by receiving vocational training that if they are able to perform and or sustain a job they are offered a job for permanent placement.

UTEP Student Organization President – MINER DIAMONDS

Conducted organization meetings with members who were students receiving services through the Center for Academic Student Services (CASS), who were given the opportunity to serve in the department planning committee to give input on events such as Disability Awareness Week, being a part of the University Selection Committee for the hiring of the next CASS Department Director as well as formed part of the University President's Committee Taskforce who focused on campus problem areas to make it more wheelchair friendly including the renovation of the current layout of the CAS Department which took on-going efforts of both students, faculty and staff conducting surveys, departmental Director Meetings to provide an ideal blueprint of what is now the CASS along with its current department name change.

Peer Support Specialist

*Paso Del Norte Children's Development Center's Training Today's Mentors for Tomorrow - El Paso, TX
January 2006-2009*

Served as Peer Support Specialist for high school students with intellectual and developmental disabilities; students who participated in this program were in their junior or senior year of high school and demonstrated the need for empowerment in the area of academia; depending on their disabilities some students went on to higher education or went into vocational training education to get employment experience with a job coach or with the help of the school counselor or ARD Committee that coordinated for the student's parents seeking these types of school resources for their child.

Orientation Specialist

IN-HOME ATTENDANT SERVICES, LTD - Houston, TX

June 2011 to Present

Assist with New Client Orientation that chooses the Consumer Directed Services Option; assist participants with the employer paperwork and employees with New Hire application. Once applications are completed, I send original Forms and new hire applications to the in-home attendant services Ltd in-take department to complete final intake procedures.

Sales Representative

BEK MEDICAL INC

June 2021 to May 2022

- Answered incoming calls for repair requests- Scheduled repair evaluation appointments - wheelchair repairs, vehicle modifications and home modifications eg: installation of stairlifts
- Prepared work orders for technicians
- Prepared TITLE XIX (Medicaid/Medicare) Durable Medical Equipment reimbursement
- Obtained manufacturer quotes for medical equipment as well as mobility devices

Customer Care Professional

HGS - AMERICAN EXPRESS - El Paso, TX

May 2021 to June 2021

- Answered incoming calls from American Express cardholders assist with processing payments over the phone or navigate cardholder online
- Handled billing inquiries
- Up-selling / upgrade to the different American Express cards available to cardholder depending on their individual spending habits

Customer Service Representative

Maximus

April 2021 to May 2021

Took inbound calls for the IRS stimulus payments:

- Walked them through the website to look for more information their stimulus inquiry

Independent Living Skills/Peer Counseling Coordinator

Center for Independent Living - El Paso, TX

March 2021 to March 2021

Assist consumers discover their independent living skills in order to live independently out in the community as well as linking them to helpful resources maintain independence stability and not let their individual disabilities get in the way of living their life like everyone else.

Customer Office Specialist

Prudential Technical Support - El Paso, TX

October 2018 to February 2021

Tend to incoming calls from Prudential Customers who call in for account assistance ranging from online registration to password reset assistance.

Member Service Representative

DATAMARK INC - El Paso, TX

December 2014 to September 2018

Member Services Representative - Excrescent - Shell Gas Rewards Program
Take Fuel Rewards Program calls, enrollment/on-site troubleshooting, and respond to emails daily all while staying within metric project requirements.

Business Customer Care - AT&T Mobility

ALORICA INC

May 2012 to December 2014

mobility provision from billing to upgrading options
Intl Customer Care - Provisioning of International mobility services ranging from billing to adding international mobile services for customers traveling abroad.

Customer Service Representative - United Blood Services

READYONE INDUSTRIES CALL CENTER

September 2011 to March 2012

Recruited present and new donors to return to the blood banks to give the "gift of life and save a life." Screened donors before setting up the donors' next appointments.
Called the Regions of Natchez Trace, Louisiana, Inland Northwest, and North Idaho and then Rio Grande - El Paso, McAllen, Brownsville -***Bilingual***

Education

Bachelors in Liberal of Arts

University of Texas at El Paso - El Paso, TX

August 2010

UTEP's Miner DIAMONDS Student Organization President

June 2008-June 2009

Associates of Arts – Radio & Television

El Paso Community College – El Paso, TX

August 2008

Student Honor Society 2008-2009

Captain John L. Chapin high school

2001-2005

Mr. Chapin "All Chapin Boy" 2005

Center for Career and Technical Education

2003-2005

Medical & Legal Administration

MOUS Microsoft Word Specialist 2005

Center for Career and Technology Education

August 2003 to 2005

Medical Administration

Special Olympics Participant

1996-1999

Skills

35 WPM, Great Communication Skills - telephone and written correspondence, office clerical experience, dependable, easily adapts to different work environments, have a certificate of completion for Medical Administration - Trained in Medical Terminology, made familiar with the different Medical Forms as well as billing and coding. Advocate for individuals with Disabilities through a non-for-profit organization under the Texas Council for Developmental Disabilities, Paso Del Norte Children's Development Center – Training Tomorrow's Mentors Today, Leadership Skills with the Youth Leadership Forum, Project Amistad's Peer Support Specialist Children's Information Development Coalition as a Mentor



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1355, Version: 2

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Community and Human Development, Nicole Ferrini, (915) 212-1659

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

James Pleasant II to the Regional Renewable Energy Advisory Council (RREAC), as a non-voting member, by Nicole Ferrini, Chief Resilience Officer.



Board Appointment Form

Submitted On: Oct 13, 2022, 02:15PM MDT

City Clerk

Appointing Office	Department
Type of Agenda	Consent
Date of Council Meeting	Tuesday, October 25, 2022
Agenda Posting Language	to the Regional Renewable Energy Advisory Council (RREAC), as a non-voting member, by Nicole Ferrini, Chief Resilience Officer.
Name of Board/Committee/Commission	Regional Renewable Energy Advisory Council
Appointment Type	Regular
Special Qualification Category (if applicable)	
Nominated By	Community and Human Development
Nominee Name	James Pleasant II
Nominee Email Address	
Nominee Mailing Address	
Zip Code	
Nominee Primary Phone Number	
Does the proposed appointee have a relative working for the city?	NO
Has appointee been a member of other city boards / commissions / committees?	NO
List all real estate owned by appointee in El Paso County (by address, if none, enter 'N/A')	N/A
Who was the last person to have held the position before it became vacant?	Omar Garcia-Bracho
Incumbent Expiration Date	March 03, 2023
Reason person is no longer in office	Resigned
Date of Appointment	October 25, 2022
Term begins on	March 03, 2021
Expiration Date of New Appointee	March 03, 2023
Term	Unexpired Term
Upload File(s)	James Pleasant II - Appointment RREAC - Resume.doc

JAMES A. PLEASANT II

OBJECTIVE

To develop the Company's Transportation Electrification (TE) Strategies, projects and programs that support expansion of TE within the Company's service territory. Perform TE trend and benchmarking analyses, business case development, preparation of regulatory filings, development of Requests of Proposals (RFPs), technical evaluation of bids and technology solutions, project management and implementation of TE programs, including customer education and outreach initiatives, and development of new utility initiatives that advance TE through innovation, collaborations and partnerships.

EDUCATION

August 2018 to 2021 **NEW MEXICO STATE UNIVERSITY** Las Cruces, New Mexico
Master of Science - Electrical Engineering Degree with emphasis in Electric Utility Management Program (EUMP)

- major – Electrical Engineering GPA: 3.5
- Courses taken: Photovoltaic Devices and Systems, Public Utilities Regulation, Regulatory & Industry Analysis: Electric II, Regulatory: Water/Natural Gas, Regulatory & Industry Analysis: Advance Seminar, Power System Relaying, Power Electronics, Computer Performance Analysis I, Electromagnetic Theory I, Distribution Systems, & Random Signal Analysis

August 2015 to 2018 **NEW MEXICO STATE UNIVERSITY** Las Cruces, New Mexico
Bachelor of Science - Electrical Engineering Degree with emphasis in Power

- major – Electrical Engineering GPA: 3.25
- Courses taken: Engineering Physics II, DC/AC Circuits, Engineering Analysis 1, Problem Solving (Programming in C), and Differential Equations, Linear Algebra, and Engineering Probability, Vector Calculus, Digital Circuit Design (VHDL), Embedded Systems (Arduino), Power, Signals, Electronics, Engineering Economy, Speed Reading, Power II, Electromagnetics, Systems Engineering, Power III, Satellite Design, Signals II, & Capstone I

August 2013 to May 2015 **EL PASO COMMUNITY COLLEGE (EPCC)** El Paso, Texas
Associate of Applied Science degree (transferred to NMSU)

- major – Electrical Engineering GPA: 3.45
- Courses completed: Intro to EE, Engineering Physics I, Calculus III

PROFESSIONAL EXPERIENCE

2020 – Current (2 years) **El Paso Electric Company** El Paso, Texas
Engineer Associate – Renewables & Emergent Technologies

- Project management of the Company's Transportation of Electrification efforts by establishing partnerships and program development, customer education & outreach, and electrical grid impact studies associated with the growing adoption of electric vehicles.
- Conduct feasibility and risk assessment studies, develop recommendations, and perform due diligence reviews on opportunities for energy purchases, advanced technological investment, and research and development partnerships.

2017 – 2020 (3 years) **El Paso Electric Company**

El Paso, Texas

Intern - Renewables & Emergent Technologies

- Assist in planning, implementation, and administration of distributed generation (DG), existing renewable programs, and emergent technology.
- Perform research, conduct energy consumption, load & behavioral analysis, site reviews and 3D modeling, photovoltaic (PV) capacity sizing for large customers, and prepare reports and filings to comply with regulatory deadlines.

Additional Skills

- Exposed to Excel, Oracle, CC&B, MV-90, Distribution GIS Viewer, Sketchup, Programming in C+, Python, MATLAB, Simulink, Multisim, Mathcad, VHDL, TopSpice, Arduino, Raspberry Pi, EAGLE, PowerWorld, SAM NREL, and Express PCB.

REFERENCES

Available upon request.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1403, Version: 2

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Isabel Chacon to the Women's Rights Commission by Representative Isabel Salcido, District 5.



Board Appointment Form

City Clerk

Submitted On: Oct 19, 2022, 09:22AM MDT

Submitted By: Maricza Ramirez

Appointing Office	Representative District 5
Type of Agenda	Consent
Date of Council Meeting	Tuesday, October 25, 2022
Agenda Posting Language	Appointment of Isabel Chacon to the Women's Rights Commission by Representative Isabel Salcido, District 5.
Name of Board/Committee/Commission	Women's Rights Commission
Appointment Type	Regular
Special Qualification Category (if applicable)	Resides in the City of El Paso. Resides in District 5. Shows interest and experience in issues affecting women in the business, socio-economic, housing, and pay equity.
Nominated By	Representative Isabel Salcido
Nominee Name	Isabel Chacon
Nominee Email Address	
Nominee Mailing Address	
Zip Code	
Nominee Primary Phone Number	
Does the proposed appointee have a relative working for the city?	NO
Has appointee been a member of other city boards / commissions / committees?	NO
List all real estate owned by appointee in El Paso County (by address, if none, enter 'N/A')	
Who was the last person to have held the position before it became vacant?	VACANT
Incumbent Expiration Date	August 31, 2022
Reason person is no longer in office	Term Expired
Date of Appointment	October 25, 2022
Term begins on	September 01, 2022
Expiration Date of New Appointee	August 31, 2024
Term	1st Term
Upload File(s)	Isabel Chacon Resume 2022.pdf



ISABEL CHACON

REALTOR®

Experienced REALTOR® in El Paso who loves serving the Greater El Paso Association of REALTORS®. Currently holding the Political Involvement Committee position with the Texas REALTORS® and look forward to pursuing other community positions.

EXPERIENCE

REAL ESTATE AGENT

Century 21 The EDGE

2007 - Present

- Represent buyers, sellers and investors in all real estate transactions.
- Provide Comparative Market Analysis Report to potential clients.
- Custom Home Advisor.

TAX FINANCIAL ADVISOR

H & R Block

2002 - 2012

- Collect, prepare taxes and mediate with the IRS for clients.
- Manage store front and participate in opening and closing procedures.
- Schedule appointments and offer tax preparation advice.



[REDACTED]



[REDACTED]



[REDACTED]



[REDACTED]

EDUCATION

UNIVERSITY OF PHOENIX

Accounting 1 and Accounting 2

1998

ACADEMY OF REAL ESTATE

Real Estate Courses

2005 - 2006

AWARDS

- 2021 • Masters Emerald
- 2021 • Quality Service Pinnacle Producer
- 2020 • Masters Emerald
- 2020 • Quality Service Producer
- 2019 • Masters Ruby
- 2018 • Sales Person of the Year GEPAR
- 2018 • Quality Service Pinnacle Producer
- 2017 • Quality Service Pinnacle Producer



Legislation Text

File #: 22-1365, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Tax Office, Maria O. Pasillas, (915) 212-1737

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Tax Refund to WestStar Title, in the amount of \$4,065.03 for an overpayment made on July 27, 2022 of 2021 taxes. (Geo. # A462-999-0360-7600). This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00.

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

AGENDA DATE: October 25, 2022
PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Maria O. Pasillas, (915) 212-1737

DISTRICT(S) AFFECTED: All

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

SUBGOAL: 6.11 Provide efficient and effective services to taxpayers

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

WestStar Title, in the amount of \$4,065.03 for an overpayment made on July 27, 2022 of 2021 taxes. (Geo. # A462-999-0360-7600). This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Approve property tax overpayment refunds greater than \$2,500.00, per the Texas Property Tax Code, Sec. 31.11 – Refunds of Overpayments or Erroneous Payments.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Council has considered this previously on a routine basis.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Tax Office
SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Maria O. Pasillas

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)



TAX OFFICE
RECEIVED
OCT 11 2022

MARIA O. PASILLAS, RTA
CITY OF EL PASO TAX ASSESSOR COLLECTOR
221 N. KANSAS, STE 300
EL PASO, TX 79901

PH: (915) 212-0106 FAX: (915) 212-0107 Email: taxforms@elpasotexas.gov

WESTSTAR TITLE LLC
601 N MESA
EL PASO, TX 79901

OP
+2500

Geo No. A462-999-0360-7600	Prop ID 50759
Legal Description of the Property 36 ALEXANDER E 40 FT OF IS TO 20 (3129 SQ FT) 909 E RIVER AVE 79902	
OWNER: CHAVEZ MAURORA & HORACIO P	

2021 OVERAGE AMOUNT \$4,065.03

1: CITY OF EL PASO, 3: EL PASO ISD, 6: COUNTY OF EL PASO, 7: EL PASO COMMUNITY COLLEGE, 8: UNIVERSITY MEDICAL CENTER OF EL PASO

Dear Taxpayer:

Our records indicate that an overpayment exists on the property tax account listed above as of the date of this letter. If you paid the taxes on this account and believe you are entitled to a refund, please complete the application below, sign it, and return it to our office. If the taxes were paid by your mortgage/title company or any other party, you must obtain a written letter of release in order for the refund to be issued in your name. If you did not make the payment(s) on this account, please forward this letter to the person who paid these taxes. You may also request the transfer of this overpayment to other tax accounts and/or tax years in the space provided or by attaching an additional sheet if necessary. Your application for refund must be submitted within three years from the date of the overpayment, or you waive the right to the refund (Sec. 31.11c). Governing body approval is required for refunds in excess of \$2500.

APPLICATION FOR PROPERTY TAX REFUND:

This application must be completed, signed, and submitted with supporting documentation to be valid.

Step 1. Identify the refund recipient.

Show information for whomever will be receiving the refund.

Who should the refund be issued to:

Name: WestStar Title
Address: 601 N. Mesa, Suite 1025
City, State, Zip: El Paso, TX 79901
Daytime Phone No.:
E-Mail Address:

Step 2. Provide payment information.

Please attach copy of cancelled check, original receipt, online payment confirmation or bank/credit card statement.

Payment made by: Check No. Date Paid Amount Paid

Check 20210301 7/27/22 5916.59

TOTAL AMOUNT PAID (sum of the above amounts)

5916.59

Step 3. Provide reason for this refund.

Please list any accounts and/or years that you intended to pay with this overage.

Please check one of the following:

- ☐ I paid this account in error and I am entitled to the refund.
- ☒ I overpaid this account. Please refund the excess to the address listed in Step 1.
- ☐ I want this payment applied to next year's taxes.
- ☐ This payment should have been applied to other tax account(s) and/or year(s), escrow (listed below):

Step 4. Sign the form.

Unsigned applications cannot be processed.

By signing below, I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct. (If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under the Texas Penal Code, Sec. 37.10.)

SIGNATURE OF REQUESTOR (REQUIRED)

PRINTED NAME & DATE

Sandra L. Swift

Sandra L. Swift 10/5/22

TAX OFFICE USE ONLY:

☒ Approved

☐ Denied

By:

N.H

Date:

10-11-22

Notes

Go To

LUZR
ACT80122 v1.91

ACCOUNT NO (A46299903607600): HOLDING CHECK #20210301 FOR \$5966.59 FROM WESTSTAR
TITLE INC IN 2021 TAX YEAR 8001 OP IN THE ANTICIATION OF THE REMOVAL OF EXEMPTIONS

10/14/2022 10:08:09
ACTEP

DEPOSIT Remittance Detail

Summary Query

Summary

Deposit No.	Account No.	Remit Seq No.	Check No.	Payment Amount	Payment Agreement No.
A07272290	A46299903607600				

Check/Receipt Images	Deposit No.	Receipt Date	Remit Seq No	Check No	Payment Type	Payment Amount	Applied Amount	Transaction Type	Account No.	Payer
	A07272290	07/27/2022	50834036	20210301	CH	\$5,966.59	\$4,065.03	LG	A46299903607600	31182078-WESTSTAR TT
	A07272290	07/27/2022	50834036	20210301	CH	\$5,966.59	\$1,901.58	PA	A46299903607600	31182078-WESTSTAR TT
	RC221011	07/27/2022	50834036	20210301	CH	\$4,065.03	\$4,065.03	TR	A46299903607600	31182078-WESTSTAR TT
	RC221011	07/27/2022	50834036	20210301	CH	\$4,065.03	\$4,065.03	TR	A46299903607600	31438372-WESTSTAR TT
	EC060122	05/31/2022	50684641	CC004520022	EC	\$300.00	\$300.00	PA	A46299903607600	31328083-LOURDES CAI
	EC051922	05/19/2022	50626100	CC004504006	EC	\$200.00	\$200.00	PA	A46299903607600	31295654-LOURDES CAI
	EC050422	05/03/2022	50582391	CC004491071	EC	\$300.00	\$300.00	PA	A46299903607600	31269947-LOURDES CAI
	EC042122	04/21/2022	50537559	CC004477351	EC	\$300.00	\$300.00	PA	A46299903607600	31242247-LOURDES CAI
	EC032922	03/29/2022	50439938	CC004449456	EC	\$400.00	\$400.00	PA	A46299903607600	31182908-LOURDES CAI
	EC030122	02/28/2022	50273641	CC004394469	EC	\$360.00	\$360.00	PA	A46299903607600	31081434-LOURDES CAI
	EC021122	02/11/2022	50157200	CC004360224	EC	\$360.00	\$360.00	PA	A46299903607600	31017226-LOURDES CAI
	A01202279	01/20/2022	49358042		CA	\$1,000.00	\$1,000.00	PA	A46299903607600	CHAVEZ M AURORA & H

Applied Total \$49,259.00



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1407, Version: 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Representative Alexsandra Annello, (915) 212-0002

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Accept the donation of \$1,000 from Marathon Petroleum for the District 2 Fall Festival hosted in District 2.



Legislation Text

File #: 22-1362, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Representative Claudia L. Rodriguez, (915) 212-0006

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

That the City Council accept the donation of \$4000 from ZTEX Construction toward the 3rd annual Halloween Costume Giveaway event that was held on October 13, 2022 at Marty Robbins Community Center in District 6.



Legislation Text

File #: 22-1347, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

Members of the City Council, Representative Claudia L. Rodriguez, (915) 212-0006

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

For notation pursuant to Section 2.92.080 of the City Code, receipt of the following campaign contributions by City Representative Claudia L. Rodriguez, District 6: \$2500.00 from Ted Houghton; \$2500.00 from Rick Francis; \$1000.00 from Josh Hunt, \$2500.00 from Raymond Palacios; \$915.00 from Revive Medical PLLC; and \$100.00 from Phillip T. Laign.



Legislation Text

File #: 22-1406, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

For notation pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions of five hundred dollars or greater by Representative Isabel Salcido in the amounts of \$1,038.73 by Yajaira Lopez, \$519.52 by Juan Uribe, \$2,500 by Jose Bernardo Soto, and \$2,500 by Gerald and Stanlee Rubin.



Legislation Text

File #: 22-1398, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Members of the City Council, Representative Henry Rivera, (915) 212-0007

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action on a Resolution that the City of El Paso proudly honors and recognizes the Detroit Iron, Street Memories, and Borderland Muscle Car Clubs for their positive contributions and volunteer work in the community of El Paso.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT: Mayor and Council

AGENDA DATE: Tuesday, October 25, 2022

CONTACT PERSON NAME AND PHONE NUMBER:

City Representative Henry Rivera, District 7- 915.212.0007

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL:

Goal 4 - Enhance El Paso's Quality of Life Through Recreational, Cultural & Educational Environments

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and action on a resolution that the City of El Paso proudly honors and recognizes the Detroit Iron, Street Memories and Borderland Muscle Car Clubs for their positive contributions and volunteer work in the community of El Paso.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns? N/A

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one? N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer? N/A

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

RESOLUTION

WHEREAS, in 1982, Angel Orquiz founded, and has since then, been the president of the Detroit Iron Car Club with Rob Bender now serving as vice-president; and

WHEREAS, in 1995, the Street Memories Car Club was founded and since 2013, John Guerrero has served as president with Jesus Hughes as vice-president, and Lalo Rivera as media relations director; and

WHEREAS, in 2015, Robert Pisenó founded the Borderland Muscle Car Club and Mike Nuñez now serves as president; and

WHEREAS, in 2019, the three organizations formed the 3-Car Club, where they interact and gather but remain autonomous; and

WHEREAS, the goal of the 3-Car Club is to help the community, persons with life-threatening illnesses, and to help charitable organizations raise funds by displaying their classic rides; and

WHEREAS, to date, the 3-Car Club has raised over \$13,000 for retired peace officers with more reaching out for assistance; and

WHEREAS, the 3-Car Club has participated in many car shows for the El Pasoans Fighting Hunger Food Bank, the Alzheimer's Association, and the Christmas Trails for Toys, a group of Socorro Independent School District mothers that collects toys, food and clothing for needy families in the Mission Valley; and

WHEREAS, this year, on October 23, 2022, in partnership with City Representative Henry Rivera, District 7, and thanks to several sponsorships from the Albert Aveytia Allstate Agency, Advanced Auto Collision Center, El Paso Mail & Print Service, Five Star Collision, AGO Logistics; the Detroit Iron Car Club, the Street Memories Car Club and the Borderland Muscle Car Club were able to host a "Trunk-Or-Treat" car show to benefit the Alzheimer's Association of El Paso and also participate in the 2022 Walk to End Alzheimer's at La Viña Winery on October 22, 2022.

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

That the City of El Paso proudly honors and recognizes the Detroit Iron, Street Memories and Borderland Muscle Car Clubs for their positive contributions and volunteer work in the community of El Paso. Thank you!

(Signatures on the following page)

APPROVED this _____ day of _____ 2022.

THE CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Carlos L. Armendariz
Assistant City Attorney



Legislation Text

File #: 22-1409, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Members of the City Council, Representative Alessandra Annello, (915) 212-0002

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action to recognize Judy Ackerman as she has been a benefit to both El Pasoans and visitors to our city, and recognition by the City is more than merited through her professional and personal contributions.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT: MAYOR AND COUNCIL

AGENDA DATE: October 25, 2022

CONTACT PERSON NAME AND PHONE NUMBER:

City Representative Aleksandra Annello, 915-212-0002

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: (Goal 4 - Enhance El Paso's Quality of Life Through Recreational, Cultural & Educational Environments)

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and action to recognize Judy Ackerman as she has been a benefit to both El Pasoans and visitors to our city, and recognition by the City is more than merited through her professional and personal contributions.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

N/A

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

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

RESOLUTION

WHEREAS, Judy Ackerman has been a force for good in El Paso for over fifteen years and El Paso should feel fortunate that she chose to stay in our city when she retired from the United States Army in 2007 with the distinguished rank of Sergeant Major after 27 years of service; and

WHEREAS, Judy has worked tirelessly to ensure the conservation and preservation of El Paso's natural open spaces, on the mountain and down to the river with programs such as the Franklin Mountains Wilderness Coalition, the Friends of the Rio Bosque, the Sierra Club, the Frontera Land Alliance, and the Castner Range National Monument Coalition and they have all benefitted from Judy's participation; and

WHEREAS, Judy has rendered significant service to her many causes which deserves special recognition with one such instance being in 2008 she stood in front of machinery at the Rio Bosque Wetland for many hours, protecting it from the encroaching border fence; and

WHEREAS, in recent years Judy has been a dynamic force in the Castner Range effort, traveling outside El Paso as needed, to press for the declaration of this magnificent mountainside range as a national monument and when this finally does happen, Judy will deserve much of the credit, and

WHEREAS, volunteering one's time and resources has traditionally been, and continues to be, an elemental part of the essence and tradition of our country and is essential to its spirit and vitality;

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

That the City of El Paso is proud to recognize Judy Ackerman as she has been a benefit to both El Pasoans and visitors to our city, and recognition by the City is more than merited through her professional and personal contributions.

APPROVED this _____ day of _____, 20____.

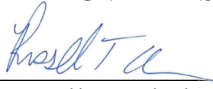
THE CITY OF EL PASO:

Oscar Leaser, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Russell T. Abeln
Assistant City Attorney



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1415, Version: 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Members of the City Council, Representative Claudia L. Rodriguez, (915) 212-0006

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action on a Resolution that the city council recognizes the month of October as Breast Cancer Awareness month.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT:

AGENDA DATE:

CONTACT PERSON NAME AND PHONE NUMBER:

DISTRICT(S) AFFECTED:

STRATEGIC GOAL:

SUBJECT:

BACKGROUND/DISCUSSION:

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

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

RESOLUTION

WHEREAS, October is known as breast cancer awareness month, an annual campaign to raise awareness about the impact of breast cancer; and

WHEREAS, in 2020, an estimated 276,480 new cases of invasive breast cancer were diagnosed in women in the United States as well as 48,530 new cases of non-invasive breast cancer; and

WHEREAS, in October 2020, during a worldwide pandemic, more commonly known as COVID-19, Esther Melendez a then 37-year-old, mother, daughter, sister, friend, cheer coach and wife was diagnosed with STAGE 3 breast cancer; and

WHEREAS, Esther Melendez began her journey with treatment that included 6 weeks of radiation followed by 5 years of treatment at the El Paso Texas Oncology clinic with the support from her family and friends, staying strong under the constant reminder, prayer This Too Shall Pass; and

WHEREAS, Esther Melendez, a strong, Latina, female presence in the City of El Paso, a resident of District 6, a Montwood alumni and a woman who has committed to giving back to her community when she first started her team Cheer Force back in 2018 when she was first approached by the City of El Paso's Parks and Recreation department, to start a city team; and

WHEREAS, upon accepting to volunteer her time as a cheer coach, Esther began to cultivate and grow the program at Marty Robbins Rec Center, where the success of the program out grew the space available for young cheer athletes and coach Esther had to move the team to a larger facility to keep up with the demand in growth for aspiring young cheer leaders, in the Cheer Force program grew to over 100 athletes from the original 12; and

WHEREAS, Esther has always been about giving back to the community either by being a devoted coach or by being an involved leader, Esther has taught her team about the importance of giving back to the community through the means of volunteering by hosting an annual can food drive during the month of November; and

WHEREAS, even through her battle with cancer, and the challenges that chemotherapy brings about, Esther a 37-year-old young mother, young wife, and a young coach, persevered and pushed forward for the success of those around her including her children, her husband but especially for the young cheer athletes she proudly serves; and

WHEREAS presently even though Esther is still in battle with breast cancer, she is letting cancer know that she is not a victim of cancer but instead proudly stands with the thousands of women across our country to tell her story and to let her cancer know that it will not stop her from living her life to the fullest, she will not give up and she will prevail!

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

1. Recognizes the month of October as breast cancer awareness month; and
2. Thanks, Esther Melendez, for her service to El Paso Parks and Recreation by investing and devoting herself to Cheer Force athletics; and
3. Stands with Esther Melendez in her battle to beat breast cancer. God Bless you and congratulations, you already won!

APPROVED this _____ day of _____ 2022.

THE CITY OF EL PASO:

ATTEST:

Oscar Leeser, Mayor

Laura D. Prine, City Clerk

APPROVED AS TO FOR CONTENT:



Karla M. Nieman
City Attorney



Legislation Text

File #: 22-1402, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Members of the City Council, Representative Henry Rivera, (915) 212-0007

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action to direct the City Manager and City Attorney to impose a moratorium on Article XVII of the City's Municipal Code for residential property owners who have filed an over 65 or persons with disabilities homestead exemption with the El Paso Central Appraisal District; this moratorium will protect a person over 65 years or disabled person from receiving a citation from the City for overgrown weeds at their homestead property; to go into effect immediately and expire on December 31, 2022.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT: Mayor and Council

AGENDA DATE: Tuesday, October 25, 2022

CONTACT PERSON NAME AND PHONE NUMBER:

City Representative Henry Rivera, District 7- 915.212.0007

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL:

Goal 3 - Promote the Visual Image of El Paso

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and action to direct the City Manager and City Attorney to impose a moratorium, that will go into effect immediately and expire on December 31, 2022, on Article XVII of the City's Municipal Code for residential property owners who have filed an over 65 or persons with disabilities exemption with the El Paso Central Appraisal District.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

As a result of the monsoon season and shortages in staffing, the City has been unable to keep up with the maintenance of overgrown weeds along medians and has been seeking volunteers for median clean-up days. In general, the monsoon season is considered to be from June 15- September 30 per the International Boundary and Water Commission. That said as we have seen this year it has extended well into October and could possibly continue further.

Keeping in mind our most vulnerable populations, this item seeks to provide relief for residential property owners who have filed an over 65 or persons with disabilities exemption with the El Paso Central Appraisal District.

While we do encourage for all property owners to comply with the code and maintain overgrown vegetation at their properties and on abutting parkways/alleys, we are sensitive to the fact that it is difficult for seniors and persons with disabilities to keep up with overgrown weeds during the monsoon season.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one? N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer? N/A

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

Article XVII. Weeds and Vegetation

9.04.850 Applicability.

This article shall apply to owners or occupants of properties, including improved property and properties not defined as improved properties, within the city.

(Ord. No. 17380, § 1, 8-24-2010)

9.04.860 Weeds and vegetation prohibited.

- A. Owners shall maintain properties as to prevent the growth of weeds and vegetation, other than those types of weeds and vegetation excepted under Section 9.04.870, under the following conditions:
 - 1. Any individual lot or tract of land smaller than three acres upon which weeds and vegetation exceed an average height greater than twelve inches.
 - 2. Any individual lot or tract of land three acres or greater upon which weeds and vegetation exceed an average height greater than twelve inches and are within one hundred fifty feet of the curb line of adjacent streets, and where no curb exists, to the edge of the street or road surface, or within one hundred fifty feet of any public or private property line.
 - 3. Regardless of lot size, any abutting parkways or alleys upon which weeds or vegetation exceed an average height greater than twelve inches.
- B. Any accumulation or growth of such weeds and vegetation on properties covered by this article, unless exempted under Section 9.04.870, is deemed to be deleterious to the public health, comfort and welfare and is declared to be a public nuisance, the prompt abatement of which is a public necessity. The abatement of said public nuisance shall not be conducted in a manner that exposes the site to wind or water erosion, including but not limited to leaving the site barren (without ground cover) or grading to avoid mowing.
- C. It is unlawful for any owner or person having the right of possession of any property within the city to cause or permit such public nuisance on the property or any abutting pathways or alleys.

(Ord. No. 17380, § 1, 8-24-2010; Ord. No. 17516, § 2, 3-29-2011)

9.04.870 Exceptions.

The following weeds and vegetation in the city shall be exempt from the requirements of Section 9.04.860:

- A. Regularly cultivated ornamental, fruit bearing, vegetable bearing or flowering plants, bushes or trees, or native desert vegetation;
- B. Regularly cultivated crops grown on property that is classified as agriculture exempt according to the tax rolls;
- C. Pasture lands on property that is classified as agriculture exempt according to the tax rolls;
- D. Property that the director determines should be exempted because of the lack of harm to the public health, safety, and welfare (e.g., steep slopes, undeveloped properties, wet ponding areas or areas far

removed from population centers and similar areas) or property that has been stabilized in accordance with an approved Grading Stabilization Plan pursuant to Title 18.44 (Grading); and

E. Naturally occurring vegetation on a lot that has never been graded.

(Ord. No. 17380, § 1, 8-24-2010; Ord. No. 17516, § 2, 3-29-2011)

9.04.880 City abatement.

- A. The director is authorized to notify the owner about the condition of the land constituting a public nuisance due to accumulation of solid waste, recyclables, weeds and vegetation, other waste, or any other unacceptable, unsightly or unsanitary matter in violation of this chapter. Such solid waste, recyclables, weeds and vegetation, other waste, or any other unacceptable, unsightly or unsanitary matter in violation of this chapter must be removed within seven calendar days after the receipt of such notice. Such notice will further state that if the current property condition is not corrected within the seven calendar days from the service of such notice, the city may, without further notice abate this public nuisance by cleaning the property, and charge the cost of expense incurred in doing such work to the owner of such property and fix a lien thereon as provided by this article.
- B. Such notice shall be in writing and delivered in person or sent by mail (or by any means authorized by state law) to the owner, or to any one or more of the owners if the land is owned jointly or in common at the owner's address as recorded in the appraisal district records of the appraisal district in which the property is located, or to any agency having the authority to lease, rent, sell, manage or take care of the land. If the correction notice cannot be hand delivered at the time of the investigation, or the owner's address recorded in the central appraisal district is unknown, notice may be given by publication at least once in a newspaper of general circulation, by posting the notice on or near the front door of each building on the property to which the violation relates, or by posting the notice on a placard attached to a stake driven into the ground on the property which the violation relates, if the property contains no buildings.
- C. If the city mails a notice to a property owner in accordance with this section, and the United States Postal Services returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered as delivered.
- D. The person given such a notice or their representative may request a hearing with the city manager or his designee within seven calendar days after the receipt of the notice, to present their reasons for which this ordinance should not be enforced.
- E. If the property owner or their representative fails to remove an accumulation of solid waste, recyclables, weeds and vegetation, other waste, or any other unacceptable, unsightly or unsanitary matter in violation of this chapter within seven calendar days after the receipt or posting of notice, the department shall arrange to have the cleaning, disposal or removal of solid waste, recyclables, weeds and vegetation, other waste, or any other unacceptable, unsightly or unsanitary matter in violation of this chapter done and assess the cost of such clean up, disposal or removal and all reasonable expenses at the owner's expense and to take any action as provided by this chapter. The notice shall state the cost to the city or other entity, to clean the property, including labor costs, administrative costs, transportation expenses, publication costs, expenses for use of equipment, and materials and other reasonable expenses. The notice shall be sent in writing by the director or city comptroller requesting payment to the city within thirty calendar days of receipt by the property owner. Failure to pay the costs associated with the cleanup will result in a request to city council to pass a resolution declaring the reasonable expenses which include the cost of clean up, disposal or removal, labor costs, administrative costs, transportation expenses, publication costs, expenses for use of equipment, and materials and other reasonable expenses, as well as the established authorized fee relating to the preparation of the required legal documents necessary for the creation of and release of lien, plus the cost of recording the resolution, to be a lien on the property payable within ten calendar days after adoption of the

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(Supp. No. 91, Update 3)

resolution, and thereafter bearing ten percent yearly interest until the debt is paid in full. If passed, a copy of the resolution, authenticated by the acknowledgement of the city clerk, shall be filed for record in the office of the county clerk. The city tax assessor and collector shall send a bill for the amount with all tax bills on the property until the debt is paid in full.

- F. The city may provide a notice to inform the owner at the owner's address as recorded in the appraisal district records of the appraisal district in which the property is located, by mail (or by any means authorized by state law) and a posting on the property, or by personal delivery of correction notice, that if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety within a twelve-calendar month period from the date of the notice, the city without further notice may correct the violations at the owner's expense and assess the clean-up expense against the property. If a violation covered by a notice under this subsection occurs within the one-year period and the city has not been informed in writing by the owner of an ownership change, then the city without further notice may take any action as provided by Chapter 342 of the Texas Health and Safety Code and assess its expenses as provided by Section 342.007.

(Ord. No. 17380, § 1, 8-24-2010; Ord. No. 17543, § 1, 4-26-2011; Ord. No. 18227, § 1, 8-19-2014; Ord. No. 18468 , § 1, 2-23-2016)

By [Brianna Perez](#)

September 29, 2022 1:24 AM

Published [September 28, 2022](#) 8:01 PM

City seeks volunteers for weed clean-up event while battling staffing shortage

EL PASO, Texas– Monsoon season brings rains to the Borderland, but the weeds that are left have some city workers strained.

With several vacancies, the city is turning to a clean-up effort that serves as volunteer hours for high schoolers in the Borderland.

This week the city has come out with a plan to clear up some street medians with help from schools and non-profit organizations.

A weed clean-up event set to start this Saturday will bring volunteers together for a fundraising opportunity.

Nick Ybarra, an Assistant Director at the Environmental Services Department, said this will be a way to help beautify our streets while providing volunteer hours.

The city also offers an incentive for the school or non-profit organizations, with the most volunteers receiving \$500 dollars.

With the city median crew down about 40 percent of their staff, he said in the last six weeks, they have been able to clean up 30 medians out of 300.

"We are doing our best to try to take care of as many medians as possible, we are doing what we can with the workforce that we have," said Ybarra.

Meanwhile, parents are concerned about where their taxpayer money is going and if it is safe for their children.

"Should our kids be volunteering when we're paying that much money in taxes for the city, not even to take care of it?" said parent Berta Ramirez.

Ybarra said he ensures safety at the event, the city will be closing off the street between Saul Kleinfeld and Bob Mitchell while volunteers work on the medians along Montwood.

"We will provide them gloves, the tools, racks, hoes, shovels. That way, they can assist with pulling the weeds, we are providing dumpsters nearby and containers so they can have somewhere to throw the weeds," said Ybarra.

He also said the city will provide snacks and drinks.

Ybarra said they understand it is done by the City of El Paso, they are just providing a volunteer opportunity.

After this event, the city said it will be hosting multiple weed cleanup events throughout the community throughout the fall on various dates.

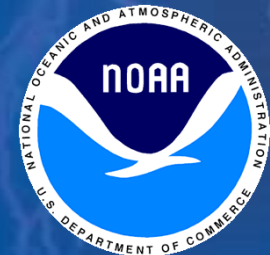
Weather 101

The North American Monsoon

Jason Laney

Warning Coordination Meteorologist

NWS El Paso

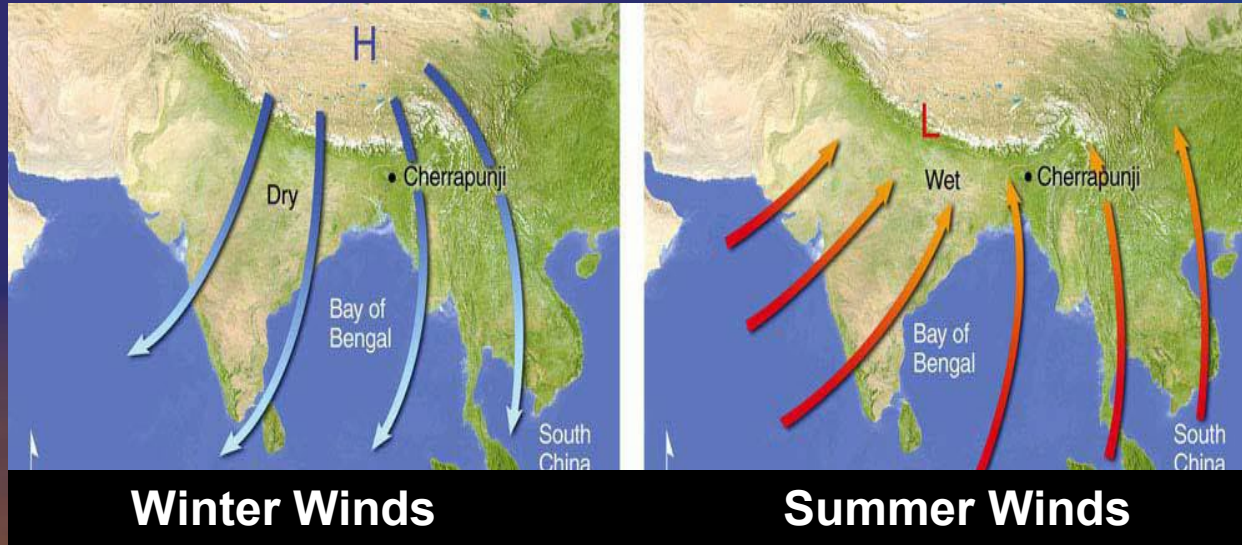


North American Monsoon

- Is simply a season, lasting from June 15th until September 30th in the Southwestern US states.
- Used in conversation the same way as the word “Summer” or “Autumn”.
 - “I will be in Canada for the next 6 months, so I will miss the Monsoon.”
- **Does not** refer to an individual thunderstorm or group of thunderstorms.
- Comes from the Arabic word “mawsim” which means, “season”.

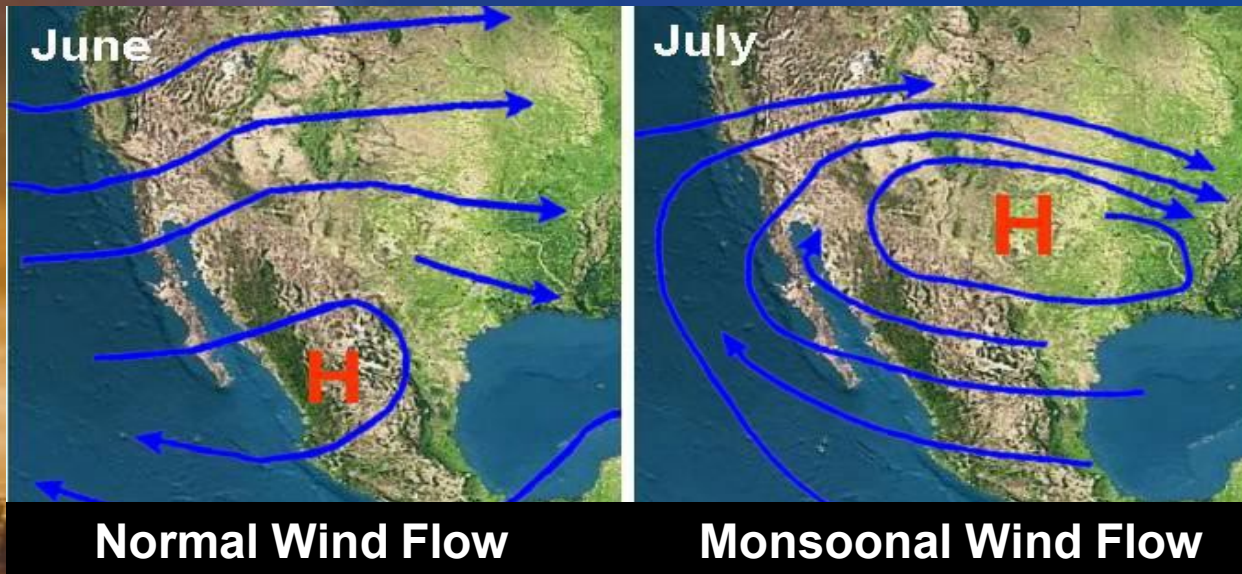
What is a “Monsoon”?

- A Seasonal Wind Shift on a Regional Scale



Asian Monsoon

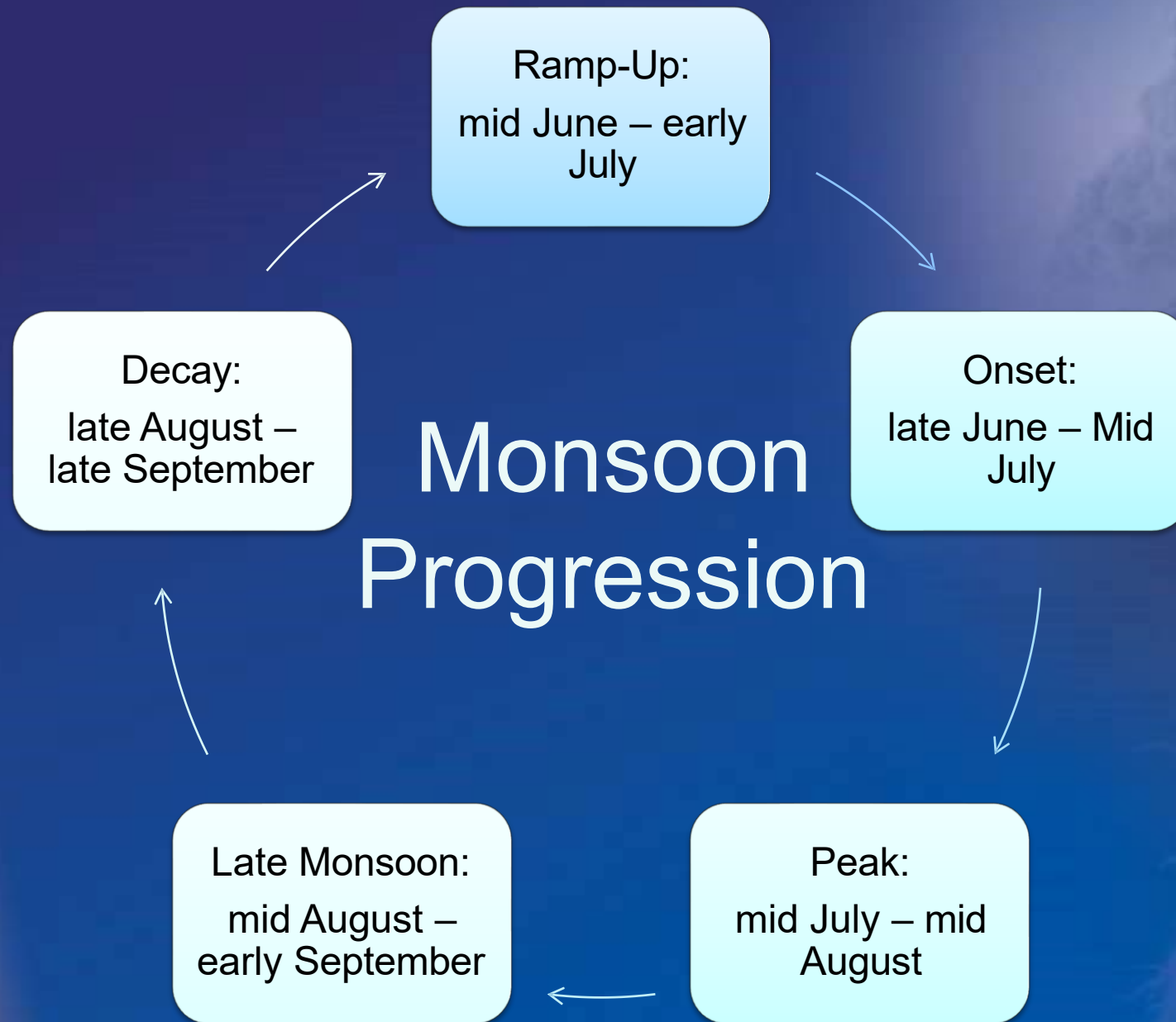
- High pressure over Tibetan Plateau in Winter drives offshore winds
- Low pressure over land in Summer drives onshore winds
- Results in widespread heavy rainfall and flooding



North American Monsoon

- High pressure south over Mexico with westerly flow aloft most of the year
- High pressure moves north over Four Corners and brings moisture into the southwest
- Generally weaker than the Asian Monsoon because the Mexican Plateau is not as high or as large





Monsoon Progression

- Ramp Up
 - Tropical moisture starts to infiltrate the Sierra Madres
 - Ridge and wind direction can waver significantly
- Onset
 - Moisture increases over northern Mexico
 - Thunderstorms more organized, numerous and wet
- Peak
 - High pressure strongest and northernmost position
 - Daily storms with threat of flash flooding, wind damage and dust storms.

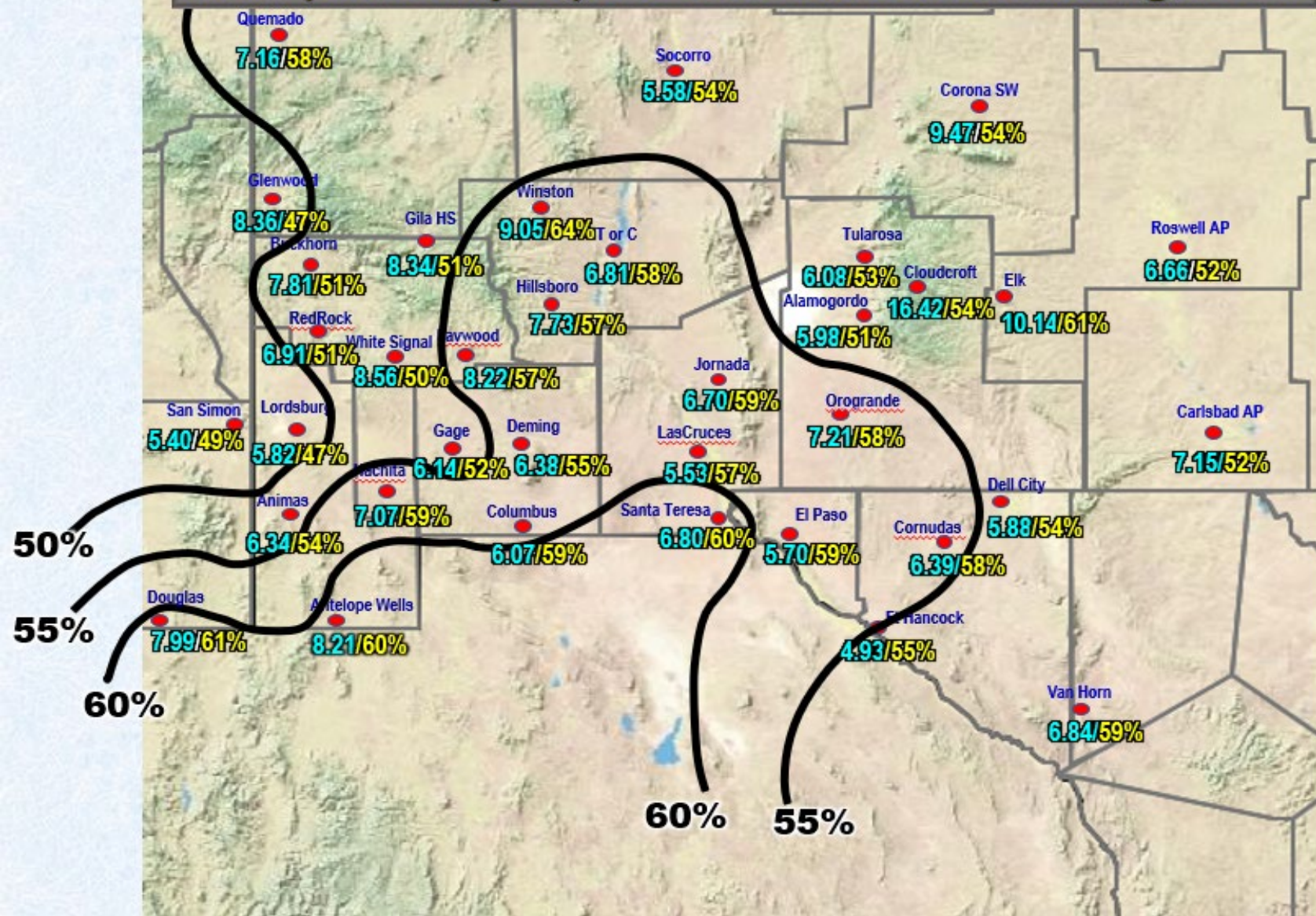
Monsoon Progression

- Late Monsoon
 - Lowering sun angle starts to weaken high pressure
 - Upper level winds more variable
 - Tropical eastern Pacific starts to become a concern
- Decay
 - Ridge has significantly weakened
 - Transition season with cold fronts and the potential for supercells
 - Upper level winds become more westerly over time

MONSOON RAINFALL & VARIABILITY

Why Monsoonal Rainfall Matters

Rainfall (inches) and Percent of Annual Rainfall During NAM (Jun15-Sep 30) for El Paso Forecast Area Figure 1B

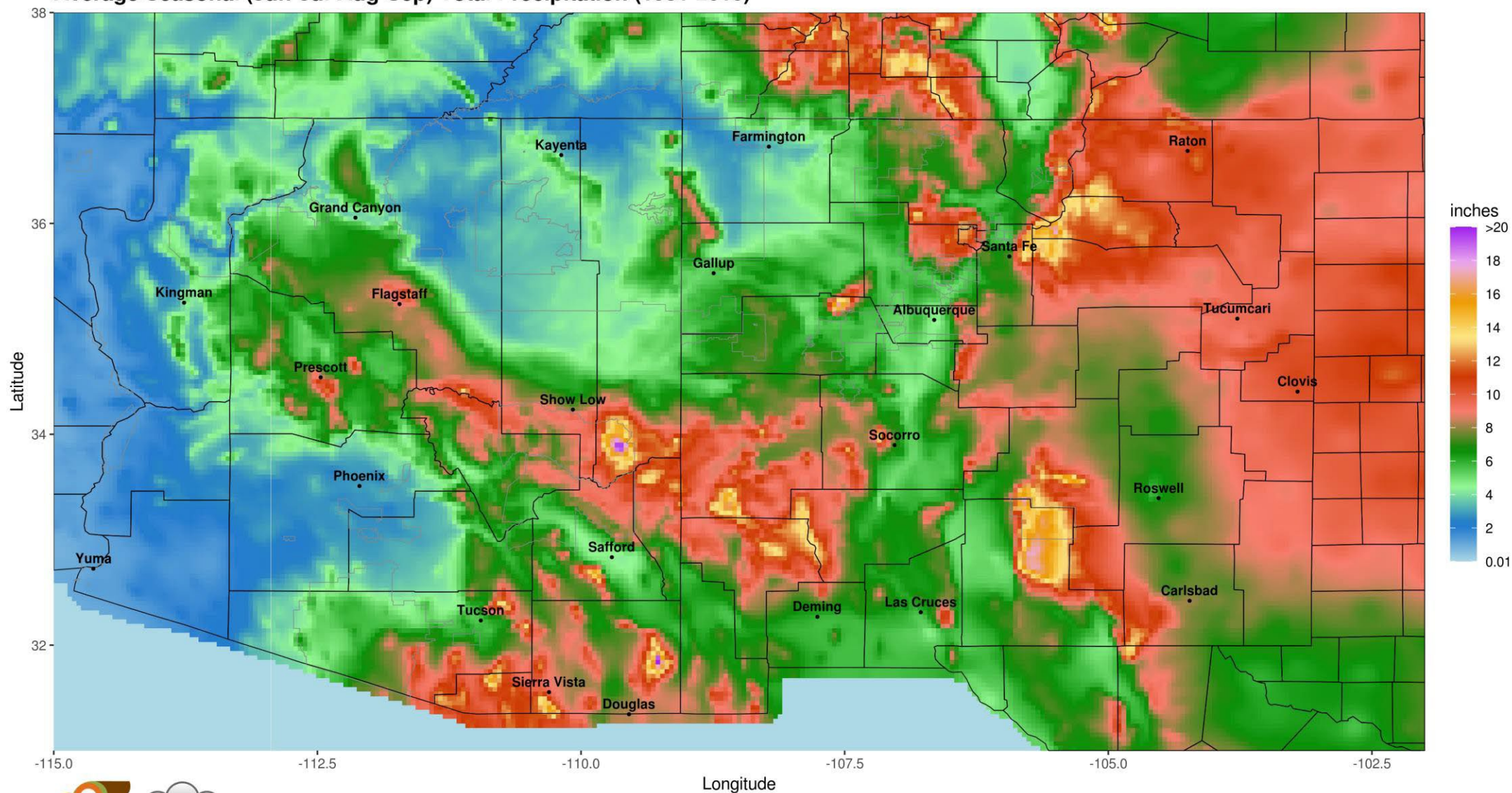


- ❑ 50-60% of our annual precipitation falls during the Monsoon
- ❑ Monsoon rainfall helps to replenish water levels at Elephant Butte/Caballo lakes
- ❑ The Monsoon can also be associated with weather hazards such as flash flooding, hail, and even wildfires.

Monsoon Rainfall Normals in the Southwest (POR)

Location	June (15-30)	July	August	September	Total
Tucson	0.15"	2.25"	2.39"	1.29"	6.08"
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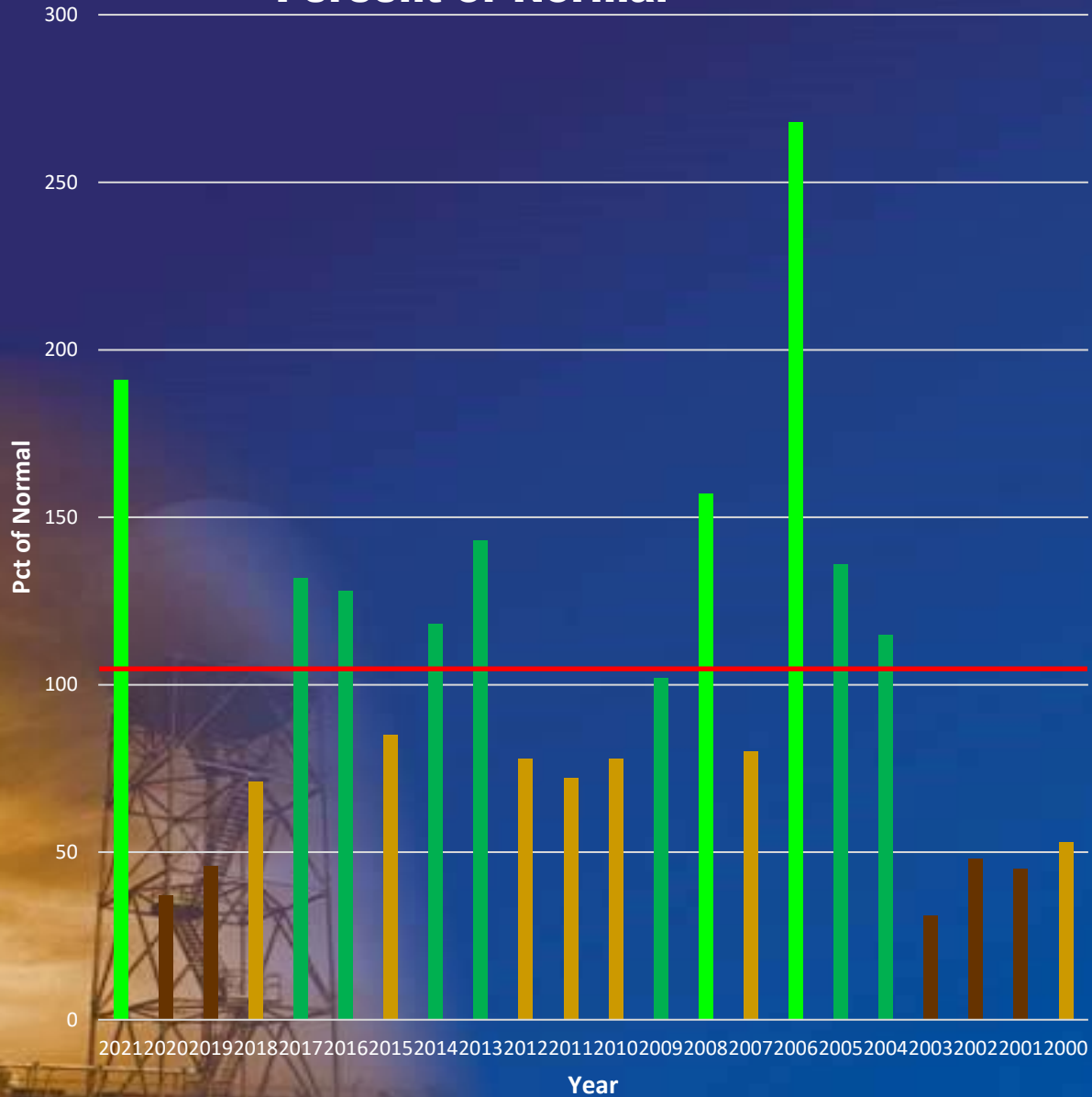
Average Seasonal (Jun-Jul-Aug-Sep) Total Precipitation (1981-2010)



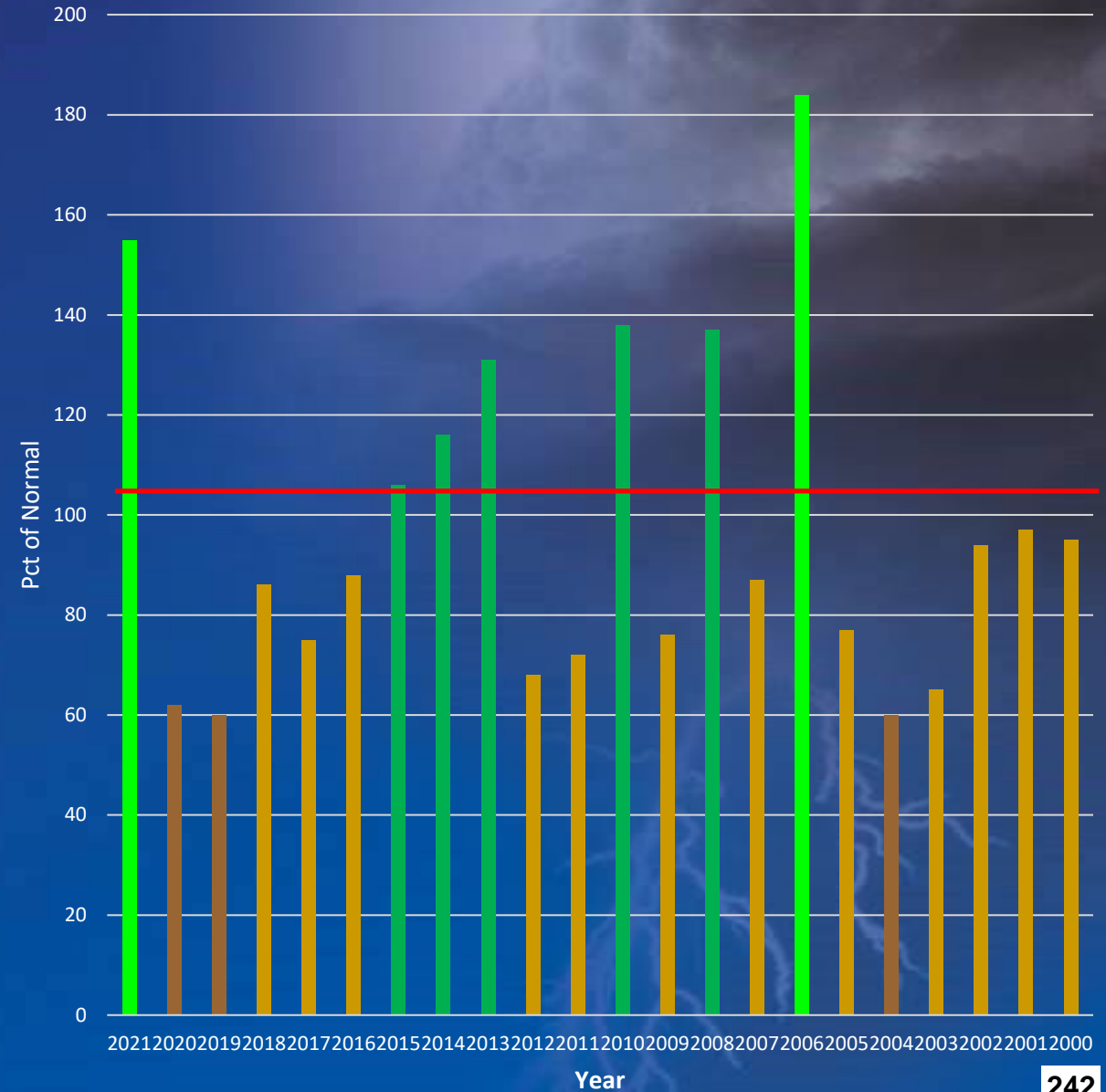
THE UNIVERSITY OF ARIZONA
Cooperative Extension

Plot created: 2019-06-06
The University of Arizona
<https://cals.arizona.edu/climate/>
Data Source: PRISM Climate Group

El Paso Monsoon Percent of Normal



Cloudcroft Monsoon Percent of Normal



Monsoon Variability (El Paso)

- The driest monsoon season measured 0.23", and the wettest measured 15.28" in El Paso.
- Therefore, a variation between seasons of 15.05" exists, which is almost three times the normal monsoon precipitation at El Paso.
- Understanding the causes for this huge variation is the first step in developing an ability to forecast an upcoming monsoon season.

Monsoon Variability (El Paso)

- Research within the past decade or so has investigated the possible causes behind North American Monsoon variability.
 - Sea surface temperatures & anomalies – El Nino and La Nina
 - Large-scale circulation patterns
 - Land surface conditions
 - Tropical convergence zones
 - Moisture transport mechanisms

Monsoon 2022 Outlook...

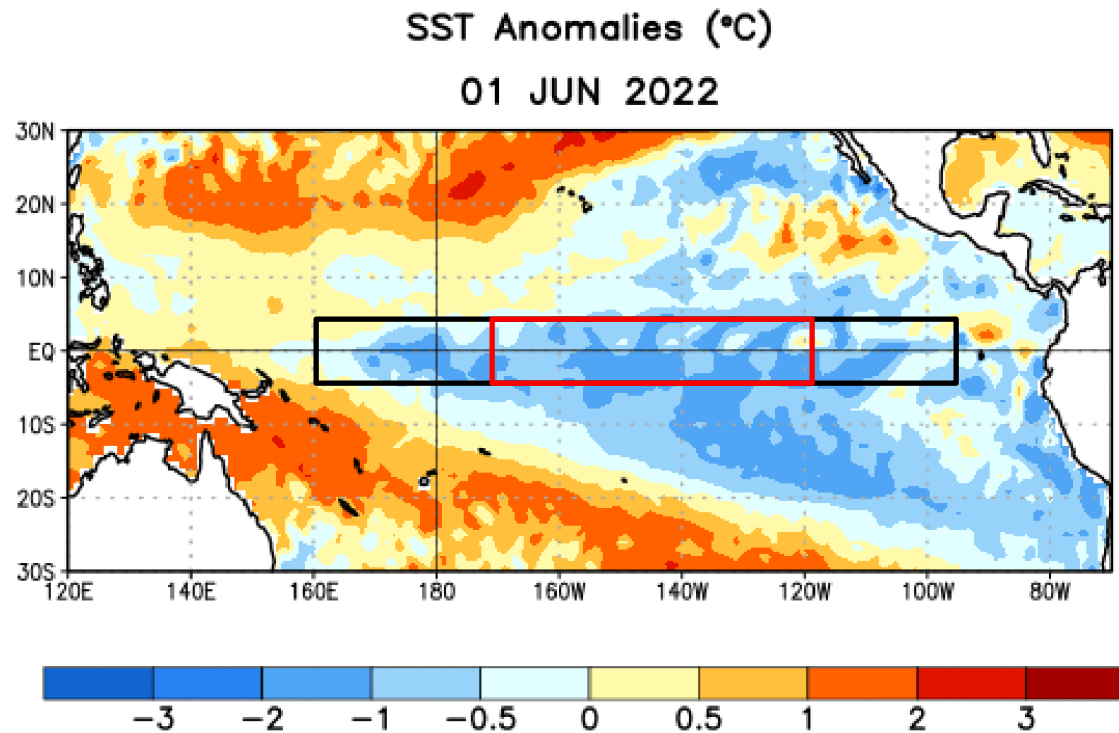
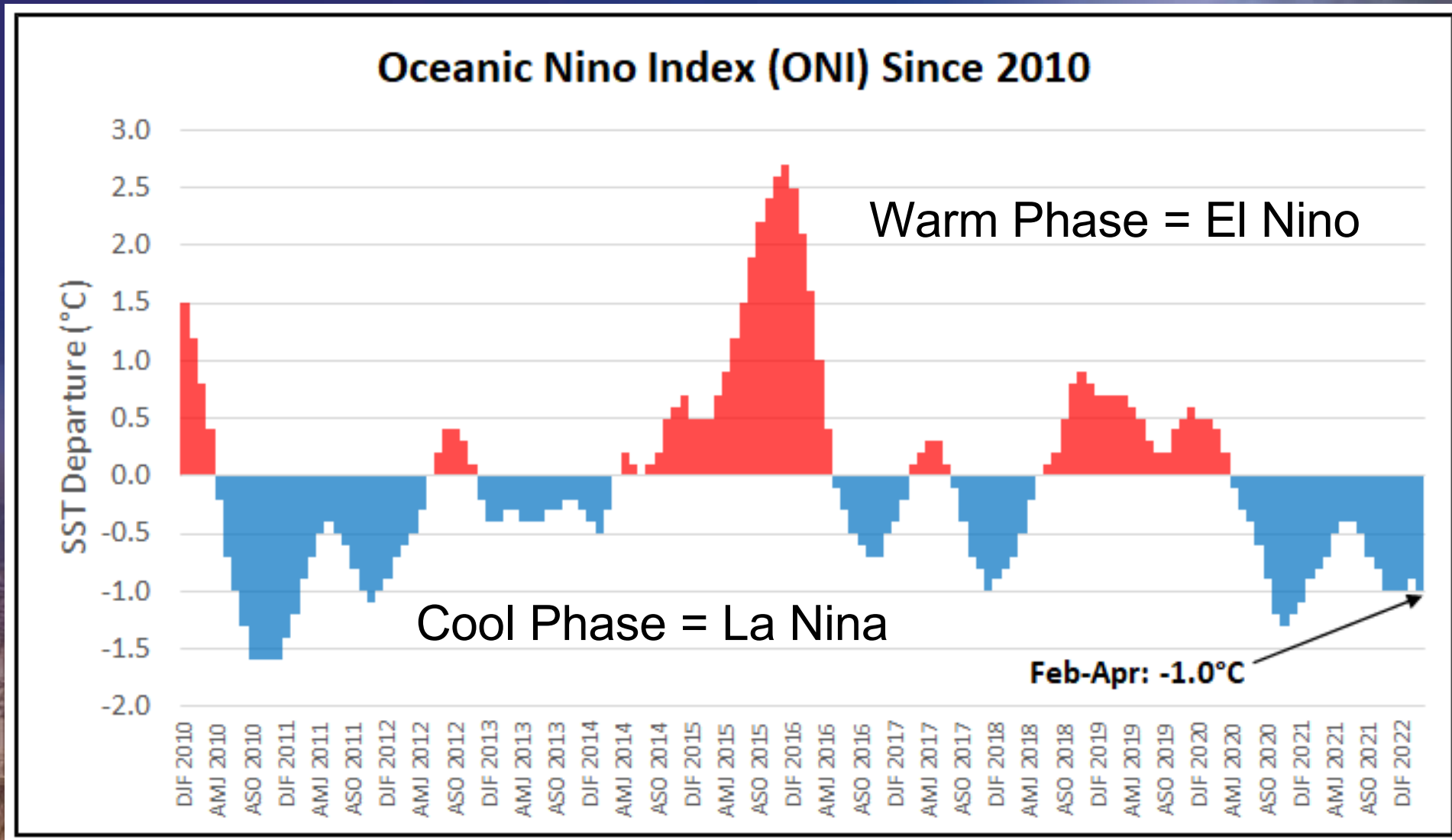


Figure 1. Average sea surface temperature (SST) anomalies (°C) for the week centered on 1 June 2022. Anomalies are computed with respect to the 1991-2020 base period weekly means.

Monsoon 2022 Outlook... ENSO Connection?



La Nina Likely...

La Nina didn't weaken during the Spring like usual.

Increasing chance that a third straight La Nina fall and winter are coming.

Three La Ninas in a row haven't happened since 2000.

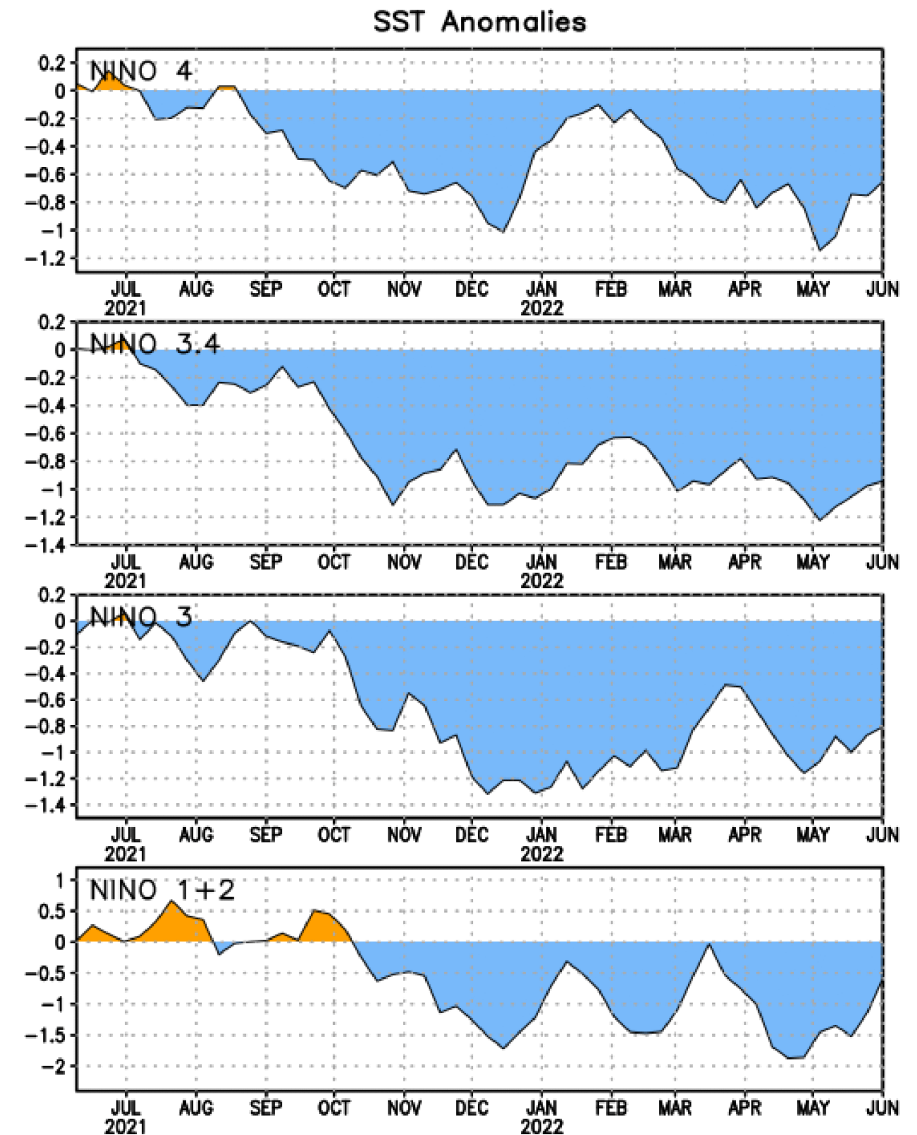
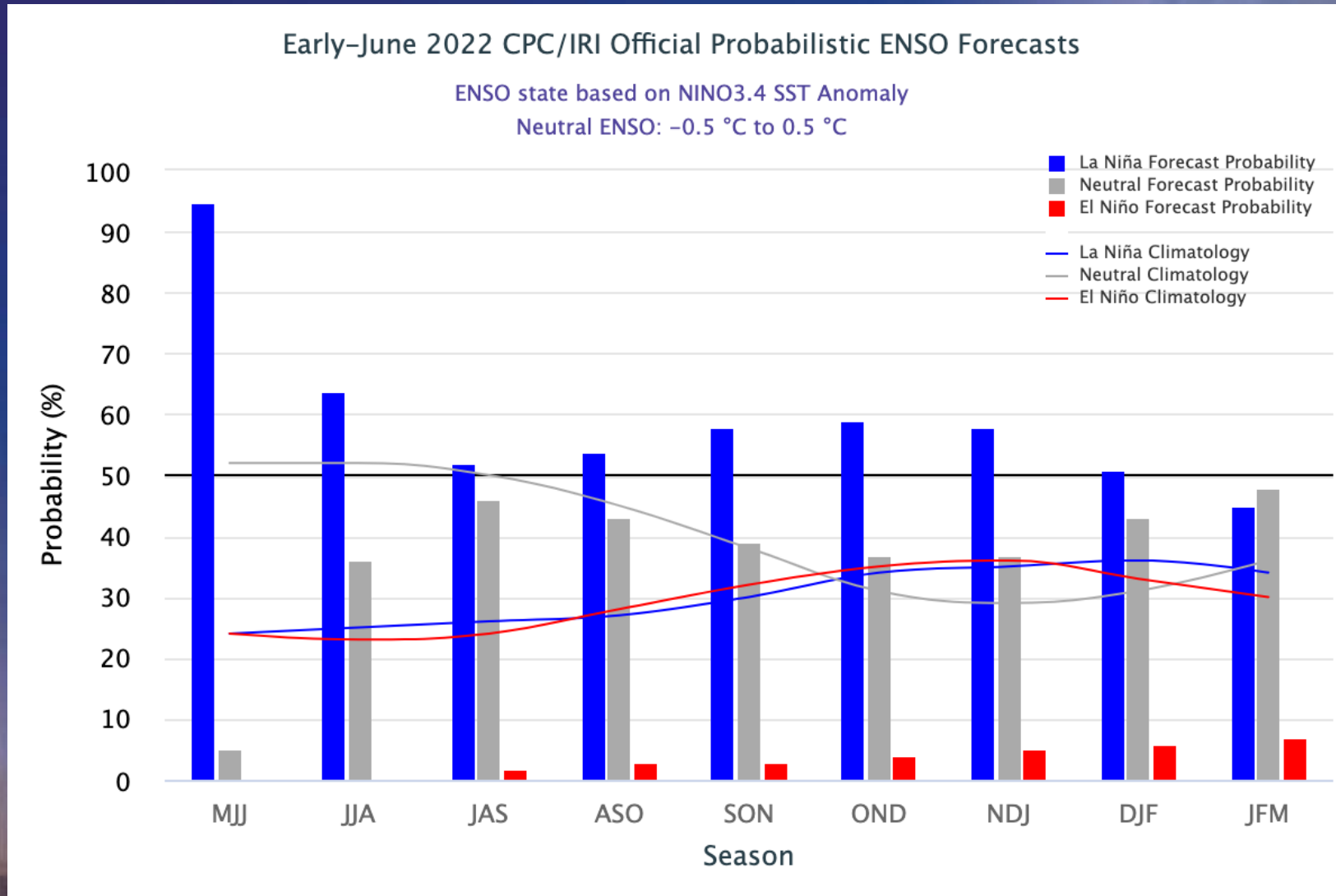


Figure 2. Time series of area-averaged sea surface temperature (SST) anomalies ($^{\circ}\text{C}$) in the Niño regions [Niño-1+2 (0° - 10°S , 90°W - 80°W), Niño-3 (5°N - 5°S , 150°W - 90°W), Niño-3.4 (5°N - 5°S , 170°W - 120°W), Niño-4 (5°N - 5°S , 150°W - 160°E)]. SST anomalies are departures from the 1991-2020 base period weekly means.

La Nina Likely to Continue, but...

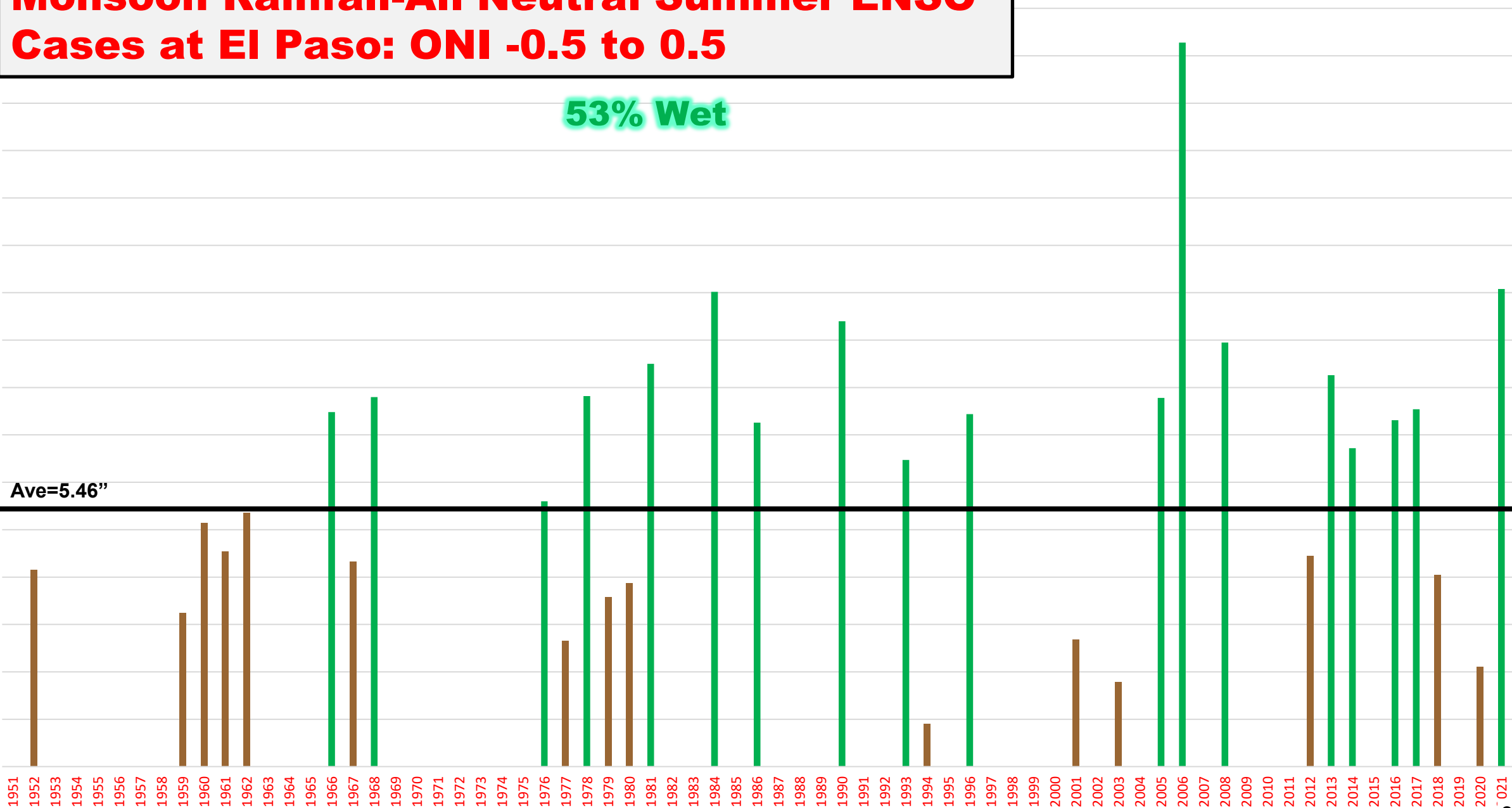
Latest forecast is for 52% chance that La Nina conditions decrease this summer.



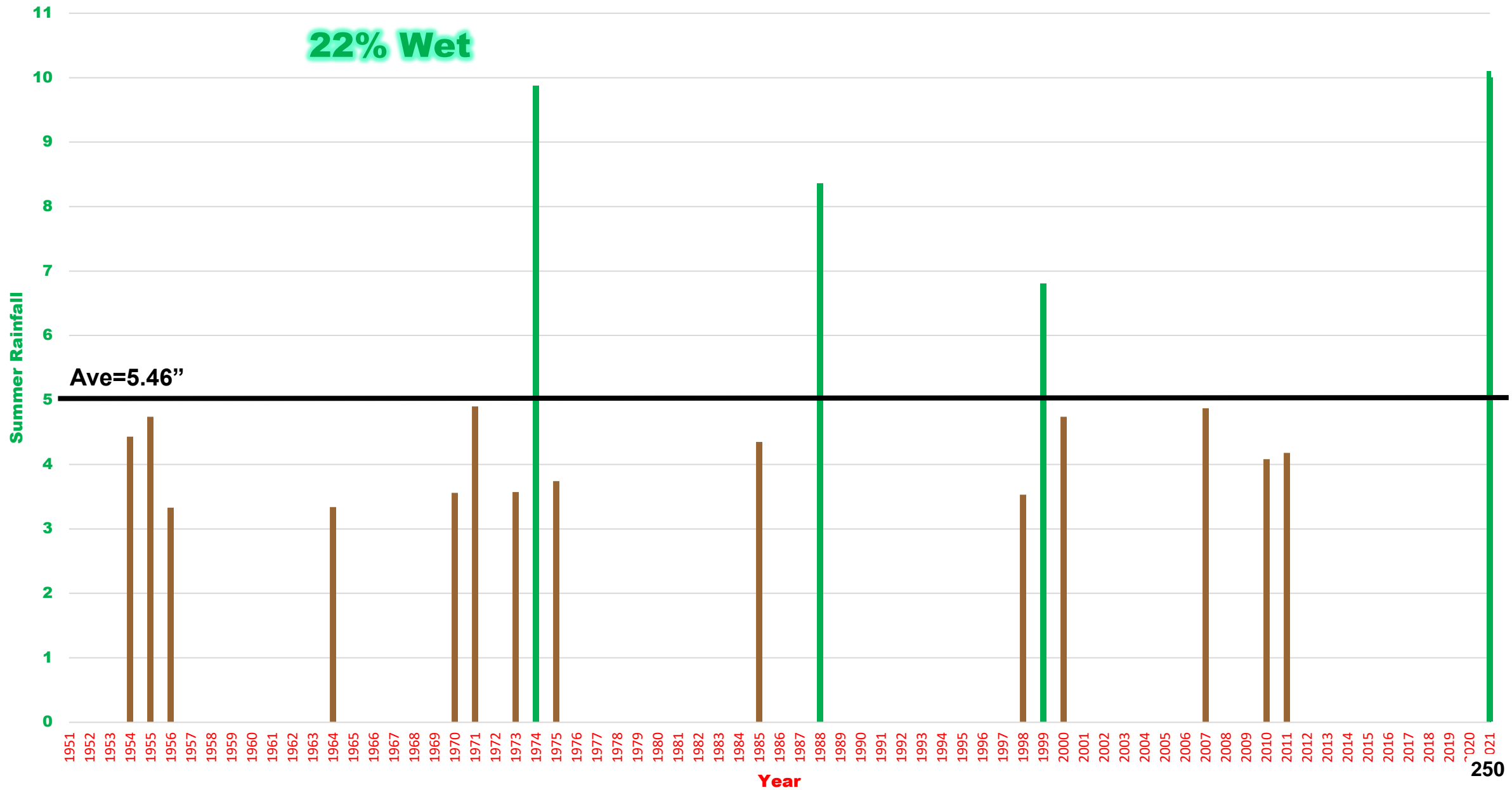
Monsoon Rainfall-All Neutral Summer ENSO Cases at El Paso: ONI -0.5 to 0.5

53% Wet

Ave=5.46"

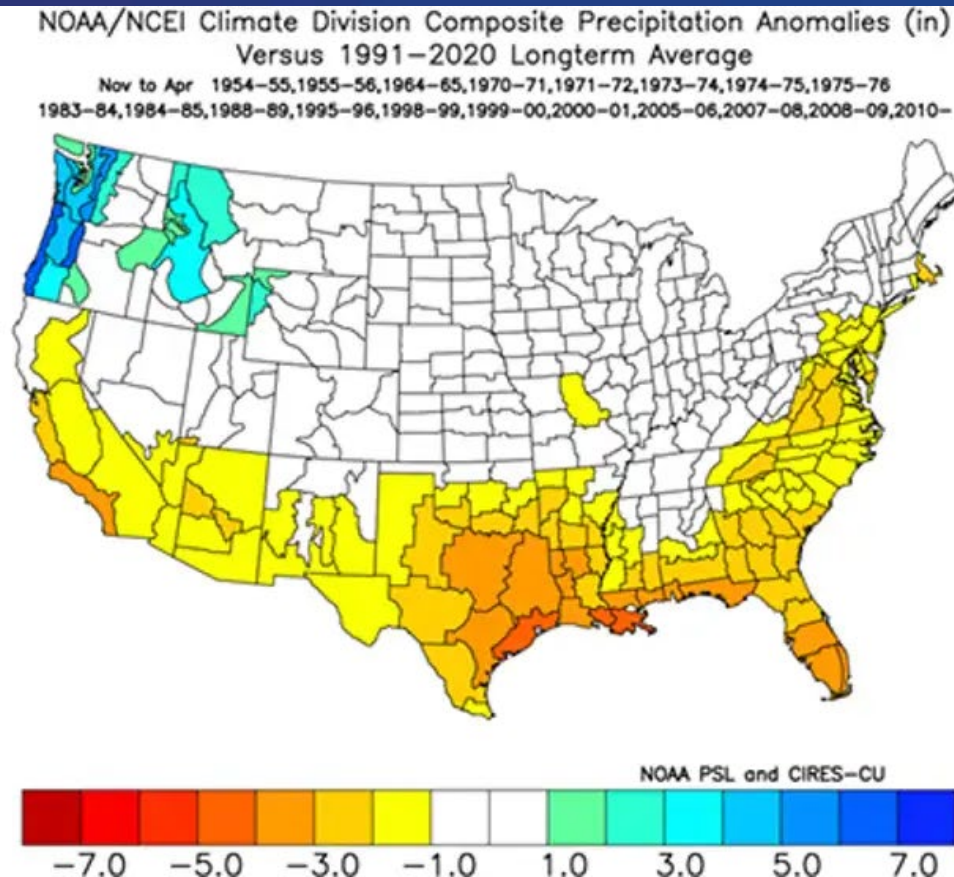


Monsoon Rainfall – Summer La Niña Cases at El Paso



La Nina Likely...

- Winter La Nina impacts are usually more predictable than Summer impacts.
- Normal La Nina winters are drier and warmer than normal.
- However in Summer, it can literally go either way.



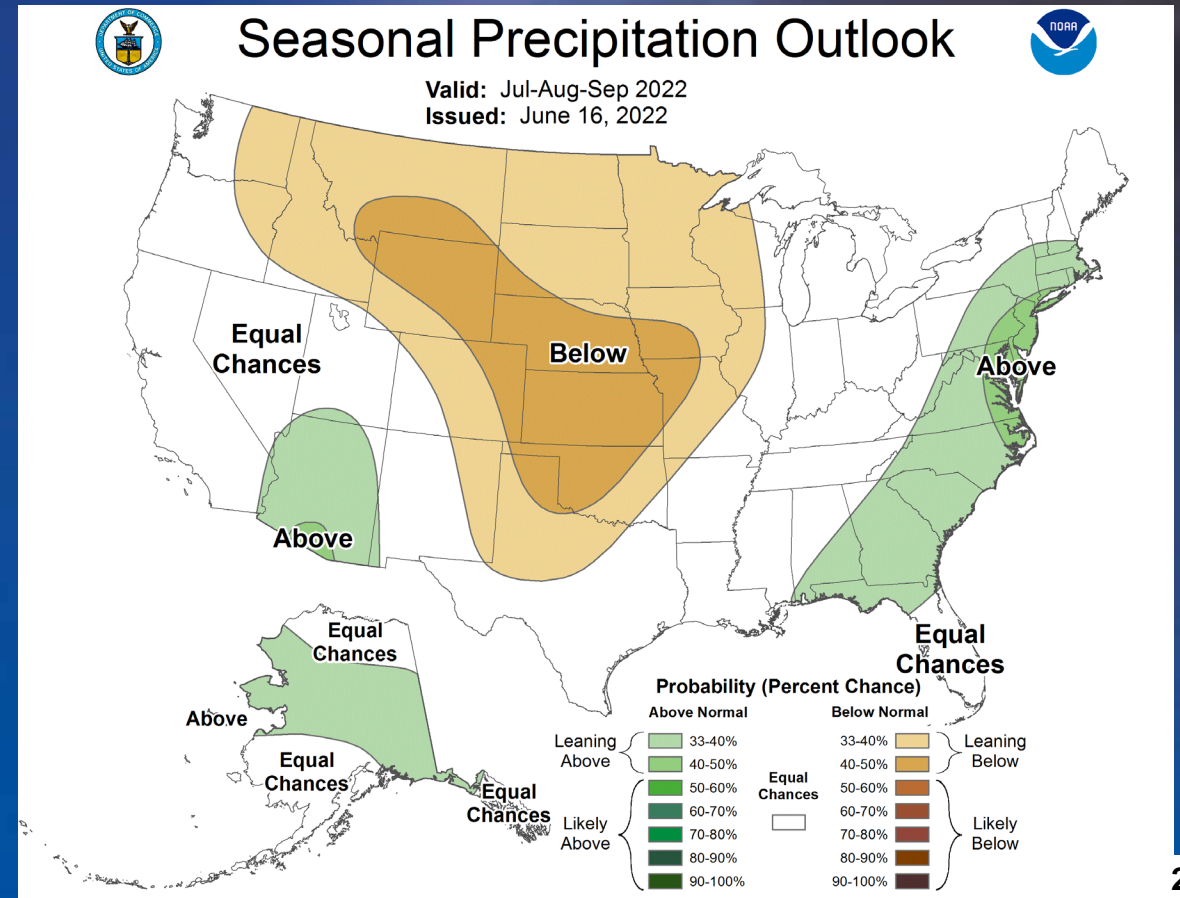
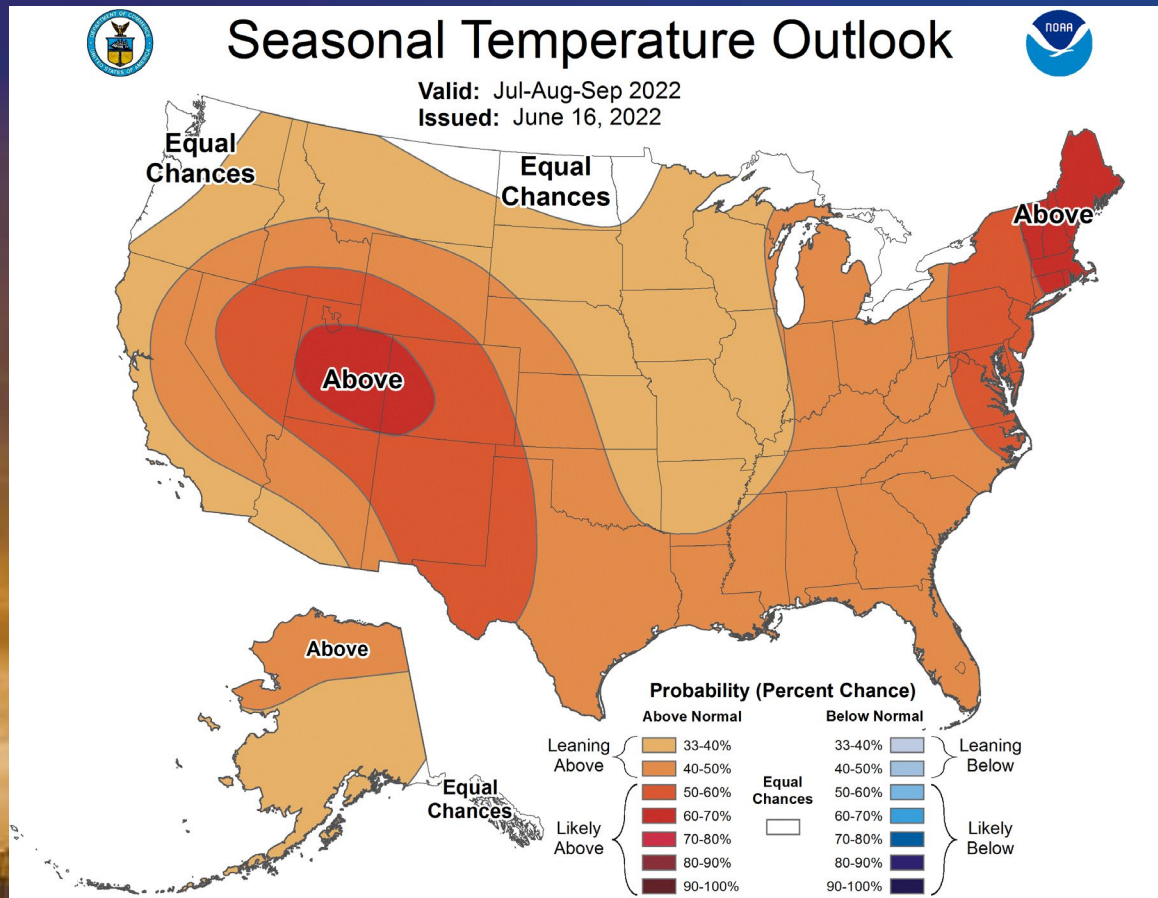
Cool season precipitation anomalies during La Nina years.

North American Monsoon... Final Take (EPZ)

- Monsoons are naturally variable across the region. As such there is no clear cut science to determine Monsoon rainfall output with a high level of certainty.
- It seems apparent that La Nina conditions will continue through the summer and into the upcoming winter.
- Overall, current drought conditions will likely not improve much, even if the Monsoon is good to us as the winter months will likely be dry again.
- Best guess is we will have a near normal Monsoon season in terms of rainfall across southern New Mexico and far west Texas.

Latest CPC Seasonal Outlook

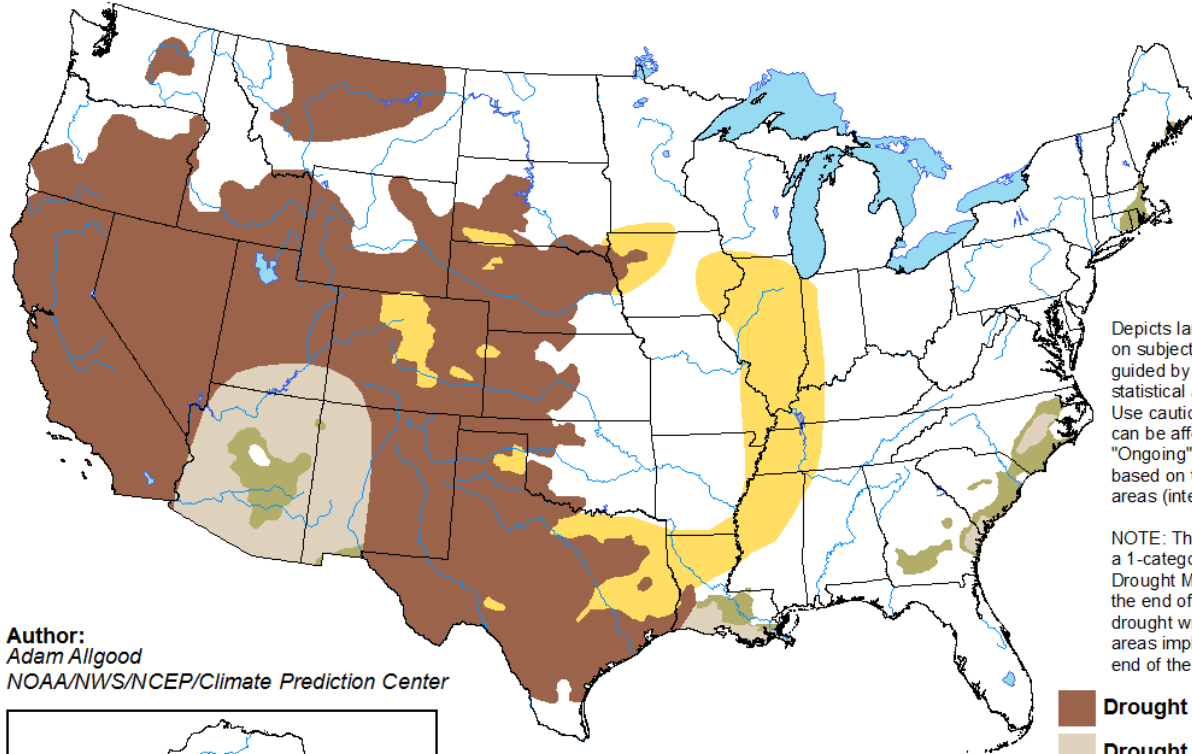
July through September 2022 (Primary Monsoon Season for Southwest US)



Latest Drought Outlook (Monsoon)

U.S. Seasonal Drought Outlook Drought Tendency During the Valid Period

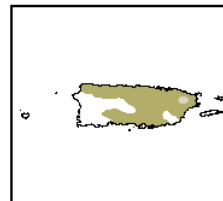
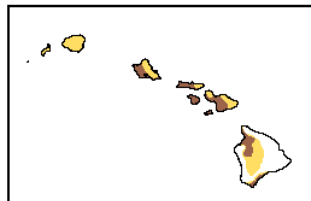
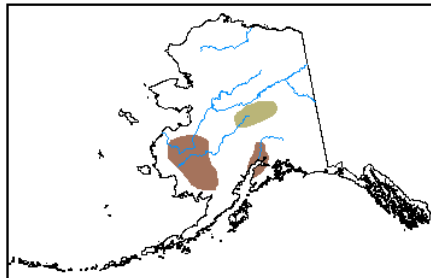
Valid for June 16 - September 30, 2022
Released June 16



Depicts large-scale trends based on subjectively derived probabilities guided by short- and long-range statistical and dynamical forecasts. Use caution for applications that can be affected by short lived events. "Ongoing" drought areas are based on the U.S. Drought Monitor areas (intensities of D1 to D4).

NOTE: The tan areas imply at least a 1-category improvement in the Drought Monitor intensity levels by the end of the period, although drought will remain. The green areas imply drought removal by the end of the period (D0 or none).

Author:
Adam Allgood
NOAA/NWS/NCEP/Climate Prediction Center



- Drought persists
- Drought remains but improves
- Drought removal likely
- Drought development likely



<http://go.usa.gov/3eZ73>



Legislation Text

File #: 22-1404, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Members of the City Council, Representative Henry Rivera, (915) 212-0007

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action to direct the City Manager and City Attorney to create an amnesty period for residential property owners who have filed an over 65 or persons with disabilities exemption with the El Paso Central Appraisal District that have received a citation for overgrown weeds in the last 60 days.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT: Mayor and Council

AGENDA DATE: Tuesday, October 25, 2022

CONTACT PERSON NAME AND PHONE NUMBER:

City Representative Henry Rivera, District 7- 915.212.0007

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL:

Goal 3 - Promote the Visual Image of El Paso

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and action to direct the City Manager and City Attorney to create an amnesty period for residential property owners who have filed an over 65 or persons with disabilities exemption with the El Paso Central Appraisal District that have received a citation for overgrown weeds in the last 60 days.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

As a result of the monsoon season and shortages in staffing, the City has been unable to keep up with the maintenance of overgrown weeds along medians and has been seeking volunteers for median clean-up days. In general, the monsoon season is considered to be from June 15- September 30 per the International Boundary and Water Commission. That said as we have seen this year it has extended well into October and could possibly continue further.

Keeping in mind our most vulnerable populations, this item seeks to provide relief for residential property owners who have filed an over 65 or persons with disabilities exemption with the El Paso Central Appraisal District and have received a citation from the City for failure to maintain overgrown weeds at their property.

While we do encourage for all property owners to comply with the code and maintain overgrown vegetation at their properties and on abutting parkways/alleys, we are sensitive to the fact that it is difficult for seniors and persons with disabilities to keep up with overgrown weeds during the monsoon season.

In February 2020, the El Paso Municipal Court offered a 13 day amnesty period to resolve warrants, citations and tickets.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one? N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer? N/A

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

El Paso Municipal Court offering amnesty period for unpaid warrants, citations and tickets



EL PASO, Texas -- The El Paso Municipal Court will be offering the community 13 days of amnesty to resolve warrants, citations and tickets.

Activated and prior warrant fees, collection fees and late fees for parking citations will be waived.

Officials are encouraging to take advantage of the opportunity to pay traffic tickets and restore driving records.

All other citations must be paid in full at any municipal court bond offices or by phone at (915) 212-0232 from February 24 to March 7 from 8 a.m. to noon.

You can check online to see whether or not you owe tickets at www.elpasotexas.gov/municipal-courts.

Article XVII. Weeds and Vegetation

9.04.850 Applicability.

This article shall apply to owners or occupants of properties, including improved property and properties not defined as improved properties, within the city.

(Ord. No. 17380, § 1, 8-24-2010)

9.04.860 Weeds and vegetation prohibited.

- A. Owners shall maintain properties as to prevent the growth of weeds and vegetation, other than those types of weeds and vegetation excepted under Section 9.04.870, under the following conditions:
 - 1. Any individual lot or tract of land smaller than three acres upon which weeds and vegetation exceed an average height greater than twelve inches.
 - 2. Any individual lot or tract of land three acres or greater upon which weeds and vegetation exceed an average height greater than twelve inches and are within one hundred fifty feet of the curb line of adjacent streets, and where no curb exists, to the edge of the street or road surface, or within one hundred fifty feet of any public or private property line.
 - 3. Regardless of lot size, any abutting parkways or alleys upon which weeds or vegetation exceed an average height greater than twelve inches.
- B. Any accumulation or growth of such weeds and vegetation on properties covered by this article, unless exempted under Section 9.04.870, is deemed to be deleterious to the public health, comfort and welfare and is declared to be a public nuisance, the prompt abatement of which is a public necessity. The abatement of said public nuisance shall not be conducted in a manner that exposes the site to wind or water erosion, including but not limited to leaving the site barren (without ground cover) or grading to avoid mowing.
- C. It is unlawful for any owner or person having the right of possession of any property within the city to cause or permit such public nuisance on the property or any abutting pathways or alleys.

(Ord. No. 17380, § 1, 8-24-2010; Ord. No. 17516, § 2, 3-29-2011)

9.04.870 Exceptions.

The following weeds and vegetation in the city shall be exempt from the requirements of Section 9.04.860:

- A. Regularly cultivated ornamental, fruit bearing, vegetable bearing or flowering plants, bushes or trees, or native desert vegetation;
- B. Regularly cultivated crops grown on property that is classified as agriculture exempt according to the tax rolls;
- C. Pasture lands on property that is classified as agriculture exempt according to the tax rolls;
- D. Property that the director determines should be exempted because of the lack of harm to the public health, safety, and welfare (e.g., steep slopes, undeveloped properties, wet ponding areas or areas far

removed from population centers and similar areas) or property that has been stabilized in accordance with an approved Grading Stabilization Plan pursuant to Title 18.44 (Grading); and

E. Naturally occurring vegetation on a lot that has never been graded.

(Ord. No. 17380, § 1, 8-24-2010; Ord. No. 17516, § 2, 3-29-2011)

9.04.880 City abatement.

- A. The director is authorized to notify the owner about the condition of the land constituting a public nuisance due to accumulation of solid waste, recyclables, weeds and vegetation, other waste, or any other unacceptable, unsightly or unsanitary matter in violation of this chapter. Such solid waste, recyclables, weeds and vegetation, other waste, or any other unacceptable, unsightly or unsanitary matter in violation of this chapter must be removed within seven calendar days after the receipt of such notice. Such notice will further state that if the current property condition is not corrected within the seven calendar days from the service of such notice, the city may, without further notice abate this public nuisance by cleaning the property, and charge the cost of expense incurred in doing such work to the owner of such property and fix a lien thereon as provided by this article.
- B. Such notice shall be in writing and delivered in person or sent by mail (or by any means authorized by state law) to the owner, or to any one or more of the owners if the land is owned jointly or in common at the owner's address as recorded in the appraisal district records of the appraisal district in which the property is located, or to any agency having the authority to lease, rent, sell, manage or take care of the land. If the correction notice cannot be hand delivered at the time of the investigation, or the owner's address recorded in the central appraisal district is unknown, notice may be given by publication at least once in a newspaper of general circulation, by posting the notice on or near the front door of each building on the property to which the violation relates, or by posting the notice on a placard attached to a stake driven into the ground on the property which the violation relates, if the property contains no buildings.
- C. If the city mails a notice to a property owner in accordance with this section, and the United States Postal Services returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered as delivered.
- D. The person given such a notice or their representative may request a hearing with the city manager or his designee within seven calendar days after the receipt of the notice, to present their reasons for which this ordinance should not be enforced.
- E. If the property owner or their representative fails to remove an accumulation of solid waste, recyclables, weeds and vegetation, other waste, or any other unacceptable, unsightly or unsanitary matter in violation of this chapter within seven calendar days after the receipt or posting of notice, the department shall arrange to have the cleaning, disposal or removal of solid waste, recyclables, weeds and vegetation, other waste, or any other unacceptable, unsightly or unsanitary matter in violation of this chapter done and assess the cost of such clean up, disposal or removal and all reasonable expenses at the owner's expense and to take any action as provided by this chapter. The notice shall state the cost to the city or other entity, to clean the property, including labor costs, administrative costs, transportation expenses, publication costs, expenses for use of equipment, and materials and other reasonable expenses. The notice shall be sent in writing by the director or city comptroller requesting payment to the city within thirty calendar days of receipt by the property owner. Failure to pay the costs associated with the cleanup will result in a request to city council to pass a resolution declaring the reasonable expenses which include the cost of clean up, disposal or removal, labor costs, administrative costs, transportation expenses, publication costs, expenses for use of equipment, and materials and other reasonable expenses, as well as the established authorized fee relating to the preparation of the required legal documents necessary for the creation of and release of lien, plus the cost of recording the resolution, to be a lien on the property payable within ten calendar days after adoption of the

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(Supp. No. 91, Update 3)

resolution, and thereafter bearing ten percent yearly interest until the debt is paid in full. If passed, a copy of the resolution, authenticated by the acknowledgement of the city clerk, shall be filed for record in the office of the county clerk. The city tax assessor and collector shall send a bill for the amount with all tax bills on the property until the debt is paid in full.

- F. The city may provide a notice to inform the owner at the owner's address as recorded in the appraisal district records of the appraisal district in which the property is located, by mail (or by any means authorized by state law) and a posting on the property, or by personal delivery of correction notice, that if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety within a twelve-calendar month period from the date of the notice, the city without further notice may correct the violations at the owner's expense and assess the clean-up expense against the property. If a violation covered by a notice under this subsection occurs within the one-year period and the city has not been informed in writing by the owner of an ownership change, then the city without further notice may take any action as provided by Chapter 342 of the Texas Health and Safety Code and assess its expenses as provided by Section 342.007.

(Ord. No. 17380, § 1, 8-24-2010; Ord. No. 17543, § 1, 4-26-2011; Ord. No. 18227, § 1, 8-19-2014; Ord. No. 18468 , § 1, 2-23-2016)

By [Brianna Perez](#)

September 29, 2022 1:24 AM

Published [September 28, 2022](#) 8:01 PM

City seeks volunteers for weed clean-up event while battling staffing shortage

EL PASO, Texas– Monsoon season brings rains to the Borderland, but the weeds that are left have some city workers strained.

With several vacancies, the city is turning to a clean-up effort that serves as volunteer hours for high schoolers in the Borderland.

This week the city has come out with a plan to clear up some street medians with help from schools and non-profit organizations.

A weed clean-up event set to start this Saturday will bring volunteers together for a fundraising opportunity.

Nick Ybarra, an Assistant Director at the Environmental Services Department, said this will be a way to help beautify our streets while providing volunteer hours.

The city also offers an incentive for the school or non-profit organizations, with the most volunteers receiving \$500 dollars.

With the city median crew down about 40 percent of their staff, he said in the last six weeks, they have been able to clean up 30 medians out of 300.

"We are doing our best to try to take care of as many medians as possible, we are doing what we can with the workforce that we have," said Ybarra.

Meanwhile, parents are concerned about where their taxpayer money is going and if it is safe for their children.

"Should our kids be volunteering when we're paying that much money in taxes for the city, not even to take care of it?" said parent Berta Ramirez.

Ybarra said he ensures safety at the event, the city will be closing off the street between Saul Kleinfeld and Bob Mitchell while volunteers work on the medians along Montwood.

"We will provide them gloves, the tools, racks, hoes, shovels. That way, they can assist with pulling the weeds, we are providing dumpsters nearby and containers so they can have somewhere to throw the weeds," said Ybarra.

He also said the city will provide snacks and drinks.

Ybarra said they understand it is done by the City of El Paso, they are just providing a volunteer opportunity.

After this event, the city said it will be hosting multiple weed cleanup events throughout the community throughout the fall on various dates.

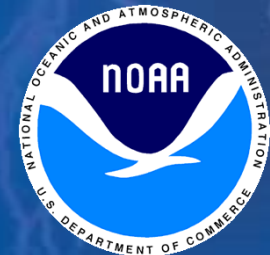
Weather 101

The North American Monsoon

Jason Laney

Warning Coordination Meteorologist

NWS El Paso

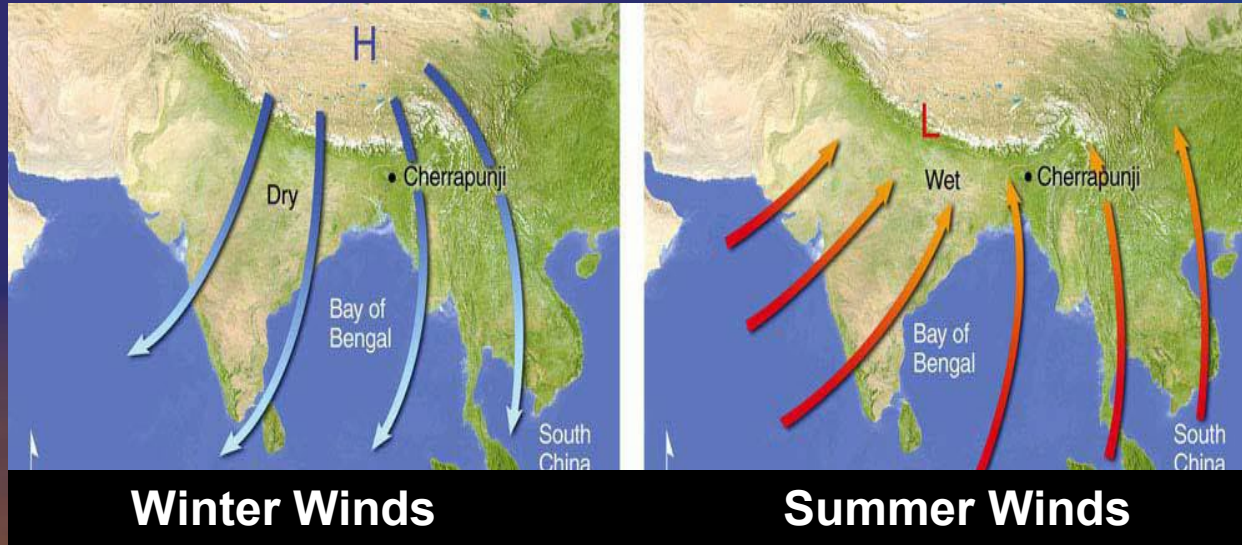


North American Monsoon

- Is simply a season, lasting from June 15th until September 30th in the Southwestern US states.
- Used in conversation the same way as the word “Summer” or “Autumn”.
 - “I will be in Canada for the next 6 months, so I will miss the Monsoon.”
- **Does not** refer to an individual thunderstorm or group of thunderstorms.
- Comes from the Arabic word “mawsim” which means, “season”.

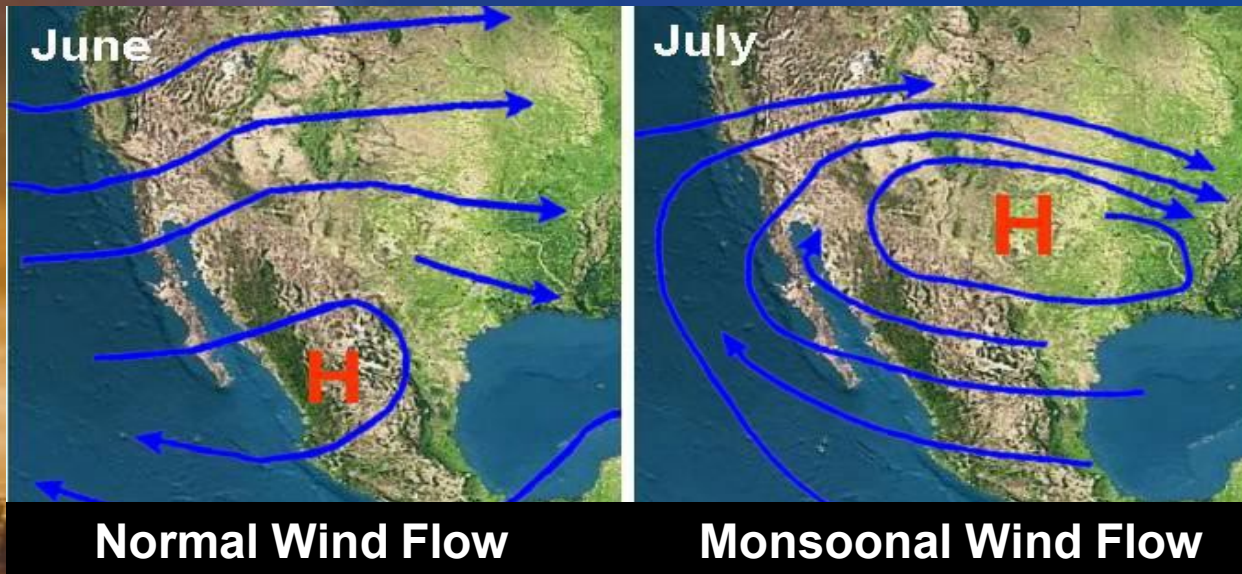
What is a “Monsoon”?

- A Seasonal Wind Shift on a Regional Scale



Asian Monsoon

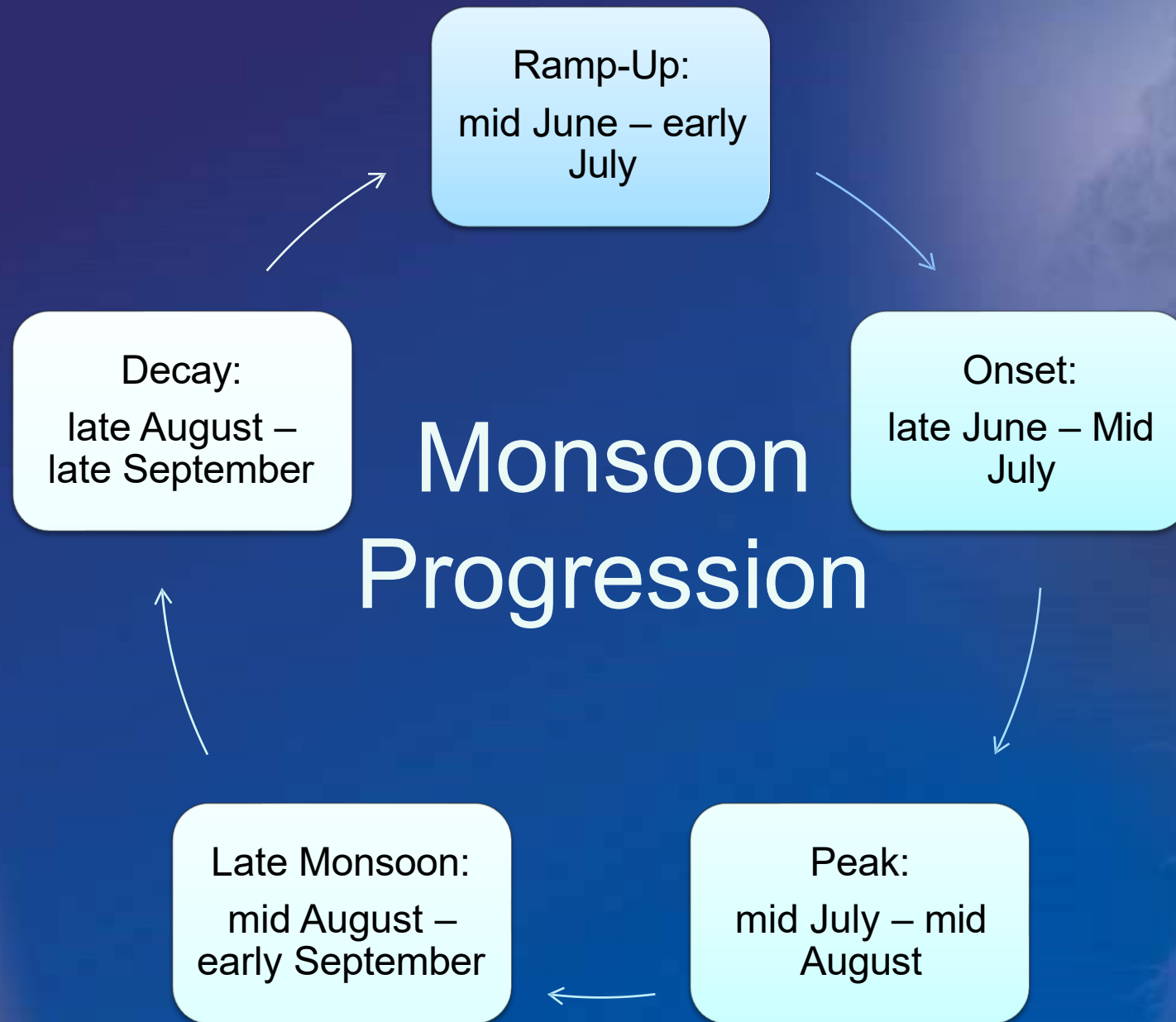
- High pressure over Tibetan Plateau in Winter drives offshore winds
- Low pressure over land in Summer drives onshore winds
- Results in widespread heavy rainfall and flooding



North American Monsoon

- High pressure south over Mexico with westerly flow aloft most of the year
- High pressure moves north over Four Corners and brings moisture into the southwest
- Generally weaker than the Asian Monsoon because the Mexican Plateau is not as high or as large





Monsoon Progression

- Ramp Up
 - Tropical moisture starts to infiltrate the Sierra Madres
 - Ridge and wind direction can waver significantly
- Onset
 - Moisture increases over northern Mexico
 - Thunderstorms more organized, numerous and wet
- Peak
 - High pressure strongest and northernmost position
 - Daily storms with threat of flash flooding, wind damage and dust storms.

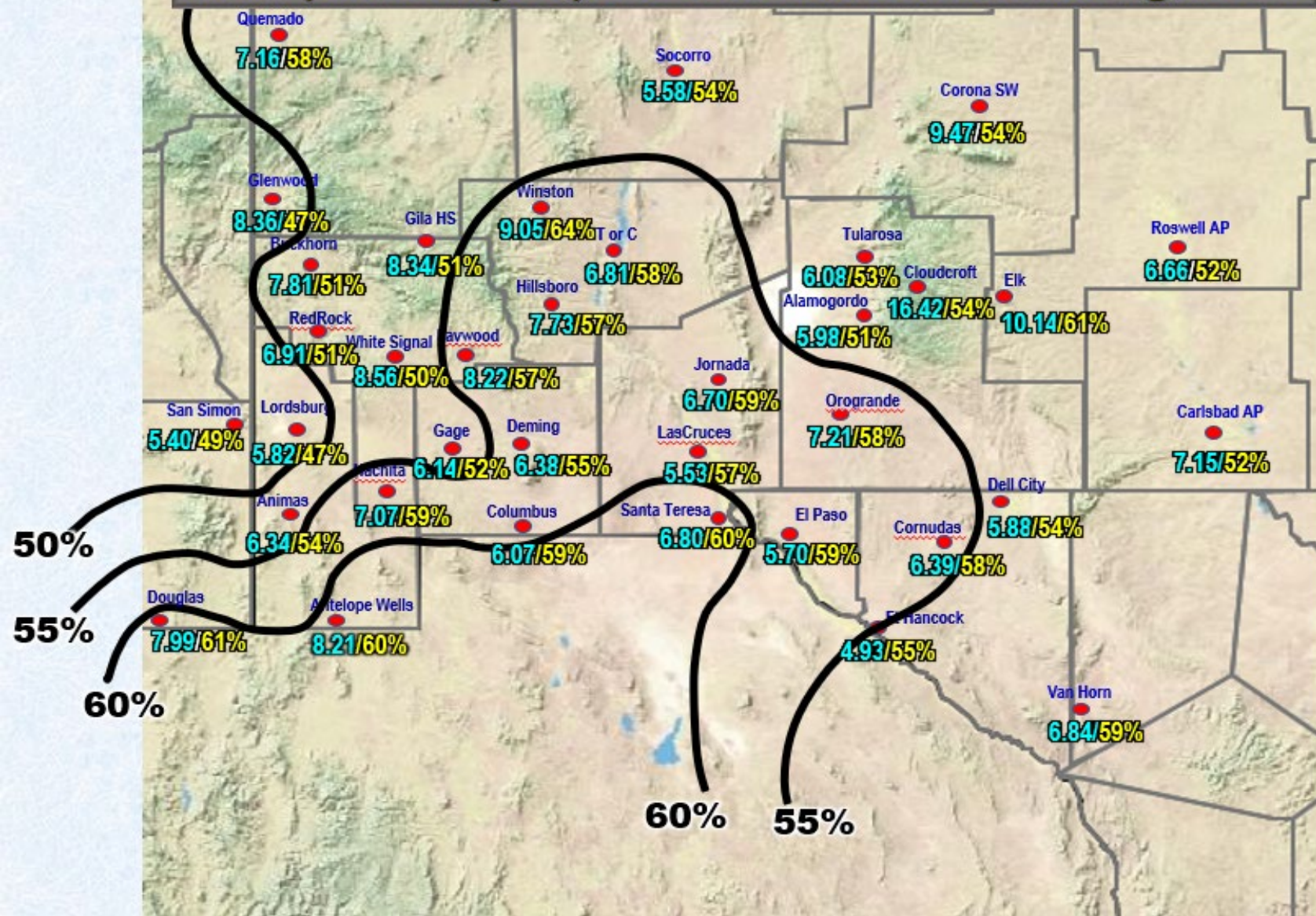
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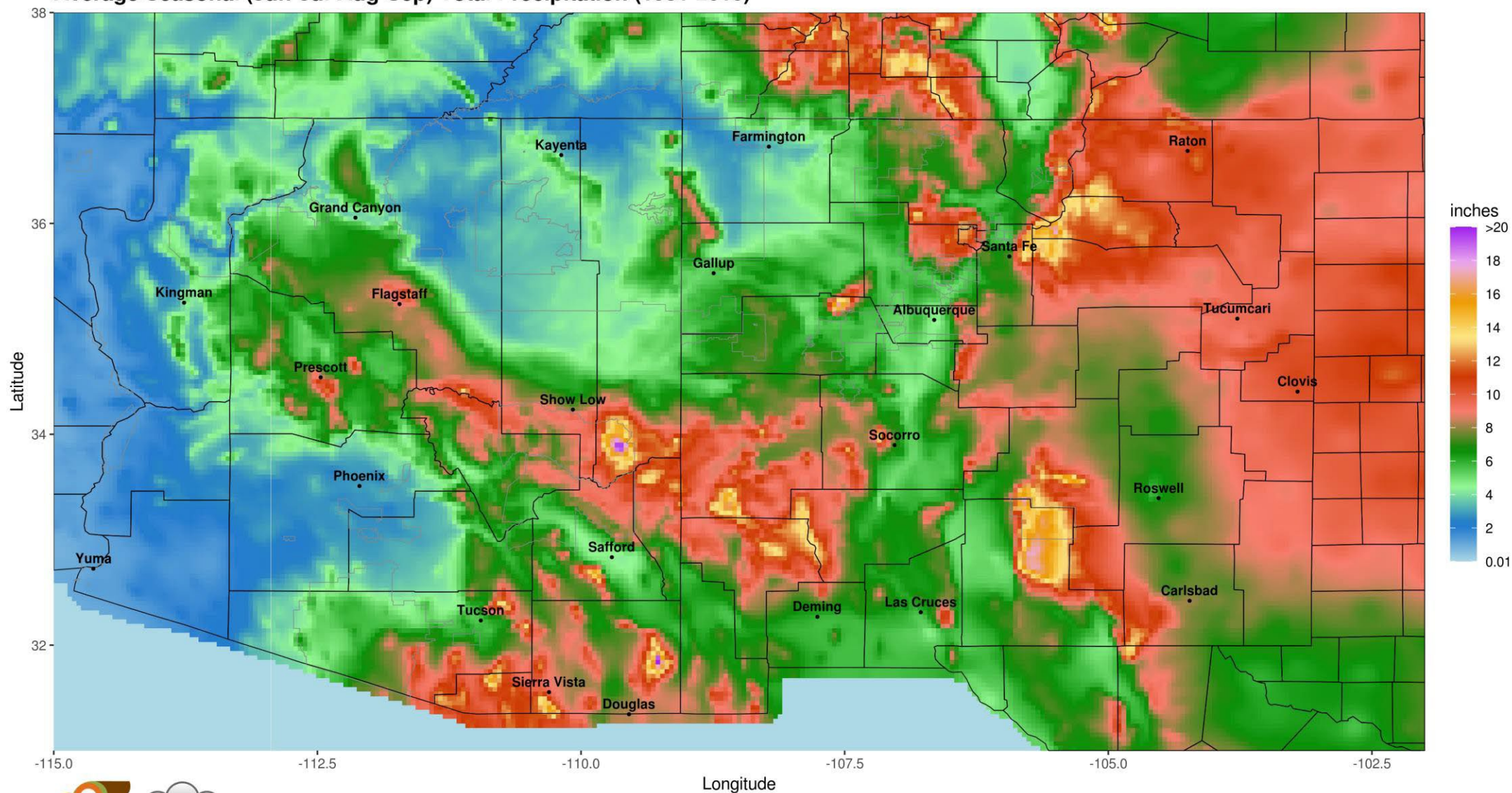


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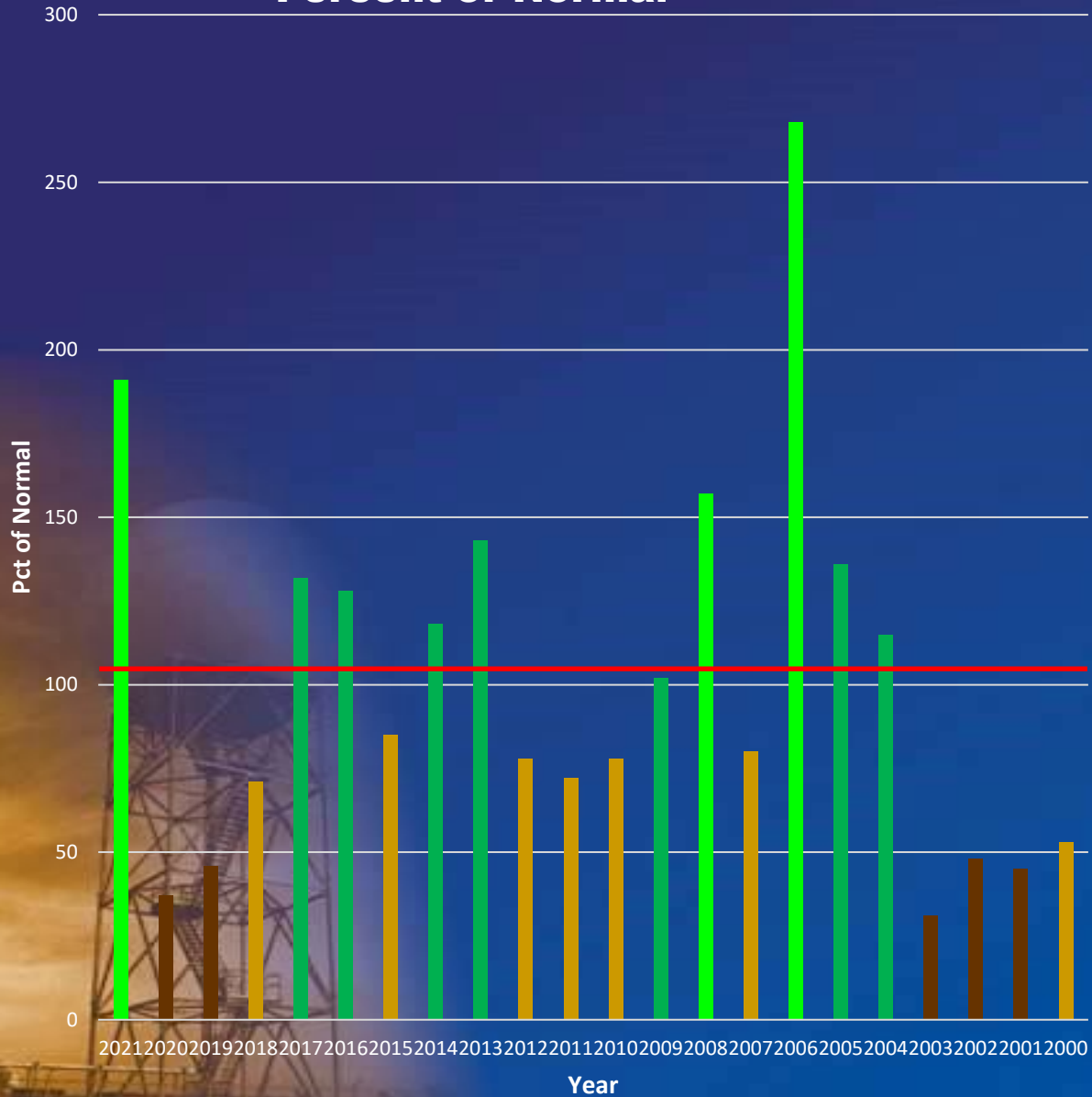
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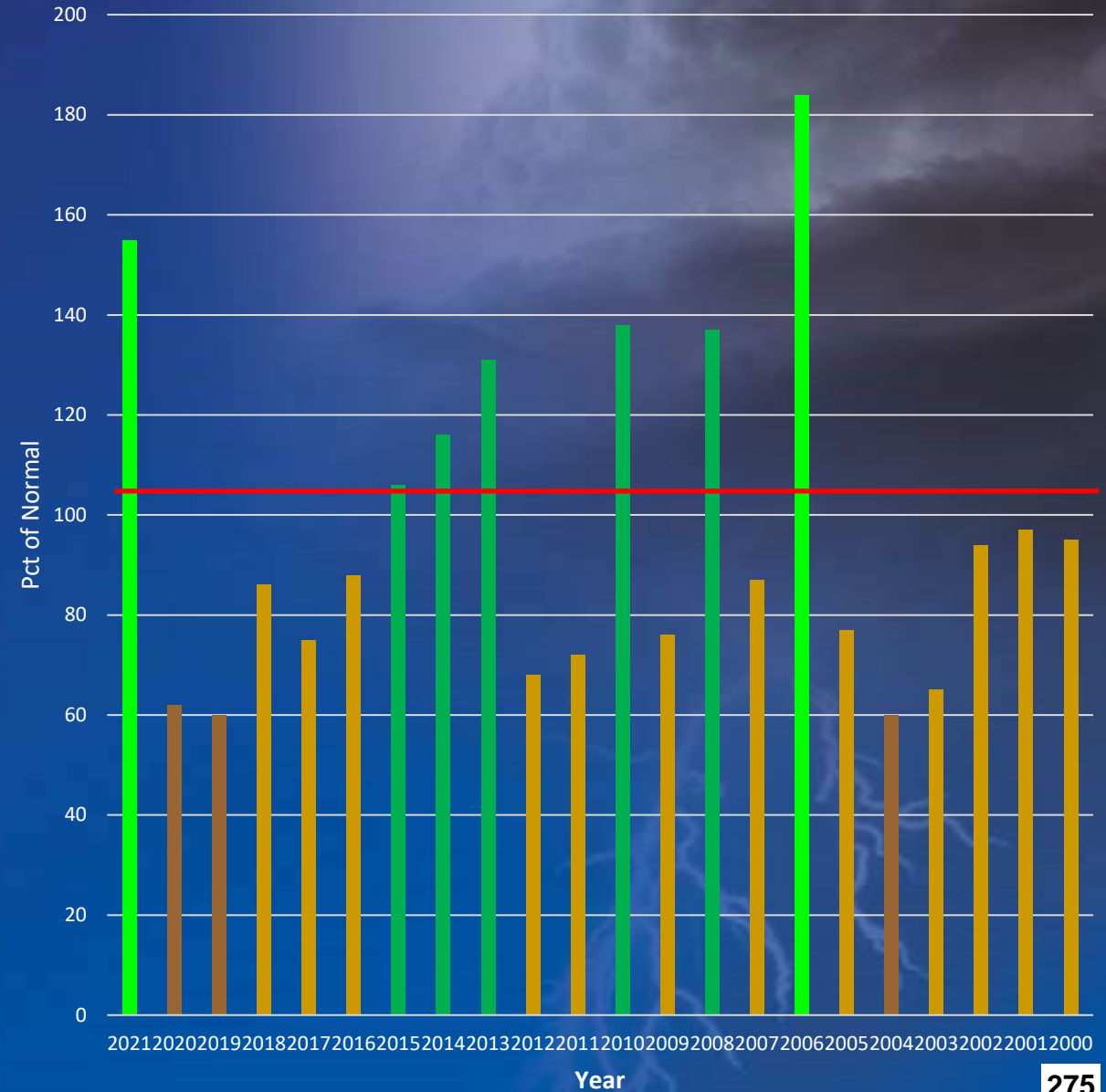
THE UNIVERSITY OF ARIZONA
Cooperative Extension

Plot created: 2019-06-06
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Monsoon 2022 Outlook...

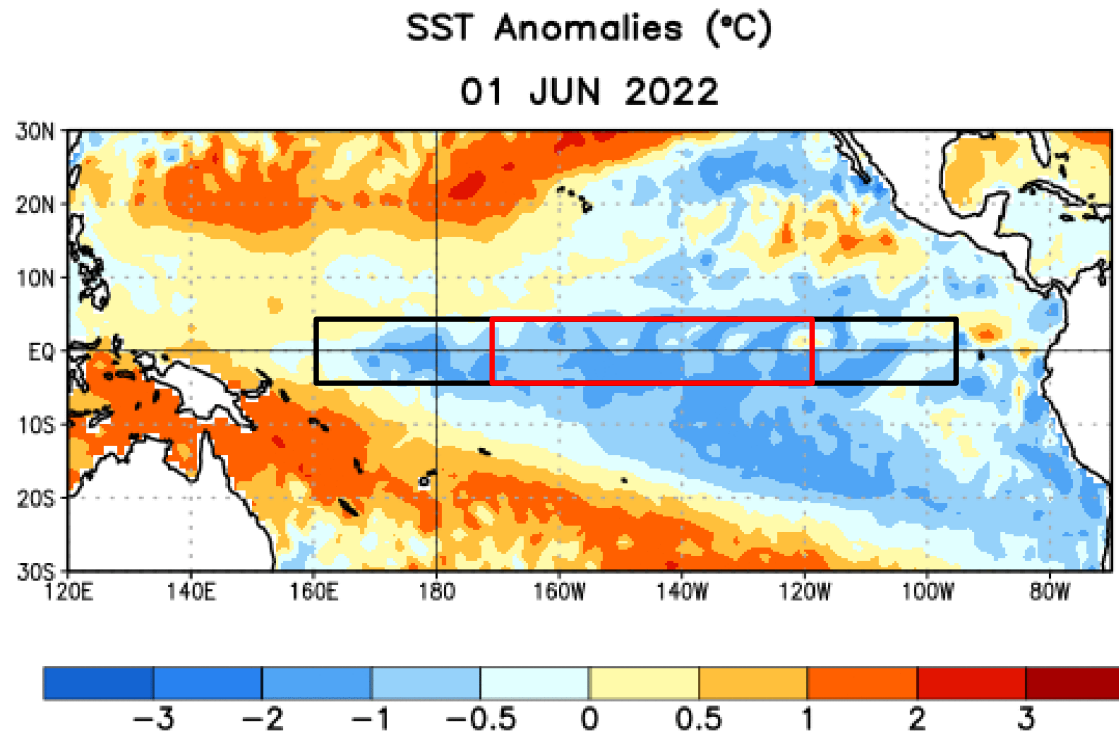
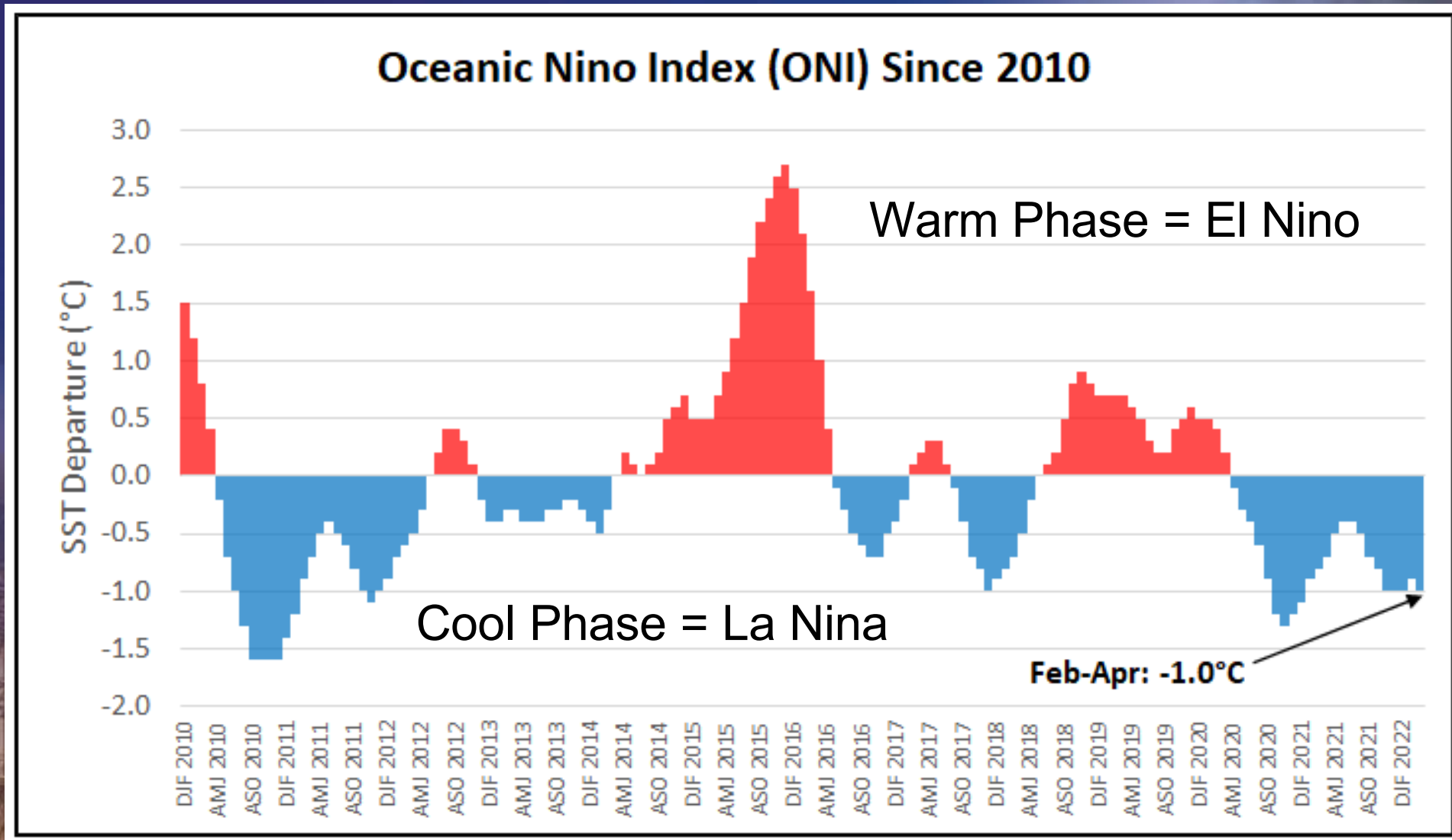


Figure 1. Average sea surface temperature (SST) anomalies (°C) for the week centered on 1 June 2022. Anomalies are computed with respect to the 1991-2020 base period weekly means.

Monsoon 2022 Outlook... ENSO Connection?



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La Nina didn't weaken during the Spring like usual.

Increasing chance that a third straight La Nina fall and winter are coming.

Three La Ninas in a row haven't happened since 2000.

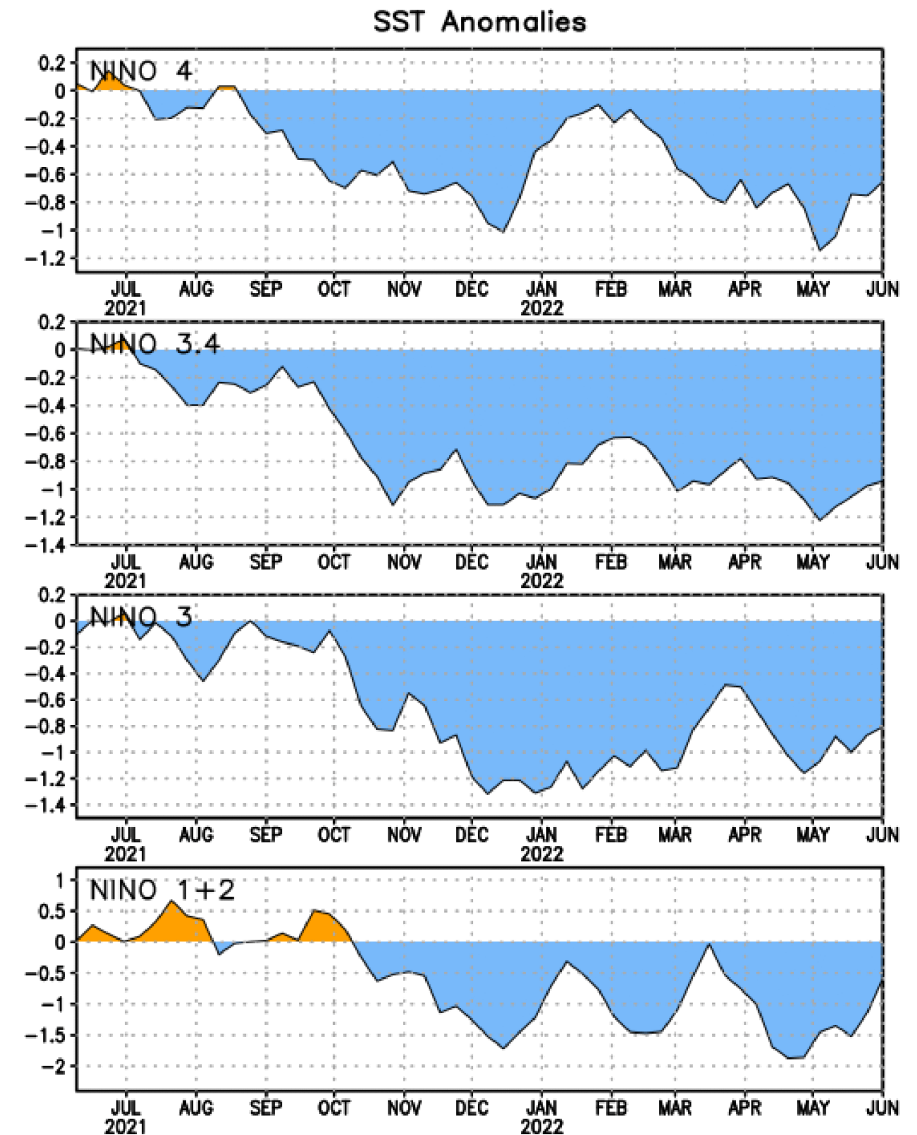
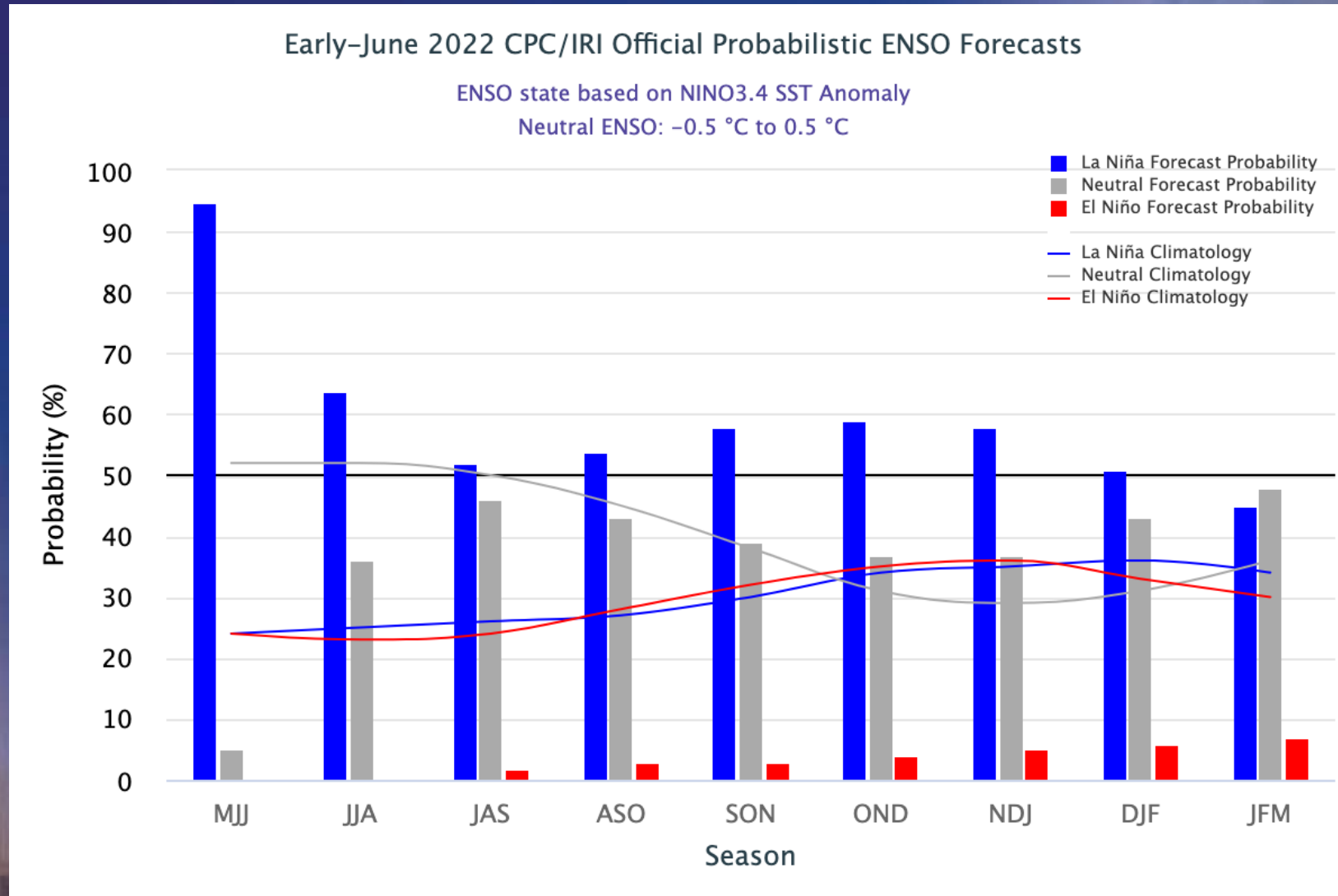


Figure 2. Time series of area-averaged sea surface temperature (SST) anomalies ($^{\circ}\text{C}$) in the Niño regions [Niño-1+2 (0° - 10°S , 90°W - 80°W), Niño-3 (5°N - 5°S , 150°W - 90°W), Niño-3.4 (5°N - 5°S , 170°W - 120°W), Niño-4 (5°N - 5°S , 150°W - 160°E)]. SST anomalies are departures from the 1991-2020 base period weekly means.

La Nina Likely to Continue, but...

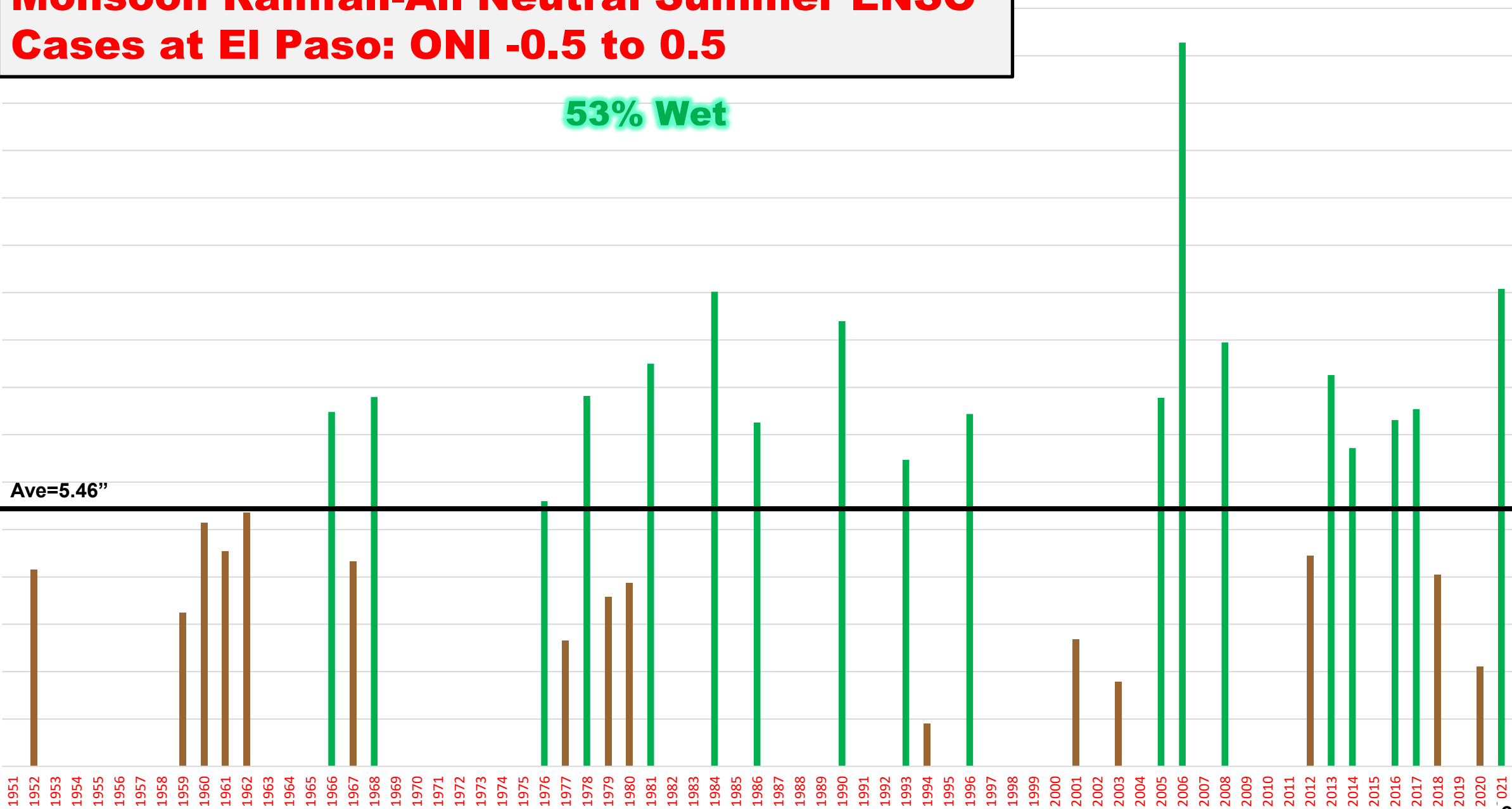
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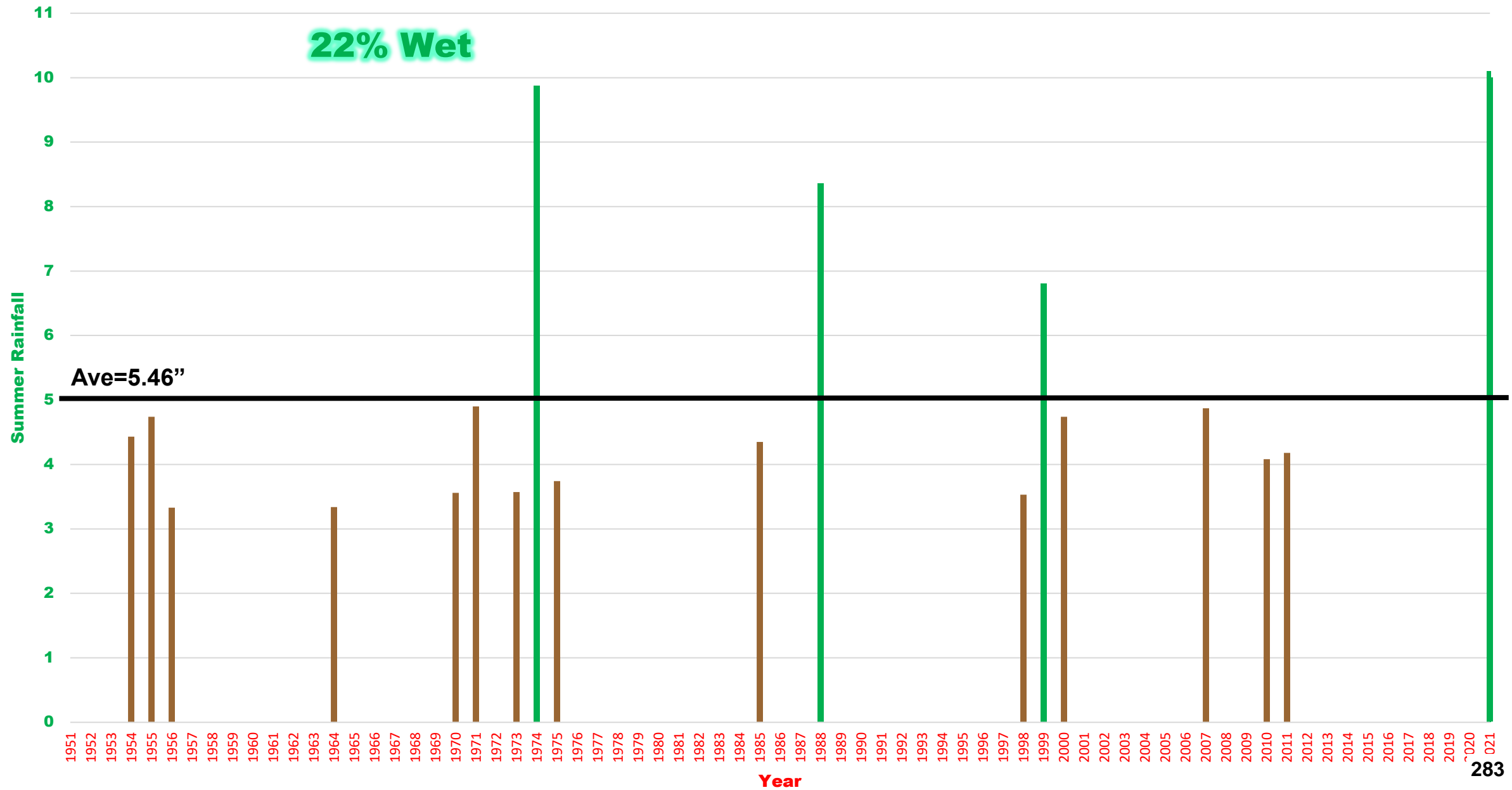
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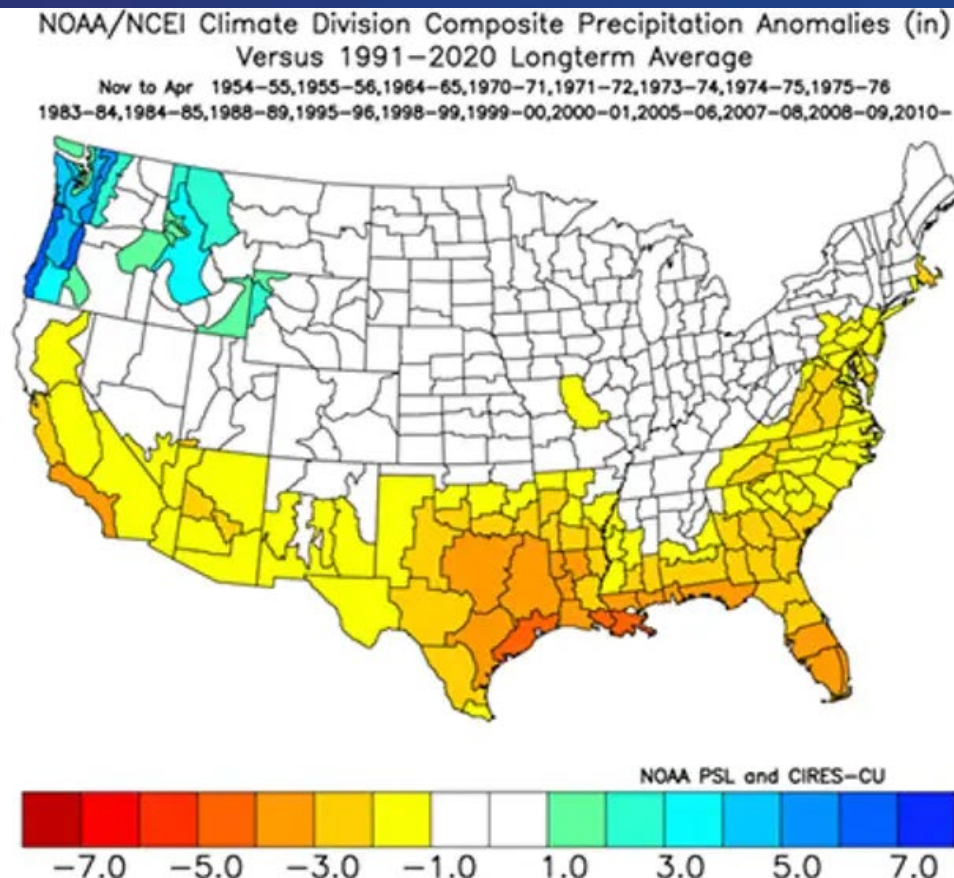


Monsoon Rainfall – Summer La Niña Cases at El Paso



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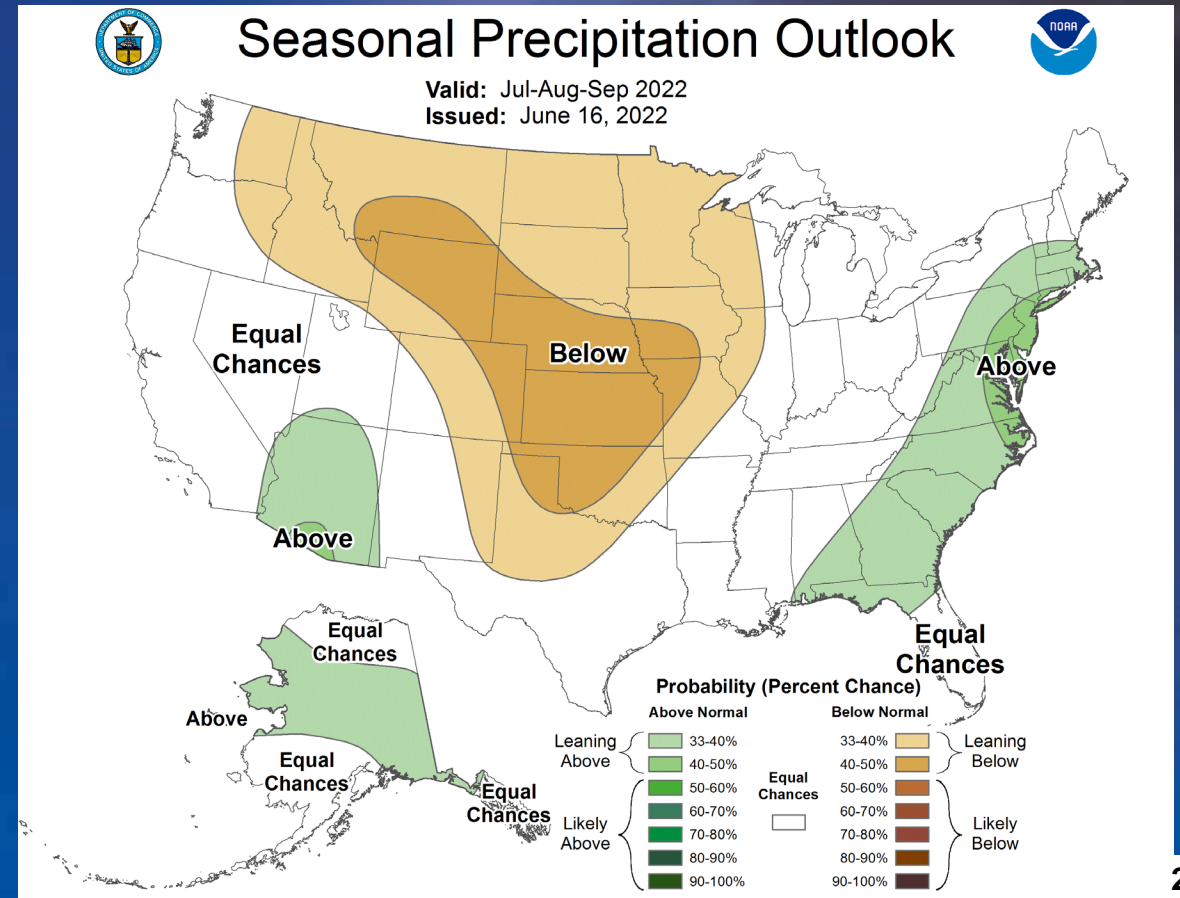
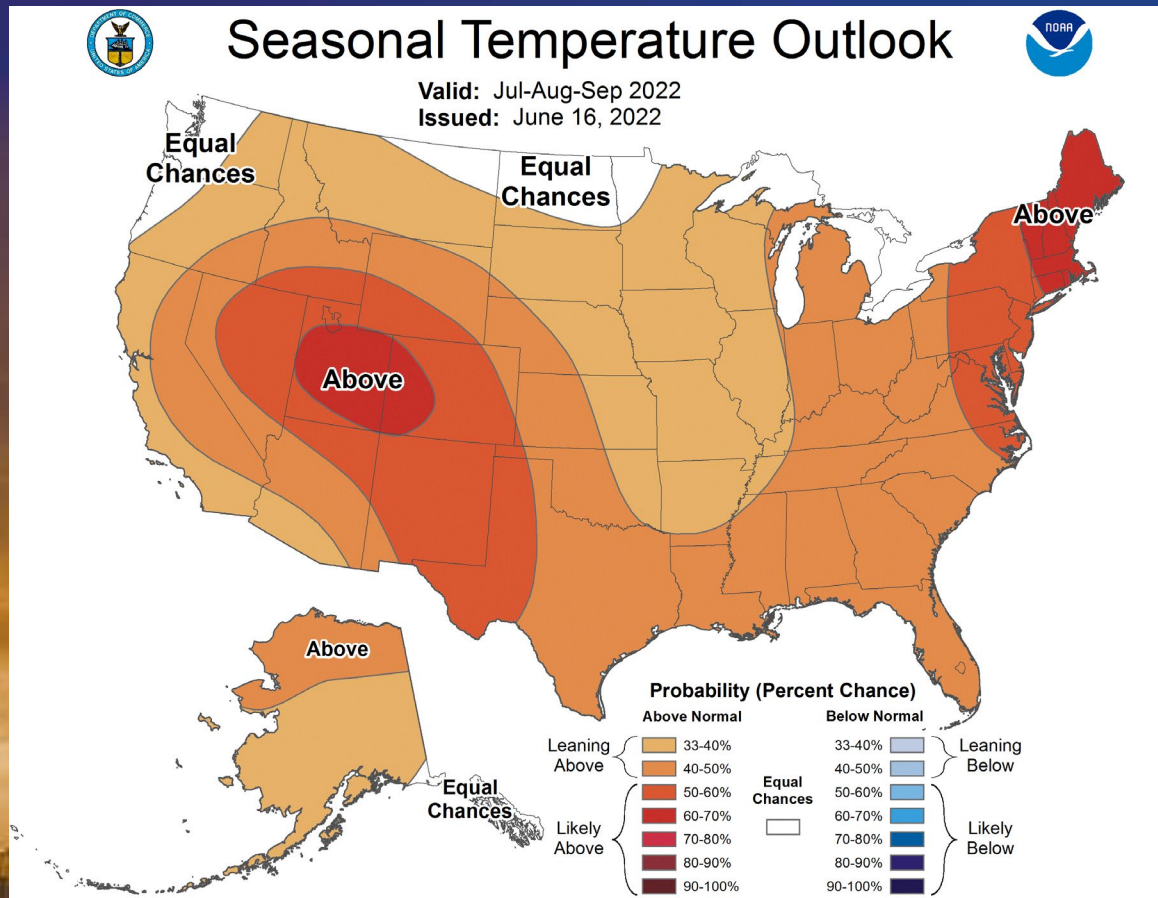
Cool season precipitation anomalies during La Nina years.

North American Monsoon... Final Take (EPZ)

- Monsoons are naturally variable across the region. As such there is no clear cut science to determine Monsoon rainfall output with a high level of certainty.
- It seems apparent that La Nina conditions will continue through the summer and into the upcoming winter.
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- Best guess is we will have a near normal Monsoon season in terms of rainfall across southern New Mexico and far west Texas.

Latest CPC Seasonal Outlook

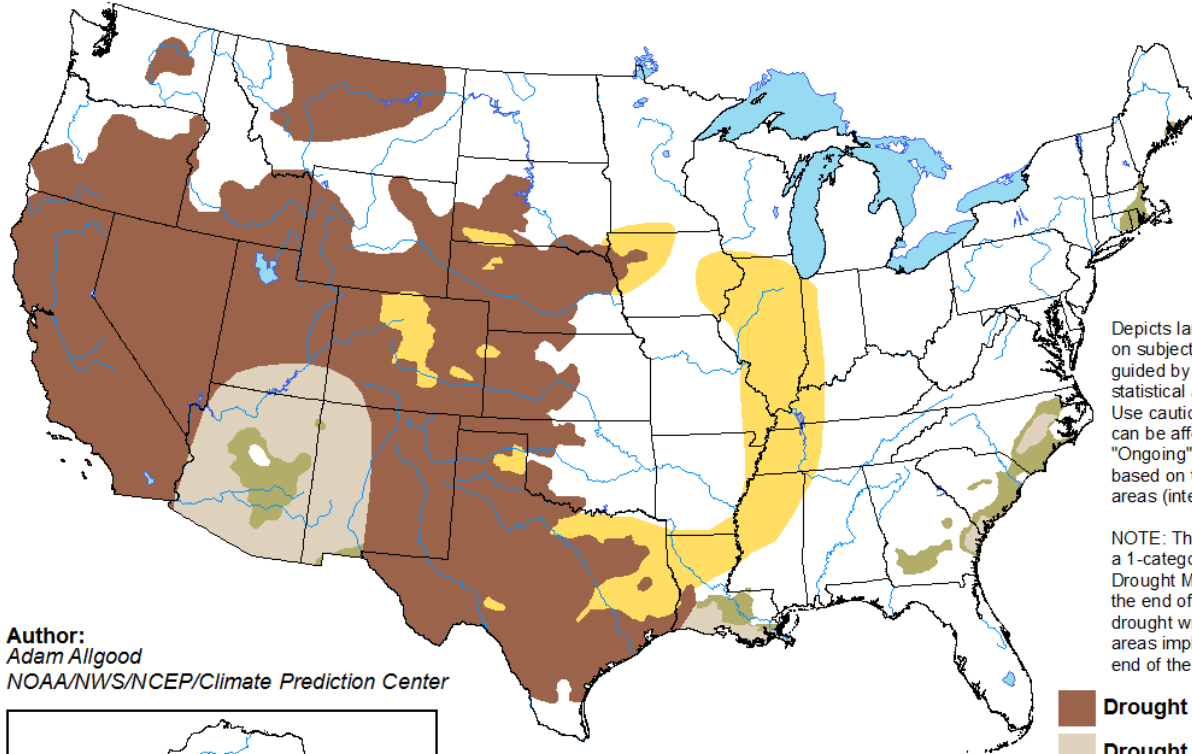
July through September 2022 (Primary Monsoon Season for Southwest US)



Latest Drought Outlook (Monsoon)

U.S. Seasonal Drought Outlook Drought Tendency During the Valid Period

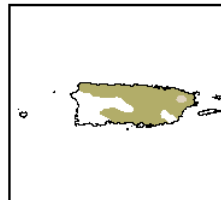
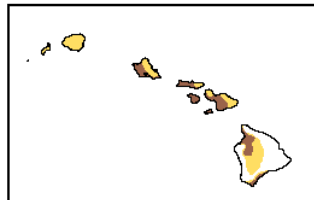
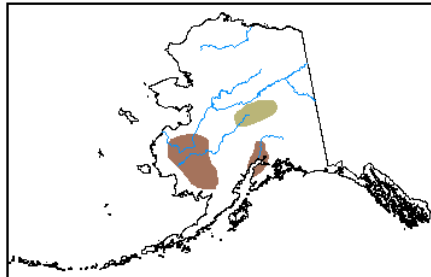
Valid for June 16 - September 30, 2022
Released June 16



Depicts large-scale trends based on subjectively derived probabilities guided by short- and long-range statistical and dynamical forecasts. Use caution for applications that can be affected by short lived events. "Ongoing" drought areas are based on the U.S. Drought Monitor areas (intensities of D1 to D4).

NOTE: The tan areas imply at least a 1-category improvement in the Drought Monitor intensity levels by the end of the period, although drought will remain. The green areas imply drought removal by the end of the period (D0 or none).

Author:
Adam Allgood
NOAA/NWS/NCEP/Climate Prediction Center



- Drought persists
- Drought remains but improves
- Drought removal likely
- Drought development likely



<http://go.usa.gov/3eZ73>



Legislation Text

File #: 22-1405, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Members of the City Council, Representative Henry Rivera, (915) 212-0007

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action to direct the City Manager and City Attorney to create a permanent moratorium on Article XVII of the City's Municipal Code for residential property owners who have filed an over 65 or persons with disabilities exemption with the El Paso Central Appraisal District from July 15 to September 30 of every year. Calling it the "65 for 65+ Moratorium." The moratorium will protect a person over 65 years or disabled person from receiving a citation from the City for overgrown weeds at their homestead property during El Paso's monsoon season.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT: Mayor and Council

AGENDA DATE: Tuesday, October 25, 2022

CONTACT PERSON NAME AND PHONE NUMBER:

City Representative Henry Rivera, District 7- 915.212.0007

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL:

Goal 3 - Promote the Visual Image of El Paso

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

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BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

As a result of the monsoon season and shortages in staffing, the City has been unable to keep up with the maintenance of overgrown weeds along medians and has been seeking volunteers for median clean-up days. In general, the monsoon season is considered to be from June 15- September 30 per the International Boundary and Water Commission. That said as we have seen this year it has extended well into October and could possibly continue further.

Keeping in mind our most vulnerable populations, this item seeks to provide relief, on an annual basis, for residential property owners who have filed an over 65 or persons with disabilities exemption with the El Paso Central Appraisal District.

While we do encourage for all property owners to comply with the code and maintain overgrown vegetation at their properties and on abutting parkways/alleys, we are sensitive to the fact that it is difficult for seniors and persons with disabilities to keep up with overgrown weeds during the monsoon season.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one? N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer? N/A

Article XVII. Weeds and Vegetation

9.04.850 Applicability.

This article shall apply to owners or occupants of properties, including improved property and properties not defined as improved properties, within the city.

(Ord. No. 17380, § 1, 8-24-2010)

9.04.860 Weeds and vegetation prohibited.

- A. Owners shall maintain properties as to prevent the growth of weeds and vegetation, other than those types of weeds and vegetation excepted under Section 9.04.870, under the following conditions:
 - 1. Any individual lot or tract of land smaller than three acres upon which weeds and vegetation exceed an average height greater than twelve inches.
 - 2. Any individual lot or tract of land three acres or greater upon which weeds and vegetation exceed an average height greater than twelve inches and are within one hundred fifty feet of the curb line of adjacent streets, and where no curb exists, to the edge of the street or road surface, or within one hundred fifty feet of any public or private property line.
 - 3. Regardless of lot size, any abutting parkways or alleys upon which weeds or vegetation exceed an average height greater than twelve inches.
- B. Any accumulation or growth of such weeds and vegetation on properties covered by this article, unless exempted under Section 9.04.870, is deemed to be deleterious to the public health, comfort and welfare and is declared to be a public nuisance, the prompt abatement of which is a public necessity. The abatement of said public nuisance shall not be conducted in a manner that exposes the site to wind or water erosion, including but not limited to leaving the site barren (without ground cover) or grading to avoid mowing.
- C. It is unlawful for any owner or person having the right of possession of any property within the city to cause or permit such public nuisance on the property or any abutting pathways or alleys.

(Ord. No. 17380, § 1, 8-24-2010; Ord. No. 17516, § 2, 3-29-2011)

9.04.870 Exceptions.

The following weeds and vegetation in the city shall be exempt from the requirements of Section 9.04.860:

- A. Regularly cultivated ornamental, fruit bearing, vegetable bearing or flowering plants, bushes or trees, or native desert vegetation;
- B. Regularly cultivated crops grown on property that is classified as agriculture exempt according to the tax rolls;
- C. Pasture lands on property that is classified as agriculture exempt according to the tax rolls;
- D. Property that the director determines should be exempted because of the lack of harm to the public health, safety, and welfare (e.g., steep slopes, undeveloped properties, wet ponding areas or areas far

removed from population centers and similar areas) or property that has been stabilized in accordance with an approved Grading Stabilization Plan pursuant to Title 18.44 (Grading); and

E. Naturally occurring vegetation on a lot that has never been graded.

(Ord. No. 17380, § 1, 8-24-2010; Ord. No. 17516, § 2, 3-29-2011)

9.04.880 City abatement.

- A. The director is authorized to notify the owner about the condition of the land constituting a public nuisance due to accumulation of solid waste, recyclables, weeds and vegetation, other waste, or any other unacceptable, unsightly or unsanitary matter in violation of this chapter. Such solid waste, recyclables, weeds and vegetation, other waste, or any other unacceptable, unsightly or unsanitary matter in violation of this chapter must be removed within seven calendar days after the receipt of such notice. Such notice will further state that if the current property condition is not corrected within the seven calendar days from the service of such notice, the city may, without further notice abate this public nuisance by cleaning the property, and charge the cost of expense incurred in doing such work to the owner of such property and fix a lien thereon as provided by this article.
- B. Such notice shall be in writing and delivered in person or sent by mail (or by any means authorized by state law) to the owner, or to any one or more of the owners if the land is owned jointly or in common at the owner's address as recorded in the appraisal district records of the appraisal district in which the property is located, or to any agency having the authority to lease, rent, sell, manage or take care of the land. If the correction notice cannot be hand delivered at the time of the investigation, or the owner's address recorded in the central appraisal district is unknown, notice may be given by publication at least once in a newspaper of general circulation, by posting the notice on or near the front door of each building on the property to which the violation relates, or by posting the notice on a placard attached to a stake driven into the ground on the property which the violation relates, if the property contains no buildings.
- C. If the city mails a notice to a property owner in accordance with this section, and the United States Postal Services returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered as delivered.
- D. The person given such a notice or their representative may request a hearing with the city manager or his designee within seven calendar days after the receipt of the notice, to present their reasons for which this ordinance should not be enforced.
- E. If the property owner or their representative fails to remove an accumulation of solid waste, recyclables, weeds and vegetation, other waste, or any other unacceptable, unsightly or unsanitary matter in violation of this chapter within seven calendar days after the receipt or posting of notice, the department shall arrange to have the cleaning, disposal or removal of solid waste, recyclables, weeds and vegetation, other waste, or any other unacceptable, unsightly or unsanitary matter in violation of this chapter done and assess the cost of such clean up, disposal or removal and all reasonable expenses at the owner's expense and to take any action as provided by this chapter. The notice shall state the cost to the city or other entity, to clean the property, including labor costs, administrative costs, transportation expenses, publication costs, expenses for use of equipment, and materials and other reasonable expenses. The notice shall be sent in writing by the director or city comptroller requesting payment to the city within thirty calendar days of receipt by the property owner. Failure to pay the costs associated with the cleanup will result in a request to city council to pass a resolution declaring the reasonable expenses which include the cost of clean up, disposal or removal, labor costs, administrative costs, transportation expenses, publication costs, expenses for use of equipment, and materials and other reasonable expenses, as well as the established authorized fee relating to the preparation of the required legal documents necessary for the creation of and release of lien, plus the cost of recording the resolution, to be a lien on the property payable within ten calendar days after adoption of the

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(Supp. No. 91, Update 3)

resolution, and thereafter bearing ten percent yearly interest until the debt is paid in full. If passed, a copy of the resolution, authenticated by the acknowledgement of the city clerk, shall be filed for record in the office of the county clerk. The city tax assessor and collector shall send a bill for the amount with all tax bills on the property until the debt is paid in full.

- F. The city may provide a notice to inform the owner at the owner's address as recorded in the appraisal district records of the appraisal district in which the property is located, by mail (or by any means authorized by state law) and a posting on the property, or by personal delivery of correction notice, that if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety within a twelve-calendar month period from the date of the notice, the city without further notice may correct the violations at the owner's expense and assess the clean-up expense against the property. If a violation covered by a notice under this subsection occurs within the one-year period and the city has not been informed in writing by the owner of an ownership change, then the city without further notice may take any action as provided by Chapter 342 of the Texas Health and Safety Code and assess its expenses as provided by Section 342.007.

(Ord. No. 17380, § 1, 8-24-2010; Ord. No. 17543, § 1, 4-26-2011; Ord. No. 18227, § 1, 8-19-2014; Ord. No. 18468 , § 1, 2-23-2016)

By [Brianna Perez](#)

September 29, 2022 1:24 AM

Published [September 28, 2022](#) 8:01 PM

City seeks volunteers for weed clean-up event while battling staffing shortage

EL PASO, Texas– Monsoon season brings rains to the Borderland, but the weeds that are left have some city workers strained.

With several vacancies, the city is turning to a clean-up effort that serves as volunteer hours for high schoolers in the Borderland.

This week the city has come out with a plan to clear up some street medians with help from schools and non-profit organizations.

A weed clean-up event set to start this Saturday will bring volunteers together for a fundraising opportunity.

Nick Ybarra, an Assistant Director at the Environmental Services Department, said this will be a way to help beautify our streets while providing volunteer hours.

The city also offers an incentive for the school or non-profit organizations, with the most volunteers receiving \$500 dollars.

With the city median crew down about 40 percent of their staff, he said in the last six weeks, they have been able to clean up 30 medians out of 300.

"We are doing our best to try to take care of as many medians as possible, we are doing what we can with the workforce that we have," said Ybarra.

Meanwhile, parents are concerned about where their taxpayer money is going and if it is safe for their children.

"Should our kids be volunteering when we're paying that much money in taxes for the city, not even to take care of it?" said parent Berta Ramirez.

Ybarra said he ensures safety at the event, the city will be closing off the street between Saul Kleinfeld and Bob Mitchell while volunteers work on the medians along Montwood.

"We will provide them gloves, the tools, racks, hoes, shovels. That way, they can assist with pulling the weeds, we are providing dumpsters nearby and containers so they can have somewhere to throw the weeds," said Ybarra.

He also said the city will provide snacks and drinks.

Ybarra said they understand it is done by the City of El Paso, they are just providing a volunteer opportunity.

After this event, the city said it will be hosting multiple weed cleanup events throughout the community throughout the fall on various dates.

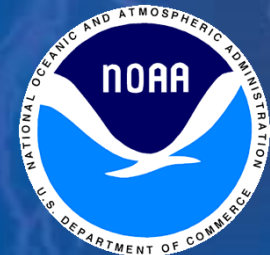
Weather 101

The North American Monsoon

Jason Laney

Warning Coordination Meteorologist

NWS El Paso

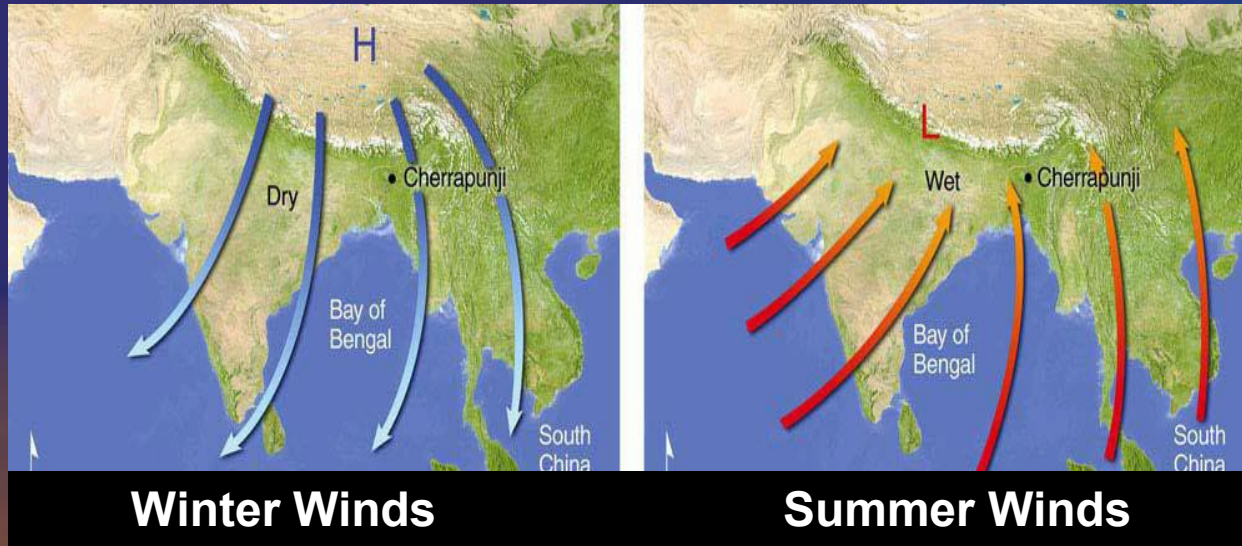


North American Monsoon

- Is simply a season, lasting from June 15th until September 30th in the Southwestern US states.
- Used in conversation the same way as the word “Summer” or “Autumn”.
 - “I will be in Canada for the next 6 months, so I will miss the Monsoon.”
- **Does not** refer to an individual thunderstorm or group of thunderstorms.
- Comes from the Arabic word “mawsim” which means, “season”.

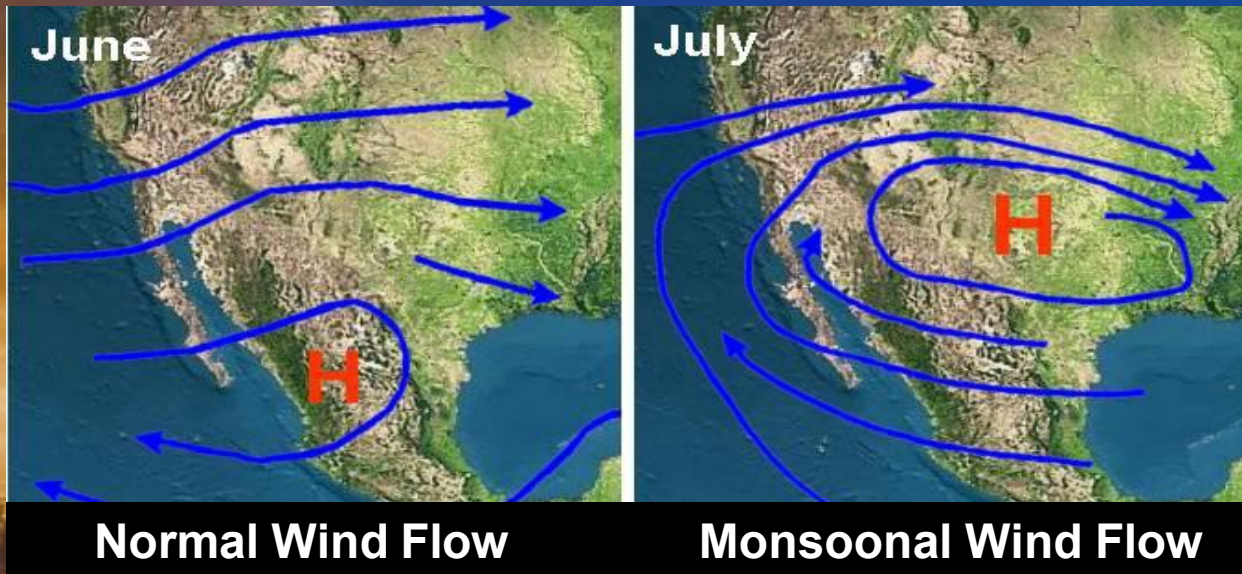
What is a “Monsoon”?

- A Seasonal Wind Shift on a Regional Scale



Asian Monsoon

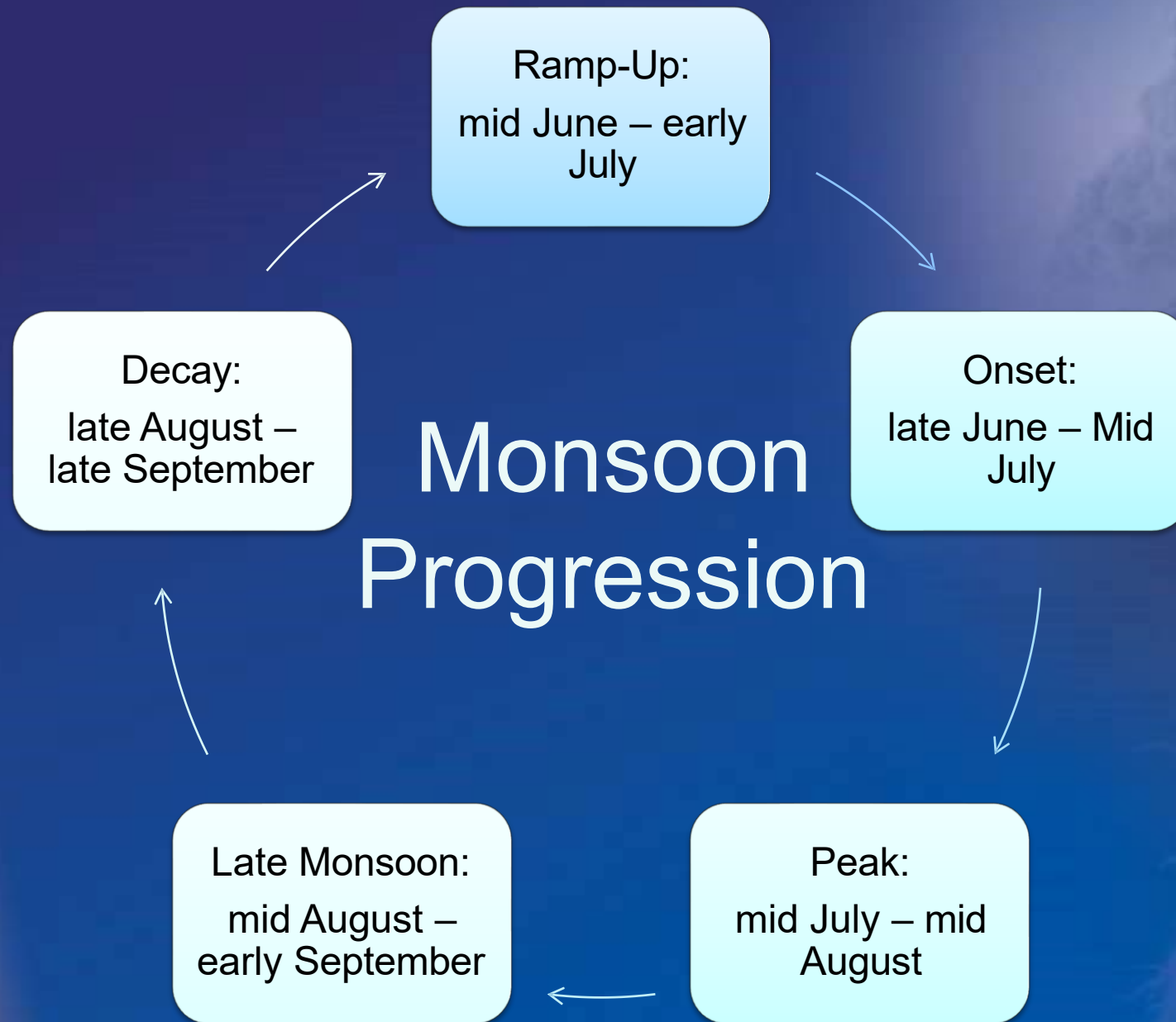
- High pressure over Tibetan Plateau in Winter drives offshore winds
- Low pressure over land in Summer drives onshore winds
- Results in widespread heavy rainfall and flooding



North American Monsoon

- High pressure south over Mexico with westerly flow aloft most of the year
- High pressure moves north over Four Corners and brings moisture into the southwest
- Generally weaker than the Asian Monsoon because the Mexican Plateau is not as high or as large





Monsoon Progression

- Ramp Up
 - Tropical moisture starts to infiltrate the Sierra Madres
 - Ridge and wind direction can waver significantly
- Onset
 - Moisture increases over northern Mexico
 - Thunderstorms more organized, numerous and wet
- Peak
 - High pressure strongest and northernmost position
 - Daily storms with threat of flash flooding, wind damage and dust storms.

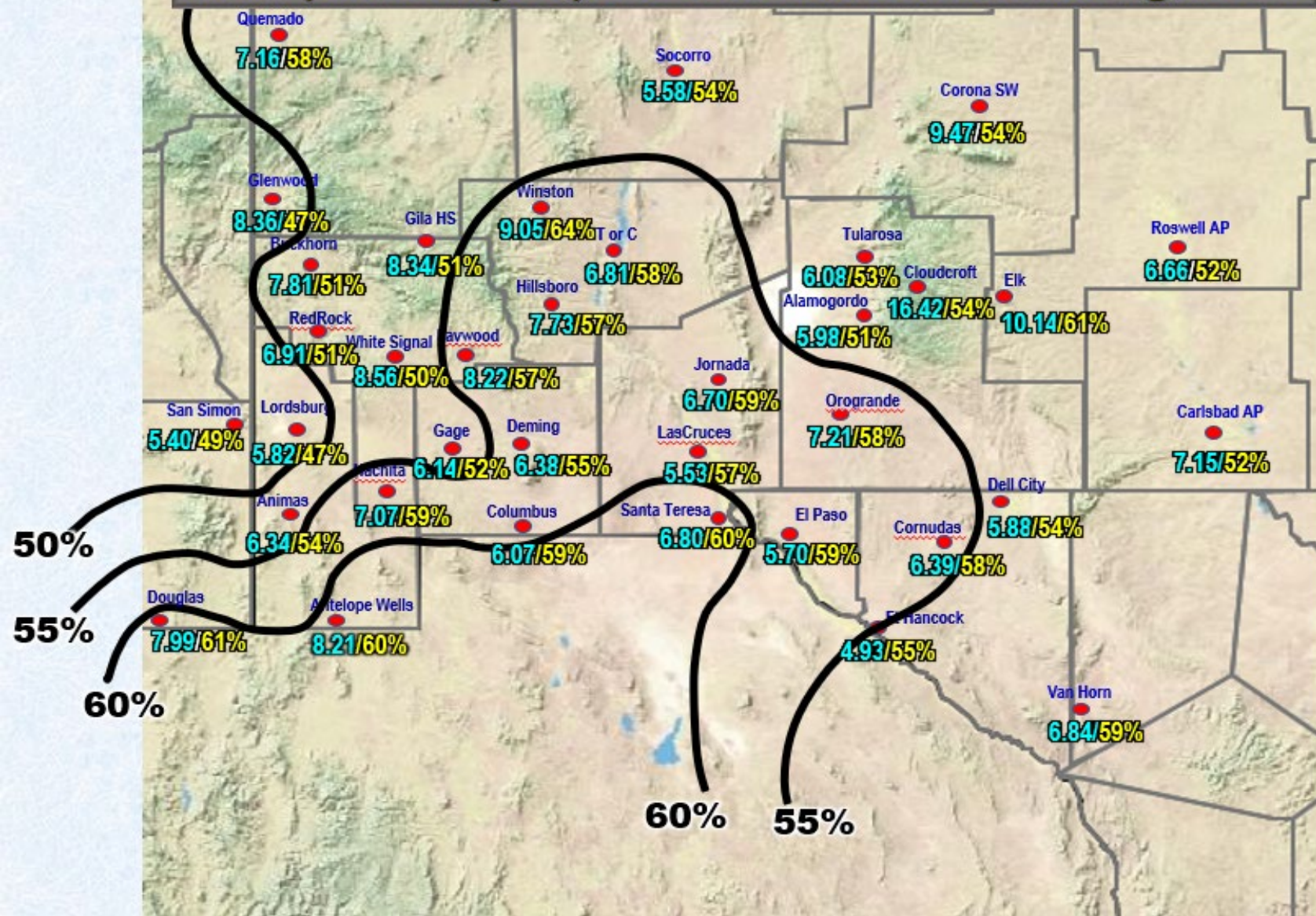
Monsoon Progression

- Late Monsoon
 - Lowering sun angle starts to weaken high pressure
 - Upper level winds more variable
 - Tropical eastern Pacific starts to become a concern
- Decay
 - Ridge has significantly weakened
 - Transition season with cold fronts and the potential for supercells
 - Upper level winds become more westerly over time

MONSOON RAINFALL & VARIABILITY

Why Monsoonal Rainfall Matters

Rainfall (inches) and Percent of Annual Rainfall During NAM (Jun15-Sep 30) for El Paso Forecast Area Figure 1B

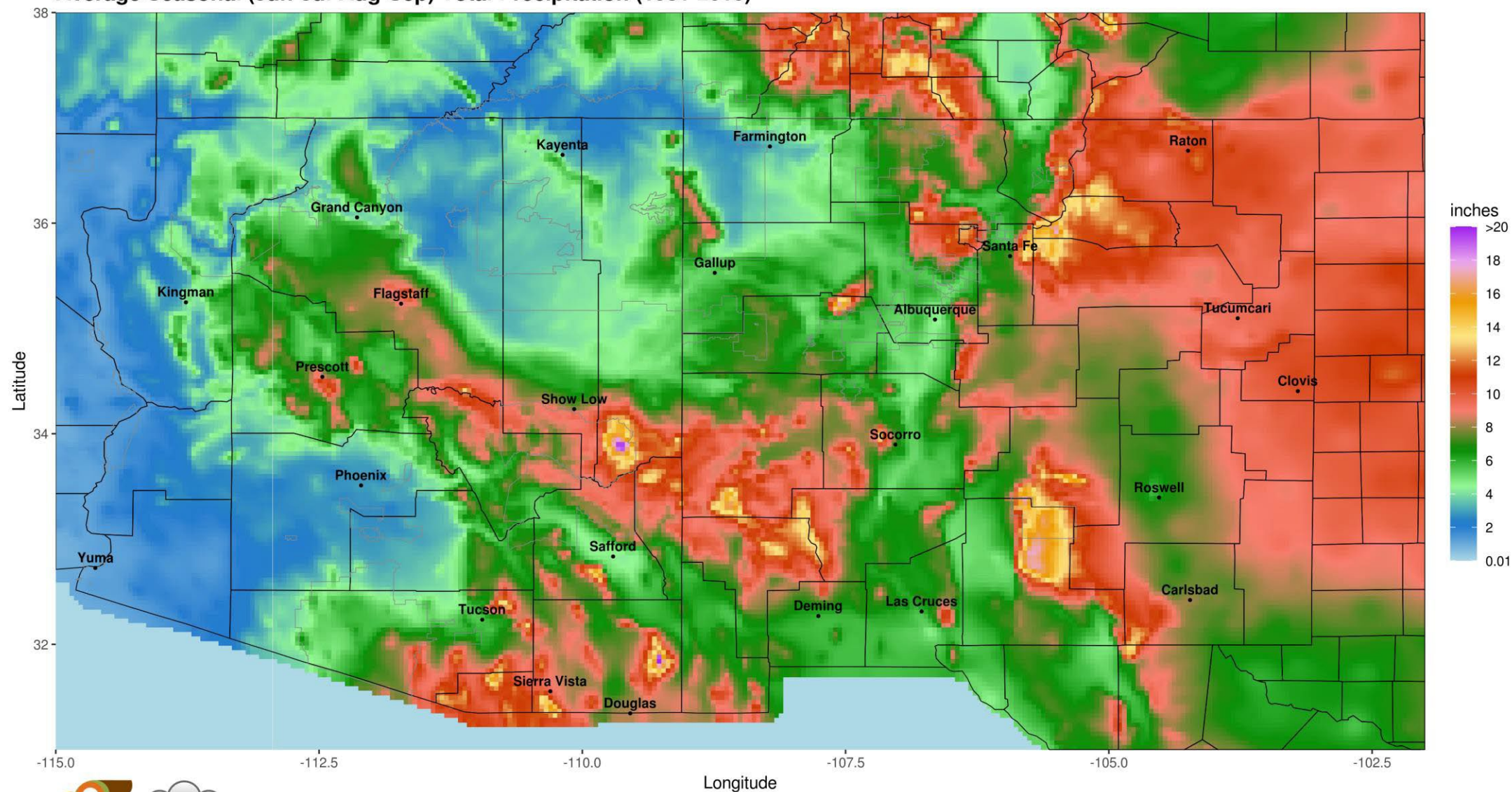


- ❑ 50-60% of our annual precipitation falls during the Monsoon
- ❑ Monsoon rainfall helps to replenish water levels at Elephant Butte/Caballo lakes
- ❑ The Monsoon can also be associated with weather hazards such as flash flooding, hail, and even wildfires.

Monsoon Rainfall Normals in the Southwest (POR)

Location	June (15-30)	July	August	September	Total
Tucson	0.15"	2.25"	2.39"	1.29"	6.08"
Phoenix	0.02"	1.05"	1.00"	0.64"	2.71"
Yuma	0.01"	0.23"	0.53"	0.52"	1.29"
Albuquerque	0.45"	1.50"	1.58"	1.08"	4.61"
El Paso	0.56"	1.76"	1.71"	1.43"	5.46"
Flagstaff	0.21"	2.61"	3.11"	2.38"	8.31"

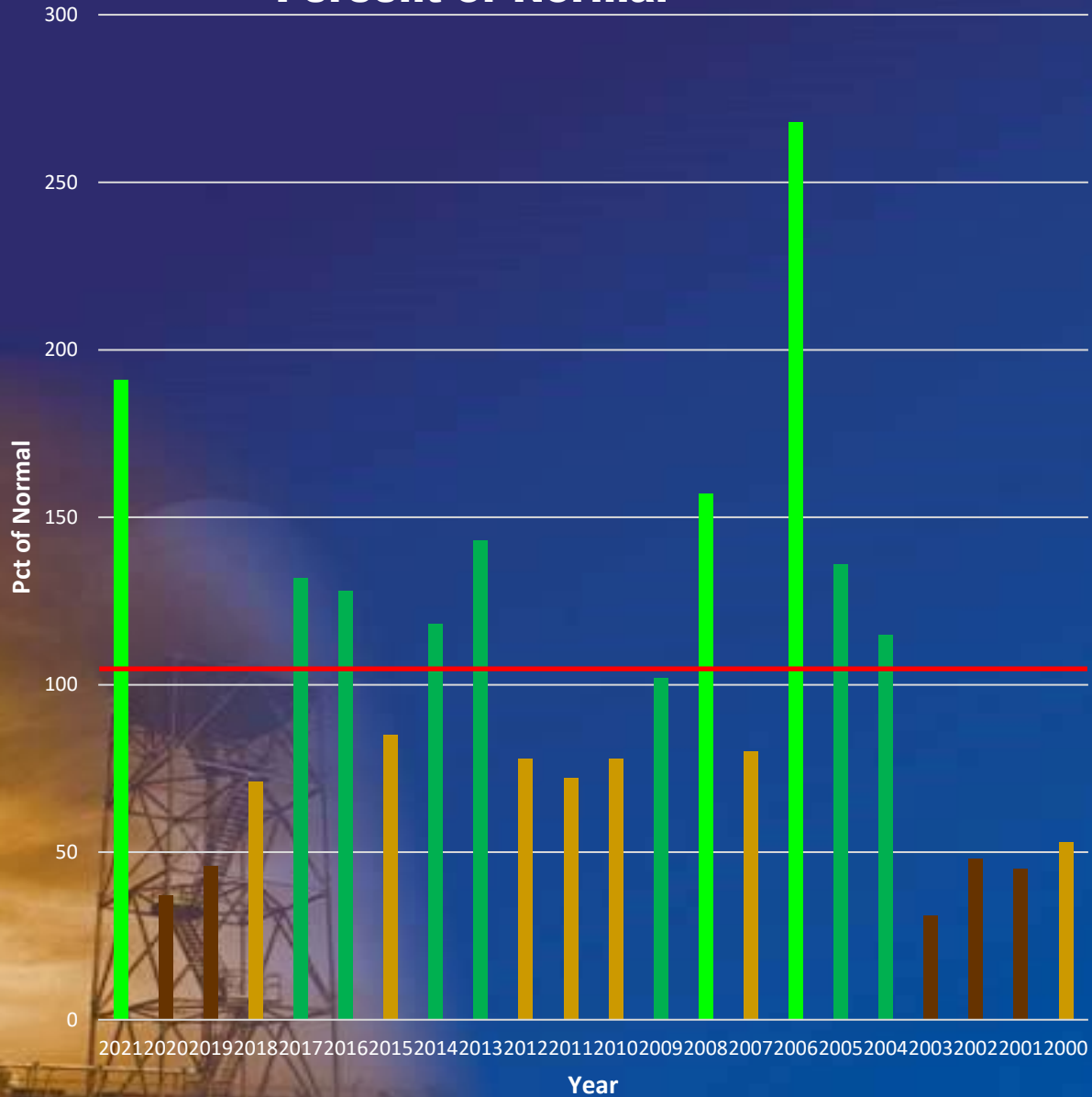
Average Seasonal (Jun-Jul-Aug-Sep) Total Precipitation (1981-2010)



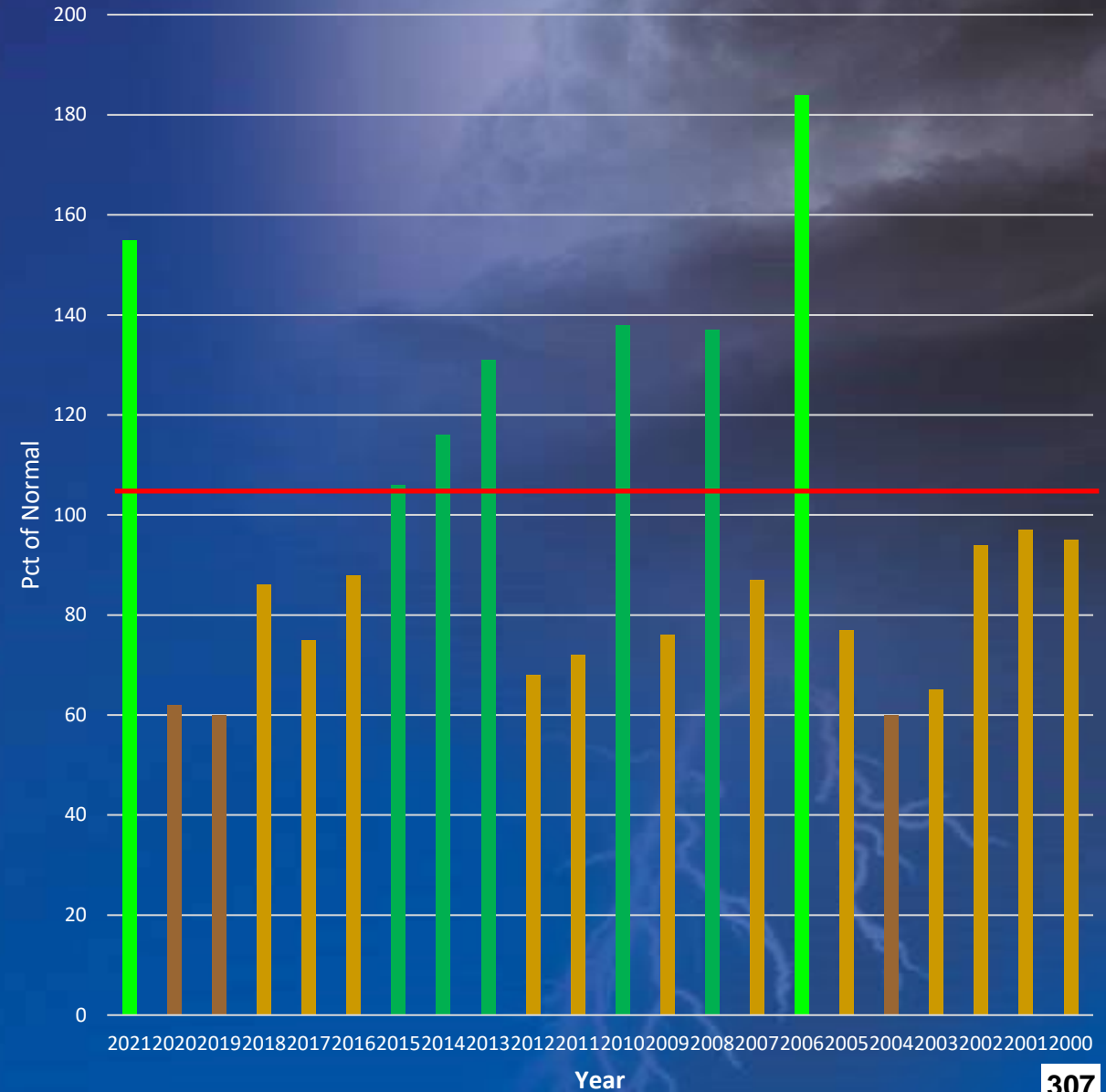
THE UNIVERSITY OF ARIZONA
Cooperative Extension

Plot created: 2019-06-06
The University of Arizona
<https://cals.arizona.edu/climate/>
Data Source: PRISM Climate Group

El Paso Monsoon Percent of Normal



Cloudcroft Monsoon Percent of Normal



Monsoon Variability (El Paso)

- The driest monsoon season measured 0.23", and the wettest measured 15.28" in El Paso.
- Therefore, a variation between seasons of 15.05" exists, which is almost three times the normal monsoon precipitation at El Paso.
- Understanding the causes for this huge variation is the first step in developing an ability to forecast an upcoming monsoon season.

Monsoon Variability (El Paso)

- Research within the past decade or so has investigated the possible causes behind North American Monsoon variability.
 - Sea surface temperatures & anomalies – El Nino and La Nina
 - Large-scale circulation patterns
 - Land surface conditions
 - Tropical convergence zones
 - Moisture transport mechanisms

Monsoon 2022 Outlook...

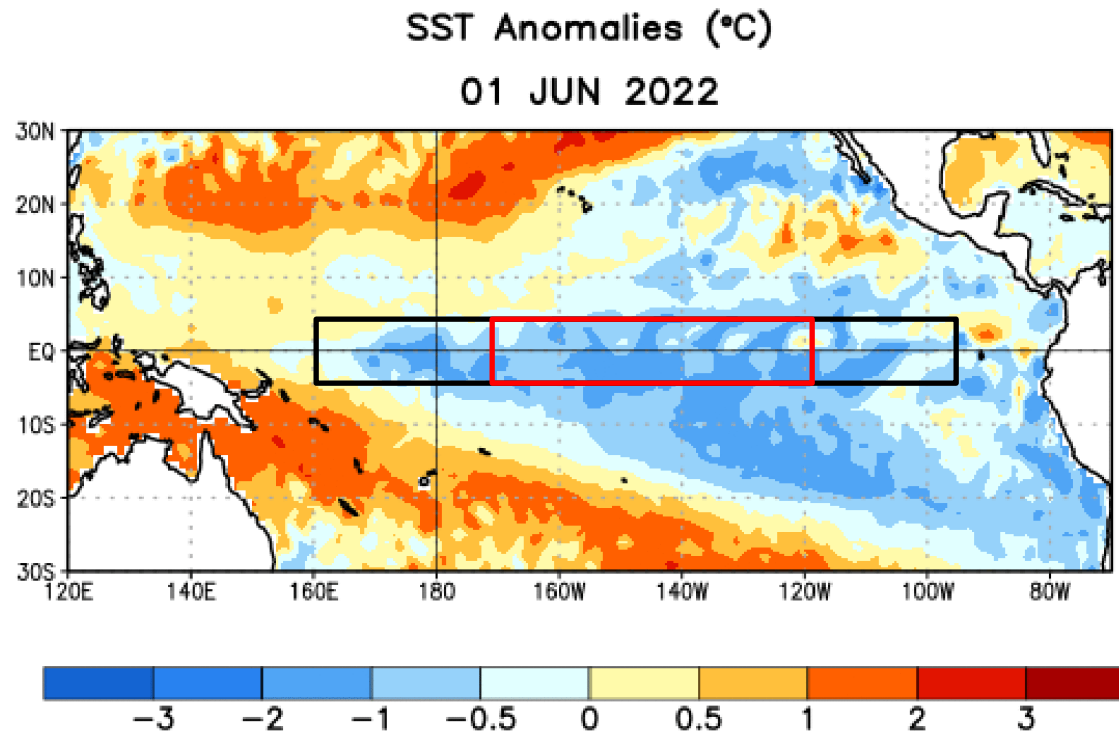
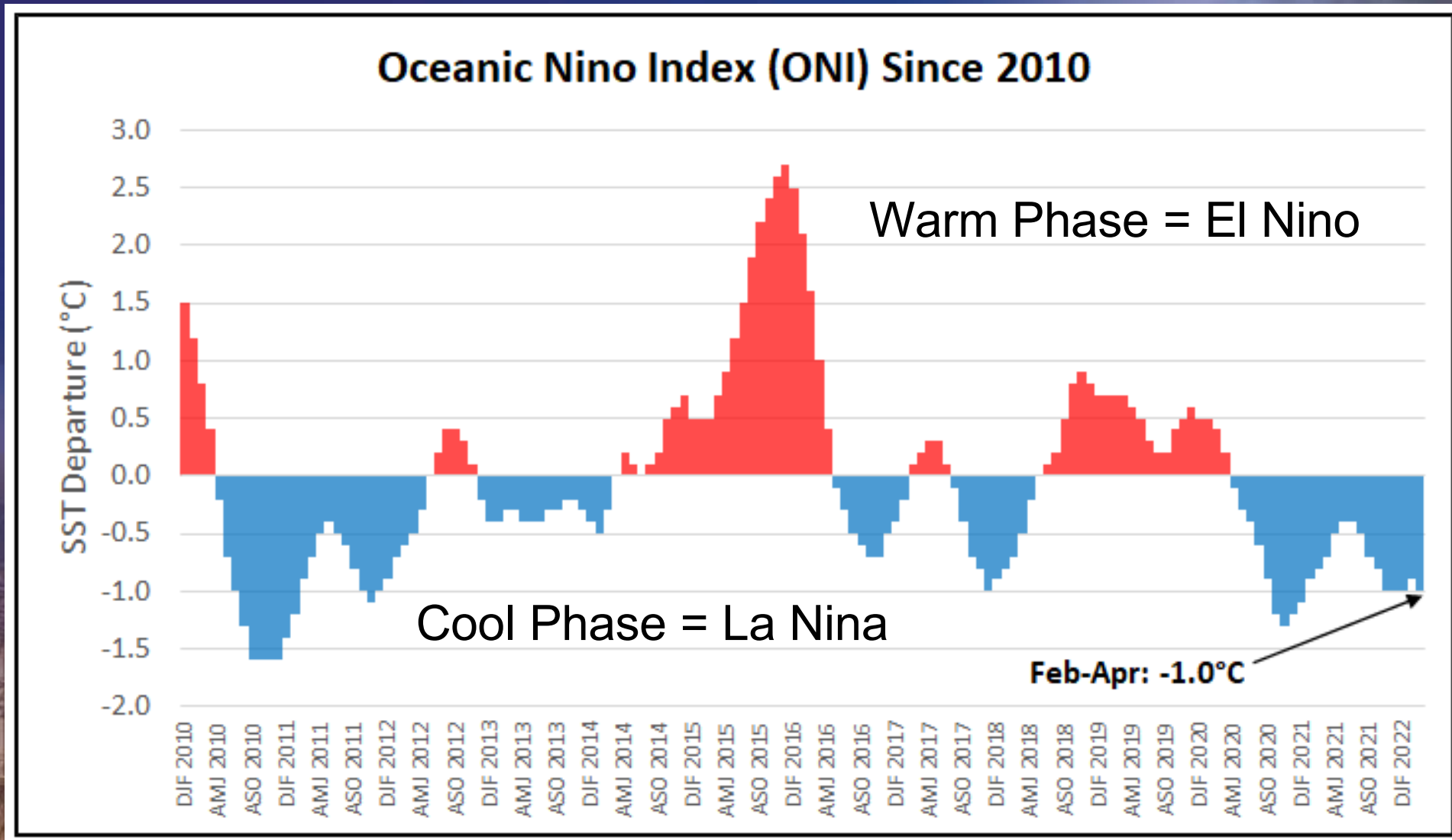


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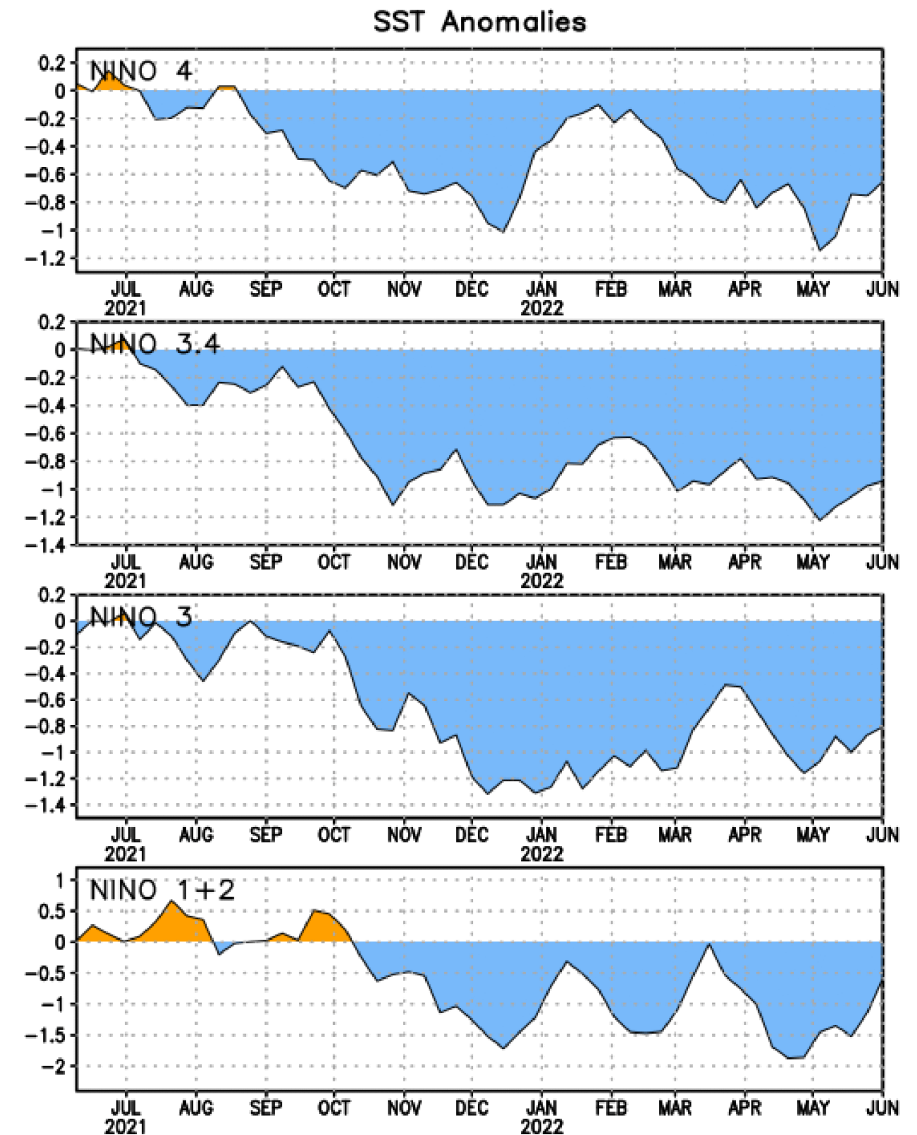
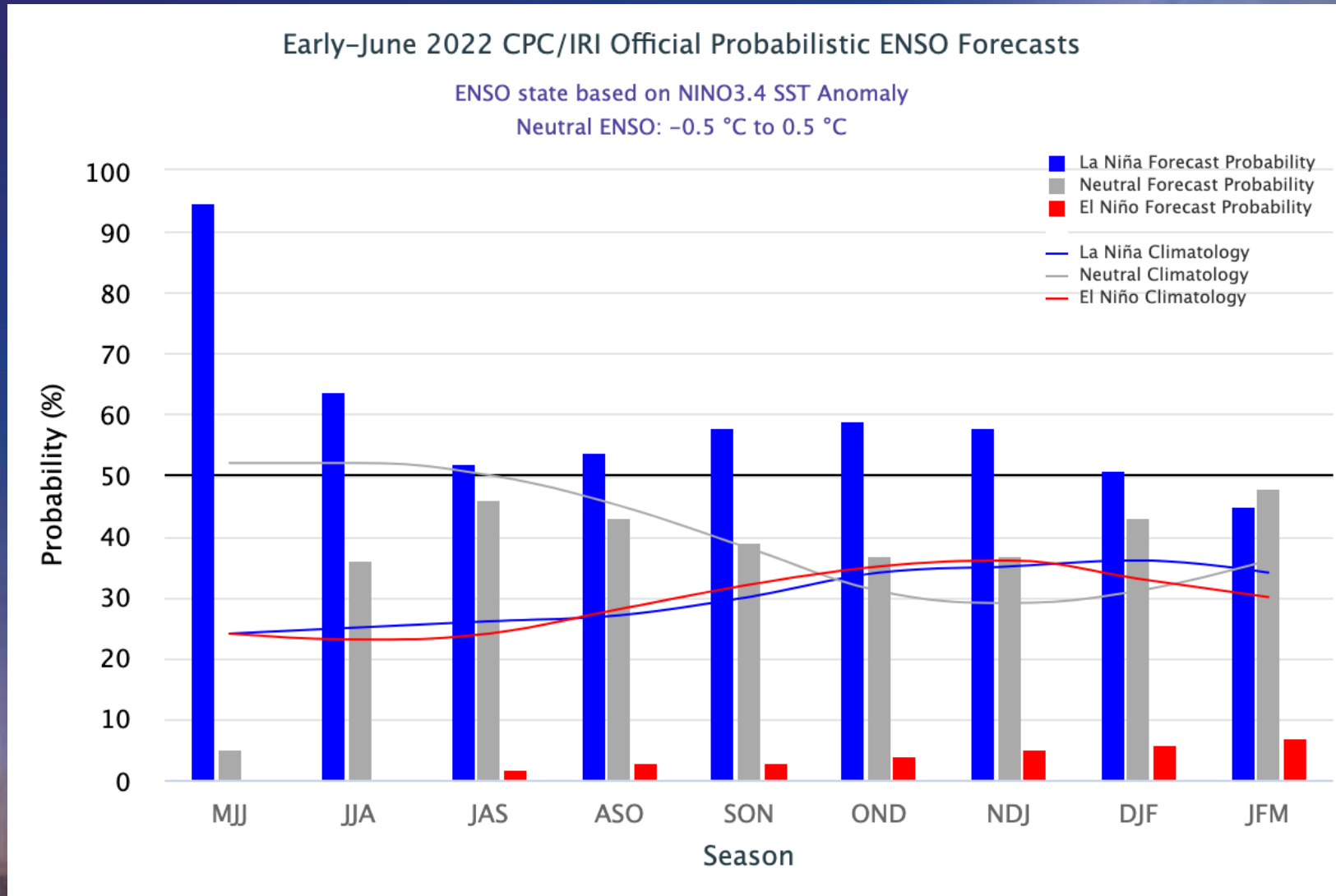


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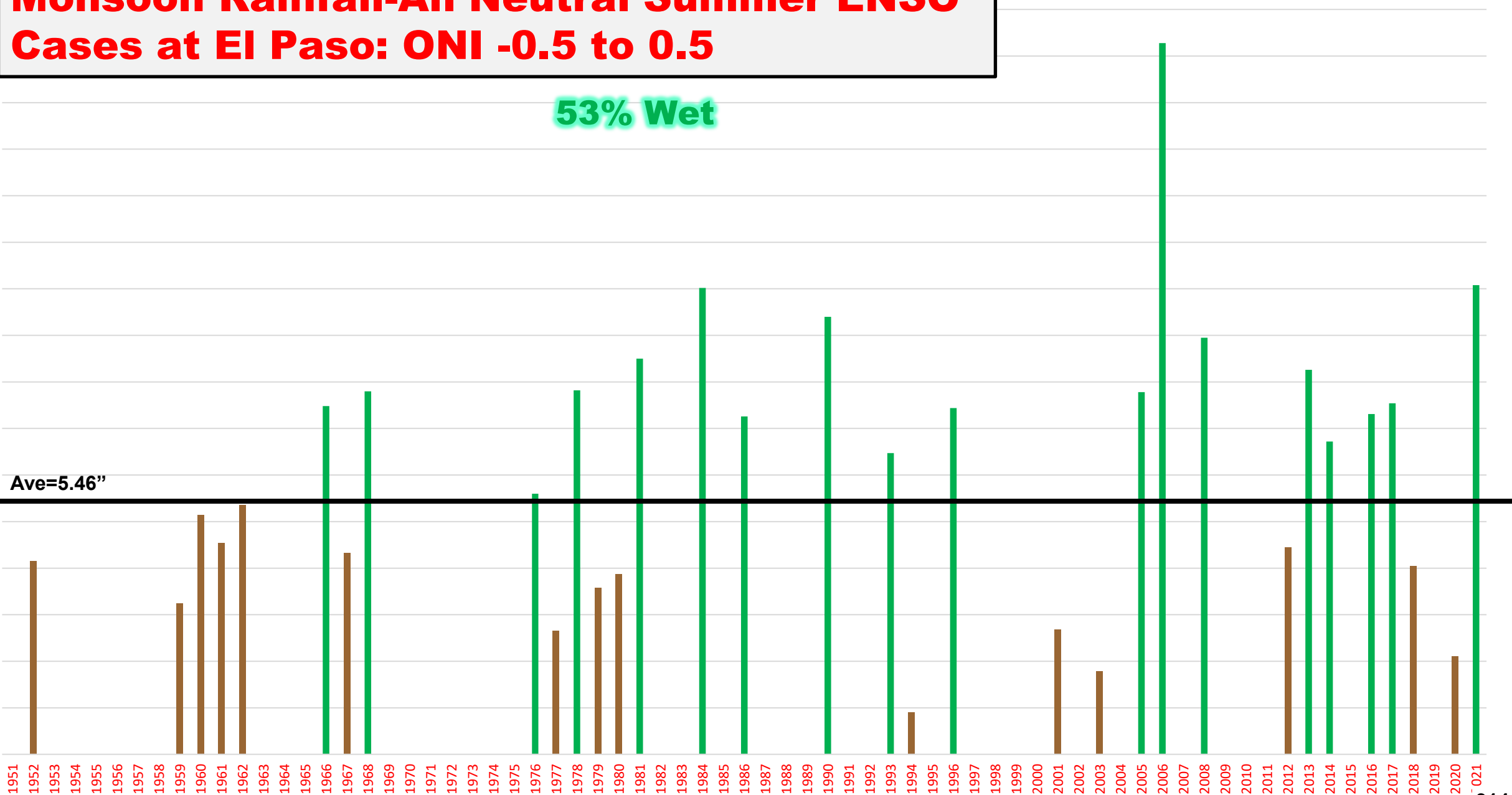
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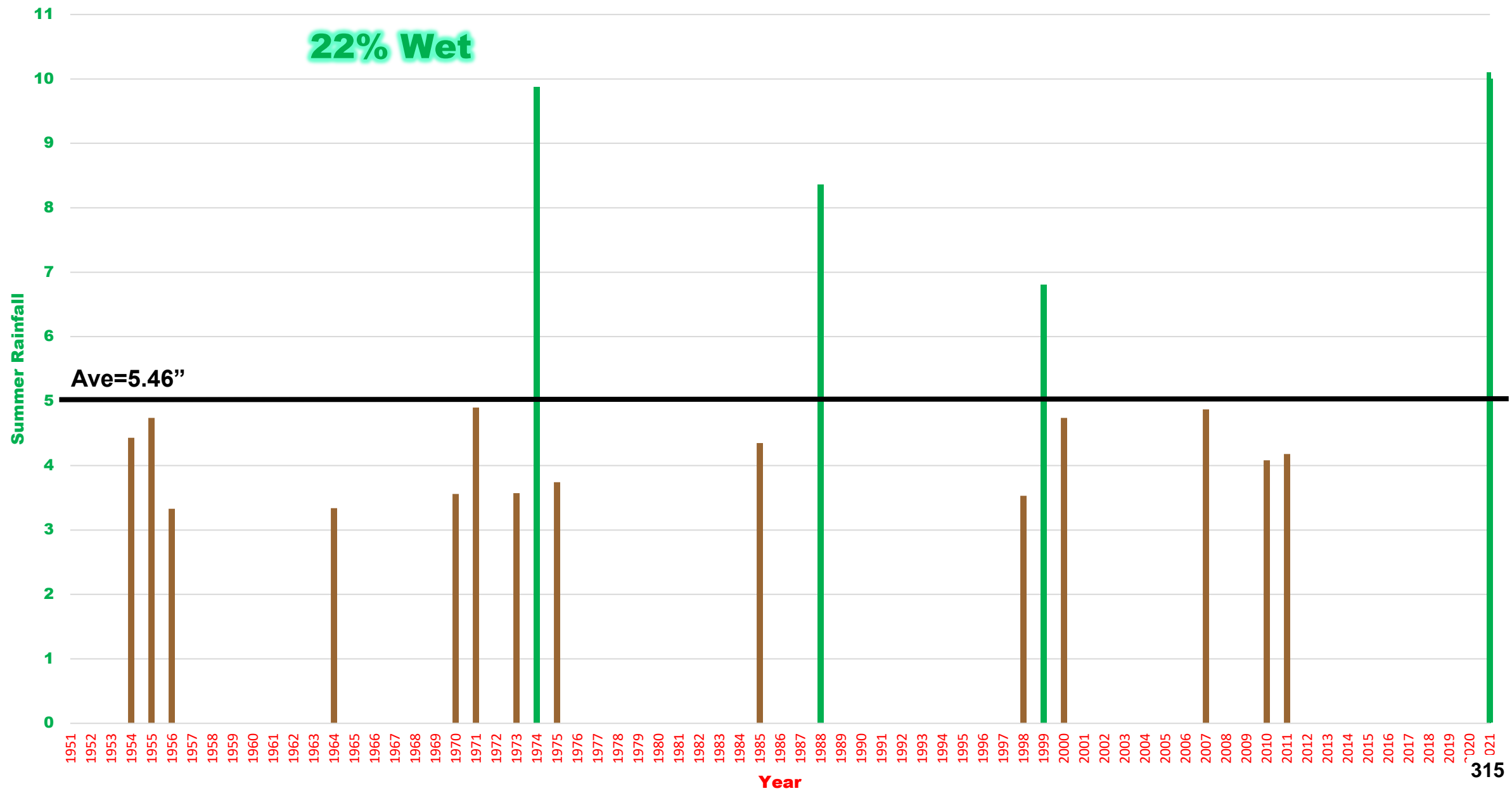
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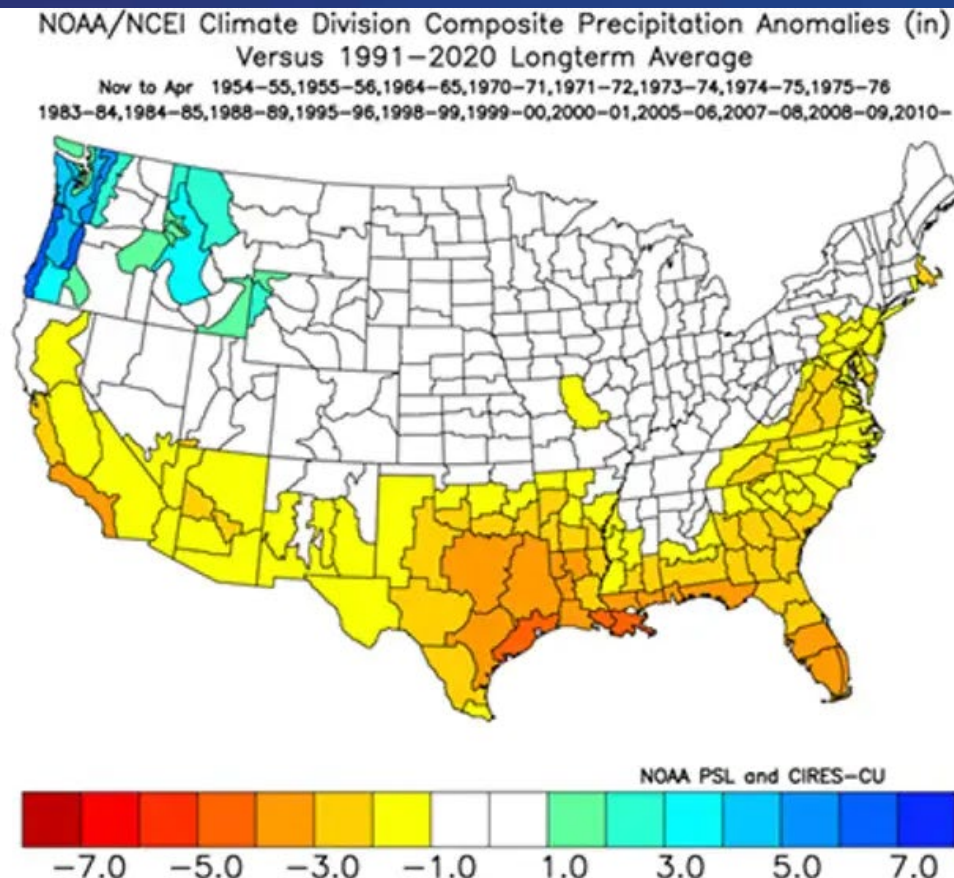


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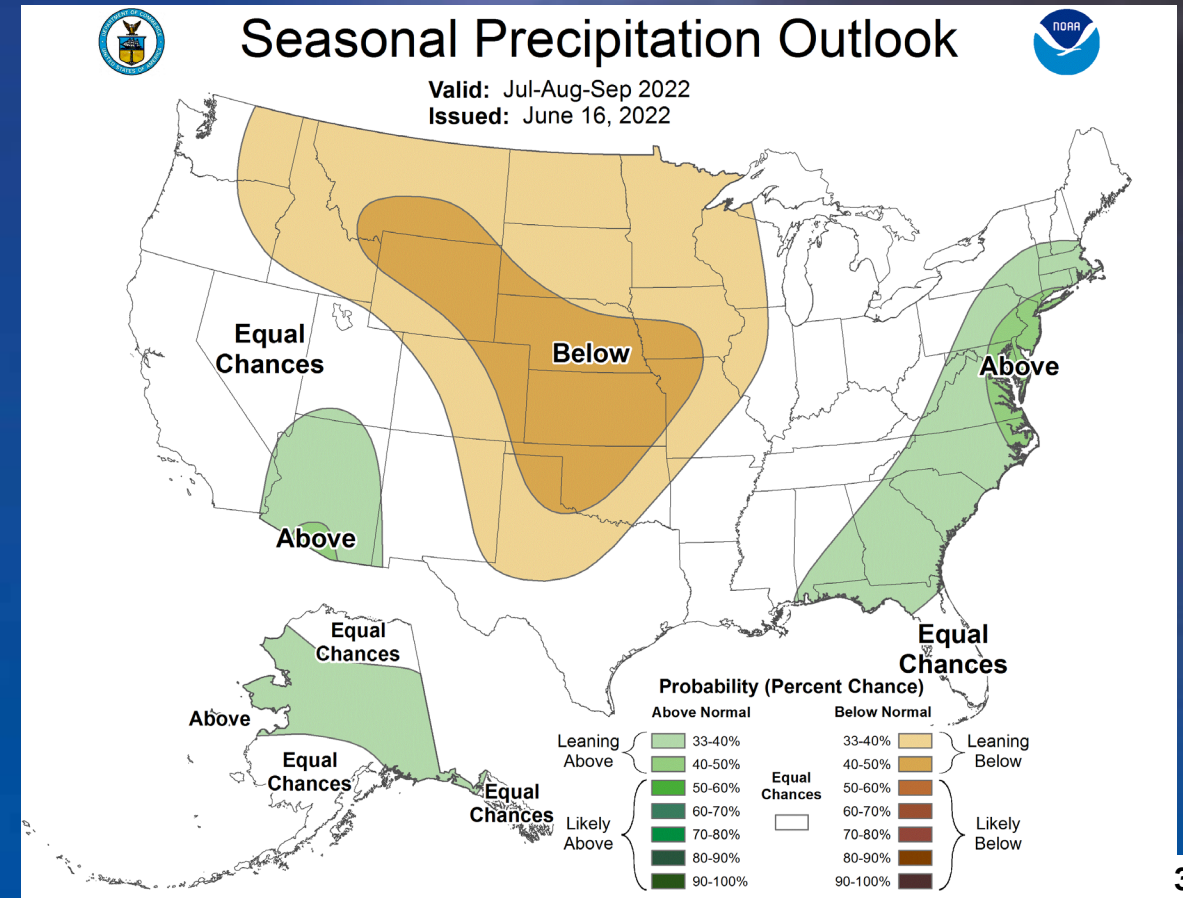


Cool season precipitation anomalies during La Nina years.

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- Monsoons are naturally variable across the region. As such there is no clear cut science to determine Monsoon rainfall output with a high level of certainty.
- It seems apparent that La Nina conditions will continue through the summer and into the upcoming winter.
- Overall, current drought conditions will likely not improve much, even if the Monsoon is good to us as the winter months will likely be dry again.
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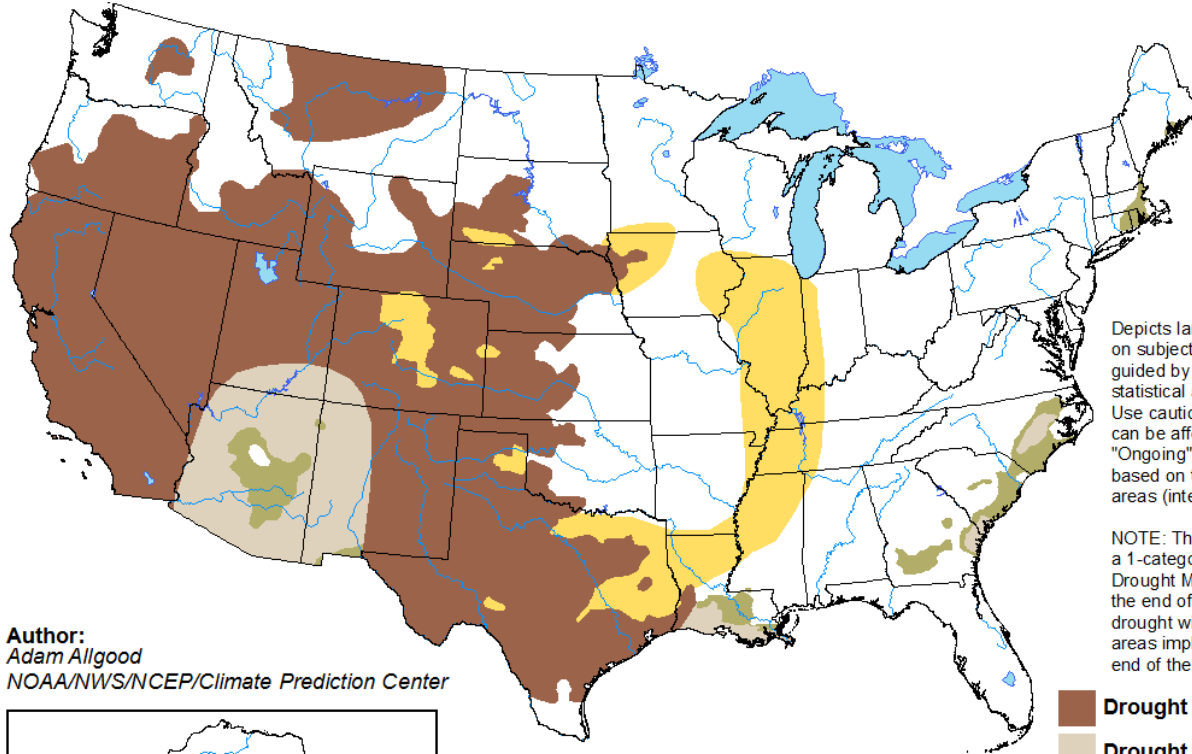
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Latest Drought Outlook (Monsoon)

U.S. Seasonal Drought Outlook Drought Tendency During the Valid Period

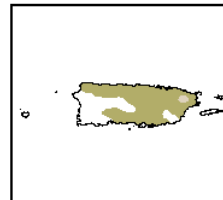
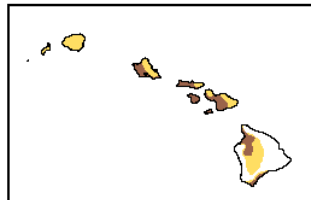
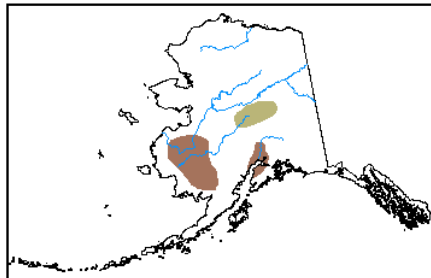
Valid for June 16 - September 30, 2022
Released June 16



Depicts large-scale trends based on subjectively derived probabilities guided by short- and long-range statistical and dynamical forecasts. Use caution for applications that can be affected by short lived events. "Ongoing" drought areas are based on the U.S. Drought Monitor areas (intensities of D1 to D4).

NOTE: The tan areas imply at least a 1-category improvement in the Drought Monitor intensity levels by the end of the period, although drought will remain. The green areas imply drought removal by the end of the period (D0 or none).

Author:
Adam Allgood
NOAA/NWS/NCEP/Climate Prediction Center



- Drought persists
- Drought remains but improves
- Drought removal likely
- Drought development likely



<http://go.usa.gov/3eZ73>



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1414, Version: 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Members of the City Council, Representative Claudia L. Rodriguez, (915) 212-0006

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action to direct the City Manager to outsource companies to help with the weed cleanup efforts across the city.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT:

AGENDA DATE:

CONTACT PERSON NAME AND PHONE NUMBER:

DISTRICT(S) AFFECTED:

STRATEGIC GOAL:

SUBJECT:

BACKGROUND/DISCUSSION:

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

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



Legislation Text

File #: 22-1408, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

District 2

Members of the City Council, Representative Alessandra Annello, (915) 212-0002

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action on a Resolution that declares the expenditure of District 2 discretionary funds in an amount not to exceed \$1,600.00 to be used towards a District 2 Fall Festival.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT: MAYOR AND COUNCIL

AGENDA DATE: October 25, 2022

CONTACT PERSON NAME AND PHONE NUMBER:

City Representative Aleksandra Annello, 915-212-0002

DISTRICT(S) AFFECTED: District 2

STRATEGIC GOAL: (Goal 4 - Enhance El Paso's Quality of Life Through Recreational, Cultural & Educational Environments)

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and action on a resolution that declares the expenditure of District 2 discretionary funds in an amount not to exceed \$1,600.00 to be used towards a District 2 Fall Festival.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

N/A

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

The \$1,600 in funding will come from the District 2 discretionary account.

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

RESOLUTION

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

That the City Council declares that the expenditure of District 2 discretionary funds, in an amount not to exceed \$1,600.00, for a Fall Festival at Memorial Park Reserve, 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.

APPROVED this ____ day of _____ 2022.

CITY OF EL PASO

Oscar Leaser
Mayor

ATTEST:

Laura Prine
City Clerk

APPROVED AS TO FORM:

Danielle Escontrias

Danielle Escontrias
Assistant City Attorney



Legislation Text

File #: 22-1410, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Members of the City Council, Representative Peter Svarzbein, (915) 212-1002

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action on a Resolution that the City Council declares that the expenditure of District 1 discretionary funds in an amount not to exceed \$25,000 to improve the Westside Community Dog Park and Lower Tom Lea Dog Park to serve a municipal purpose of enhancing the quality of life through recreational, cultural and educational environments for El Paso residents; and that the City Manager be authorized to effectuate any budget transfer necessary to ensure that the funds are properly expended for such purpose and to execute any related agreements and amendments to such agreements.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT: MAYOR AND COUNCIL

AGENDA DATE: October 25, 2022

CONTACT PERSON NAME AND PHONE NUMBER:

City Representative Peter Svarzbein, 212-1002

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: (Goal 4 - Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments)

SUBJECT:

**APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what?
Be descriptive of what we want Council to approve. Include \$ amount if applicable.**

Discussion and action on a Resolution that the City Council declares that the expenditure of District 1 discretionary funds in an amount not to exceed \$25,000 to improve the Westside Community Dog Park and Lower Tom Lea Dog Park to serve a municipal purpose of enhancing the quality of life through recreational, cultural and educational environments for El Paso residents; and that the City Manager be authorized to effectuate any budget transfer necessary to ensure that the funds are properly expended for such purpose and to execute any related agreements and amendments to such agreements.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Enhancing the Westside Community Dog Park and Lower Tom Lea Dog Park to improve Quality of Life through the cultural and educational environment by promoting the visual image of El Paso.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

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

RESOLUTION

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

That the City Council declares that the expenditure of District 1 discretionary funds in an amount not to exceed \$25,000 to improve the Westside Community Dog Park and Lower Tom Lea Dog Park to serve a municipal purpose of enhancing the quality of life through recreational, cultural and educational environments for El Paso residents;

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

APPROVED this ____ day of October, 2022.

THE CITY OF EL PASO:

Oscar Leeser, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:



City Attorney, Karla M. Nieman



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1411, Version: 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Members of the City Council, Representative Peter Svarzbein, (915) 212-1002

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action formalizing the name of the City of El Paso open space preserve to read "Lost Dog Nature Preserve."

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT: MAYOR AND COUNCIL

AGENDA DATE: October 25, 2022

CONTACT PERSON NAME AND PHONE NUMBER:

City Representative Peter Svarzbein, 212-1002

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: (Goal 4 - Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments)

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and action formalizing the name of the City of El Paso open space preserve to read "Lost Dog Nature Preserve."

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

N/A

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Yes, Knapp Land Nature Preserve.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

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



Legislation Text

File #: 22-1413, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Members of the City Council, Representative Peter Svarzbein, (915) 212-1002

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action on a Resolution that the City Council declares that the expenditure of District 1 discretionary funds in an amount not to exceed \$2,500 for sponsorship of the Vanguard conference hosted in our community, to promote visual image of the City of El Paso; and that the City Manager be authorized to effectuate any budget transfer necessary to ensure that the funds are properly expended for such purpose and to execute any related agreements and amendments to such agreements.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT: MAYOR AND COUNCIL

AGENDA DATE: October 25, 2022

CONTACT PERSON NAME AND PHONE NUMBER:

City Representative Peter Svarzbein, 212-1002

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: (Goal 4 - Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments)

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? O2R AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and action on a That the City Council declares that the expenditure of District 1 discretionary funds in an amount not to exceed \$2,500 for sponsorship of the Vanguard conference hosted in our community, to promote visual image of the City of El Paso; and that the City Manager be authorized to effectuate any budget transfer necessary to ensure that the funds are properly expended for such purpose and to execute any related agreements and amendments to such agreement.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Promoting the City of El Paso as it welcomes and connects people and places that are part of Next City organization to exchange solutions and reimagine cities' economy, environment, architecture, academia, transportation and arts.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

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

RESOLUTION

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

That the City Council declares that the expenditure of District 1 discretionary funds in an amount not to exceed \$2,500 for sponsorship of the Vanguard conference hosted in our community, to promote visual image of the City of El Paso;

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

APPROVED this ____ day of October, 2022.


THE CITY OF EL PASO:

Oscar Leaser, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:



City Attorney, Karla M. Nieman



Legislation Text

File #: 22-1412, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

District 8

Members of the City Council, Representative Cissy Lizarraga, (915) 212-0008

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action to approve a Resolution that the City Council declares that the expenditure of District 8 discretionary funds, in an amount not to exceed \$5,000.00, for the painting of a mural on the basketball court surface at Tula Irrobali Park in collaboration with local muralist Jesus "Cimi" Alvarado, serves the municipal purpose of enhancing the quality of life of the citizens of El Paso through the development of fine arts and cultural properties and by encouraging the integration of art in the architecture of municipal structures; and

That the City Attorney be authorized to negotiate and the City Manager be authorized to sign an appropriate contract and contract amendment to ensure that the funds are properly expended for the municipal purpose.

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

DEPARTMENT: Mayor and Council

AGENDA DATE: 10/25/2022

CONTACT PERSON NAME AND PHONE NUMBER: Representative Cissy Lizarraga, 915-212-0008

DISTRICT(S) AFFECTED: 8

STRATEGIC GOAL:

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

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

That the City Council declares that the expenditure of District 8 discretionary funds, in an amount not to exceed \$5,000.00, for the painting of a mural on the basketball court surface at Tula Irrobali Park in collaboration with local muralist Jesus "Cimi" Alvarado, serves the municipal purpose of enhancing the quality of life of the citizens of El Paso through the development of fine arts and cultural properties and by encouraging the integration of art in the architecture of municipal structures; and

That the City Attorney be authorized to negotiate and the City Manager be authorized to sign an appropriate contract and contract amendment to ensure that the funds are properly expended for the municipal purpose.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

These funds will enable celebrated local muralist Jesus "Cimi" Alvarado to undertake a project to paint an art piece on the basketball court at the Tula Irrobali Park in Segundo Barrio for the benefit and beautification of the community.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

No

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

District 8 discretionary funds in an amount not to exceed \$5,000.

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

DEPARTMENT HEAD:

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

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 \$5,000.00, for the painting of a mural on the basketball court surface at Tula Irrobali Park in collaboration with local muralist Jesus “Cimi” Alvarado, serves the municipal purpose of enhancing the quality of life of the citizens of El Paso through the development of fine arts and cultural properties and by encouraging the integration of art in the architecture of municipal structures; and

That the City Attorney be authorized to negotiate and the City Manager be authorized to sign an appropriate contract and contract amendment to ensure that the funds are properly expended for the municipal purpose.

APPROVED this ____ day of _____ 2022.

CITY OF EL PASO

Oscar Leoser
Mayor

ATTEST:

Laura Prine
City Clerk

APPROVED AS TO FORM:

Danielle Escontrias
Danielle Escontrias
Assistant City Attorney



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1363, **Version:** 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Members of the City Council, Representative Henry Rivera, (915) 212-0007

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Presentation by Christina I. Paz, Chief Executive Officer of Centro San Vicente, on the services offered to the El Paso community by the Centro San Vicente Clinic.

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT: Mayor and Council

AGENDA DATE: Tuesday, October 25, 2022

CONTACT PERSON NAME AND PHONE NUMBER:

City Representative Henry Rivera, District 7- 915.212.0007

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL:

Goal 8 - Nurture & Promote a Healthy, Sustainable Community

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Presentation by Christina I. Paz, Chief Executive Officer of Centro San Vicente, on the services offered to the El Paso community by the Centro San Vicente clinic.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Centro San Vicente (CSV) family health centers are federally funded, nonprofit, community health clinics that provides a comprehensive range of health services to ensure quality, compassionate, accessible healthcare and peace of mind in an atmosphere of respect, dignity and cultural sensitivity. The purpose of this item is to educate Council and the public on the various services that CSV provides to the El Paso community.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one? N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer? N/A

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



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1377, Version: 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Capital Improvement Department, Yvette Hernandez, (915) 212-0065

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Presentation and Update on Accomplishments and Capital Project Impacts.

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

AGENDA DATE: October 25, 2022

PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Yvette Hernandez, P.E., City Engineer, 212-0065

DISTRICT(S) AFFECTED: ALL

STRATEGIC GOAL: No. 5: Promote Transparent and Consistent Communication Amongst All Members of the Community

SUBGOAL: N/A

SUBJECT:

Presentation and Update on Accomplishments and Capital Project Impacts.

BACKGROUND / DISCUSSION:

This Presentation Will Provide an Update on Results and Accomplishments That Have Occurred as a Result of Capital Projects in The City Of El Paso

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ___ YES X NO

PRIMARY DEPARTMENT:

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1364, **Version:** 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Streets and Maintenance, Victor Morales, (915) 212-7038

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Streets and Maintenance Department Facilities Management Update.

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

DEPARTMENT: Streets and Maintenance

AGENDA DATE: October 24, 2022

CONTACT PERSON NAME AND PHONE NUMBER: Victor Morales (915) 212-7038

DISTRICT(S) AFFECTED: ALL

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

SUBJECT:

Management Update: Streets and Maintenance Department Facilities Management Update.

BACKGROUND / DISCUSSION:

Update on the Facilities Management Division

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

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

DEPARTMENT HEAD:

Richard Bristol

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1420, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Capital Improvement Department, Sam Rodriguez, (915) 212-0065

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Presentation and discussion on Pavement Condition Index (PCI) results.

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

AGENDA DATE: October 24, 2022

PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Sam Rodriguez, P.E., City Engineer, 212-0065

DISTRICT(S) AFFECTED: ALL

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

SUBGOAL: N/A

SUBJECT:

Presentation and discussion on Pavement Conditions Index (PCI) results.

BACKGROUND / DISCUSSION:

This presentation will provide an overview of the PCI history, results, website and next steps.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ___ YES X NO

PRIMARY DEPARTMENT:

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:

Sam Rodriguez

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1366, Version: 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

All Districts

Animal Services Department, Terry Kebschull, (915) 212-8742

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Presentation and discussion on El Paso Animal Services Medical Operations.

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

AGENDA DATE:
PUBLIC HEARING DATE:

CONTACT PERSON(S) NAME AND PHONE NUMBER:

DISTRICT(S) AFFECTED:

STRATEGIC GOAL:

SUBGOAL:

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ____ YES ____ NO

PRIMARY DEPARTMENT:
SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:

Lory K Kebochull

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)



Legislation Text

File #: 22-1359, Version: 2

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

District 4

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

Planning and Inspections, Jorge Olmos, (915) 212-1607

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

An Ordinance vacating a 3.81 acre portion of Threadgill Avenue, Ranchito Avenue, Roanoke Avenue, Rutledge Place, and Albany Drive, located within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas.

Applicant: El Paso Water Utilities - Public Service Board, SURW22-00007

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

AGENDA DATE: October 25, 2022
PUBLIC HEARING DATE: November 8, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Jorge Olmos, (915) 212-1607

DISTRICT(S) AFFECTED: District 4

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance vacating a 3.81 acre portion of Threadgill Avenue, Ranchito Avenue, Roanoke Avenue, Rutledge Place, and Albany Drive, located within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas.

Applicant: El Paso Water Utilities – Public Service Board, SURW22-00007

BACKGROUND / DISCUSSION:

The applicant is requesting to vacate all of Ranchito Avenue, and portions of Roanoke Drive, Rutledge Place, Albany Drive, and Threadgill Avenue to allow for the development of the land into a stormwater detention facility. The City Plan Commission recommended 8-0 to approve the proposed right-of-way (ROW) vacation on May 19, 2022. The applicant has provided funds in the amount of \$515,000, the amount of the appraised market value of right-of-way (ROW) being vacated. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

*****REQUIRED AUTHORIZATION***** DEPARTMENT

HEAD:

Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE VACATING A 3.81 ACRE PORTION OF THREADGILL AVENUE, RANCHITO AVENUE, ROANOKE AVENUE, RUTLEDGE PLACE, AND ALBANY DRIVE, LOCATED WITHIN *LOS RANCHITOS SUBDIVISION*, CITY OF EL PASO, EL PASO COUNTY, TEXAS

WHEREAS, the abutting property owner has requested vacation of a 3.81 ACRE PORTION OF THREADGILL AVENUE, RANCHITO AVENUE, ROANOKE AVENUE, RUTLEDGE PLACE, AND ALBANY DRIVE located within *Los Ranchitos Subdivision*, City of El Paso, El Paso County, Texas; and,

WHEREAS, after public hearing the City Plan Commission has recommended a vacation of a 3.81 acre portion of THREADGILL AVENUE, RANCHITO AVENUE, ROANOKE AVENUE, RUTLEDGE PLACE, AND ALBANY DRIVE located within *Los Ranchitos Subdivision*, City of El Paso, El Paso County, Texas, and the City Council finds that said right of way is not needed for public use and should be vacated as recommended.

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

That, in consideration of the receipt by the City of El Paso of TWENTY-FIVE AND 00/DOLLARS (\$25.00) and other good and valuable consideration, the sufficiency of which is acknowledged, 3.81 acre portion of Threadgill Avenue, Ranchito Avenue, Roanoke Avenue, Rutledge Place, and Albany located within *Los Ranchitos Subdivision*, City of El Paso, El Paso County, Texas, as further described in the attached metes and bounds description identified as Exhibit “A” and made a part hereof by reference, be and is hereby vacated, closed and abandoned, subject to the reservation of a full-width utility easement.

In addition, the City Manager is authorized to sign an instrument quitclaiming all of the City’s right, title and interest in and to such vacated right of way to the El Paso Municipal Drainage Utility, by and through the El Paso Water Utilities – Public Service Board.

(Signatures Begin on Following Page)

ORDINANCE NO. _____

ADOPTED this _____ day of _____, 2022.


THE CITY OF EL PASO:

ATTEST:

Oscar Leeser
Mayor

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____

22-1007-2955|1198992
SURW22-00007 Roanoke, Ranchito, Rutledge, Albany, and Threadgill ROW Vacation
Easement Vacation
RTA

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS }
 }
COUNTY OF EL PASO } **QUITCLAIM DEED**

That in consideration of the receipt by the **CITY OF EL PASO** of Ten Dollars (\$10.00) and other valuable consideration, the sufficiency of which is acknowledged, **THE CITY OF EL PASO**, has released and quitclaimed and by these presents does release and quitclaim unto the El Paso Water Utilities – Public Service Board (the “Grantee”), all its rights, title, interest, claim and demand in and to the property which was vacated, closed and abandoned by Ordinance No. _____, passed and approved by the City Council of the City of El Paso and described as **A PORTION OF THREADGILL AVENUE, RANCHITO AVENUE, ROANOKE AVENUE, RUTLEDGE PLACE, AND ALBANY PLACE OUT OF LOS RANCHITOS SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS**, which is more fully described in the attached metes and bounds description, identified as Exhibit “A” and in the attached survey identified as Exhibit “B” and made a part hereof by reference.

WITNESS the following signatures and seal this _____ day of _____, 2022.

CITY OF EL PASO:


ATTEST:

Tomás González, City Manager

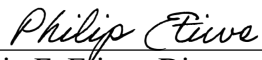
Laura D. Prine, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Russell T. Abeln
Assistant City Attorney



Philip F. Etiwe, Director
Planning and Inspections Department

(Acknowledgement on following page)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2022,
by Tomás González, as City Manager for the CITY OF EL PASO.

Notary Public, State of Texas
Notary's Printed or Typed Name:

My Commission Expires:

AFTER FILING RETURN TO:
El Paso Water Utilities – Public
Service Board
1154 Hawkins Blvd
El Paso, Texas 79925

ORDINANCE NO. _____
 SURW22-00007 Roanoke, Ranchito, Rutledge, Albany, and Threadgill
 ROW Vacation
 RTA

Barragan And Associates Inc.

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

PARCEL-1 DESCRIPTION

Description of a portion of Threadgill Avenue right-of-way within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas, filed for record in Volume 2, Page 4, Plat Records of El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a found square bolt being the common corner of Sections 1, 6, 38 and 43, Block 1, Township 1, T&P Railway Co. Surveys, El Paso County, Texas; **THENCE**, N 88° 01' 56" W (S 88° 49' 00" W – Record), along the common section line of said Sections 1 and 38, a distance of 1221.06 feet to a point on the southeasterly most corner of Los Ranchitos Subdivision; **THENCE**, N 01° 58' 04" E (N 01° 11' 00" W – Record), leaving said common section line along the easterly line of Los Ranchitos Subdivision, a distance of 22.00 feet to the **POINT OF BEGINNING** of this description;

THENCE, N 88° 01' 56" W, leaving said easterly line of Los Ranchitos Subdivision, a distance of 1642.35 feet to a point;

THENCE, N 01° 58' 04" E, a distance of 8.00 feet to a point on the northerly right-of-way line of Threadgill Avenue;

THENCE, along the northerly right-of-way line of Threadgill Avenue, the following two (2) calls:

S 88° 01' 56" E (N 88° 49' 00" E – Record), a distance of 182.20 feet to a point;

N 01° 58' 04" E (N 01° 11' 00" W – Record), a distance of 15.00 feet to a point;

THENCE, S 88° 01' 56" E (N 88° 49' 00" E – Record), passing along the northerly right-of-way line of Threadgill Avenue, a distance of 1460.15 feet to a point on the easterly line of Los Ranchitos Subdivision;

THENCE, S 01° 58' 04" W (S 01° 11' 00" E – Record), along said easterly line of Los Ranchitos Subdivision, a distance of 23.00 feet to the **POINT OF BEGINNING** of this description and containing in all 0.80 acres more or less.

NOTES:

1. May be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground distances and may be converted to grid dividing by 1.000231.
3. This description does not intend to be a subdivision process which may be required by local or state code, and it is the client's/owner responsibility to comply with this code if required.
4. A survey of even revised date accompanies this description.



Benito Barragan, Registered Professional Surveyor No. 5615,
Barragan and Associates Inc.
Texas Surveying Firm # 10151200
January 28, 2022 (Revised Date: March 18, 2022)
Parcel 1 – Will Ruth – R.O.W. Vacating
Job No. 211228-02

Plat of Survey

LEGEND

- — FOUND ORIGINAL SECTION CORNER
- — DESCRIPTION CORNER
- — CALCULATED POINT

FOUND NAIL
IN 1-1/2" PIPE

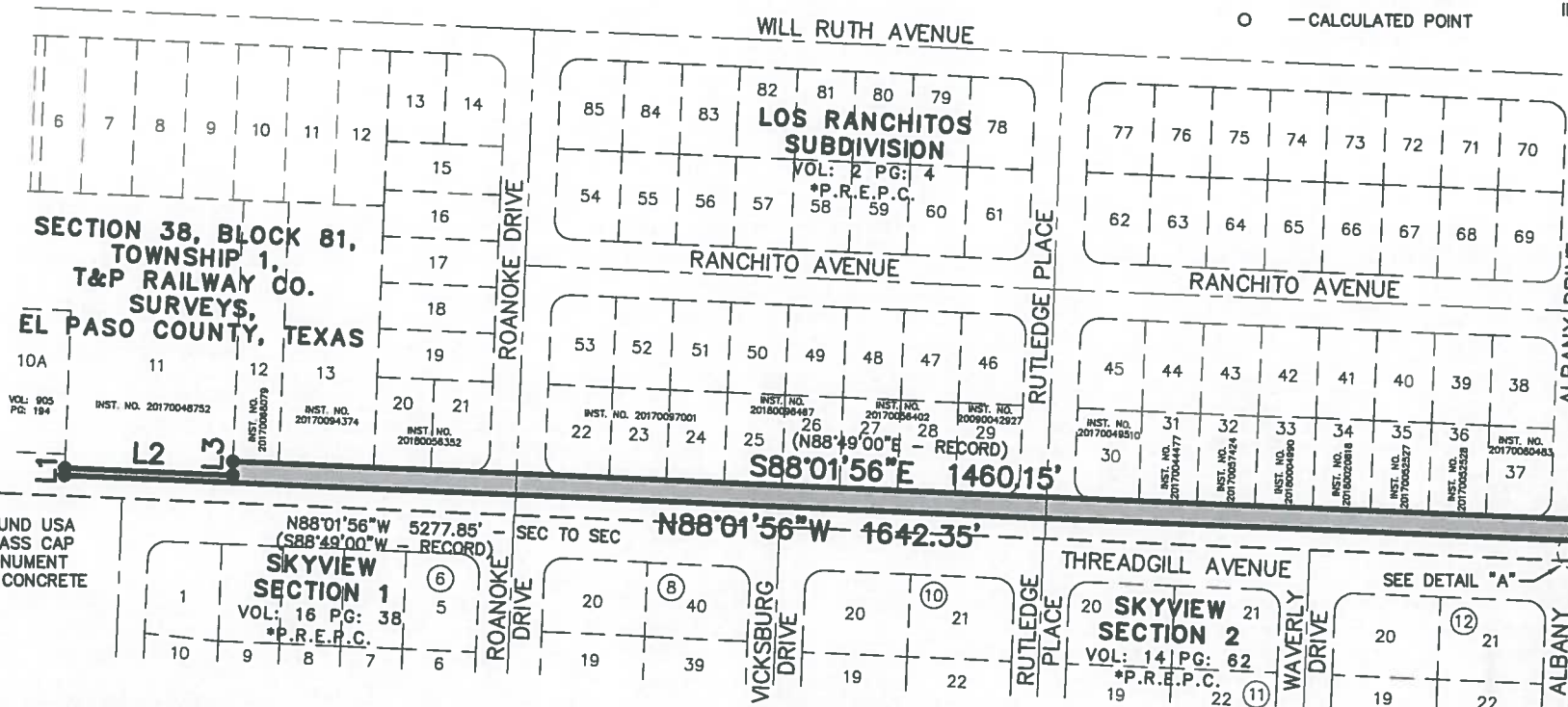
29 42
38 43

MC COMBS STREET
N01°58'16"E S292.74' - RECORD
(N01°11'00"W - RECORD)

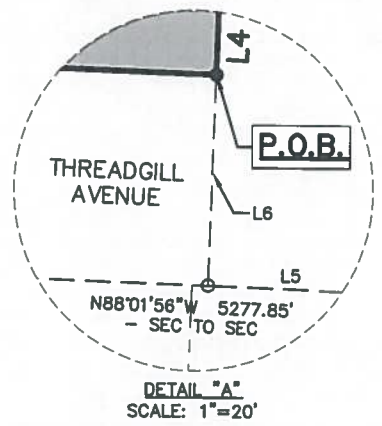
SECTION 38, BLOCK 81,
TOWNSHIP 1,
T&P RAILWAY CO.
SURVEYS,
EL PASO COUNTY, TEXAS

INST. NO. 2017005113

P.O.C.



LINE TABLE			
LINE	BEARING	LENGTH	(RECORD)
L1	N01°58'04"E	8.00'	-
L2	S88°01'56"E	182.20'	(N88°49'00"E - RECORD)
L3	N01°58'04"E	15.00'	(N01°11'00"W - RECORD)
L4	S01°58'04"W	23.00'	(S01°11'00"E - RECORD)
L5	N88°01'56"W	1221.06'	(S88°49'00"W - RECORD)
L6	N01°58'04"E	22.00'	(N01°11'00"W - RECORD)



GRID

1 inch = 200 ft.



Benito Barragan TX, R.P.L.S. No. 5615
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- *R.P.R.E.P.C. = REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS
- NOTES:**
1. BEARINGS SHOWN ARE GRID BEARINGS DERIVED FROM RTK OBSERVATIONS TO THE TEXAS CO-OP NETWORK. REFERRED TO THE TEXAS COORDINATE SYSTEM (NAD 83) CENTRAL ZONE. DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID DIVIDING BY 1.000231.
 2. MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT. NO ADDITIONAL RESEARCH WAS PERFORMED BY B&A INC. FOR ANY RESERVATION, BUILDING AND UTILITY LINES, AND OR EASEMENTS WHICH MAY OR MAY NOT AFFECT SUBJECT PARCEL.
 3. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
 4. A WRITTEN DESCRIPTION OF EVEN REVISED DATE ACCOMPANIES THIS SURVEY. NO POINTS SET.

Barragan & Associates Inc.

LAND PLANNING & SURVEYING
TEXAS SURVEYING FIRM# 10151200
10950 Palicoma Dr. Building-F,
El Paso, TX 79935
Phone (915) 591-5709 Fax (915) 591-5708

PROJECT: WILL RUTH - R.O.W. VACATING

JOB NUMBER: 211228-02

DATE: JANUARY 28, 2022 (REVISED: MARCH 18, 2022)

SCALE: 1"=200'

SURVEYOR: BENITO BARRAGAN

TECHNICIAN: BRAYAN TAGLE

DRAWING: BRAYAN TAGLE

FIELD NOTES:

PARTY CHIEF:

FIELD BOOKS:

PARCEL-1

A PORTION OF THREADGILL AVENUE
RIGHT-OF-WAY WITHIN
LOS RANCHITOS SUBDIVISION,
CITY OF EL PASO,
EL PASO COUNTY, TEXAS.

AREA: 0.80 ACRES ±

SHEET 2 OF 2

Barragan And Associates Inc.

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

PARCEL-2
DESCRIPTION

Description of a portion of Roanoke Drive right-of-way between Threadgill Avenue and Will Ruth Avenue, within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas, filed for record in Volume 2, Page 4, Plat Records of El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a found square bolt being the common corner of Sections 1, 6, 38 and 43, Block 1, Township 1, T&P Railway Co. Surveys, El Paso County, Texas; **THENCE**, N 88° 01' 56" W (S 88° 49' 00" W – Record), along the common section line of said Sections 1 and 38, a distance of 2322.86 feet to a point; **THENCE**, N 01° 58' 04" E, leaving said common section line, a distance of 45.00 feet to a point on the northerly right-of-way line of Threadgill Avenue, said point being the **POINT OF BEGINNING** of this description;

THENCE, N 88° 01' 56" W, a distance of 100.00 feet to a point on said northerly right-of-way line of Threadgill Avenue, being the beginning of a curve;

THENCE, 31.42 feet, leaving said northerly right-of-way line of Threadgill Avenue along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 46° 58' 04" E, a distance of 28.28 feet to a point on the westerly right-of-way line of Roanoke Drive;

THENCE, N 01° 58' 04" E (N 01° 11' 00" W – Record), along the westerly right-of-way line of Roanoke Drive, a distance of 410.00 feet to a point being the beginning of a curve;

THENCE, 31.42 feet, leaving said westerly right-of-way line of Roanoke Drive, along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 43° 01' 56" W, a distance of 28.28 feet to a point on the southerly right-of-way line of Will Ruth Avenue;

THENCE, S 88° 01' 56" E, a distance of 100.00 feet to a point on said southerly right-of-way line of Will Ruth Avenue, being the beginning of a curve;

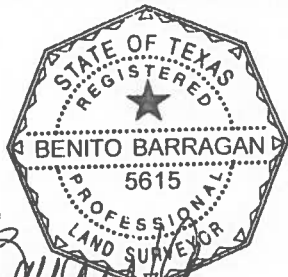
THENCE, 31.42 feet, leaving said southerly right-of-way line of Will Ruth Avenue, along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 46° 58' 03" W, a distance of 28.28 feet to a point on the easterly right-of-way line of Roanoke Drive;

THENCE, S 01° 58' 04" W (S 01° 11' 00" E – Record), passing along said easterly right-of-way line of Roanoke Drive, a distance of 410.00 feet to a point on said easterly right-of-way line of Roanoke Drive, being the beginning of a curve;

THENCE, 31.42 feet, leaving said easterly right-of-way line of Roanoke Drive along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 43° 01' 56" E, a distance of 28.28 feet to the **POINT OF BEGINNING** of this description and containing in all 0.63 acres more or less.

NOTES:

1. May be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground distances and may be converted to grid dividing by 1.000231.
3. This description does not intend to be a subdivision process which may be required by local or state code, and it is the client's/owner responsibility to comply with this code if required.
4. A survey of even date accompanies this description.



Benito Barragan T&P R.P.L.S 5615,
Barragan and Associates Inc.
Texas Surveying Firm # 10151200
January 28, 2022
Parcel 2 – Will Ruth – R.O.W. Vacating
Job No. 211228-02

Plat of Survey

WILL RUTH AVENUE

29 42
38 43

FOUND NAIL
IN 1-1/2" PIPE



GRID

1 inch = 100 ft.

LEGEND

- ◻ — FOUND ORIGINAL SECTION CORNER
- — DESCRIPTION CORNER
- — CALCULATED POINT

LOS RANCHITOS SUBDIVISION REPLAT

VOL: 36 PG: 12
*P.R.E.P.C.

LOS RANCHITOS SUBDIVISION

VOL: 2 PG: 4
*P.R.E.P.C.

LOS RANCHITOS SUBDIVISION

VOL: 2 PG: 4
*P.R.E.P.C.

LOS RANCHITOS SUBDIVISION

VOL: 2 PG: 4
*P.R.E.P.C.

**SECTION 38, BLOCK 81,
TOWNSHIP 1,
T&P RAILWAY CO.
SURVEYS,
EL PASO COUNTY, TEXAS**

(N01°11'00"W - RECORD)
N01°58'04"E 410.00'

ROANOKE DRIVE

(S01°11'00"E - RECORD)
S01°58'04"W 410.00'

RANCHITO AVENUE

(N01°11'00"W - RECORD)
N01°58'18"E 5292.74'

CURVE TABLE				CHORD
CURVE	LENGTH	RADIUS	TANGENT	DELTA
C1	31.42'	20.00'	20.00'	90°00'00"
C2	31.42'	20.00'	20.00'	90°00'00"
C3	31.42'	20.00'	20.00'	90°00'00"
C4	31.42'	20.00'	20.00'	90°00'00"

LINE TABLE			LENGTH
LINE	BEARING	LENGTH	
L1	N88°01'56"W	100.00'	
L2	S88°01'56"E	100.00'	
L3	N01°58'04"E	45.00'	

37 38
2 1
FOUND USA
BRASS CAP
MONUMENT
IN CONCRETE

THREADGILL AVENUE

(S88°49'00"W - RECORD)
N88°01'56"W 2322.88'

(S88°49'00"W - RECORD)
N88°01'56"W 2322.88'

P.O.C.

FOUND SQUARE
BOLT

*R.P.R.E.P.C. = REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS

NOTES:

- BEARINGS SHOWN ARE GRID BEARINGS DERIVED FROM RTK OBSERVATIONS TO THE TEXAS CO-OP NETWORK. REFERRED TO THE TEXAS COORDINATE SYSTEM (NAD 83) CENTRAL ZONE. DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID DIVIDING BY 1.000231.
- MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT. NO ADDITIONAL RESEARCH WAS PERFORMED BY B&A INC. FOR ANY RESERVATION, BUILDING AND UTILITY LINES, AND OR EASEMENTS WHICH MAY OR MAY NOT AFFECT SUBJECT PARCEL.
- THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT. A WRITTEN DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY. NO POINTS SET.



SKYVIEW SECTION 1
VOL: 16 PG: 38
*P.R.E.P.C.

SKYVIEW SECTION 2
VOL: 14 PG: 62
*P.R.E.P.C.

Barragan & Associates Inc.

LAND PLANNING & SURVEYING
TEXAS SURVEYING FIRM# 10161200
10950 Pelicano Dr. Building-F,
El Paso, Tx 79935
Phone (915) 591-5709 Fax (915) 591-5708

PROJECT: WILL RUTH - R.O.W. VACATING

JOB NUMBER: 211228-02

JANUARY 28, 2022

SCALE: 1"=100'

SURVEYOR: BENITO BARRAGAN

TECHNICIAN: BRAYAN TAGLE

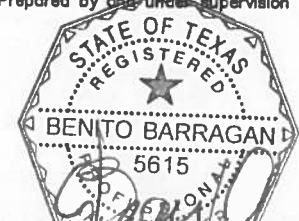
DRAWING: BRAYAN TAGLE

FIELD NOTES:

PARTY CHECK:

FIELD BOOKS:

Prepared by and under supervision of:



Benito Barragan, R.P.S., No. 5615
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PARCEL-2

A PORTION OF ROANOKE DRIVE
RIGHT-OF-WAY BETWEEN THREADGILL
AVENUE AND WILL RUTH AVENUE,
WITHIN
LOS RANCHITOS SUBDIVISION,
CITY OF EL PASO,
EL PASO COUNTY, TEXAS.

AREA: 0.63 ACRES ±

Barragan And Associates Inc.

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

PARCEL-3 DESCRIPTION

Description of a portion of Ranchito Avenue right-of-way between Roanoke Drive and Rutledge Place, within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas, filed for record in Volume 2, Page 4, Plat Records of El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a found square bolt being the common corner of Sections 1, 6, 38 and 43, Block 1, Township 1, T&P Railway Co. Surveys, El Paso County, Texas; **THENCE**, N 88° 01' 56" W (S 88° 49' 00" W – Record), along the common section line of said Sections 1 and 38, a distance of 1826.96 feet to a point; **THENCE**, N 01° 58' 04" E (N 01° 11' 00" W – Record), leaving said common section line and passing along the westerly right-of-way line of Rutledge Place, a distance of 220.00 feet to a point on said westerly right-of-way line of Rutledge Place, said point being the **POINT OF BEGINNING** of this description;

THENCE, 31.42 feet, leaving said westerly right-of-way line of Rutledge Place along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 43° 01' 56" W, a distance of 28.28 feet to a point on the southerly right-of-way line of Ranchito Avenue;

THENCE, N 88° 01' 56" W (S 88° 49' 00" W – Record), along said southerly right-of-way line of Ranchito Avenue, a distance of 475.90 feet to a point, being the beginning of a curve;

THENCE, 31.42 feet, leaving said southerly right-of-way line of Ranchito Avenue along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 46° 58' 04" W, a distance of 28.28 feet to a point on the easterly right-of-way line of Roanoke Drive;

THENCE, N 01° 58' 04" E, a distance of 100.00 feet to a point on the easterly right-of-way line of Roanoke Drive, being the beginning of a curve;

THENCE, 31.42 feet, leaving said easterly right-of-way line of Roanoke Drive along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 43° 01' 56" E, a distance of 28.28 feet to a point on the northerly right-of-way line of Ranchito Avenue;

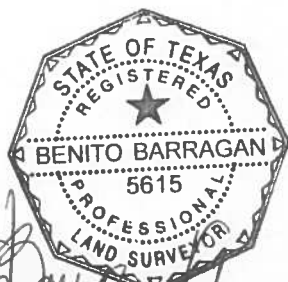
THENCE, S 88° 01' 56" E (N 88° 49' 00" E – Record), along said northerly right-of-way line of Ranchito Avenue, a distance of 475.90 feet to a point being the beginning of a curve;

THENCE, 31.42 feet, leaving said northerly right-of-way line of Ranchito Avenue along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 46° 58' 04" E, a distance of 28.28 feet to a point on the westerly right-of-way line of Rutledge Place;

THENCE, S 01° 58' 04" W, a distance of 100.00 feet to the **POINT OF BEGINNING** of this description and containing in all 0.72 acres more or less.


NOTES:

1. This property may be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground distances and may be converted to grid dividing by 1.000231.
3. This description does not intend to be a subdivision process which may be required by local or state code, and it is the client's/owner responsibility to comply with this code if required.
4. A survey of even date accompanies this description.



Benito Barragan TX R.P.L.S 5615,
Barragan and Associates Inc.
Texas Surveying Firm #10151200
January 28, 2022
Parcel 3 – Will Ruth – R.O.W. Vacating
Job No. 211228-02

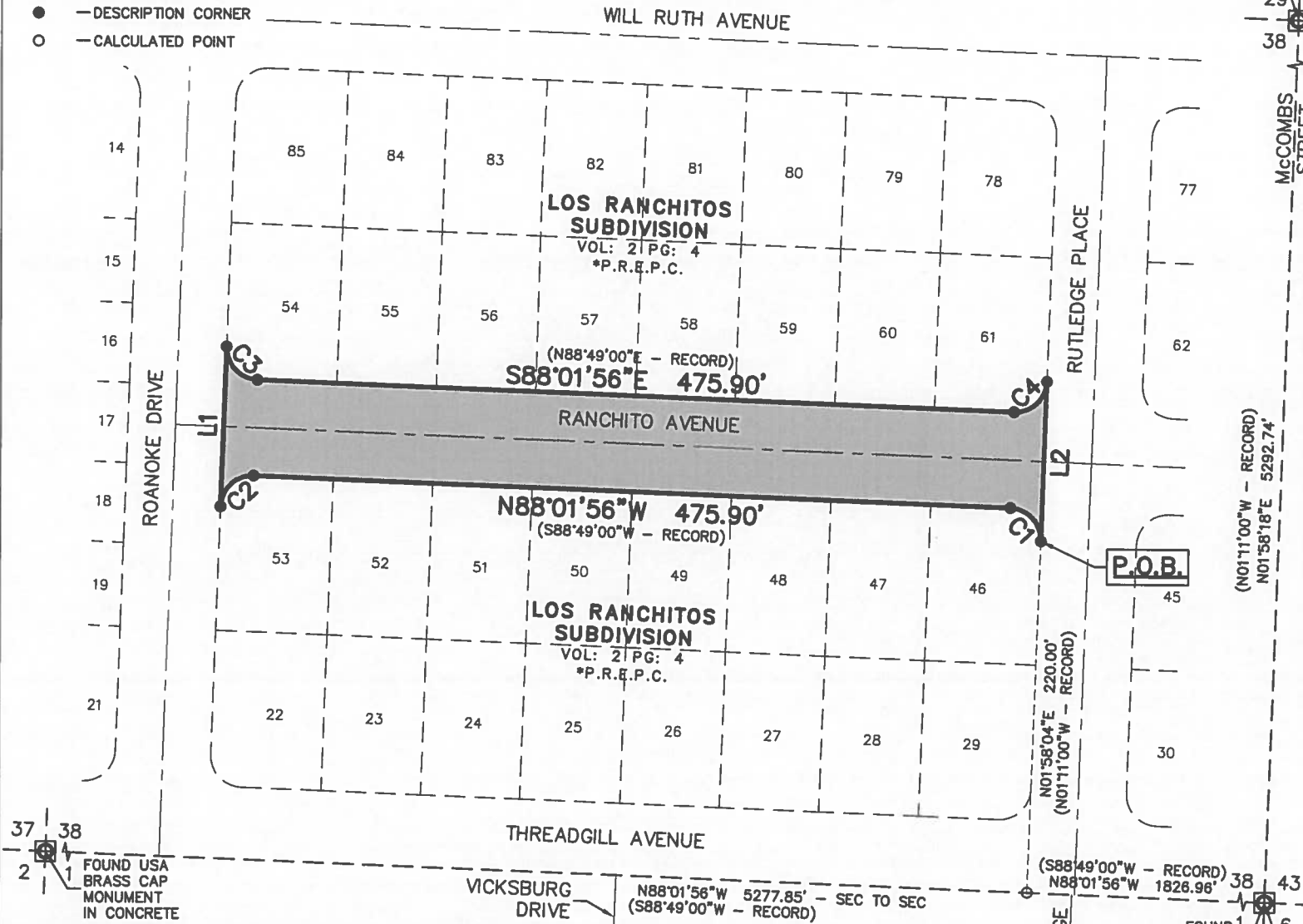
Plat of Survey

- FOUND NAIL
IN 1-1/2" PIPE
- 
- 29 42
38 43



GRID

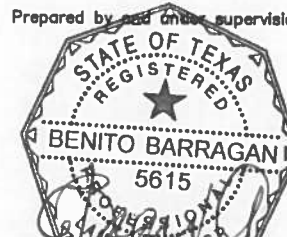
1 inch = 100 ft.



CURVE	LENGTH	RADIUS	TANGENT	DELTA	BEARING	CHORD
C1	31.42'	20.00'	20.00'	90°00'00"	N43°01'56"W	28.28'
C2	31.42'	20.00'	20.00'	90°00'00"	S46°58'04"W	28.28'
C3	31.42'	20.00'	20.00'	90°00'00"	S43°01'56"E	28.28'
C4	31.42'	20.00'	20.00'	90°00'00"	N48°58'04"E	28.28'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N01°58'04"E	100.00'
L2	S01°58'04"W	100.00'

Prepared by ~~and~~ under supervision of:



Benito Barragan TX, B.I.L.S. No. 5615
Copy Rights ©

*R.P.R.E.P.C. = REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS

NOTES:

1. BEARINGS SHOWN ARE GRID BEARINGS DERIVED FROM RTK OBSERVATIONS TO THE TEXAS CO-OP NETWORK. REFERRED TO THE TEXAS COORDINATE SYSTEM (NAD 83) CENTRAL ZONE, DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID DIVIDING BY 1.000231.
2. MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT. NO ADDITIONAL RESEARCH WAS PERFORMED BY B&A INC. FOR ANY RESERVATION, BUILDING AND UTILITY LINES, AND OR EASEMENTS WHICH MAY OR MAY NOT AFFECT SUBJECT PARCEL.
3. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT. A WRITTEN DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY. NO POINTS SET.

20 (10) 21 SKYVIEW
SECTION 2



**Barragan
&
Associates Inc.**

LAND PLANNING & SURVEYING
TEXAS SURVEYING FIRM# 10151200
 10950 Pellicano Dr. Building-F,
 El Paso, Tx 79935
 Phone (915) 591-5709 Fax (915) 591-5706

PROJECT: WILL RUTH - R.O.W. VACATING

JOB NUMBER: 211228-02

JANUARY 28, 2022

SCALE: 1"=100'

SURVEYOR: BENITO BARRAGAN

TECHNICIAN: BRAYAN TAGLE

DRAWING: BRAYAN TAGLE

FIELD NOTES:

PARTY CHIEF:

FIELD BOOKS:

PARCEL-3

**A PORTION OF RANCHITO AVENUE
RIGHT-OF-WAY BETWEEN ROANOKE
DRIVE AND RUTLEDGE PLACE,
WITHIN
LOS RANCHITOS SUBDIVISION,
CITY OF EL PASO,
EL PASO COUNTY, TEXAS.**

AREA: 0.72 ACRES ±

SHEET 2 OF 2

Barragan And Associates Inc.

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

PARCEL-4
DESCRIPTION

Description of a portion of Rutledge Place right-of-way between Threadgill Avenue and Will Ruth Avenue, within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas, filed for record in Volume 2, Page 4, Plat Records of El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a found square bolt being the common corner of Sections 1, 6, 38 and 43, Block 1, Township 1, T&P Railway Co. Surveys, El Paso County, Texas; **THENCE**, N 88° 01' 56" W (S 88° 49' 00" W – Record), along the common section line of said Sections 1 and 38, a distance of 1746.96 feet to a point; **THENCE**, N 01° 58' 04" E, leaving said common section line, a distance of 45.00 feet to a point on the northerly right-of-way line of Threadgill Avenue, said point being the **POINT OF BEGINNING** of this description;

THENCE, N 88° 01' 56" W, a distance of 100.00 feet to a point on said northerly right-of-way line of Threadgill Avenue, being the beginning of a curve;

THENCE, 31.42 feet, leaving said northerly right-of-way line of Threadgill Avenue along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 46° 58' 04" E, a distance of 28.28 feet to a point on the westerly right-of-way line of Rutledge Place;

THENCE, N 01° 58' 04" E (N 01° 11' 00" W – Record), passing along said westerly right-of-way line of Rutledge Place, a distance of 410.00 feet to a point on said westerly right-of-way line of Rutledge Place, being the beginning of a curve;

THENCE, 31.42 feet, leaving said westerly right-of-way line of Rutledge Place along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 43° 01' 56" W, a distance of 28.28 feet to a point on the southerly right-of-way line of Will Ruth Avenue;

THENCE, S 88° 01' 56" E, a distance of 100.00 feet to a point on said southerly right-of-way line of Will Ruth Avenue, being the beginning of a curve;

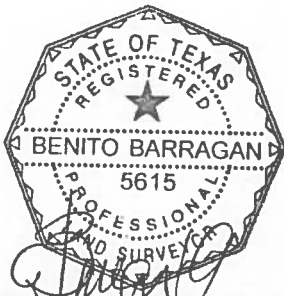
THENCE, 31.42 feet, leaving said southerly right-of-way line of Will Ruth Avenue along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 46° 58' 04" W, a distance of 28.28 feet to a point on the easterly right-of-way line of Rutledge Place;

THENCE, S 01° 58' 04" W (S 01° 11' 00" E – Record), passing along said easterly right-of-way line of Rutledge Place, a distance of 410.00 feet to a point on said easterly right-of-way line of Rutledge Place, being the beginning of a curve;

THENCE, 31.42 feet, leaving said easterly right-of-way line of Rutledge Place along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 43° 01' 56" E, a distance of 28.28 feet to the **POINT OF BEGINNING** of this description and containing in all 0.63 acres more or less.

NOTES:

1. This property may be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground distances and may be converted to grid dividing by 1.000231.
3. This description does not intend to be a subdivision process which may be required by local or state code, and it is the client's/owner responsibility to comply with this code if required.
4. A survey of even date accompanies this description.



Benito Barragan T.K.R.P.L.S 5615,
Barragan and Associates Inc.
Texas Surveying Firm # 10151200
January 28, 2022
Parcel 4 – Will Ruth – R.O.W. Vacating
Job No. 211228-02

N:\C Computer\WILL RUTH SURVEYS AND M&B\ROW VACATING\PARCEL 4-WILL RUTH_ROW VACATING.dwg

LEGEND

- - FOUND ORIGINAL SECTION CORNER
- - DESCRIPTION CORNER
- - CALCULATED POINT

Plat of Survey

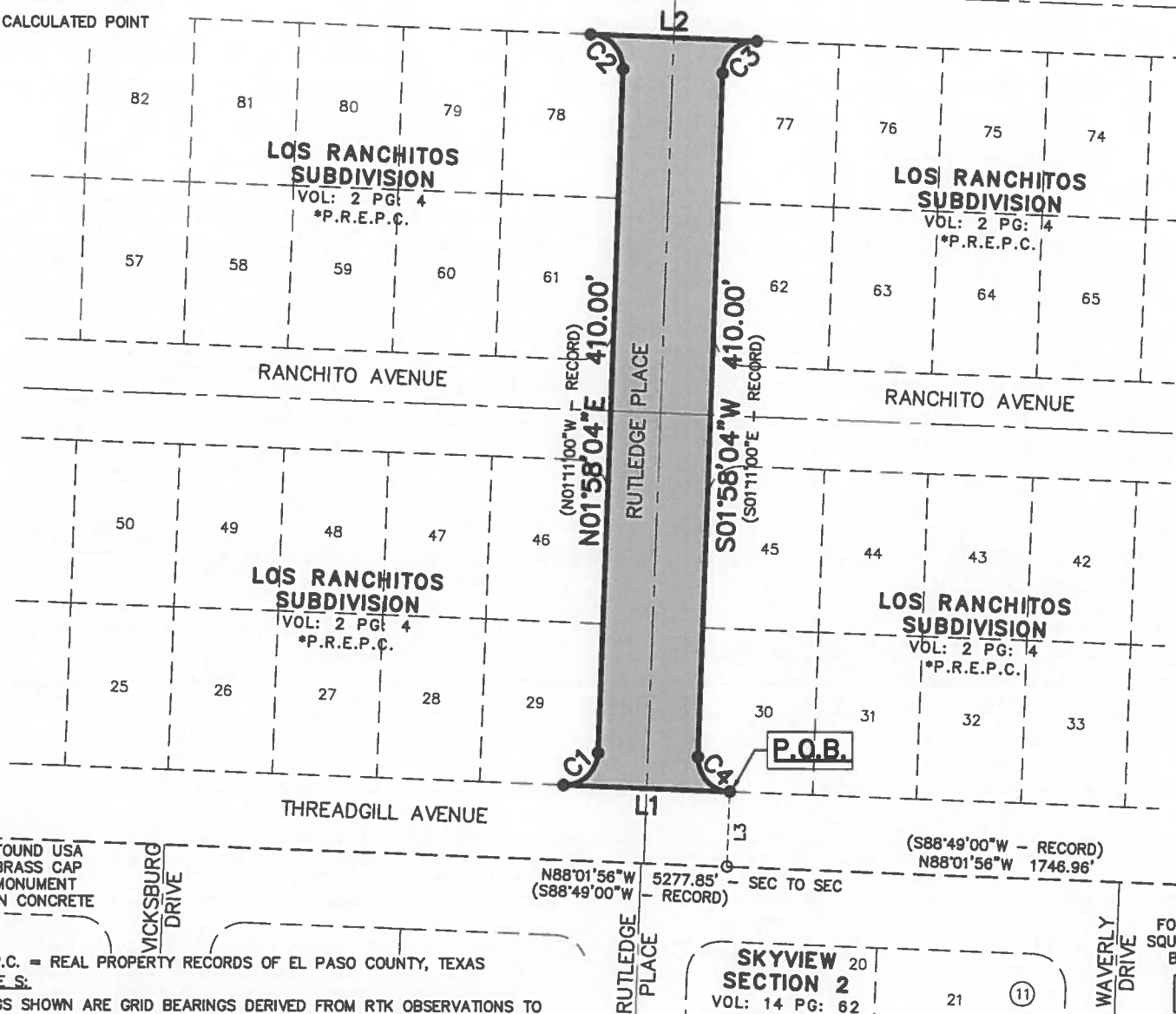
FOUND NAIL
IN 1-1/2" PIPE

29 42
38 43



GRID

1 inch = 100 ft.



(N01°11'00\"/>

CURVE TABLE				
CURVE	LENGTH	RADIUS	TANGENT	DELTA
C1	31.42'	20.00'	20.00'	90°00'00"
C2	31.42'	20.00'	20.00'	90°00'00"
C3	31.42'	20.00'	20.00'	90°00'00"
C4	31.42'	20.00'	20.00'	90°00'00"

CHORD				
CHORD	BEARING	DELTA	TANGENT	DELTA
28.28'	N46°58'04"E			
28.28'	N43°01'56"W			
28.28'	S46°58'04"W			
28.28'	S43°01'56"E			

LINE TABLE		
LINE	BEARING	LENGTH
L1	N88°01'56"W	100.00'
L2	S88°01'56"E	100.00'
L3	N01°58'04"E	45.00'

*R.P.R.E.P.C. = REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS

- NOTES:
- BEARINGS SHOWN ARE GRID BEARINGS DERIVED FROM RTK OBSERVATIONS TO THE TEXAS CO-OP NETWORK. REFERRED TO THE TEXAS COORDINATE SYSTEM (NAD 83) CENTRAL ZONE. DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID DIVIDING BY 1.000231.
 - MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT. NO ADDITIONAL RESEARCH WAS PERFORMED BY B&A INC. FOR ANY RESERVATION, BUILDING AND UTILITY LINES, AND OR EASEMENTS WHICH MAY OR MAY NOT AFFECT SUBJECT PARCEL.
 - THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT. A WRITTEN DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY. NO POINTS SET.



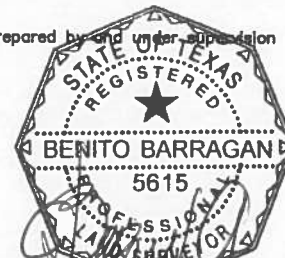
SKYVIEW
SECTION 2
VOL: 14 PG: 62
*P.R.E.P.C.

Barragan
&
Associates Inc.

LAND PLANNING & SURVEYING
TEXAS SURVEYING FIRM# 10161200
10950 Pellicane Dr. Building-F,
El Paso, Tx 79935
Phone (915) 591-5709 Fax (915) 591-5708

PROJECT: WILL RUTH - R.O.W. VACATING
JOB NUMBER: 211228-02
JANUARY 28, 2022
SCALE: 1"=100'
SURVEYOR: BENITO BARRAGAN
TECHNICIAN: BRAYAN TAGLE
DRAWING: BRAYAN TAGLE
FIELD NOTES:
PARTY CHIEF:
FIELD BOOKS:

Prepared by and under supervision of:



Benito Barragan, S.P.L.S. No. 5615
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PARCEL-4
A PORTION OF RUTLEDGE PLACE
RIGHT-OF-WAY BETWEEN THREADGILL
AVENUE AND WILL RUTH AVENUE,
WITHIN
LOS RANCHITOS SUBDIVISION,
CITY OF EL PASO,
EL PASO COUNTY, TEXAS.
AREA: 0.63 ACRES ±
SHEET 2 OF 2

Barragan And Associates Inc.

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

PARCEL-5
DESCRIPTION

Description of a portion of Ranchito Avenue right-of-way between Rutledge Place and Albany Drive, within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas, filed for record in Volume 2, Page 4, Plat Records of El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a found square bolt being the common corner of Sections 1, 6, 38 and 43, Block 1, Township 1, T&P Railway Co. Surveys, El Paso County, Texas; **THENCE**, N 88° 01' 56" W (S 88° 49' 00" W – Record), along the common section line of said Sections 1 and 38, a distance of 1251.06 feet to a point; **THENCE**, N 01° 58' 04" E (N 01° 11' 00" W – Record), leaving said common section line passing along the westerly right-of-way line of Albany Drive, a distance of 220.00 feet to a point on said westerly right-of-way line of Albany Drive, said point being the **POINT OF BEGINNING** of this description;

THENCE, 31.42 feet, leaving said westerly right-of-way line of Albany Drive along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 43° 01' 56" W, a distance of 28.28 feet to a point on the southerly right-of-way line of Ranchito Avenue;

THENCE, N 88° 01' 56" W (S 88° 49' 00" W – Record), along said southerly right-of-way line of Ranchito Avenue, a distance of 475.90 feet to a point being the beginning of a curve;

THENCE, 31.42 feet, leaving said southerly right-of-way line of Ranchito Avenue along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 46° 58' 04" W, a distance of 28.28 feet to a point on the easterly right-of-way line of Rutledge Place;

THENCE, N 01° 58' 04" E, a distance of 100.00 feet to a point on said easterly right-of-way line of Rutledge Place, being the beginning of a curve;

THENCE, 31.42 feet, leaving said easterly right-of-way line of Rutledge Place along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 43° 01' 56" E, a distance of 28.28 feet to a point on the northerly right-of-way line of Ranchito Avenue;

THENCE, S 88° 01' 56" E (N 88° 49' 00" E – Record), along said northerly right-of-way line of Ranchito Avenue, a distance of 475.90 feet to a point being the beginning of a curve;

THENCE, 31.42 feet, leaving said northerly right-of-way line of Ranchito Avenue along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 46° 58' 04" E, a distance of 28.28 feet to a point on the westerly right-of-way line of Albany Drive;

THENCE, S 01° 58' 04" W, a distance of 100.00 feet to the **POINT OF BEGINNING** of this description and containing in all 0.72 acres more or less.

NOTES:

1. May be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground distances and may be converted to grid dividing by 1.000231.
3. This description does not intend to be a subdivision process which may be required by local or state code, and it is the client's/owner responsibility to comply with this code if required.
4. A survey of even date accompanies this description.



Benito Barragan T.X.R.P.L.S 5615,
Barragan and Associates Inc.
Texas Surveying Firm # 10151200
January 28, 2022
Parcel 5 – Will Ruth – R.O.W. Vacating
Job No. 211228-02

N:\C Computer\WILL RUTH SURVEYS AND M&B\ROW VACATING\PARCEL 5-WILL RUTH ROW VACATING.dwg 363

LEGEND

- FOUND ORIGINAL SECTION CORNER
- DESCRIPTION CORNER
- CALCULATED POINT

Plat of Survey

WILL RUTH AVENUE

FOUND NAIL
IN 1-1/2" PIPE



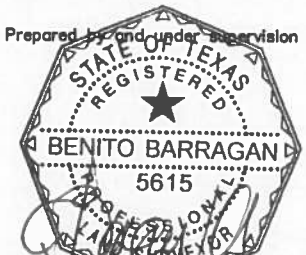
GRID

1 inch = 100 ft.

CURVE	LENGTH	RADIUS	TANGENT	DELTA	BEARING	CHORD
C1	31.42'	20.00'	20.00'	90°00'00"	N43°01'56"W	28.28'
C2	31.42'	20.00'	20.00'	90°00'00"	S46°58'04"W	28.28'
C3	31.42'	20.00'	20.00'	90°00'00"	S43°01'56"E	28.28'
C4	31.42'	20.00'	20.00'	90°00'00"	N46°58'04"E	28.28'

LINE	BEARING	LENGTH
L1	N01°58'04"E	100.00'
L2	S01°58'04"W	100.00'

Prepared by and under supervision of:



Benito Barragan, R.P.L.S. No. 5615
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PARCEL-5

A PORTION OF RANCHITO AVENUE
RIGHT-OF-WAY BETWEEN RUTLEDGE
PLACE AND ALBANY DRIVE,
WITHIN
LOS RANCHITOS SUBDIVISION,
CITY OF EL PASO,
EL PASO COUNTY, TEXAS.

AREA: 0.72 ACRES ±

SHEET 2 OF 2

37 38
2 1 FOUND USA
BRASS CAP
MONUMENT
IN CONCRETE

*R.P.R.E.P.C. = REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS

NOTES:

- BEARINGS SHOWN ARE GRID BEARINGS DERIVED FROM RTK OBSERVATIONS TO THE TEXAS CO-OP NETWORK. REFERRED TO THE TEXAS COORDINATE SYSTEM (NAD 83) CENTRAL ZONE. DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID DIVIDING BY 1.000231.
- MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT. NO ADDITIONAL RESEARCH WAS PERFORMED BY B&A INC. FOR ANY RESERVATION, BUILDING AND UTILITY LINES, AND OR EASEMENTS WHICH MAY OR MAY NOT AFFECT SUBJECT PARCEL.
- THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT. A WRITTEN DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY. NO POINTS SET.

SKYVIEW
SECTION 2



Barragan
&
Associates Inc.

LAND PLANNING & SURVEYING
TEXAS SURVEYING FIRM# 10161200
10950 Pellicano Dr. Building-F,
El Paso, Tx 79935
Phone (915) 591-5709 Fax (915) 561-5706

PROJECT: WILL RUTH - R.O.W. VACATING

JOB NUMBER: 211228-02

JANUARY 28, 2022

SCALE: 1"=100'

SURVEYOR: BENITO BARRAGAN

TECHNICIAN: BRAYAN TAGLE

DRAWING: BRAYAN TAGLE

FIELD NOTES:

PARTY CHIEF:

FIELD BOOKS:

(S88°49'00"W - RECORD)
N88°01'56"W 1251.06'

FOUND
SQUARE
BOLT

P.O.C.

(S88°49'00"W - RECORD)
N01°58'04"E 220.00'
(N01°11'00"W - RECORD)

ALBANY
DRIVE

P.O.B.

(N01°11'00"W - RECORD)
N01°58'18"E 5292.74'

ALBANY DRIVE

MCCOMB'S
STREET

RUTLEDGE PLACE

LOS RANCHITOS
SUBDIVISION

VOL: 2 PG: 4
*P.R.E.P.C.

(N88°49'00"E - RECORD)
S88°01'56"E 475.90'

RANCHITO AVENUE

N88°01'56"W 475.90'
(S88°49'00"W - RECORD)

LOS RANCHITOS
SUBDIVISION

VOL: 2 PG: 4
*P.R.E.P.C.

THREADGILL AVENUE

N88°01'56"W 5277.85'
(S88°49'00"W - RECORD) SEC TO SEC

Barragan And Associates Inc.

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

PARCEL-6 DESCRIPTION

Description of a portion of Albany Drive right-of-way between Threadgill Avenue and Will Ruth Avenue, within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas, filed for record in Volume 2, Page 4, Plat Records of El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a found square bolt being the common corner of Sections 1, 6, 38 and 43, Block 1, Township 1, T&P Railway Co. Surveys, El Paso County, Texas; **THENCE**, N 88° 01' 56" W (S 88° 49' 00" W – Record), along the common section line of said Sections 1 and 38, a distance of 1221.06 feet to a point on the southeasterly most corner of Los Ranchitos Subdivision; **THENCE**, N 01° 58' 04" E (N 01° 11' 00" W – Record), leaving said common section line and along the easterly line of Los Ranchitos Subdivision, a distance of 45.00 feet to a point on the easterly right-of-way line of Albany Drive, said point being the **POINT OF BEGINNING** of this description;

THENCE, N 88° 01' 56" W, leaving said easterly line of Los Ranchitos Subdivision and right-of-way line of Albany Drive, a distance of 50.00 feet to a point on the northerly right-of-way line of Threadgill Avenue, being the beginning of a curve;

THENCE, 31.42 feet, leaving said northerly right-of-way line of Threadgill Avenue along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 46° 58' 04" E, a distance of 28.28 feet to a point on the westerly right-of-way line of Albany Drive;

THENCE, N 01° 58' 04" E (N 01° 11' 00" W – Record), passing along said westerly right-of-way line of Albany Drive, a distance of 410.00 feet to a point on the westerly right-of-way line of Albany Drive, being the beginning of a curve;

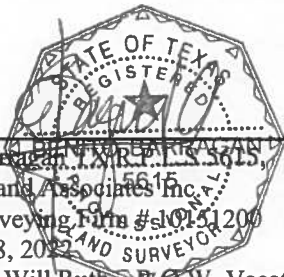
THENCE, 31.42 feet, leaving said westerly right-of-way line of Albany Drive along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 43° 01' 56" W, a distance of 28.28 feet to a point on the southerly right-of-way line of Will Ruth Avenue;

THENCE, S 88° 01' 56" E, a distance of 50.00 feet to a point on the easterly line of Los Ranchitos Subdivision and right-of-way line of Albany Drive;

THENCE, S 01° 58' 04" W (S 01° 11' 00" E – Record), along said easterly line of Los Ranchitos Subdivision and right-of-way line of Albany Drive, a distance of 450.00 feet to the **POINT OF BEGINNING** of this description and containing in all 0.31 acres more or less.

NOTES:

1. May be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground distances and may be converted to grid dividing by 1.000231.
3. This description does not intend to be a subdivision process which may be required by local or state code, and it is the client's/owner responsibility to comply with this code if required.
4. A survey of even date accompanies this description.



Benito Barragan, Registered Professional Surveyor No. 1200
Barragan and Associates Inc.
Texas Surveying Firm #10151200
January 28, 2015
Parcel 6 – Will Ruth – E.O.W. Vacating
Job No. 211228-02

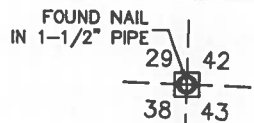
N:\Computer\WILL RUTH SURVEYS AND M&B\ROW VACATING\PARCEL 6-WILL RUTH ROW VACATING.dwg

396

LEGEND

- FOUND ORIGINAL SECTION CORNER
- — DESCRIPTION CORNER
- — CALCULATED POINT

Plat of Survey



GRID

1 inch = 100 ft.

CURVE TABLE							
CURVE	LENGTH	RADIUS	TANGENT	DELTA	BEARING	CHORD	
C1	31.42'	20.00'	20.00'	90°00'00"	N46°58'04"E	26.28'	
C2	31.42'	20.00'	20.00'	90°00'00"	N43°01'56"W	28.28'	

LINE TABLE					
LINE	BEARING	LENGTH	(RECORD)		
L1	N88°01'56"W	50.00'	-		
L2	S88°01'56"E	50.00'	-		
L3	N01°58'04"E	45.00'	(N01°11'00"W - RECORD)		

Prepared by and under supervision of:

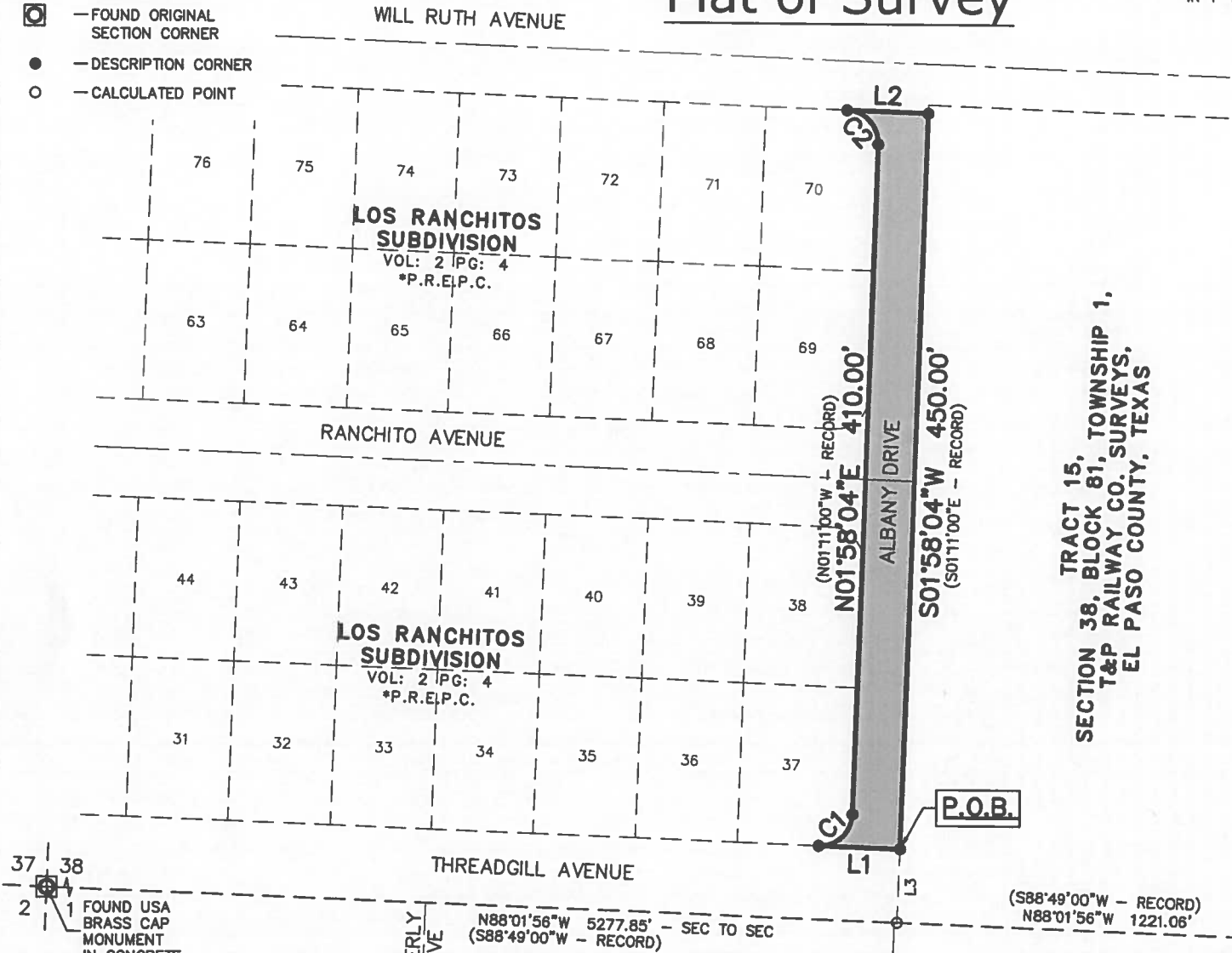


Benito Barragan, J.C. P.E.L.S. No. 5615
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PARCEL-6

A PORTION OF ALBANY DRIVE
RIGHT-OF-WAY BETWEEN THREADGILL
AVENUE AND WILL RUTH AVENUE,
WITHIN
LOS RANCHITOS SUBDIVISION,
CITY OF EL PASO,
EL PASO COUNTY, TEXAS.

AREA: 0.31 ACRES ±
SHEET 2 OF 2



*R.P.R.E.P.C. = REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS

- NOTES:
- BEARINGS SHOWN ARE GRID BEARINGS DERIVED FROM RTK OBSERVATIONS TO THE TEXAS CO-OP NETWORK. REFERRED TO THE TEXAS COORDINATE SYSTEM (NAD 83) CENTRAL ZONE. DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID DIVIDING BY 1.000231.
 - MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT. NO ADDITIONAL RESEARCH WAS PERFORMED BY B&A INC. FOR ANY RESERVATION, BUILDING AND UTILITY LINES, AND OR EASEMENTS WHICH MAY OR MAY NOT AFFECT SUBJECT PARCEL.
 - THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT. A WRITTEN DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY. NO POINTS SET.

SKYVIEW
SECTION 2
VOL: 14 PG: 62
*P.R.E.P.C.

SKYVIEW
SECTION 3
VOL: 17 PG: 38
*P.R.E.P.C.



**Barragan
&
Associates Inc.**

LAND PLANNING & SURVEYING
TEXAS SURVEYING FIRM# 10151200
10050 Pellicane Dr. Building-F,
El Paso, Tx 79935
Phone (915) 591-5709 Fax (915) 591-5708

PROJECT: WILL RUTH - R.O.W. VACATING
JOB NUMBER: 211228-02
JANUARY 25, 2022
SCALE: 1"=100'
SURVEYOR: BENITO BARRAGAN
TECHNICIAN: BRAYAN TAGLE
DRAWING: BRAYAN TAGLE
FIELD NOTES:
PARTY CHIEF:
FIELD BOOKS:

WILL RUTH POND SUBDIVISION

BEING A REPLAT OF LOT 34, BLOCK 1, McRUTH SUBDIVISION; A PORTION OF TRACTS 11, 12, 13, AND 15, SECTION 38, BLOCK 81, TOWNSHIP 1, T & P RAILWAY CO. SURVEYS; ALL OF LOTS 5 THROUGH 7, AND A PORTION OF LOT 4, RANCHITOS SUBDIVISION REPLAT OF LOTS 3,4,5,6, & 7; ALL OF LOTS 8 THROUGH 12, RANCHITOS SUBDIVISION REPLAT OF LOTS 8,9,10,11, & 12; AND ALL OF LOTS 13 THROUGH 85, ALL OF RANCHITO AVENUE, AND PORTIONS OF ROANOKE DRIVE, RUTLEDGE PLACE, ALBANY DRIVE, AND THREADGILL AVENUE, LOS RANCHITOS SUBDIVISION, CITY EL PASO, EL PASO COUNTY, TEXAS
AREA: ±24.19 ACRES

PRELIMINARY PLAT

NOTES:

- BEARINGS SHOWN ARE GRID BEARINGS DERIVED FROM RTK OBSERVATIONS TO THE TEXAS CO-OP NETWORK, REFERRED TO THE TEXAS COORDINATE SYSTEM (NAD 83) CENTRAL ZONE. DISTANCES ARE GROUND DISTANCES AND MAY BE CONVERTED TO GRID DIVIDING BY 1.000231.
- TAX CERTIFICATE(S) FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD SECTION. INSTRUMENT NO. _____ DATE _____
- RESTRICTIVE COVENANTS FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD SECTION. INSTRUMENT NO. _____ DATE _____
- VEHICULAR ACCESS TO THE SUBDIVISION WILL BE FROM THREADGILL AVENUE AND WILL RUTH AVENUE. THE INSTRUMENT ASSURING RELEASE OF ACCESS IS FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD SECTION. INSTRUMENT NO. _____ DATE _____
- ALL DEVELOPED AND HISTORICAL STORM WATER RUNOFF SHALL BE ADDRESSED WITHIN THE SUBDIVISION LIMITS IN COMPLIANCE WITH ALL PROVISIONS OF (DSC, 19.19.010A) AND (DDM, 11.1).
- THE PROPOSED WILL RUTH POND SUBDIVISION SHALL CONSIST OF (1) ONE LOT TO BE USED FOR A STORMWATER DRAINAGE BASIN.
- THIS PROPERTY MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT. NO ADDITIONAL RESEARCH WAS PERFORMED BY B&A INC. FOR ANY RESERVATION, BUILDING LINE, AND OR EASEMENTS WHICH MAY OR MAY NOT AFFECT SUBJECT PARCEL.
- * = EXISTING 5' AND 10' UTILITY EASEMENTS (LOS RANCHITOS SUBDIVISION IN VOLUME 2, PAGE 4) WITHIN THIS PROPOSED SUBDIVISION WILL BE VACATED BY THIS REPLAT.
- ** = EXISTING EL PASO ELECTRIC CO. UTILITY EASEMENTS SHOWN WITHIN THIS PROPOSED SUBDIVISION WILL BE VACATED BY THIS REPLAT.
- *** = EXISTING R.O.W.'S (LOS RANCHITOS SUBDIVISION IN VOLUME 2, PAGE 4) WITHIN THIS PROPOSED SUBDIVISION WILL BE VACATED BY SEPARATE INSTRUMENT.

REASON FOR REPLAT: CONSTRUCTION OF A STORMWATER DRAINAGE BASIN.

BENCHMARK:

FOUND CITY MONUMENT ON THE CENTERLINE INTERSECTION OF RANCHITO AVENUE AND RUTLEDGE PLACE.
ELEVATION: 3899.33' (NAVD 88 DATUM)

SCHOOL DISTRICT

EL PASO INDEPENDENT SCHOOL DISTRICT

FLOODZONE:

THIS PROJECT IS LOCATED WITHIN ZONES "AE" & "X" AS DESIGNATED IN PANEL 218 OF 800, MAP NUMBER 48141C0218F, DATED "PRELIMINARY JULY 8, 2020", OF THE FLOOD INSURANCE RATE MAPS IN THE AREAS OF EL PASO COUNTY, TEXAS.
ZONE "AE" - SPECIAL FLOOD HAZARD AREAS WITH BASE FLOOD ELEVATION (BFE).
ZONE "X" - AREAS OF 1% ANNUAL CHANCE FLOOD WITH DEPTH LESS THAN ONE FOOT.

PLAT REFERENCE

LOS RANCHITOS SUBDIVISION VOLUME 2, PAGE 4, PLAT RECORDS OF EL PASO COUNTY, TEXAS
LOS RANCHITOS SUBDIVISION REPLAT VOLUME 36, PAGE 12, PLAT RECORDS OF EL PASO COUNTY, TEXAS
LOS RANCHITOS SUBDIVISION REPLAT VOLUME 23, PAGE 26, PLAT RECORDS OF EL PASO COUNTY, TEXAS

LEGEND

○ SET 1/2" REBAR WITH CAP STAMPED "B&A INC." (UNLESS OTHERWISE NOTED)
*R.P.R.E.P.C. REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS.
*P.R.E.P.C. PLAT RECORDS OF EL PASO COUNTY, TEXAS.

SITE ADDRESS

5510 WILL RUTH AVENUE

ENGINEER

PLANNING/ENGINEERING/PROJECT MANAGEMENT
McMoreno
Cardenas Inc.
EL PASO SAN ANTONIO

2505 E. Missouri Ave. El Paso, TX 79903 (915) 532-2091
9601 McAllister Freeway #207 San Antonio, TX 78216 (210) 314-3553
Texas Board of Professional Engineers Registration No. F-000554

CONTACT: MARCOS MEDINA, P.E.

SURVEYOR

Barragan & Associates Inc.
LAND PLANNING & LAND SURVEYING
TBPLS FIRM # 10151200

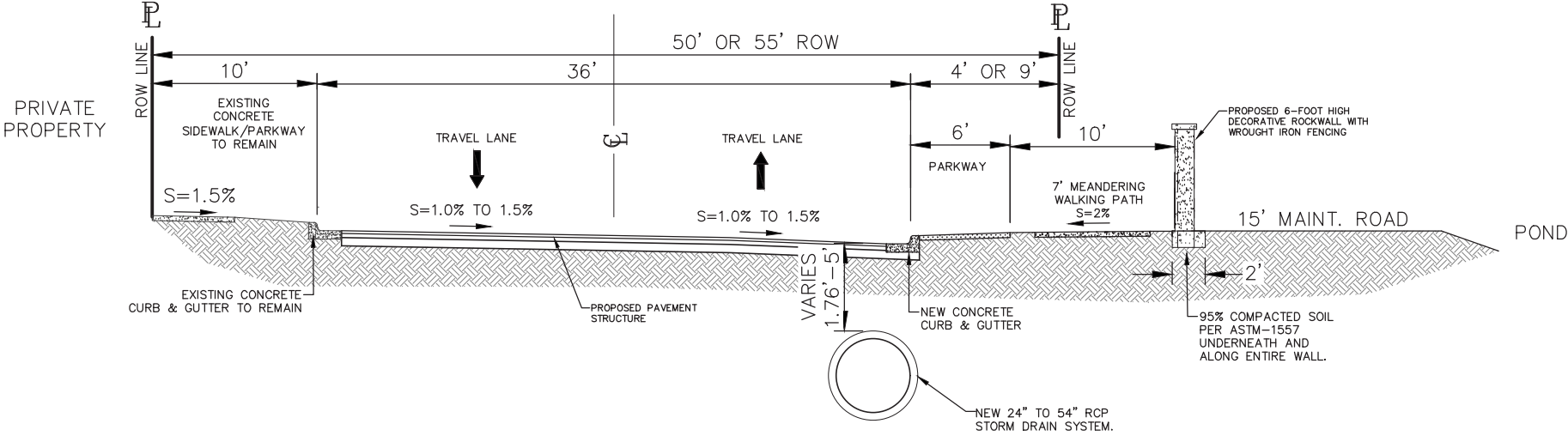
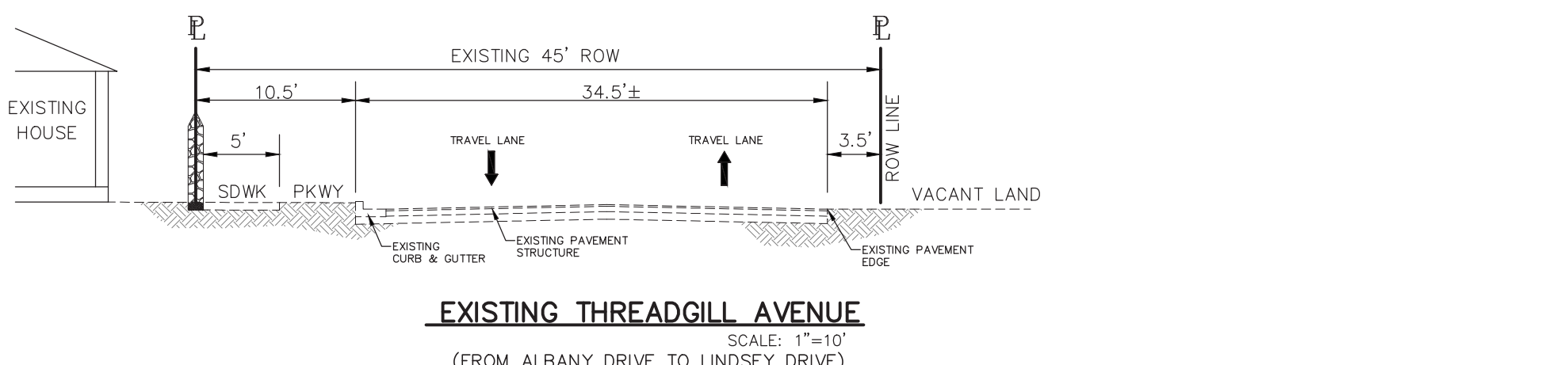
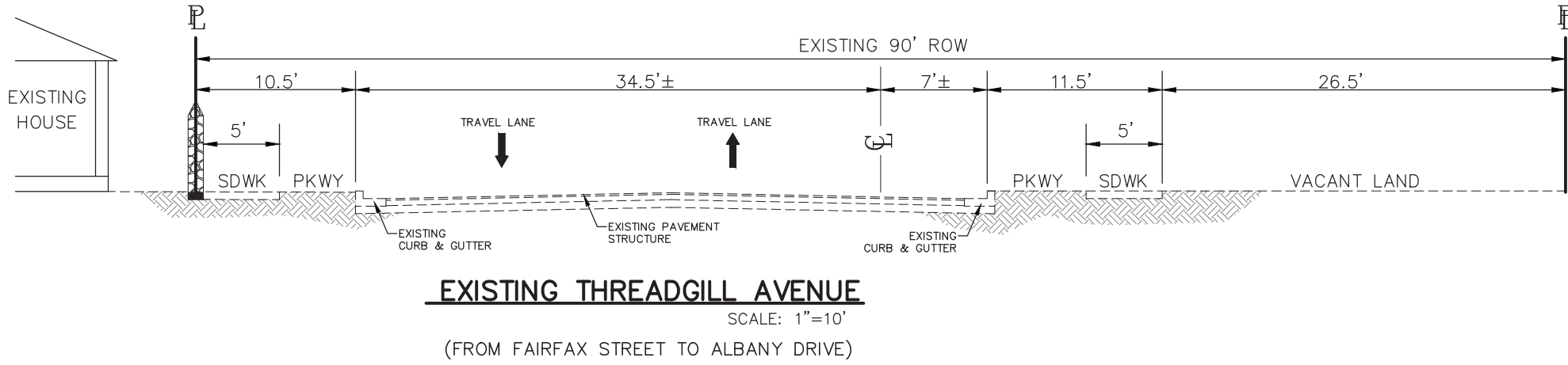
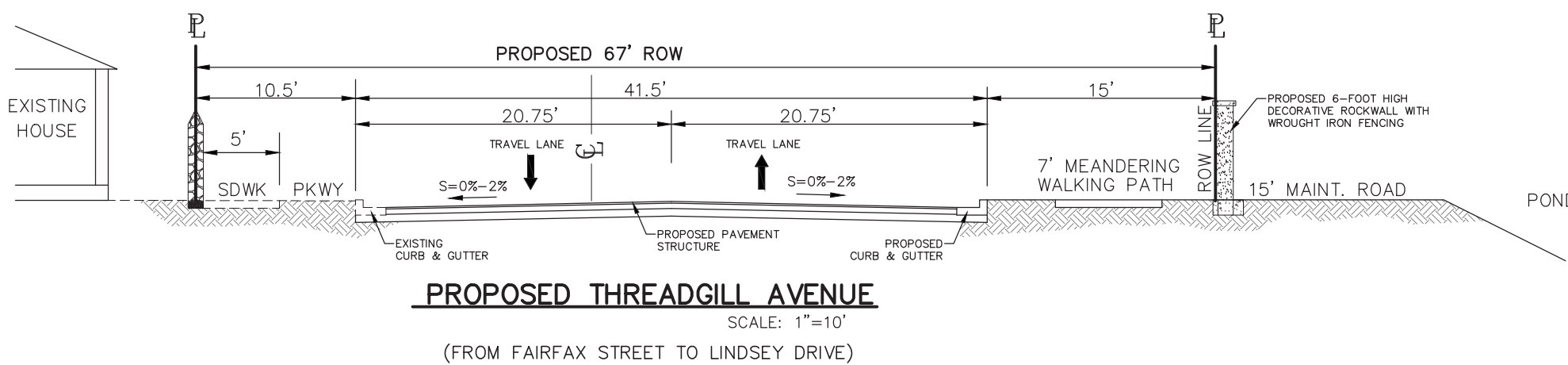
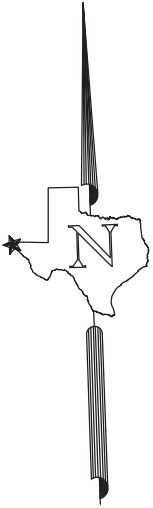
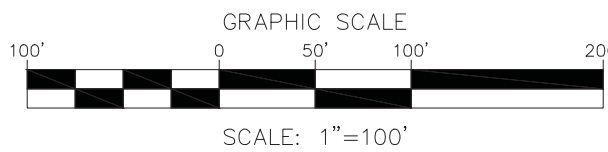
10950 Pelicano Dr. Bldg. F - El Paso TX 79935
Phone (915) 591-5709 Fax (915) 591-5706

CONTACT: BENITO BARRAGAN, R.P.L.S.

DATE OF PREPARATION: MARCH 23, 2022

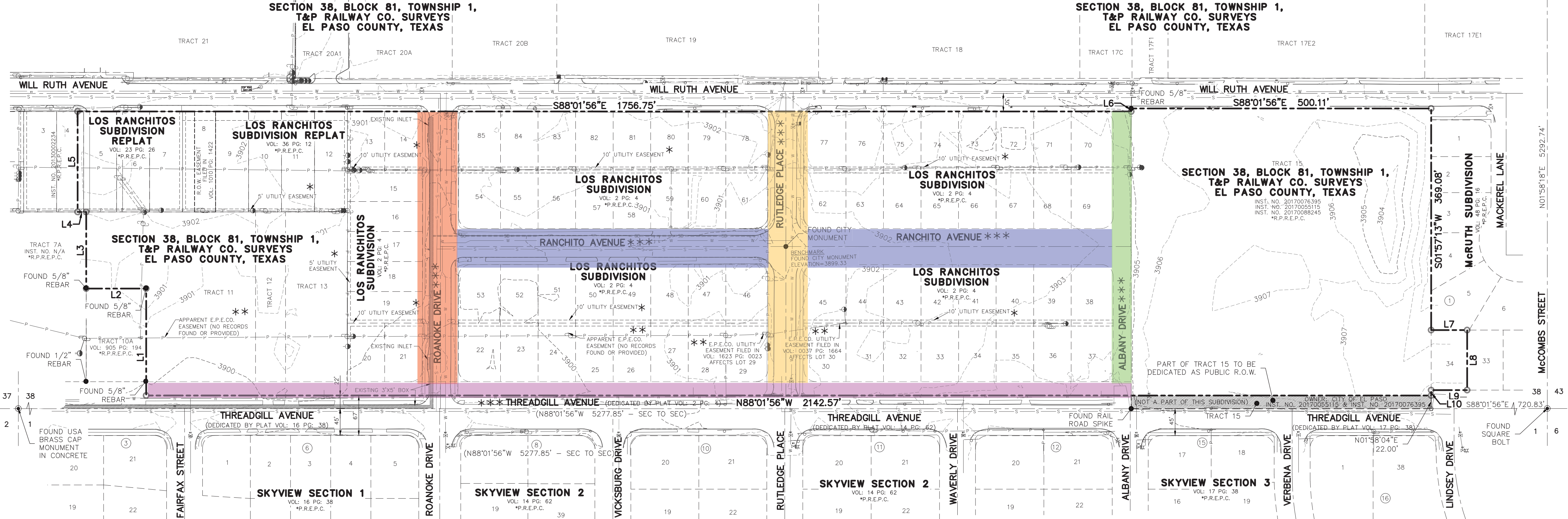
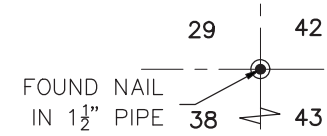
RIGHT-OF-WAY TO BE VACATED

- Roanoke Drive- Parcel 2
- Threadgill Avenue - Parcel 1
- Ranchito Avenue - Parcels 3 & 5
- Rutledge Place - Parcel 4
- Albany Drive - Parcel 6



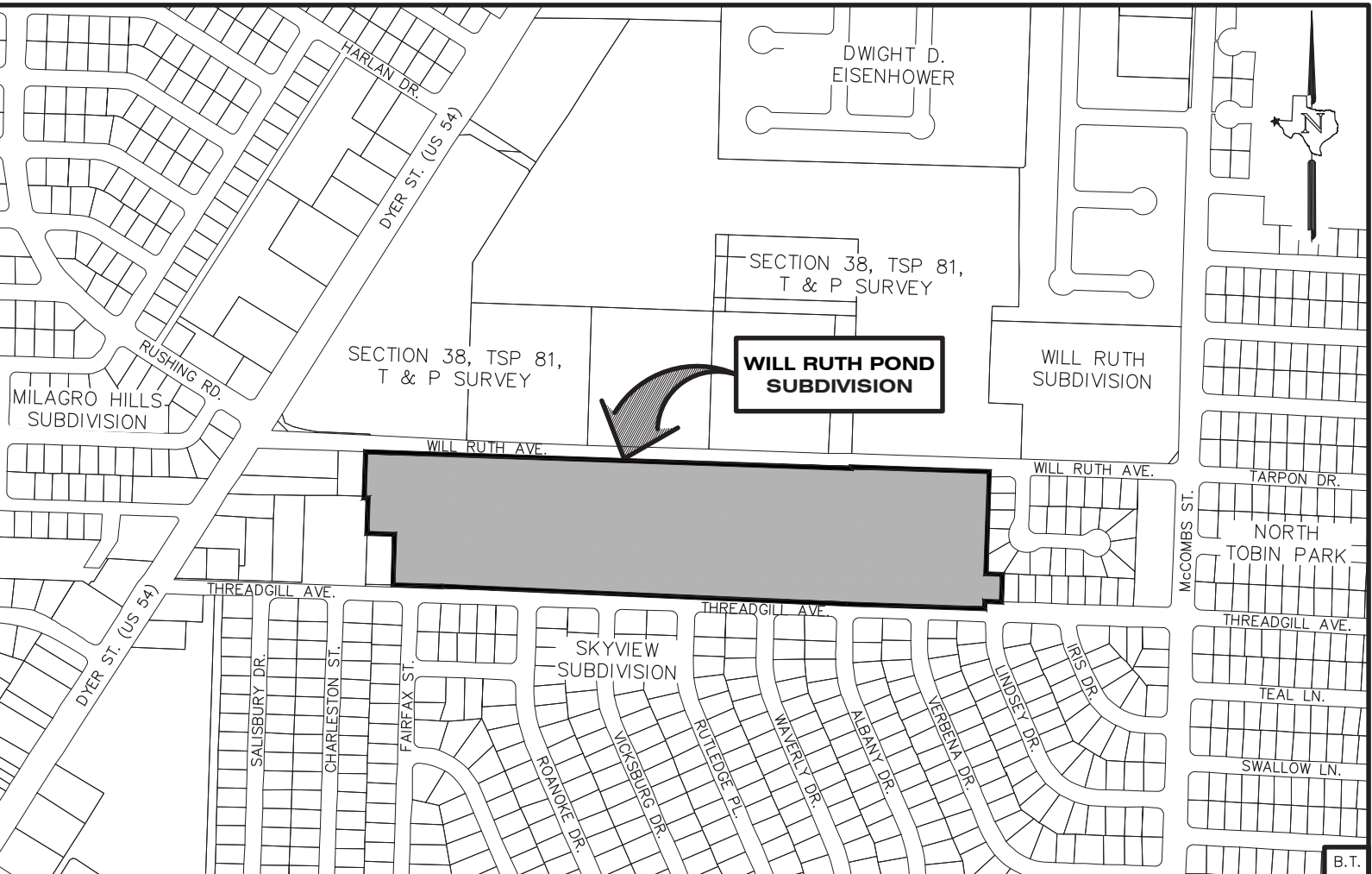
EXISTING & PROPOSED TYPICAL SECTION (WILL RUTH AVE.)

(FROM STA. 7+50 TO 29+40)



LOCATION MAP

SCALE: 1"=600'



LINE TABLE		
LINE	BEARING	LENGTH
L1	N01°58'04"E	178.00'
L2	N88°01'56"W	100.00'
L3	N01°58'04"E	127.80'
L4	N88°01'56"W	14.40'
L5	N01°58'04"E	167.20'
L6	N01°58'04"E	5.00'
L7	S88°02'47"E	60.00'
L8	S01°57'13"W	100.00'
L9	N88°02'47"W	60.00'
L10	S01°57'13"W	8.92'

LEGEND

- CURB
- IRON FENCE
- POST - BOLLARD
- ROCK WALL
- SIGN
- POWER POLE
- WATER VALVE
- FIRE HYDRANT
- BUSH
- WATER METER
- ANCHOR
- UTILITY BOX
- LAMP
- MANHOLE, COMMUNICATIONS
- MANHOLE, SEWER
- MAILBOX
- TRAFFIC SIGNAL
- BENCH
- MAJOR CONTOUR
- MINOR CONTOUR
- TRAFFIC SIGNAL LIGHT
- POWER LINE
- SANITARY SEWER
- APPROXIMATE LOCATION OF WATER LINE
- CONCRETE
- PAVEMENT
- APPROXIMATE LOCATION OF COMMUNICATIONS LINE
- APPROXIMATE LOCATION OF UNDERGROUND ELECTRIC LINE
- APPROXIMATE RIGHT-OF-WAY (AS PER PLANS, REFER TO SURVEY NOTE NO. 4)

OWNER: Name THE EL PASO MUNICIPAL DRAINAGE UTILITY, BY AND THROUGH EL PASO WATER UTILITIES / PUBLIC SERVICE BOARD Address 1154 HAWKINS BLVD. City & Zip El Paso, TX, 79925 Phone (915) 594-5500

Roanoke, Ranchito, Rutledge, Albany, Threadgill Right-of-Way Vacation



City Plan Commission — May 19, 2022

CASE NUMBER/TYPE: SURW22-00007 – RIGHT-OF-WAY VACATION
CASE MANAGER: Jorge Olmos, (915) 212-1607, OlmosJA@elpasotexas.gov
PROPERTY OWNER: El Paso Municipal Drainage Utility, by and through El Paso Water Utilities – Public Service Board
REPRESENTATIVE: Moreno Cardenas, Inc.
LOCATION: East of Dyer Street and south of Purple Heart Memorial Highway (District 4)
PROPERTY AREA: 3.81 acres
ZONING DISTRICT(S): R-4 (Residential)
RELATED APPLICATIONS: Will Ruth Pond Subdivision (SUSU22-00033)

SUMMARY OF RECOMMENDATION: Staff recommends **APPROVAL WITH A CONDITION** of the Roanoke, Ranchito, Rutledge, Albany, Threadgill Right-of-Way (ROW) Vacation, subject to the following:

- That the MTP amendment for Roanoke be approved by City Council prior to the approval of the ROW vacation request by City Council.

Ranchito, Roanoke, Rutledge, Albany, & Threadgill ROW Vacation

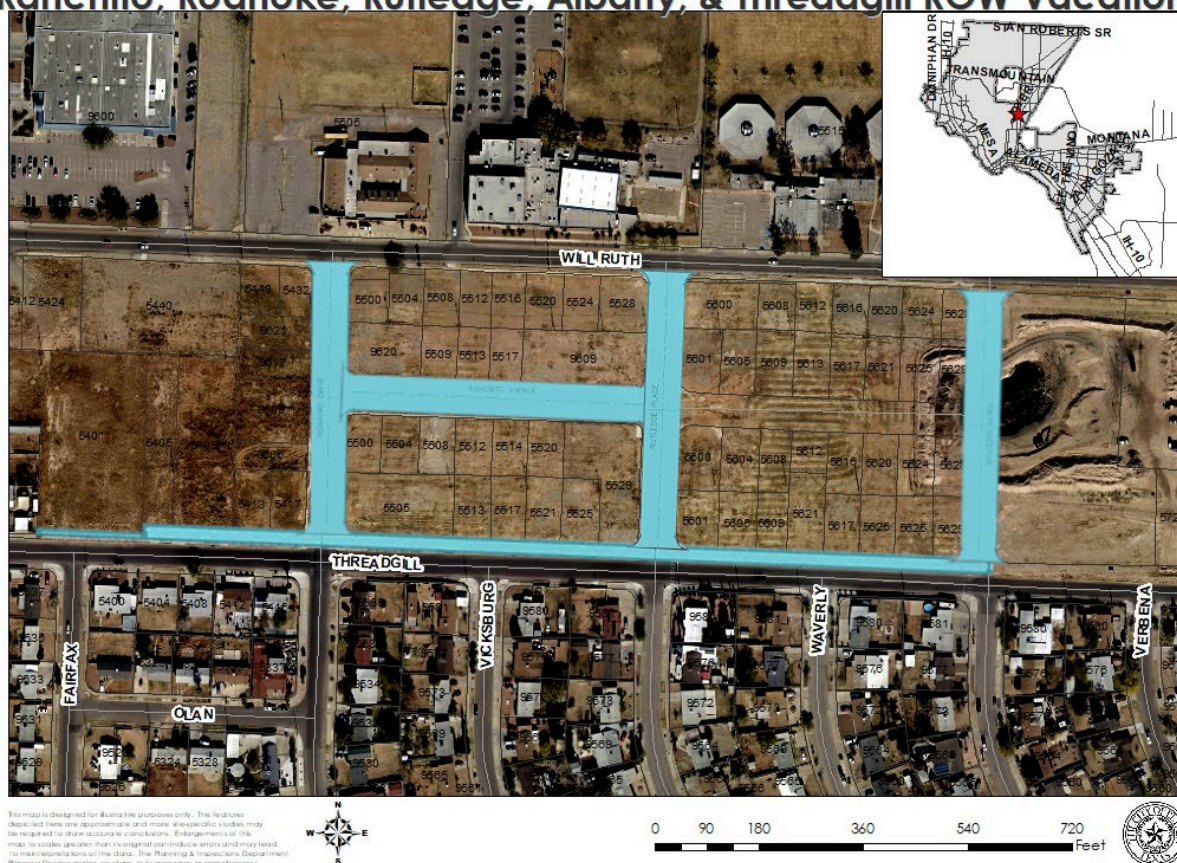


Figure A: Proposed plat with surrounding area

DESCRIPTION OF REQUEST: The applicant seeks to vacate all of Ranchito Avenue, and portions of Roanoke Drive, Rutledge Place, Albany Drive, and Threadgill Avenue, generally located east of Dyer Street and south of Purple Heart Memorial Highway. The area requested to be vacated is 3.81 acres in size. The applicant is vacating the right-of-way (ROW) in order to allow for the construction of stormwater detention facilities. The right-of-way is not improved, with no easements within the area to be vacated.

CASE HISTORY/RELATED APPLICATIONS: There is an existing subdivision case for the properties abutting the right-of-way (ROW), which proposes to resubdivide 24.19 acres of land into one pond site.

NEIGHBORHOOD CHARACTER: Surrounding neighborhood characteristics are identified in the following table.

Surrounding Zoning and Use	
North	R-4 (Residential), C-1 (Commercial) / School, church, recreation center
South	R-4 (Residential) / Residential development
East	R-4 (Residential) / Vacant
West	R-4 (Residential), C-1 SC (Commercial/special conditions) / Vacant
Nearest Public Facility and Distance	
Park	Student Memorial Park (0.35 miles)
School	Irvin High School (0.35 miles)
Plan El Paso Designation	
G-3, Post War	
Impact Fee Service Area	
N/A	

PUBLIC COMMENT: Notices of the proposed right-of-way vacation were sent on May 3, 2022 to all property owners within 200 feet of the subject property. As of May 12, 2022, staff has not received any communication regarding this request.

CITY PLAN COMMISSION OPTIONS:

The City Plan Commission (CPC) has the authority to advise City Council on right-of-way vacation requests. When a request is brought forward to the CPC for review, the Commission may take any of the following actions:

1. **Recommend Approval:** The CPC finds that the proposed vacation request is in conformance with all applicable requirements of Title 19 of the El Paso City Code. **(Staff Recommendation)**
2. **Recommend Approval with Conditions:** The CPC may recommend that City Council impose additional conditions on approval of the request that bring the request into conformance with all applicable requirements of Title 19 of the El Paso City Code.
3. **Recommend Denial:** The CPC finds that the proposed request is not in conformance with all applicable requirements of Title 19 of the El Paso City Code.

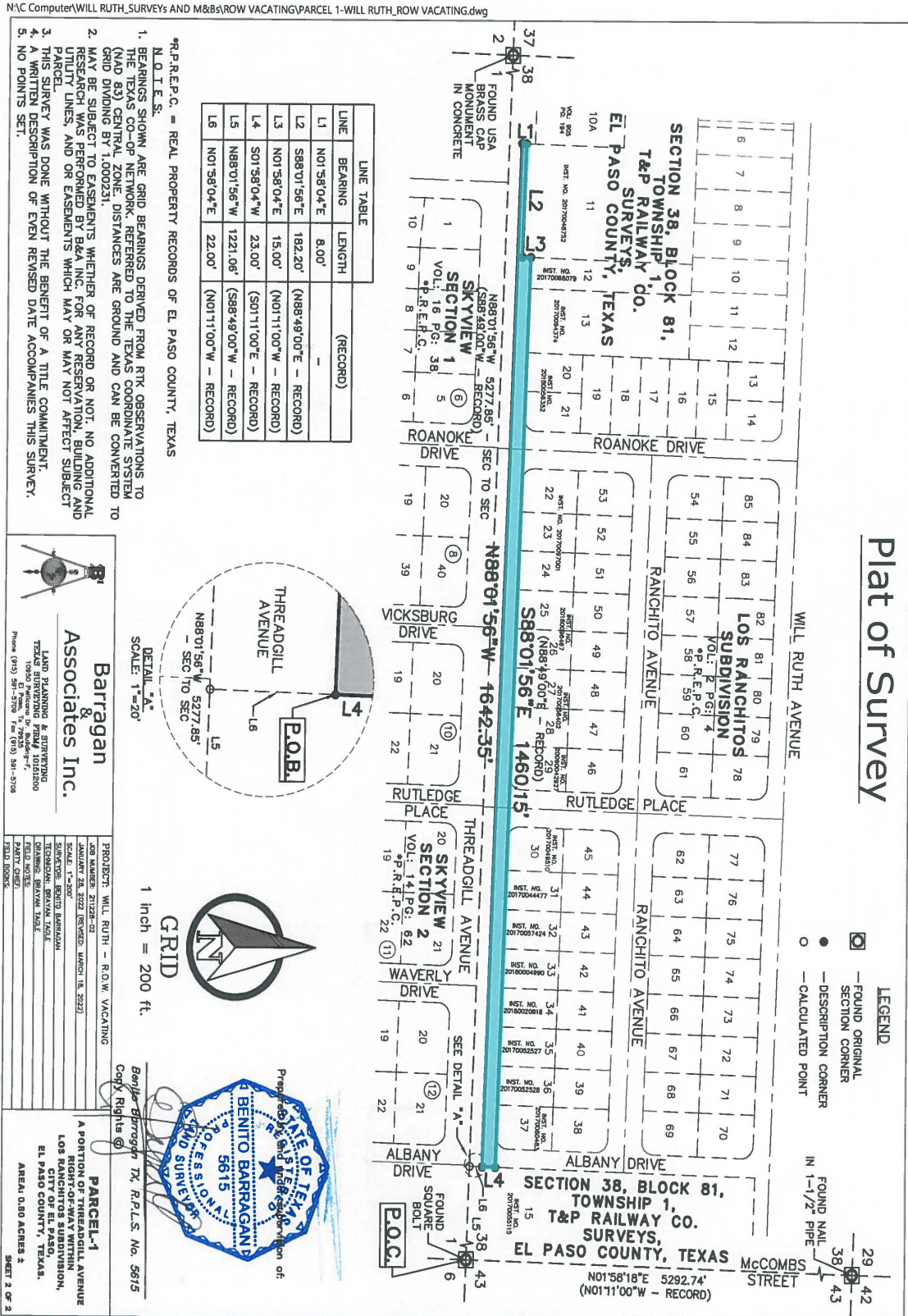
ATTACHMENTS:

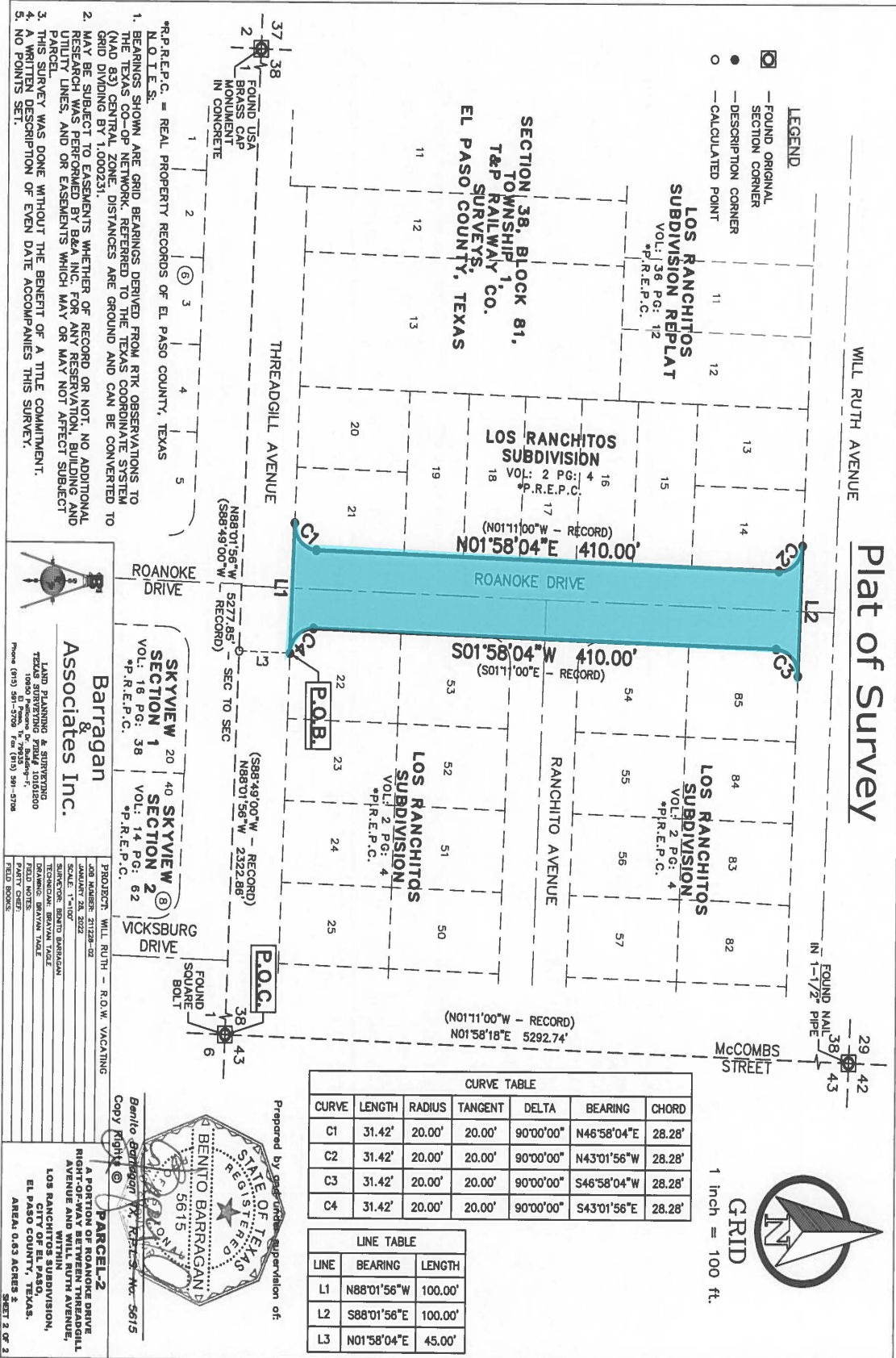
1. Aerial Map
2. Survey
3. Metes and Bounds Description
4. Application
5. Department Comments

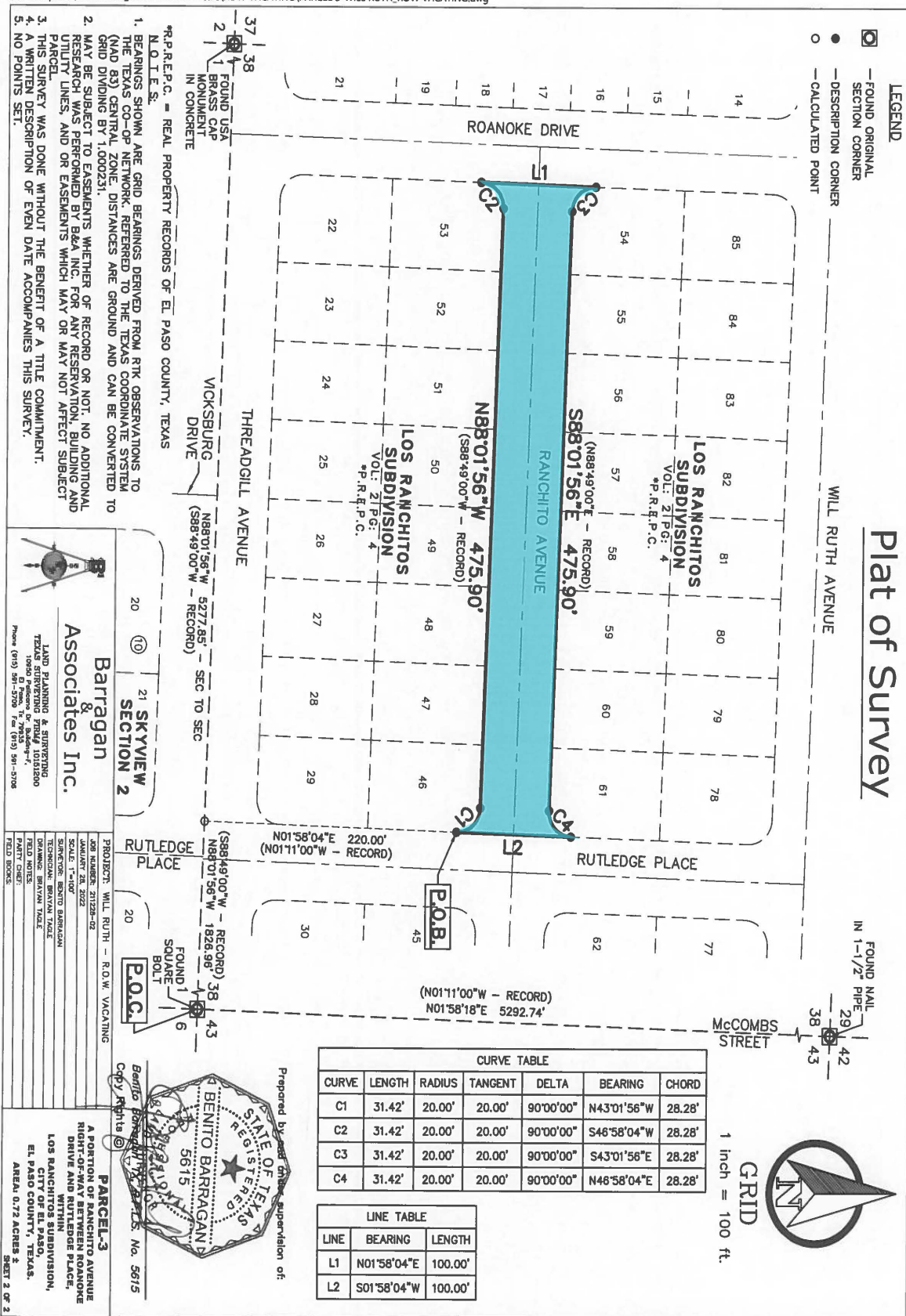
Ranchito, Roanoke, Rutledge, Albany & Thredgill ROW Vacation

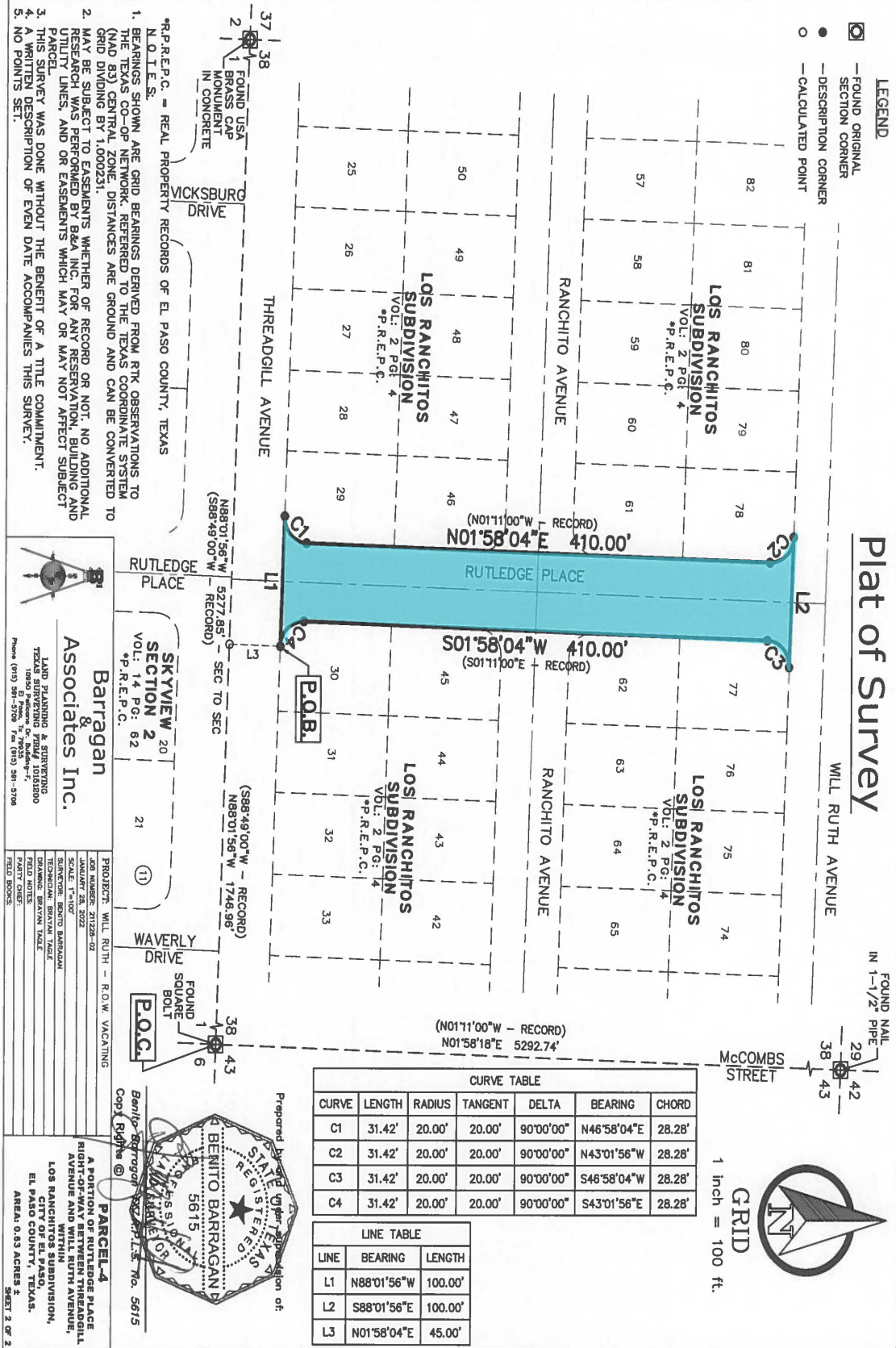


ATTACHMENT 2









ATTACHMENT

Barragan And Associates Inc.

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

PARCEL-1 DESCRIPTION

Description of a portion of Threadgill Avenue right-of-way within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas, filed for record in Volume 2, Page 4, Plat Records of El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a found square bolt being the common corner of Sections 1, 6, 38 and 43, Block 1, Township 1, T&P Railway Co. Surveys, El Paso County, Texas; **THENCE**, N 88° 01' 56" W (S 88° 49' 00" W – Record), along the common section line of said Sections 1 and 38, a distance of 1221.06 feet to a point on the southeasterly most corner of Los Ranchitos Subdivision; **THENCE**, N 01° 58' 04" E (N 01° 11' 00" W – Record), leaving said common section line along the easterly line of Los Ranchitos Subdivision, a distance of 22.00 feet to the **POINT OF BEGINNING** of this description;

THENCE, N 88° 01' 56" W, leaving said easterly line of Los Ranchitos Subdivision, a distance of 1642.35 feet to a point;

THENCE, N 01° 58' 04" E, a distance of 8.00 feet to a point on the northerly right-of-way line of Threadgill Avenue;

THENCE, along the northerly right-of-way line of Threadgill Avenue, the following two (2) calls:

S 88° 01' 56" E (N 88° 49' 00" E – Record), a distance of 182.20 feet to a point;

N 01° 58' 04" E (N 01° 11' 00" W – Record), a distance of 15.00 feet to a point;

THENCE, S 88° 01' 56" E (N 88° 49' 00" E – Record), passing along the northerly right-of-way line of Threadgill Avenue, a distance of 1460.15 feet to a point on the easterly line of Los Ranchitos Subdivision;

THENCE, S 01° 58' 04" W (S 01° 11' 00" E – Record), along said easterly line of Los Ranchitos Subdivision, a distance of 23.00 feet to the **POINT OF BEGINNING** of this description and containing in all 0.80 acres more or less.

NOTES:

1. May be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground distances and may be converted to grid dividing by 1.000231.
3. This description does not intend to be a subdivision process which may be required by local or state code, and it is the client's/owner responsibility to comply with this code if required.
4. A survey of even revised date accompanies this description.



Benito Barragan, Registered Professional Surveyor No. 5615,
Barragan and Associates Inc.
Texas Surveying Firm # 10151200
January 28, 2022 (Revised Date: March 18, 2022)
Parcel 1 – Will Ruth – R.O.W. Vacating
Job No. 211228-02

Barragan and Associates Inc.

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

**PARCEL-2
DESCRIPTION**

Description of a portion of Roanoke Drive right-of-way between Threadgill Avenue and Will Ruth Avenue, within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas, filed for record in Volume 2, Page 4, Plat Records of El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a found square bolt being the common corner of Sections 1, 6, 38 and 43, Block 1, Township 1, T&P Railway Co. Surveys, El Paso County, Texas; **THENCE**, N 88° 01' 56" W (S 88° 49' 00" W – Record), along the common section line of said Sections 1 and 38, a distance of 2322.86 feet to a point; **THENCE**, N 01° 58' 04" E, leaving said common section line, a distance of 45.00 feet to a point on the northerly right-of-way line of Threadgill Avenue, said point being the **POINT OF BEGINNING** of this description;

THENCE, N 88° 01' 56" W, a distance of 100.00 feet to a point on said northerly right-of-way line of Threadgill Avenue, being the beginning of a curve;

THENCE, 31.42 feet, leaving said northerly right-of-way line of Threadgill Avenue along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 46° 58' 04" E, a distance of 28.28 feet to a point on the westerly right-of-way line of Roanoke Drive;

THENCE, N 01° 58' 04" E (N 01° 11' 00" W – Record), along the westerly right-of-way line of Roanoke Drive, a distance of 410.00 feet to a point being the beginning of a curve;

THENCE, 31.42 feet, leaving said westerly right-of-way line of Roanoke Drive, along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 43° 01' 56" W, a distance of 28.28 feet to a point on the southerly right-of-way line of Will Ruth Avenue;

THENCE, S 88° 01' 56" E, a distance of 100.00 feet to a point on said southerly right-of-way line of Will Ruth Avenue, being the beginning of a curve;

THENCE, 31.42 feet, leaving said southerly right-of-way line of Will Ruth Avenue, along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 46° 58' 03" W, a distance of 28.28 feet to a point on the easterly right-of-way line of Roanoke Drive;

THENCE, S 01° 58' 04" W (S 01° 11' 00" E – Record), passing along said easterly right-of-way line of Roanoke Drive, a distance of 410.00 feet to a point on said easterly right-of-way line of Roanoke Drive, being the beginning of a curve;

THENCE, 31.42 feet, leaving said easterly right-of-way line of Roanoke Drive along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 43° 01' 56" E, a distance of 28.28 feet to the **POINT OF BEGINNING** of this description and containing in all 0.63 acres more or less.

NOTES:

1. May be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground distances and may be converted to grid dividing by 1.000231.
3. This description does not intend to be a subdivision process which may be required by local or state code, and it is the client's/owner responsibility to comply with this code if required.
4. A survey of even date accompanies this description.



Benito Barragan T.S. R.P.L.S. 5615,
Barragan and Associates Inc.
Texas Surveying Firm # 10151200
January 28, 2022
Parcel 2 – Will Ruth – R.O.W. Vacating
Job No. 211228-02

Barragan And Associates Inc.

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

PARCEL-3 DESCRIPTION

Description of a portion of Ranchito Avenue right-of-way between Roanoke Drive and Rutledge Place, within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas, filed for record in Volume 2, Page 4, Plat Records of El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a found square bolt being the common corner of Sections 1, 6, 38 and 43, Block 1, Township 1, T&P Railway Co. Surveys, El Paso County, Texas; **THENCE**, N 88° 01' 56" W (S 88° 49' 00" W – Record), along the common section line of said Sections 1 and 38, a distance of 1826.96 feet to a point; **THENCE**, N 01° 58' 04" E (N 01° 11' 00" W – Record), leaving said common section line and passing along the westerly right-of-way line of Rutledge Place, a distance of 220.00 feet to a point on said westerly right-of-way line of Rutledge Place, said point being the **POINT OF BEGINNING** of this description;

THENCE, 31.42 feet, leaving said westerly right-of-way line of Rutledge Place along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 43° 01' 56" W, a distance of 28.28 feet to a point on the southerly right-of-way line of Ranchito Avenue;

THENCE, N 88° 01' 56" W (S 88° 49' 00" W – Record), along said southerly right-of-way line of Ranchito Avenue, a distance of 475.90 feet to a point, being the beginning of a curve;

THENCE, 31.42 feet, leaving said southerly right-of-way line of Ranchito Avenue along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 46° 58' 04" W, a distance of 28.28 feet to a point on the easterly right-of-way line of Roanoke Drive;

THENCE, N 01° 58' 04" E, a distance of 100.00 feet to a point on the easterly right-of-way line of Roanoke Drive, being the beginning of a curve;

THENCE, 31.42 feet, leaving said easterly right-of-way line of Roanoke Drive along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 43° 01' 56" E, a distance of 28.28 feet to a point on the northerly right-of-way line of Ranchito Avenue;

THENCE, S 88° 01' 56" E (N 88° 49' 00" E – Record), along said northerly right-of-way line of Ranchito Avenue, a distance of 475.90 feet to a point being the beginning of a curve;

THENCE, 31.42 feet, leaving said northerly right-of-way line of Ranchito Avenue along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 46° 58' 04" E, a distance of 28.28 feet to a point on the westerly right-of-way line of Rutledge Place;

THENCE, S 01° 58' 04" W, a distance of 100.00 feet to the **POINT OF BEGINNING** of this description and containing in all 0.72 acres more or less.

NOTES:

1. This property may be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground distances and may be converted to grid dividing by 1.000231.
3. This description does not intend to be a subdivision process which may be required by local or state code, and it is the client's/owner responsibility to comply with this code if required.
4. A survey of even date accompanies this description.



Benito Barragan TX P.L.S. 5615,
Barragan and Associates Inc.
Texas Surveying Firm # 10151200
January 28, 2022
Parcel 3 – Will Ruth – R.O.W. Vacating
Job No. 211228-02

Barragan And Associates Inc.

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

PARCEL-4 DESCRIPTION

Description of a portion of Rutledge Place right-of-way between Threadgill Avenue and Will Ruth Avenue, within Los Ranchitos Subdivision, City of El Paso, El Paso County, Texas, filed for record in Volume 2, Page 4, Plat Records of El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a found square bolt being the common corner of Sections 1, 6, 38 and 43, Block 1, Township 1, T&P Railway Co. Surveys, El Paso County, Texas; **THENCE**, N 88° 01' 56" W (S 88° 49' 00" W – Record), along the common section line of said Sections 1 and 38, a distance of 1746.96 feet to a point; **THENCE**, N 01° 58' 04" E, leaving said common section line, a distance of 45.00 feet to a point on the northerly right-of-way line of Threadgill Avenue, said point being the **POINT OF BEGINNING** of this description;

THENCE, N 88° 01' 56" W, a distance of 100.00 feet to a point on said northerly right-of-way line of Threadgill Avenue, being the beginning of a curve;

THENCE, 31.42 feet, leaving said northerly right-of-way line of Threadgill Avenue along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 46° 58' 04" E, a distance of 28.28 feet to a point on the westerly right-of-way line of Rutledge Place;

THENCE, N 01° 58' 04" E (N 01° 11' 00" W – Record), passing along said westerly right-of-way line of Rutledge Place, a distance of 410.00 feet to a point on said westerly right-of-way line of Rutledge Place, being the beginning of a curve;

THENCE, 31.42 feet, leaving said westerly right-of-way line of Rutledge Place along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears N 43° 01' 56" W, a distance of 28.28 feet to a point on the southerly right-of-way line of Will Ruth Avenue;

THENCE, S 88° 01' 56" E, a distance of 100.00 feet to a point on said southerly right-of-way line of Will Ruth Avenue, being the beginning of a curve;

THENCE, 31.42 feet, leaving said southerly right-of-way line of Will Ruth Avenue along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 46° 58' 04" W, a distance of 28.28 feet to a point on the easterly right-of-way line of Rutledge Place;

THENCE, S 01° 58' 04" W (S 01° 11' 00" E – Record), passing along said easterly right-of-way line of Rutledge Place, a distance of 410.00 feet to a point on said easterly right-of-way line of Rutledge Place, being the beginning of a curve;

THENCE, 31.42 feet, leaving said easterly right-of-way line of Rutledge Place along an arc of a curve to the left with a radius of 20.00 feet, an interior angle of 90° 00' 00", and a chord which bears S 43° 01' 56" E, a distance of 28.28 feet to the **POINT OF BEGINNING** of this description and containing in all 0.63 acres more or less.

NOTES:

1. This property may be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground distances and may be converted to grid dividing by 1.000231.
3. This description does not intend to be a subdivision process which may be required by local or state code, and it is the client's/owner responsibility to comply with this code if required.
4. A survey of even date accompanies this description.



Benito Barragan T.X.R.P.L.S 5615,
Barragan and Associates Inc.
Texas Surveying Firm # 10151200
January 28, 2022
Parcel 4 – Will Ruth – R.O.W. Vacating
Job No. 211228-02

ATTACHMENT 4


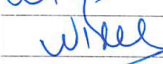


VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY APPLICATION

Date: 01/10/2022

File No. _____

1. APPLICANTS NAME: MILLS PLAZA PROPERTIES VIII, LP
ADDRESS 123 W Mills Ave Suite 600 El Paso, Texas ZIP CODE 79901 TELEPHONE 915-504-7152
2. Request is hereby made to vacate the following: (check one)
Street ☐ Alley ☒ Easement ☐ Other ☐
Street Name(s) 415 N Mesa/414 N. Oregon Subdivision Name MILLS ADDITION
Abutting Blocks 2 Abutting Lots 10
3. Reason for vacation request: TO COMBINE ABUTTING LOTS TO CREATE A LARGER LOT FOR FUTURE DEVELOPMENT
4. Surface Improvements located in subject property to be vacated:
None ☐ Paving ☒ Curb & Gutter ☒ Power Lines/Poles ☒ Fences/Walls ☐ Structures ☐ Other ☐
5. Underground Improvements located in the existing rights-of-way:
None ☐ Telephone ☒ Electric ☐ Gas ☒ Water ☒ Sewer ☒ Storm Drain ☐ Other ☐
6. Future use of the vacated right-of-way:
Yards ☐ Parking ☒ Expand Building Area ☐ Replat with abutting Land ☐ Other ☐
7. Related Applications which are pending (give name or file number):
Zoning ☐ Board of Adjustment ☐ Subdivision ☐ Building Permits ☐ Other ☐
8. Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

Signature	Legal Description	Telephone
	Parcel 1: 0.239 Acres of Block 2, Mills Map Addition	915-504-7152
	Parcel 2: 0.178 Acres of Block 2, Mills Map Addition	915-504-7152

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the City to grant the Vacation. I/We further understand that the fee, if the Vacation is granted will be determined by the City of El Paso and a Certified or Cashier's Check must be presented before the request will be recommended for Council action.

The undersigned acknowledges that he or she is authorized to do so, and upon the City's request will provide evidence satisfactory to the City confirming these representations.

The granting of a vacation request shall not be construed to be a waiver of or an approval of any violation of any of the provisions of any applicable City ordinances.

OWNER SIGNATURE:  REPRESENTATIVE SIGNATURE: _____

REPRESENTATIVE (PHONE): 915 203 7277

REPRESENTATIVE (E-MAIL): ghalout@eli-engineering.com

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.

Planning & Inspections Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

ATTACHMENT 5

Planning and Inspections Department- Planning Division

No objections, staff recommends approval.

Planning and Inspections Department- Land Development Division

Any proposed improvements shall not impede the flow of storm-water runoff.

Parks and Recreation Department

No objections to proposed application.

Sun Metro

No comments received.

IT Department

No comments or concerns on this application.

Fire Department

No adverse comments, recommend approval.

Streets and Maintenance Department

TIA is not required.

Capital Improvement Department

No comments received.

El Paso Water

No comments received.

Texas Gas

No comments received.

El Paso Electric

No comments received.

El Paso County 911 District

No comments received.

Texas Department of Transportation

No comments received.

El Paso County

No comments received.

El Paso County Water Improvement District #1

No comments received.



Legislation Text

File #: 22-1373, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

District 8

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

Planning and Inspections, Luis Zamora, (915) 212-1552

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

An Ordinance changing the zoning of Lots 1 through 16, Block 36, East El Paso, 3200 and 3230 Durazno Avenue, City of El Paso, El Paso County, Texas from M-1 (Light Manufacturing) to G-MU (General Mixed Use) and approving a master zoning plan. 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: 3200 and 3230 Durazno Ave.

Applicant: Spaghetti Bowl Properties, LLC, PZRZ22-00025

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

AGENDA DATE: October 25, 2022
PUBLIC HEARING DATE: November 22, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Luis Zamora, (915) 212-1552

DISTRICT(S) AFFECTED: District 8

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An ordinance changing the zoning of Lots 1 through 16, Block 36, East El Paso, 3200 and 3230 Durazno Avenue, City of El Paso, El Paso County, Texas from M-1 (Light Manufacturing) to G-MU (General Mixed Use) and approving a master zoning plan. 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: 3200 and 3230 Durazno Ave.
Applicant: Spaghetti Bowl Properties, LLC, PZRZ22-00025

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone the subject property along with approval of a master zoning plan to allow a mixed-use development, which consist of an existing brewery and warehouse with the addition of proposed uses of on-premise consumption of alcohol and offices. City Plan Commission unanimously recommended 5-0 to approve the proposed rezoning on September 8, 2022. As of October 18, 2022, the Planning Division has not received any communication in support or opposition to the rezoning request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 1 THROUGH 16, BLOCK 36, EAST EL PASO, 3200 AND 3230 DURAZNO AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM M-1 (LIGHT MANUFACTURING) TO G-MU (GENERAL MIXED USE) AND APPROVING A MASTER ZONING PLAN. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of *Lots 1 through 16, Block 36, East El Paso, 3200 and 3230 Durazno Avenue, City of El Paso, El Paso County, Texas*, be changed from **M-1 (Light Manufacturing)** to **G-MU (General Mixed Use)** and approving a Master Zoning Plan, as defined in Section 20.06.020, such land uses allowed as being reflected in the Master Zoning Plan attached as Exhibit “A” and the Master Zoning Report attached as Exhibit “B” incorporated herein for all purposes, and that the zoning map of the City of El Paso be revised accordingly.

The Penalties for violating the standards imposed through this rezoning ordinance are found in Chapter 20.24 of the El Paso City Code.

ADOPTED this _____ day of _____, 2022

THE CITY OF EL PASO:

ATTEST:

Oscar Leaser
Mayor

Laura D. Prine, City Clerk

APPROVED AS TO FORM:

Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

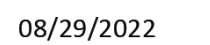
Philip F. Etiwe
Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____

PZRZ22-00025

LOCATION MAP SHEET

Existing Landscape area provided: 420 sq.ft. (not required for this project under 18.46)

[illegible]

Project

3200 and 3230 Durazno Ave.
El Paso Texas, 79905

Drawing

Master Zoning Plan

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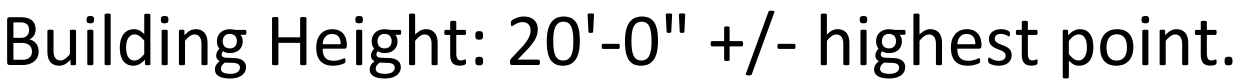
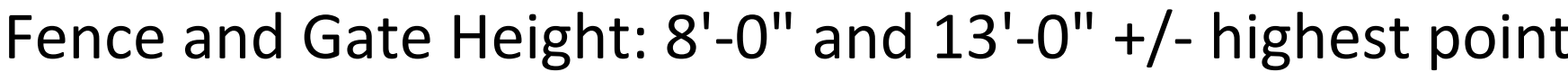
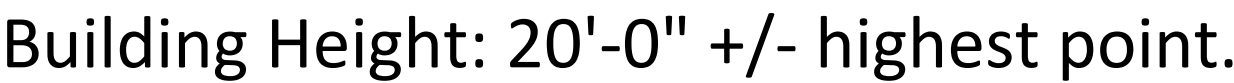
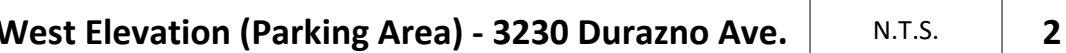
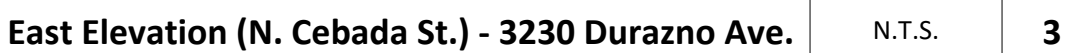
Print Date / Time: 08/29/2022

LWA Commission Number

Sheet Number

218-025

MZP-100.A





Wells Fargo Plaza
221 North Kansas Street, Suite 820
El Paso, Texas 79901
(915) 613-4576 phone
(915) 532-8839 fax
www.loyawilke.com



PLANNING & INSPECTIONS DEPARTMENT
PLANNING DIVISION
MASTER ZONING PLAN
APPROVED BY CITY COUNCIL

9/11/12
DATE

APPLICANT

Kevin Smith

EXECUTIVE SECRETARY, CITY PLAN COMMISSION

CITY MANAGER

Master Zoning Plan for a General Mixed-Use Zoning DeadBeach Brewery

A) Purpose and Intent:

This new Master Zoning Plan intends to improve the existing neighborhood, mark our City of El Paso as a local beer distributor that has expanded beyond our state, bring work opportunities, increase the value of adjacent properties, and provide an eye-catching building from the interstate highway.

B) Objective:

Both buildings will create a block that will allow all visitors to tour the most recent stage of technological development brewery facility, a tasting center, a culinary restaurant and bar, and retail areas. It allows the surrounding residential areas to have a mixed-used space within walking distance.

C) Characteristics:

3200 Durazno Avenue is the location of a newly renovated 25,865 sq. ft. building. The Brewery occupies 21,987 sq. ft. of the building and the pending 3,878 sq. ft., the administrative offices and a tasting area.

3230 Durazno Avenue is the location of the existing DeadBeach Brewery Headquarters building of 13,300 sq. ft.

The existing building at 3230 Durazno Ave. will be demolished in the next two to three years to bring a new prominent two-story building that will provide a mixed-use space including a full-service restaurant, bar, tavern, pub, retail marketplace, beer and wine sale, business spaces.

D) Access:

Both buildings have access from Durazno Ave. and the side streets, Estrella Street and Cebada Street.

E) Setbacks:

The buildings request a zero setback along Durazno Ave., zero side setbacks, 10'-0" rear setback for lot 3200, and 8'- 8" rear setback for lot 3230.



F) Landscaping:

3200 Durazno Ave. building has improved the site and provided 2,486 sq. ft. of landscape areas.

3230 Durazno Ave. building currently has about 420 sq. ft. of landscape. We will incorporate interior and exterior green areas as part of the new building design.

G) Parking:

Lots currently have a shared parking agreement PSHP21-00001 that provides sufficient parking space for open business hours.

Durazno Ave. provides off-street parking spaces along the front of the buildings, and Estrella Street and Cebada Street provide off-street parking since both streets have been closed by the Rail Road. No trailer parking utilized by facility use.

Parking Calculation

Occupancy: F2/B
Brewery (5.06)
21,987 SF/864 SF GFA = 25 Parking spaces required
Office, Business (4.09)
3,878 SF/576 SF GFA = 7 Parking spaces required
Total Parking Required: 32 parking spaces required
3 bicycle spaces required and provided
Total Parking Provided: 41 parking spaces required +
23 on-street parking = 64 total

Parking Calculation

Office Warehouse (2.13)
Office 2,100 SF/ 400 SF GFA = 5 Parking spaces required
Warehouse 11,200 SF / 5,000 SF GFA = 2 Parking spaces required
3 bicycle spaces required and provided

Total Parking Required: 7 parking spaces required

Parking for 3200 Durazno is provided at 3230 Durazno
Shared Parking Agreement PSHP21-00001

H) Phasing:

3200 Durazno has completed the renovation of the building.

3230 Durazno will be built in one phase in its entirety within the next two to three years.

I) Relationship with Plan for El Paso:

The building improvements will boost the surroundings, increase economic development in the area, and promote the neighborhood's renovation/development of properties.

General Data:

Acreage:

3200 Durazno Ave., is .81 acres

3230 Durazno Ave., is .90 acres

The total Acreage is 1.72 acres

Total number of dwelling units: N/A

Total Area of Commercial Use: 40,000 sq.ft. (both lots)

Total Area of Office Use: 6,000 sq. ft. (both lots)

Total Area of Factory/Storage Use: 22,000 sq.ft. (3200 Durazno Ave.)



Proposed Sub-Districts: N/A

Property Development Regulations per Sub-District: N/A

Zoning District: GMU

District Regulations:

- i. Total Area: 1.72 acres
- ii. Lot Coverage: 68,000 sq.ft. total construction
48,000 sq.ft. ground cover
- iii. Minimum lot width: 200 ft. each lot
- iv. Minimum lot depth: 160 ft. (3200 Durazno Ave. lot) 196 ft. (3230 Durazno Ave. lot)
- v. Minimum building setbacks:
 - a. Front: Zero (0) feet
 - b. Rear: Ten (10) feet, 3200 Durazno Ave. and 8'-8" 3230 Durazno Ave.
 - c. Cumulative front and rear: Ten (10) feet, 3200 Durazno Ave. and 8'-8" 3230 Durazno Ave.
 - d. Side Interior: Zero (0) feet
 - e. Side Street: Zero (0) feet
 - f. Cumulative Side Setbacks: Zero (0) feet
 - g. Garage: N/A
- vi. Maximum Building Height:
 - a. Primary structures: 30'-0"
 - b. Accessory structures: 26'-0"
- vii. Maximum proposed density for each residential land use type expressed in dwelling units per gross acre of developable land: N/A
- viii. Maximum proposed intensity for each non-residential land use type expressed in floor area ratio (FAR):
 - a. Commercial: 20,000 sq.ft. - .50 FAR
 - b. Office: 6,000 sq.ft. - .16 FAR
 - c. Factory 22,000 sq.ft. - .61 FAR

Property Development Regulations Required per Subdistrict by Land Use Type: N/A

Development Plan: See MZP-100 for full-size plan.



No.	Date	Description

**DeadBeach
Brewery
Tenant
Improvement**
3200 and 3230 Durazo Ave.
El Paso Texas, 79905

Master Zoning Plan

Project Name	DeadBeach Brewery Tenant Improvement
Project Number	22B-025
Master Zoning Plan	MZP-100-A

LOCATION MAP SHEET



PROJECT GENERAL INFORMATION

Deadbeach Brewery Company Headquarters

Project Number: 22B-025
Project Name: Deadbeach Brewery Company Headquarters
Project Address: 3200 Durazo Ave, El Paso, TX 79905
Project Owner: Deadbeach Brewery Company

Legal Description
Tract 1, Block 1, Subdivision 1, City of El Paso, Texas, containing 0.10 acres, more or less, as shown on the plat of the same, recorded in the Public Records of El Paso County, Texas, Book 10, Page 10.

Size and Use of structures
Total Building Area: 11,200 sq. ft. (including parking structure)
Total Lot Area: 1.10 acres (47,910 sq. ft.)
Total Building Area: 11,200 sq. ft. (including parking structure)

Parking Calculation
Office: 1,000 sq. ft. = 1 parking space required
Total parking spaces required: 11,200 sq. ft. / 1,000 sq. ft. = 11.2 parking spaces required
Total parking spaces provided: 11 parking spaces provided

Landscaping
Total landscaping area: 11,200 sq. ft. (including parking structure)
Total landscaping area: 11,200 sq. ft. (including parking structure)

GENERAL DATA

Deadbeach Brewery
Project Number: 22B-025
Project Name: Deadbeach Brewery
Project Address: 3200 Durazo Ave, El Paso, TX 79905
Project Owner: Deadbeach Brewery Company

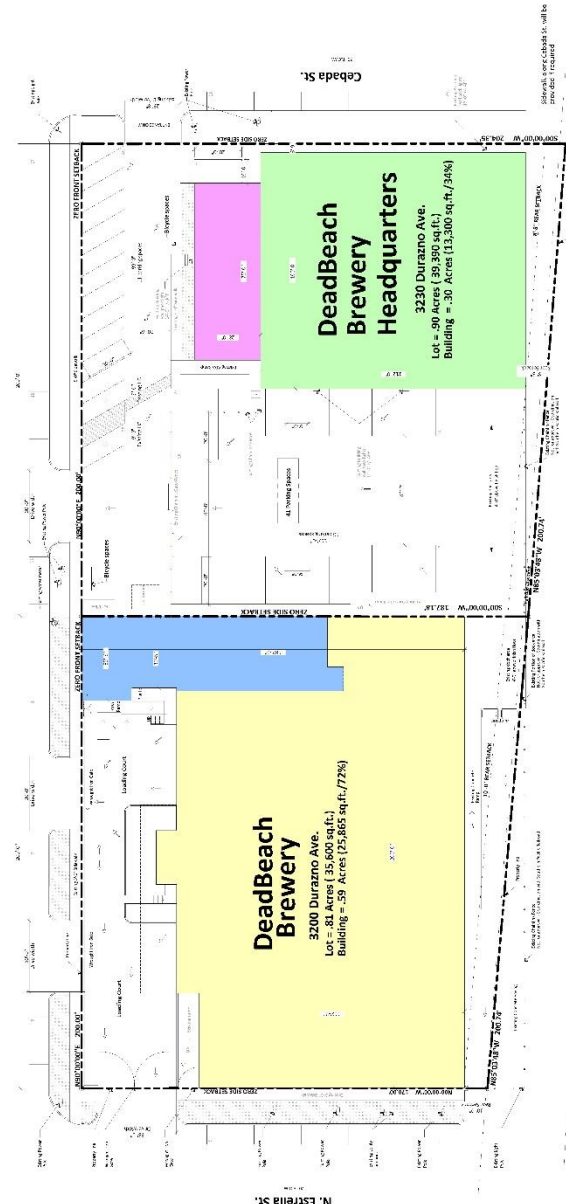
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Total parking spaces provided: 11 parking spaces provided

Landscaping
Total landscaping area: 11,200 sq. ft. (including parking structure)
Total landscaping area: 11,200 sq. ft. (including parking structure)

Durazo Ave.



Southern Pacific Railroad



Dead Beach Brewery Mix-Use Table					
Uses	Minimum Area	Front Setback	Side Setback	Rear Setback	Maximum Building Height
Office, Warehouse	576 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Warehouse	7,200 sq.ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Storage of supplies, equipment, goods	7,200 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Office, Business	576 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Office, Professional	576 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Office, Administrative/Manager's	576 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Beverage product manufacturing	960 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Brewery	864 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Night club, bar, cocktail lounge, tavern	144 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Other retail establishments (high-volume)	360 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Other retail establishments (low-volume)	360 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Other wholesale establishment (high-volume)	2,700 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Other wholesale establishment (low-volume)	2,700 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Restaurant (drive-in or walk-up)	144 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Restaurant (sit down)	144 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Specialty shop	360 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.

Gilda Maraboto, RAS, CBI-ICC
Senior Associate
LoyaWilke Architects

/Attachment(s): MZP-100, MZP-100.B and MZP-100.C

3200 and 3230 Durazno Avenue

City Plan Commission — September 8, 2022

REZONING



CASE NUMBER: PZRZ22-00025
CASE MANAGER: Luis Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov
PROPERTY OWNER: Spaghetti Bowl Properties, LLC
REPRESENTATIVE: Veronica Hernandez
LOCATION: 3200 and 3230 Durazno Ave. (District 8)
PROPERTY AREA: 1.72 acres
REQUEST: Rezone from M-1 (Light Manufacturing) to G-MU (General Mixed Use) and approval of a Master Zoning Plan
RELATED APPLICATIONS: None
PUBLIC INPUT: None received as of September 1, 2022

SUMMARY OF REQUEST: The applicant requests to rezone from M-1 (Light Manufacturing) to G-MU (General Mixed Use) and approval of a Master Zoning Plan to allow a mixed-use development.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the request. The proposed development is character with other uses in its proximity and is in keeping with the policies of the G-2, Traditional Neighborhood Land Use Designation of *Plan El Paso*, the City's adopted Comprehensive Plan.

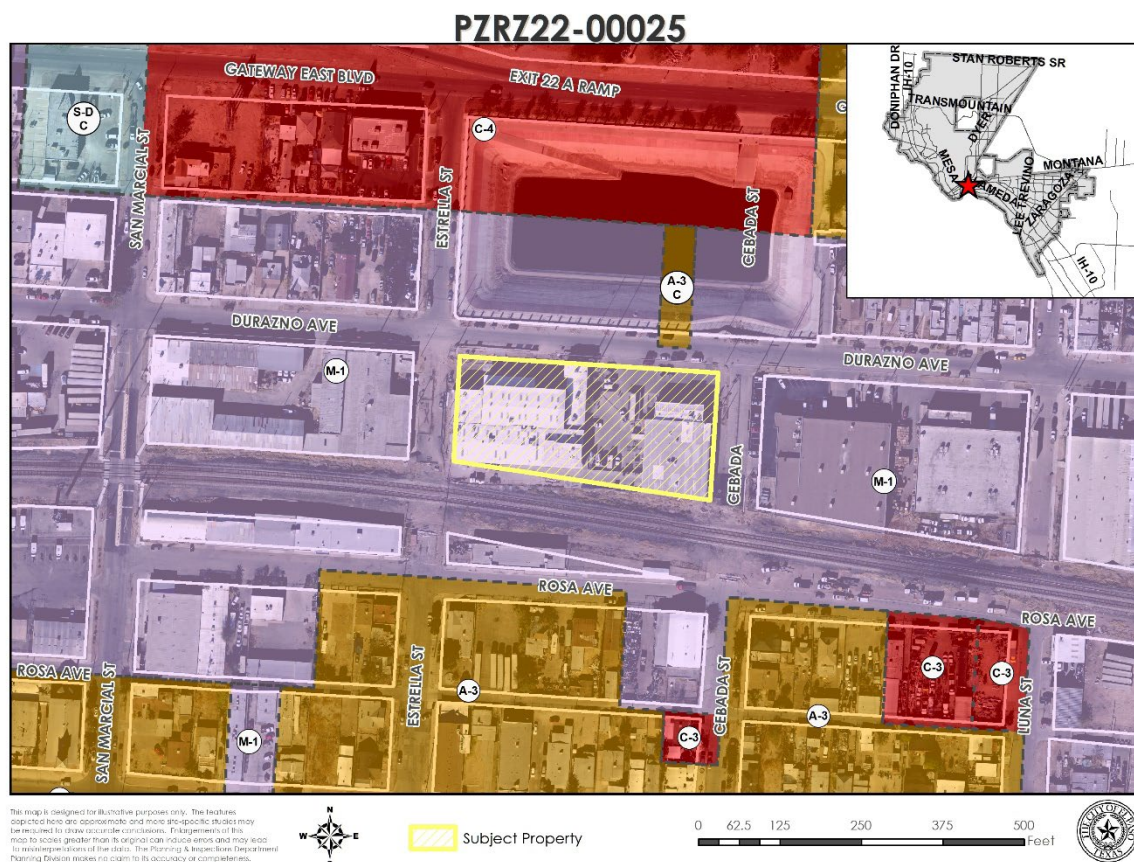


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant requests to rezone the subject property from M-1 (Light Manufacturing) to G-MU (General Mixed Use) to allow a mixed-use development. Along with the rezoning request, approval of a Master Zoning Plan is required due to the proposed mixed-use district. The master zoning plan shows the subject property consisting of two (2) lots with existing structures to remain. The property at 3200 Durazno Avenue is proposed to house 21,987 square feet for use of brewery, warehouse, storage, manufacturing, labeling, and packaging, as well as house 3,878 square feet for use of business, tasting/pub/bar, and consumer sale for on-premise and off-premise beer and wine consumption for a total area of 25,865 square feet. Total required parking per the uses is forty-one (41) parking spaces and three (3) bicycle spaces. Parking for this property is being provided on the adjacent property through an approved shared parking agreement (PSHP21-00001). The property at 3230 Durazno Avenue is proposed to house 2,100 square feet of office space and 11,200 square feet for warehouse and storage for a total area of 13,300 square feet. Total required parking per the uses is seven (7) parking spaces and three (3) bicycle spaces. Due to the parking shared agreement, this property is to provide a minimum of forty-eight (48) parking spaces, which include two (2) accessible spaces, and six (6) bicycle spaces. The applicant is providing forty-one (41) spaces within the property plus twenty-three (23) spaces on the street for a total of sixty-four (64) parking spaces available along with six (6) bicycle spaces to meet the requirements. Main access to the properties are from Durazno Avenue, Estrella Street, and Cebada Street.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: Neighboring properties to the north across Durazno Avenue consist of a public stormwater pond site zoned M-1 (Light Manufacturing), C-4 (Commercial), and A-3/c (Apartment/conditions). Properties to the west across Estrella Street consist of a general warehouse, to the east across Cebada Street consist of an electrical supply store, and to the south across the railroad tracks consist of an automotive repair shop, all zoned M-1 (Light Manufacturing). Currently, formal sidewalks are present only on the property at 3200 Durazno Avenue with the property at 3230 Durazno Avenue having the parkway covered by asphalt. The nearest school is Zavala Elementary (0.73 miles) and the nearest park is Pera-Luna Park (0.63 miles).

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p><u>G-2, Traditional Neighborhood:</u> This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.</p>	<p>Yes. The proposed mixed-use development will integrate commercial and office uses in an area mostly comprised of light industrial uses.</p>

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>G-MU (General Mixed Use): The purpose of this district is to accommodate, encourage and promote innovatively designed developments involving the combining and mixing of uses allowed in various zoning districts with appropriate regulations, which together form an attractive and harmonious unit of the city. The regulations of this district are intended to allow for large-scale developments that are able to function as individual neighborhoods or an integrated collection (two or more) of individual neighborhoods supported by civic, commercial and recreational uses; as small-scale developments requiring flexibility because of unique design characteristics; or as transitional areas between dissimilar land uses. It is intended that the district regulations permit flexibility and encourage more creative, efficient and aesthetically desirable design and placement of land uses.</p>	<p>Yes. The proposed zoning district is compatible with the adjacent M-1 (Light Manufacturing) zone district surrounding the property, which consist of a general warehouse, automotive repair shop, and electrical supply store.</p>
<p>Preferred Development Locations: Located along an arterial (or greater street classification) or the intersection of two collectors (or greater street classification). The site for proposed rezoning is not located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.</p>	<p>Yes. The subject property covers an entire block and abuts Durazno Avenue, which is designated as a Collector as per El Paso Major Thoroughfare Plan (MTP), which is appropriate for the proposed intensity. In addition, it is in close proximity to Gateway East Boulevard, designated as a Major Arterial and subsequently to Interstate Highway 10, designated as a Freeway per the El Paso MTP.</p>
THE PROPOSED ZONING DISTRICT’S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
<p>Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.</p>	<p>The subject property is not located within any historic districts, other special designations, or areas with adopted study area plans.</p>
<p>Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.</p>	<p>No adverse effects are anticipated.</p>
<p>Natural Environment: Anticipated effects on the natural environment.</p>	<p>There are no anticipated effects to the natural environment.</p>
<p>Stability: Whether the area is stable or in transition.</p>	<p>The area is stable with no rezonings in the vicinity in the last 10 years.</p>
<p>Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.</p>	<p>None.</p>

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property will provide access from Durazno Avenue, which is designated as a Collector per El Paso MTP and is appropriate for the proposed intensity. In addition, it is in close proximity to Gateway East Boulevard, designated as a Major Arterial and subsequently to Interstate Highway 10, designated as a Freeway per the El Paso MTP. While sidewalks are partially present thought the area, any required sidewalks may be required to be installed prior to issuance of building permits.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: There are no adverse comments from reviewing departments.

PUBLIC COMMENT: The subject property lies within the Sunrise Civic Group and the El Paso Central Business Association, which were notified of the request by the applicant. As required, public notice was sent to all property owners within 300 feet of the subject property on August 25, 2022. The Planning division has not received any communication in support nor opposition to the request as of September 1, 2022,

RELATED APPLICATIONS: None.

CITY PLAN COMMISSION OPTIONS:

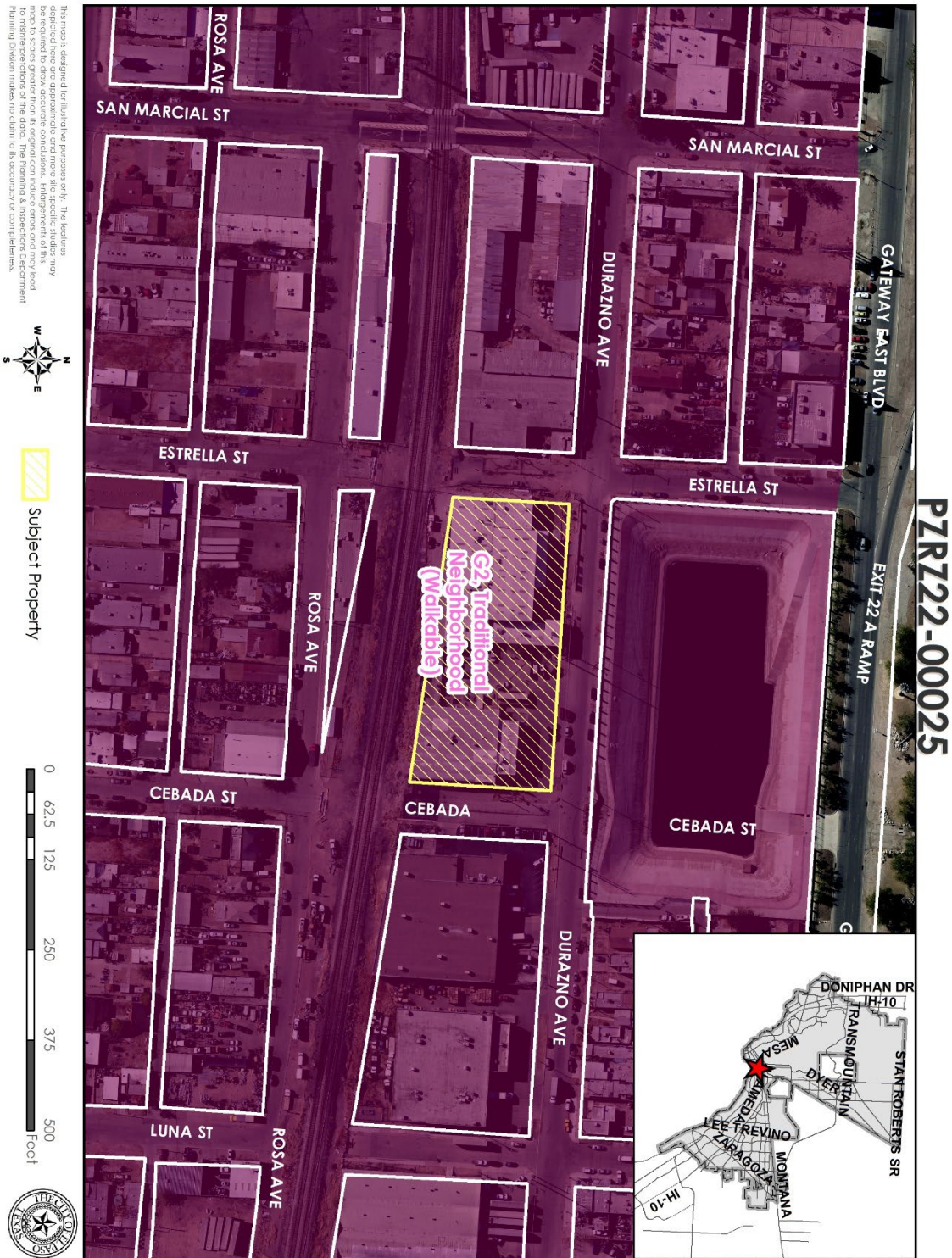
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

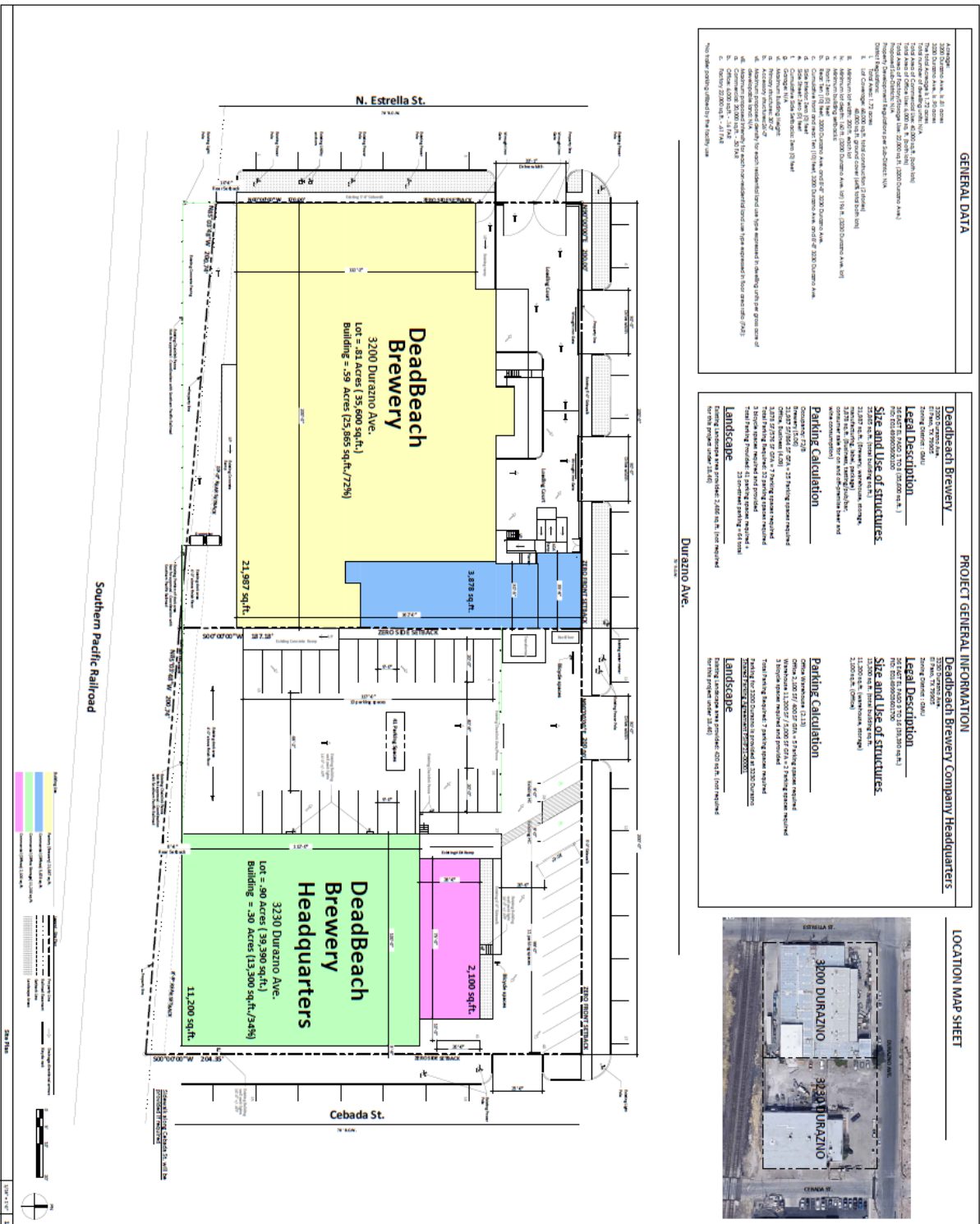
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
2. **Recommend Approval of the rezoning request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
3. **Recommend Denial** of the rezoning request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

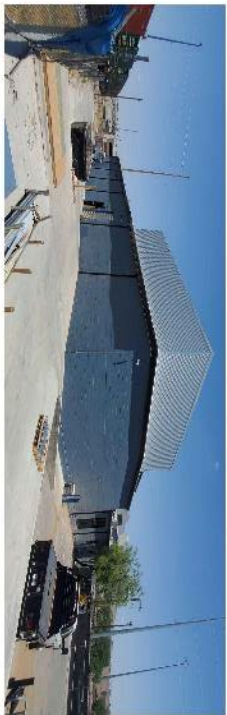
ATTACHMENTS:

1. Future Land Use Map
2. Master Zoning Plan
3. Master Zoning Plan Report
4. Department Comments
5. Neighborhood Notification Boundary Map

ATTACHMENT 1



[illegible]



DeadBeach Brewery - 2020 Brewery Ave. 1" = 1'



DeadBeach Brewery - 2020 Brewery Ave. 1" = 1'



DeadBeach Brewery - 2020 Brewery Ave. 1" = 1'



DeadBeach Brewery - 2020 Brewery Ave. 1" = 1'



DeadBeach Brewery - 2020 Brewery Ave. 1" = 1'



DeadBeach Brewery - 2020 Brewery Ave. 1" = 1'

DeadBeach Brewery - 2020 Brewery Ave. 1" = 1'



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DeadBeach Brewery Tenant Improvement

3200 and 3200 E. 10th Ave.
C. Paul Wilke, 78505

Master Zoning Plan

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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7001 Broadway (N. Garden St.), 2170 Broadway Ave. N. 5 3



7001 Broadway (N. Garden St.), 2170 Broadway Ave. N. 5 3



7001 Broadway (N. Garden St.), 2170 Broadway Ave. N. 5 3



7001 Broadway (N. Garden St.), 2170 Broadway Ave. N. 5 3



Building Height: 20'-0" +/- highest point.



Fence and Gate Height: 8'-0" and 13'-0" +/- highest point

Building Height: 20'-0" +/- highest point.

7001 Broadway (N. Garden St.), 2170 Broadway Ave. N. 5 3

NO.	DATE	REVISION
1	08/08/22	1.00

DeadBeach Brewery Tenant Improvement

3200 and 3230 Durand Ave.
El Paso Texas, 79905

Master Zoning Plan

NO.	DATE	REVISION
1	08/08/22	1.00

ATTACHMENT 3



Wells Fargo Plaza
221 North Kansas Street, Suite 820
El Paso, Texas 79901
(915) 613-4576 phone
(915) 532-8839 fax
www.loyawilke.com

Master Zoning Plan for a General Mixed-Use Zoning DeadBeach Brewery

A) Purpose and Intent:

This new Master Zoning Plan intends to improve the existing neighborhood, mark our City of El Paso as a local beer distributor that has expanded beyond our state, bring work opportunities, increase the value of adjacent properties, and provide an eye-catching building from the interstate highway.

B) Objective:

Both buildings will create a block that will allow all visitors to tour the most recent stage of technological development brewery facility, a tasting center, a culinary restaurant and bar, and retail areas. It allows the surrounding residential areas to have a mixed-used space within walking distance.

C) Characteristics:

3200 Durazno Avenue is the location of a newly renovated 25,865 sq. ft. building. The Brewery occupies 21,987 sq. ft. of the building and the pending 3,878 sq. ft., the administrative offices and a tasting area.

3230 Durazno Avenue is the location of the existing DeadBeach Brewery Headquarters building of 13,300 sq. ft.

The existing building at 3230 Durazno Ave. will be demolished in the next two to three years to bring a new prominent two-story building that will provide a mixed-use space including a full-service restaurant, bar, tavern, pub, retail marketplace, beer and wine sale, business spaces.

D) Access:

Both buildings have access from Durazno Ave. and the side streets, Estrella Street and Cebada Street.

E) Setbacks:

The buildings request a zero setback along Durazno Ave., zero side setbacks, 10'-0" rear setback for lot 3200, and 8'- 8" rear setback for lot 3230.

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F) Landscaping:

3200 Durazno Ave. building has improved the site and provided 2,486 sq. ft. of landscape areas.
3230 Durazno Ave. building currently has about 420 sq. ft. of landscape. We will incorporate interior and exterior green areas as part of the new building design.

G) Parking:

Lots currently have a shared parking agreement PSHP21-00001 that provides sufficient parking space for open business hours.
Durazno Ave. provides off-street parking spaces along the front of the buildings, and Estrella Street and Cebada Street provide off-street parking since both streets have been closed by the Rail Road. No trailer parking utilized by facility use.

Parking Calculation

Occupancy: F2/B
Brewery (5.06)
21,987 SF/864 SF GFA = 25 Parking spaces required
Office, Business (4.09)
3,878 SF/576 SF GFA = 7 Parking spaces required
Total Parking Required: 32 parking spaces required
3 bicycle spaces required and provided
Total Parking Provided: 41 parking spaces required +
23 on-street parking = 64 total

Parking Calculation

Office Warehouse (2.13)
Office 2,100 SF/ 400 SF GFA = 5 Parking spaces required
Warehouse 11,200 SF / 5,000 SF GFA = 2 Parking spaces required
3 bicycle spaces required and provided
Total Parking Required: 7 parking spaces required
Parking for 3200 Durazno is provided at 3230 Durazno
Shared Parking Agreement PSHP21-00001

H) Phasing:

3200 Durazno has completed the renovation of the building.
3230 Durazno will be built in one phase in its entirety within the next two to three years.

I) Relationship with Plan for El Paso:

The building improvements will boost the surroundings, increase economic development in the area, and promote the neighborhood's renovation/development of properties.

General Data:

Acreage:
3200 Durazno Ave., is .81 acres
3230 Durazno Ave., is .90 acres
The total Acreage is 1.72 acres
Total number of dwelling units: N/A
Total Area of Commercial Use: 40,000 sq.ft. (both lots)
Total Area of Office Use: 6,000 sq. ft. (both lots)
Total Area of Factory/Storage Use: 22,000 sq.ft. (3200 Durazno Ave.)

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Proposed Sub-Districts: N/A

Property Development Regulations per Sub-District: N/A

Zoning District: GMU

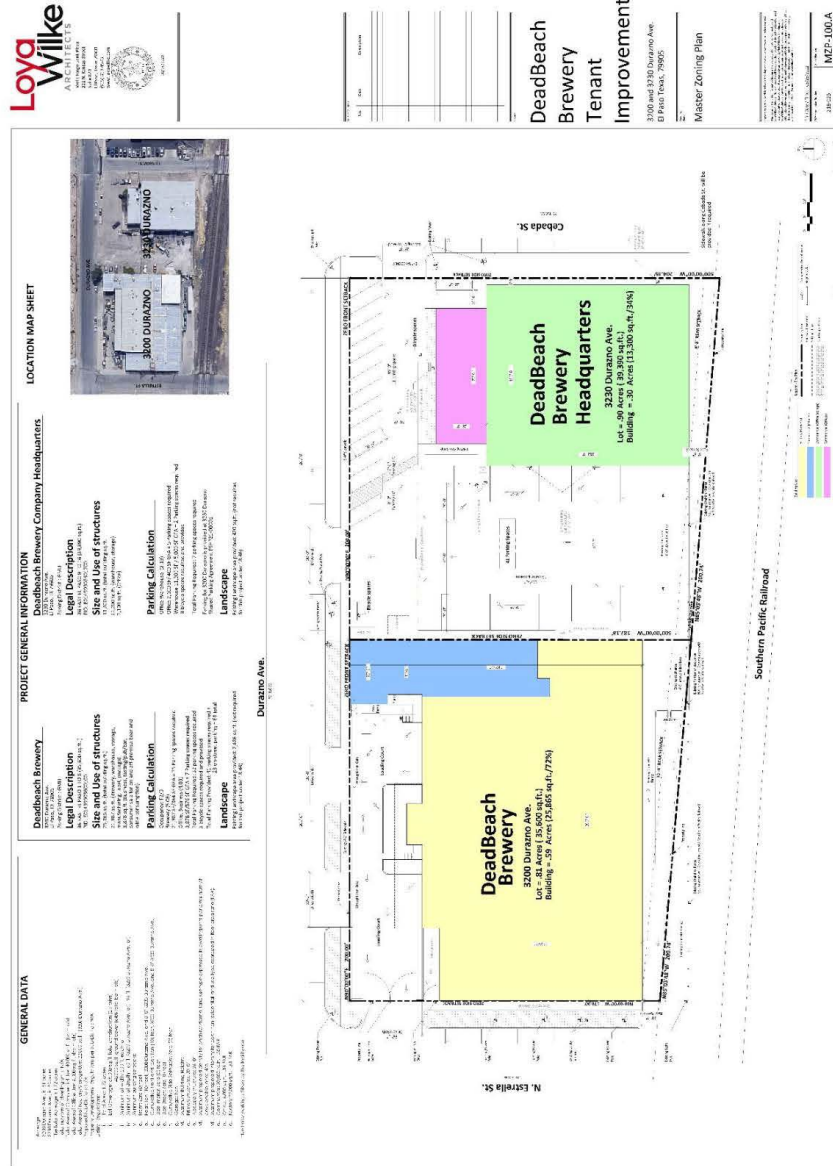
District Regulations:

- i. Total Area: 1.72 acres
- ii. Lot Coverage: 68,000 sq.ft. total construction
48,000 sq.ft. ground cover
- iii. Minimum lot width: 200 ft. each lot
- iv. Minimum lot depth: 160 ft. (3200 Durazno Ave. lot) 196 ft. (3230 Durazno Ave. lot)
- v. Minimum building setbacks:
 - a. Front: Zero (0) feet
 - b. Rear: Ten (10) feet, 3200 Durazno Ave. and 8'-8" 3230 Durazno Ave.
 - c. Cumulative front and rear: Ten (10) feet, 3200 Durazno Ave. and 8'-8" 3230 Durazno Ave.
 - d. Side Interior: Zero (0) feet
 - e. Side Street: Zero (0) feet
 - f. Cumulative Side Setbacks: Zero (0) feet
 - g. Garage: N/A
- vi. Maximum Building Height:
 - a. Primary structures: 30'-0"
 - b. Accessory structures: 26'-0"
- vii. Maximum proposed density for each residential land use type expressed in dwelling units per gross acre of developable land: N/A
- viii. Maximum proposed intensity for each non-residential land use type expressed in floor area ratio (FAR):
 - a. Commercial: 20,000 sq.ft. - .50 FAR
 - b. Office: 6,000 sq.ft. - .16 FAR
 - c. Factory 22,000 sq.ft. - .61 FAR

Property Development Regulations Required per Subdistrict by Land Use Type: N/A

Development Plan: See MZP-100 for full-size plan.

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Dead Beach Brewery Mix-Use Table					
Uses	Minimum Area	Front Setback	Side Setback	Rear Setback	Maximum Building Height
Office, Warehouse	576 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Warehouse	7,200 sq.ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Storage of supplies, equipment, goods	7,200 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Office, Business	576 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Office, Professional	576 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Office, Administrative/Manager's	576 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Beverage product manufacturing	960 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Brewery	864 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Night club, bar, cocktail lounge, tavern	144 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Other retail establishments (high-volume)	360 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Other retail establishments (low-volume)	360 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Other wholesale establishment (high-volume)	2,700 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Other wholesale establishment (low-volume)	2,700 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Restaurant (drive-in or walk-up)	144 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Restaurant (sit down)	144 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.
Specialty shop	360 sq. ft.	0 Ft.	0 Ft.	10'-0" and 8'- 8"	30 Ft.

Gilda Maraboto, RAS, CBI-ICC
Senior Associate
LoyaWilke Architects

/Attachment(s): MZP-100, MZP-100.B and MZP-100.C

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ATTACHMENT 4

Planning and Inspections Department - Planning Division

Recommend approval of the rezoning request and Master Zoning Plan.

Planning and Inspections Department – Plan Review & Landscaping Division

No objections to proposed rezoning. At the time of submittal for building permit, the project will need to comply with all applicable provisions of the ICC, TAS and Municipal Code.

Planning and Inspections Department – Land Development

Recommend approval.

1. The code encourages the use of nonstructural storm water management such as the preservation of greenspace, rainwater harvesting within parkways, landscaped areas, and other conservation efforts, to the maximum extent practicable.
2. Verify project is providing continuous sidewalk along 3230 Durazno frontage ROW in ADA compliance at street corners.

Note: Sidewalk compliance to be verified at time of building permitting.

Fire Department

No comments received.

Police Department

No comments received.

Environmental Services

No comments received.

Streets and Maintenance Department

No objections.

Sun Metro

No comments received.

El Paso Water

Stormwater:

If this property is redeveloped, EPWater-SW recommends using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavement) to reduce the amount of developed stormwater runoff.

Texas Department of Transportation

No comments received.

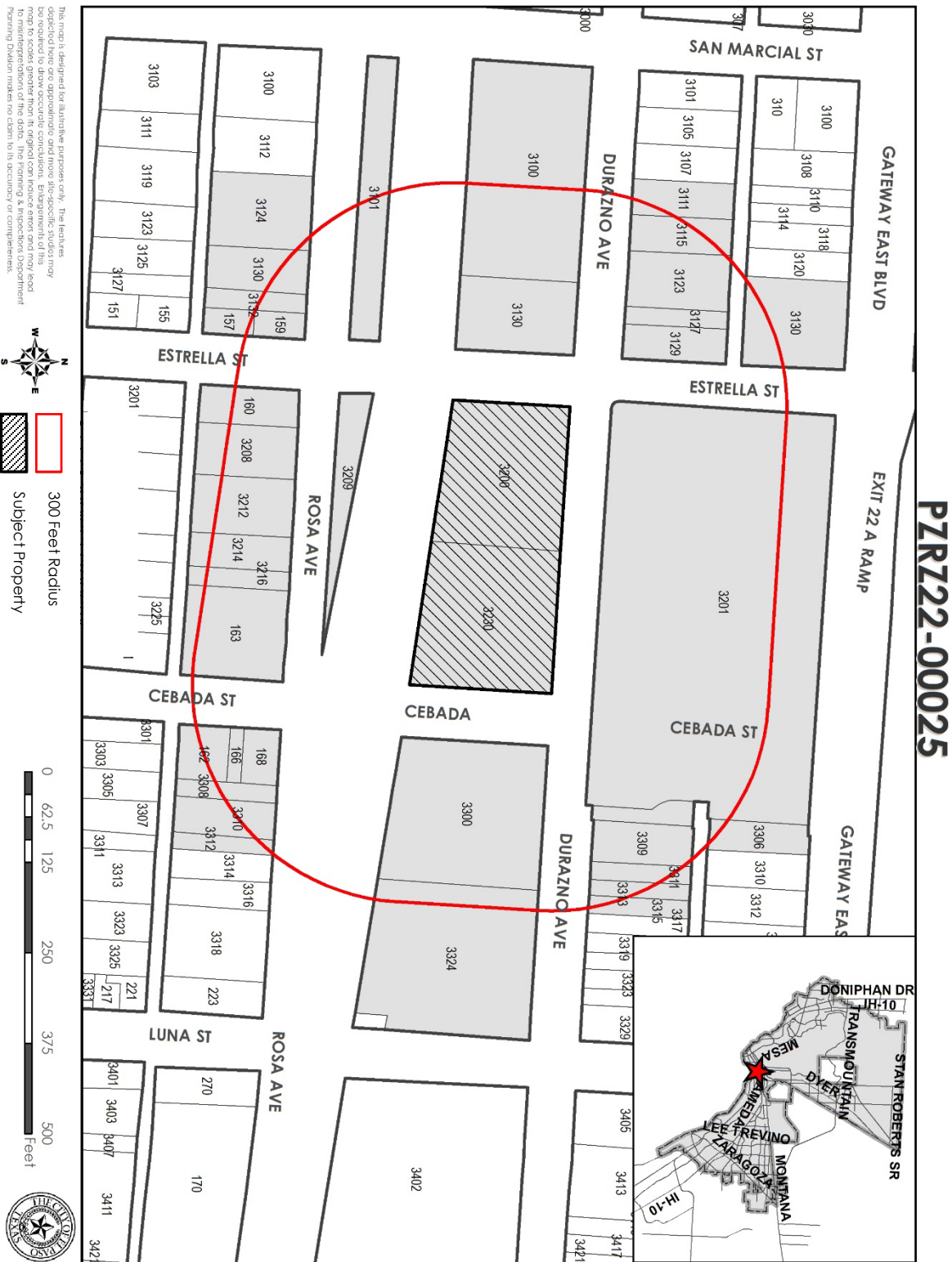
El Paso 9-1-1 District

No comments received.

El Paso County Water Improvement District #1

No comments received.

ATTACHMENT 5





Legislation Text

File #: 22-995, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

An Ordinance of the City Council of the City of El Paso, Texas, ordering a Special Election for the submission of Charter Amendments to Section 2.2C to allow persons to serve two full terms as Mayor or District Representative if such person carried out an unexpired term; Section 3.18 to allow City Council to authorize leases for 40 years or less by Resolution or Ordinance; Section 3.5A to allow Council to reschedule meetings for holidays and allow the Mayor to cancel a Council meeting if required due to Declared Emergency; Section 3.9B, 3.10B, and 6.1-12 to align to State law and update obsolete references; Section 3.11 to remove the requirement for a second petition in initiatives, and provide a procedure for citizens to initiate City Ordinances; Section 1.2, 3.5E, 3.6, 4.1B, 4.3 and 7.3 to authorize the Mayor to vote on all Council items, removing the tie-breaking and veto capacity; Section 6.1-4 to authorize the City to create a policy regarding membership on the Civil Service Commission to reflect the community and City Workforce; Sections 6.2-2 and 6.2-3 to align the employee serving as Civil Service Commission Recorder with other employees carrying out similar duties; Section 6.7-1 and 6.8-1 to allow the City to establish more flexible policies in hiring employees; Section 6.13-11D to establish the City contribution to the Police and Fire Pension Fund of no less than 18% of the wages of the participants, and remove the limit on the City's contribution; such Election to be held within the City, on November 8, 2022; making provisions for the conduct of the Election; and authorizing a contract with El Paso County to furnish election services and equipment; providing for severability and setting an effective date. [POSTPONED FROM 08-02-2022]

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

DEPARTMENT: Communications and Public Affairs

AGENDA DATE: August 2, 2022

PUBLIC HEARING DATE: August 16, 2022

CONTACT PERSON NAME AND PHONE NUMBER: Laura Cruz-Acosta, (915) 212-1061

DISTRICT(S) AFFECTED: All Districts

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

SUBGOAL: 6.8 – Support Transparent and Inclusive Government

SUBJECT:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, ORDERING A SPECIAL ELECTION FOR THE SUBMISSION OF CHARTER AMENDMENTS TO SECTION 2.2C TO ALLOW PERSONS TO SERVE TWO FULL TERMS AS MAYOR OR DISTRICT REPRESENTATIVE IF SUCH PERSON CARRIED OUT AN UNEXPIRED TERM; SECTION 3.18 TO ALLOW CITY COUNCIL TO AUTHORIZE LEASES FOR 40 YEARS OR LESS BY RESOLUTION OR ORDINANCE; SECTION 3.5A TO ALLOW COUNCIL TO RESCHEDULE MEETINGS FOR HOLIDAYS AND ALLOW THE MAYOR TO CANCEL A COUNCIL MEETING IF REQUIRED DUE TO DECLARED EMERGENCY; SECTION 3.9B, 3.10B, AND 6.1-12 TO ALIGN TO STATE LAW AND UPDATE OBSOLETE REFERENCES; SECTION 3.11 TO REMOVE THE REQUIREMENT FOR A SECOND PETITION IN INITIATIVES, AND PROVIDE A PROCEDURE FOR CITIZENS TO INITIATE CITY ORDINANCES; SECTION 1.2, 3.5E, 3.6, 4.1B, 4.3 AND 7.3 TO AUTHORIZE THE MAYOR TO VOTE ON ALL COUNCIL ITEMS, REMOVING THE TIE-BREAKING AND VETO CAPACITY; SECTION 6.1-4 TO AUTHORIZE THE CITY TO CREATE A POLICY REGARDING MEMBERSHIP ON THE CIVIL SERVICE COMMISSION TO REFLECT THE COMMUNITY AND CITY WORKFORCE; SECTIONS 6.2-2 AND 6.2-3 TO ALIGN THE EMPLOYEE SERVING AS CIVIL SERVICE COMMISSION RECORDER WITH OTHER EMPLOYEES CARRYING OUT SIMILAR DUTIES; SECTION 6.7-1 AND 6.8-1 TO ALLOW THE CITY TO ESTABLISH MORE FLEXIBLE POLICIES IN HIRING EMPLOYEES; SECTION 6.13-11D TO ESTABLISH THE CITY CONTRIBUTION TO THE POLICE AND FIRE PENSION FUND OF NO LESS THAN 18% OF THE WAGES OF THE PARTICIPANTS, AND REMOVE THE LIMIT ON THE CITY'S CONTRIBUTION; SUCH ELECTION TO BE HELD WITHIN THE CITY, ON NOVEMBER 8, 2022; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND AUTHORIZING A CONTRACT WITH EL PASO COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.

BACKGROUND / DISCUSSION:

On January 18, 2022 City Council approved a Resolution creating the Ad Hoc Charter Advisory Committee with the purpose of reviewing proposed Charter amendments by a majority vote of City Council. The Committee's final recommendations were presented on July 18, 2022. City Council is moving forward with changes to sections as listed in ordinance.

PRIOR COUNCIL ACTION:

Last Ordinance approving a Special Election for this purpose was approved on July 10, 2018.

AMOUNT AND SOURCE OF FUNDING:

111-1000-11020-522030 Election Contracts

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

DEPARTMENT HEAD: *Laura Cruz-Acosta*

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, ORDERING A SPECIAL ELECTION FOR THE SUBMISSION OF CHARTER AMENDMENTS TO SECTION 2.2C TO ALLOW PERSONS TO SERVE TWO FULL TERMS AS MAYOR OR DISTRICT REPRESENTATIVE IF SUCH PERSON CARRIED OUT AN UNEXPIRED TERM; SECTION 3.18 TO ALLOW CITY COUNCIL TO AUTHORIZE LEASES FOR 40 YEARS OR LESS BY RESOLUTION OR ORDINANCE; SECTION 3.5A TO ALLOW COUNCIL TO RESCHEDULE MEETINGS FOR HOLIDAYS AND ALLOW THE MAYOR TO CANCEL A COUNCIL MEETING IF REQUIRED DUE TO DECLARED EMERGENCY; SECTION 3.9B, 3.10B, AND 6.1-12 TO ALIGN TO STATE LAW AND UPDATE OBSOLETE REFERENCES; SECTION 3.11 TO REMOVE THE REQUIREMENT FOR A SECOND PETITION IN INITIATIVES, AND PROVIDE A PROCEDURE FOR CITIZENS TO INITIATE CITY ORDINANCES; SECTION 1.2, 3.5E, 3.6, 4.1B, 4.3 AND 7.3 TO AUTHORIZE THE MAYOR TO VOTE ON ALL COUNCIL ITEMS, REMOVING THE TIE-BREAKING AND VETO CAPACITY; SECTION 6.1-4 TO AUTHORIZE THE CITY TO CREATE A POLICY REGARDING MEMBERSHIP ON THE CIVIL SERVICE COMMISSION TO REFLECT THE COMMUNITY AND CITY WORKFORCE; SECTIONS 6.2-2 AND 6.2-3 TO ALIGN THE EMPLOYEE SERVING AS CIVIL SERVICE COMMISSION RECORDER WITH OTHER EMPLOYEES CARRYING OUT SIMILAR DUTIES; SECTION 6.7-1 AND 6.8-1 TO ALLOW THE CITY TO ESTABLISH MORE FLEXIBLE POLICIES IN HIRING EMPLOYEES; SECTION 6.13-11D TO ESTABLISH THE CITY CONTRIBUTION TO THE POLICE AND FIRE PENSION FUND OF NO LESS THAN 18% OF THE WAGES OF THE PARTICIPANTS, AND REMOVE THE LIMIT ON THE CITY'S CONTRIBUTION; SUCH ELECTION TO BE HELD WITHIN THE CITY, ON NOVEMBER 8, 2022; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND AUTHORIZING A CONTRACT WITH EL PASO COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council appointed a nine (9) member Ad Hoc Charter Advisory Committee in January 2022 to assist in the review and to make recommendations on potential charter amendments; and

WHEREAS, the Ad Hoc Charter Advisory Committee reviewed proposed Charter Amendments approved by a majority of the City Council and the Committee met from February 2022 through May 2022 to review the City Charter and in May 2022, the Committee finalized its report of its findings in writing, and presented its proposed amendments to the City Council; and

WHEREAS, the City Council has reviewed the proposed Amendments by the Committee and the City Council of the City of El Paso, Texas has determined it appropriate to

submit a proposed amendment to the existing City Charter of the City of El Paso to the qualified voters of the City for their adoption or rejection thereof pursuant to Section 9.004(a) of the Texas Local Government Code; and

WHEREAS, Section 9.04(b) of the Texas Local Government Code requires that an ordinance be approved ordering said election to be held on the first authorized uniform election date prescribed by the Texas Election Code and establishing the procedure to be followed in said election; and

WHEREAS, Section 41.001 of the Texas Election Code establishes November 8, 2022, as a uniform election date for the purposes of conducting an election; and

WHEREAS, pursuant to Texas Local Government Code Section 9.004(e), more than one amendment may be combined in one ballot proposition as long as the amendments contain only one subject; and

WHEREAS, pursuant to the Texas Local Government Code Section 9.004 a ballot for proposed charter amendments shall be prepared so that a voter may approve or disapprove any one or more amendments without having to approve or disapprove all of the amendments; and

WHEREAS, during a public meeting held on August 2, 2022, the City Council considered and approved for public vote, in the form of a ballot proposition, the following Charter amendments after considering recommendations by the 2022 Ad Hoc Charter Advisory Committee; and

WHEREAS, the City Council of the City of El Paso, Texas, hereby directs City staff to publish notice of the special charter election in a newspaper of general circulation in the City on the same day in each of two (2) successive weeks, the date of the first publication to be not less than fourteen (14) days prior to the date of the November 8, 2022 election, in compliance with Section 9.004(c) of the Texas Local Government Code.

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

SECTION 1 – CHARTER AMENDMENT ELECTION CALLED

The El Paso City Council does hereby order an election to submit to the voters of the City of El Paso proposed amendments to the City Charter, to be held on Tuesday, November 8, 2022. That such election shall be held at the precincts and the polling places designated in Exhibit "A" or such other locations as may be designated prior to the election by the City Council, attached hereto and made a part hereof for all purposes, and said polling places shall open at 7 a.m. and remain open until 7 p.m. on the day of the election.

That at such election, the following amendments to the Charter of the City of El Paso ("Propositions") shall be submitted to the qualified voters of the City and official ballots for the election shall be prepared in accordance with the Texas Election Code so as to permit the

electors to vote for or against the proposed amendment, and with such proposition to be expressed substantially as follows:

CITY OF EL PASO PROPOSITION A

Text of Amendment

Amending Section 2.2C of the City Charter, relating to term limits for the Mayor and District Representatives, to read in pertinent part as follows:

Section 2.2C LIMITATION.

No Mayor or Representative may hold such office for more than a total of ten years throughout their lifetime, however, a person who serves an unexpired term due to a Mayor or Representative's resignation will be allowed to serve two full four-year terms, regardless of whether it results in more than a total of ten years.

City of El Paso Special Election for Charter Amendment **Ballot Proposition A**

Should section 2.2C of the City Charter, relating to term limits, be amended to provide that a person who serves an unexpired term due to a Mayor or Representative's vacancy be allowed to serve two full four-year terms, regardless of whether it results in more than a total of ten years served throughout their lifetime?

YES ()

NO ()

CITY OF EL PASO PROPOSITION B

Text of Amendment

Amending Section 3.1 of the City Charter, relating to the creation; composition; powers and duties of City Council, to read in pertinent part as follows:

Section 3.1 – CREATION; COMPOSITION; POWERS AND DUTIES

There shall be a City Council consisting of District Representatives and the Mayor. The Council shall have legislative powers, and the power and duty to select, direct, and regularly evaluate the City Manager, as well as such other and specific powers and duties as may be provided by law or this Charter. Each Representative shall have the discretion and sole authority to appoint and remove district office staff.

City of El Paso Special Election for Charter Amendment
Ballot Proposition B

Should section 3.1 of the City Charter, relating to creation, composition; powers and duties of Council be amended to allow City Council Representatives to appoint and remove district office staff?

YES ()

NO ()

CITY OF EL PASO PROPOSITION C

Text of Amendment

Amending Section 3.18 of the City Charter, relating to the use of ordinances, to read in pertinent part as follows:

Section 3.18 LEASE; FRANCHISE, AND CONVEYANCE.

The right of control, ownership and use of streets, alleys, parks and public places of the City is declared to be inalienable except as provided by ordinance passed by the Council and except for uses of less than thirty days which may have a separate approval process as established by ordinance.

Any authorization for the conveyance, lease, or grant of a franchise regarding the property of the City shall provide for payment to the City of a reasonable fee as consideration for that conveyance, lease, or franchise.

Any sale of City owned property in fee simple, franchise or lease for an initial term longer than forty years shall be approved by ordinance.

In addition, any authorization for a lease or franchise must provide that the City may revoke it if necessary to secure efficiency of public service at a reasonable rate, and must assure that the property is maintained in good condition throughout the life of the lease or franchise.

City of El Paso Special Election for Charter Amendment
Ballot Proposition C

Should section 3.18 of the City Charter relating to Leases, Franchises, and Conveyances be amended to authorize Council to lease City owned property for 40 years or less by Council resolution or ordinance?

YES ()

NO ()

CITY OF EL PASO PROPOSITION D

Text of Amendment

Amending Section 3.5 of the City Charter, relating to City Council Procedures and Rules, to read in pertinent part as follows:

Section 3.5 A CITY COUNCIL PROCEDURES AND RULES

Meetings. Regular meetings of the Council shall be held in Council chambers no less than once every other week at such times as may be prescribed by resolution, except that Council may reschedule meetings by resolution to allow for City holidays, but must have no less than two regular meetings per month. The Mayor may cancel a meeting if necessary due to a Federal, State or Local declared emergency.

City of El Paso Special Election for Charter Amendment **Ballot Proposition D**

Should section 3.5A of the City Charter be amended to allow Council to reschedule meetings by resolution to allow for City holidays but shall hold no less than two regular meetings per month?

YES ()

NO ()

CITY OF EL PASO PROPOSITION E

Text of Amendment

Section 3.5 A CITY COUNCIL PROCEDURES AND RULES

Meetings. Regular meetings of the Council shall be held in Council chambers no less than once every other week at such times as may be prescribed by resolution, except that Council may reschedule meetings by resolution to allow for City holidays, but must have no less than two regular meetings per month. The Mayor may cancel a meeting if necessary due to a Federal, State or Local declared emergency.

City of El Paso Special Election for Charter Amendment **Ballot Proposition E**

Should section 3.5A of the City Charter be amended to allow the Mayor to cancel a meeting if necessary due to a Federal, State or Local declared emergency?

YES ()

NO ()

CITY OF EL PASO PROPOSITION F

Text of Amendment

Amending Sections 3.9B relating to Ordinances, 3.10B relating to emergency ordinances, 6.1-12 relating to civil service hearing officers to read in pertinent part as follows:

Section 3.9 ORDINANCES IN GENERAL.

B. Legislative Procedure. Except as provided in Section 3.13, an ordinance may be introduced by any Council member at any meeting of the Council. A proposed ordinance must be filed with the City Clerk in sufficient time for inclusion on the agenda for the Council meeting at which it is to be introduced. Upon such filing the City Clerk shall distribute copies to each member of the Council and to the City Manager. No ordinance shall be adopted finally except at a regular open meeting of the Council following notice, publication, and a public hearing. The notice shall contain:

- 1.The proposed ordinance or a brief summary thereof;
- 2.The places where copies of it have been filed and the times when they are available for public examination; and
- 3.The time and place for the public hearing. The notice shall be published by any contemporary means of information sharing, including but not limited to publication in a newspaper of general circulation in the City or placement on a website at least five days prior to the public hearing. The hearing may be held by a designated Council committee or the Council separately or in connection with any Council meeting and may be adjourned to a specified time. All interested persons present shall have an opportunity to be heard. As soon as practicable after adoption of any ordinance, the City Clerk shall publish it again, with notice of its adoption, in abstract form, by any contemporary means of information sharing. These abstracts must state, at a minimum, the purpose of the ordinance and, where penal, the penalty provided. In any event, the publication must be written so as to be understood by an average person.

Section 3.10B EMERGENCY ORDINANCES.

Procedures. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it may be introduced on one-hour public notice, and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the unanimous vote of the Council members present shall be required for adoption.

Section 6.1-12 HEARING OFFICERS.

The Commission will appoint one or more compensated hearing officers to hear appeals made under Section 6.13-4. The need for hearing officers in excess of one shall be determined jointly by the Commission and the City Manager. Hearing officers will perform those duties and functions necessary to render a recommendation to the Commission on the matter in dispute.

The hearing officers will serve at the Commission's pleasure, and will be procured through the City's procurement process.

City of El Paso Special Election for Charter Amendment **Ballot Proposition F**

Shall Sections 3.9B, 3.10B, 6.1-12 of the City Charter be amended to eliminate provisions which have become inoperative because they have been superseded by state law; replace obsolete references and update terminology to current legal usage?

YES ()

NO ()

CITY OF EL PASO PROPOSITION G

Text of Amendment

Amending Section 3.11 of the City Charter, relating to Initiatives to read in pertinent part as follows:

Section 3.11 INITIATIVE.

Any five registered voters, referred to in this section as the committee, may initiate an ordinance that complies with federal, state and local law by filing with the City Clerk a statement that they intend to circulate a petition, however no ordinance may be initiated through this process regarding appropriation or allocation of City funds, zoning or rezoning, levy of taxes, setting utility rates, purchase or sale of an interest in real property or granting a franchise. Such statement must include the names and addresses of the committee members, the full text of the proposed ordinance, and the designated lead committee member.

The City Clerk shall place the proposed Ordinance on the City Council Agenda for introduction within thirty days after receiving the statement, followed by a public hearing at the second reading. If City Council fails to adopt the ordinance, or adopts it with amendments, the City Clerk will notify the committee through the lead committee member.

If the committee still wishes to seek adoption of the ordinance after Council fails to adopt, or does not agree to Council's amendments, it will then have 180 calendar days after notice from the City Clerk to complete the petition by gathering signatures in the form required by state law,

including but not limited to printed name, residence address and date of birth or voter registration of a number of registered voters equal to at least five percent of the voters who voted in the last general City election. The petition must set forth the precise content of the ordinance desired by the petitioners.

Within thirty working days, the City Clerk shall review the petition to verify if it meets all requirements, and if authenticated with the required number of signatures, must place that ordinance on the agenda of a Council meeting to be held within thirty working days of the authentication by the City Clerk, of the petition bearing the authenticated names and addresses of the petitioners. Such an item shall be treated by the Council exactly as any other proposed ordinance.

If Council does not adopt, or adopts the proposed ordinance in an amended form, the City Clerk thereafter must place the proposed ordinance on the ballot at the next citywide general election specified in State law, if the proposal receives the favorable vote of a majority of those voting in that election it shall thereupon become a City ordinance.

The Council is not obliged to consider the same ordinance initiated by petition, or one that is substantially the same, more often than once in: two years.

City of El Paso Special Election for Charter Amendment
Ballot Proposition G

Should section 3.11 relating to the initiative petition of the City Charter be amended to remove the requirement for a second petition, and institute a process for the public to initiate a City ordinance?

YES ()

NO ()

CITY OF EL PASO PROPOSITION H

Text of Amendment

Amending Section 1.2 relating to Definitions, 3.5E relating to City Council Procedures and Rules, 3.6 relating to Legislative Committees, 4.1B Power of the Mayor, 4.3 relating to Mayor Pro Tempore and 7.3 relating to budget procedures of the City Charter effective the first City Council meeting January of 2025, to read in pertinent part as follows:

Section 1.2 - DEFINITIONS

As used in this Charter, the term "laws of Texas" shall include the Constitution and statutes of the State of Texas, the common law as it exists in the State of Texas, and appropriate case law. As used herein, "State" shall mean the State of Texas; "City" shall mean the City of El Paso; "City Council" or "Council" shall mean the Mayor and Representatives of the City of El Paso, with the Mayor being a voting member of Council; and "department" shall mean any City agency, office, bureau or other organizational unit.

Section 3.5 E CITY COUNCIL PROCEDURES AND RULES

Effective Date. Ordinances and resolutions finally adopted by the Council shall be filed in the office of the City Clerk and signed by the Mayor before they take effect. If the Mayor shall either fail to sign any adopted ordinance or resolution within five days after it has been filed with the City Clerk, exclusive of the day of filing, it shall become law.

Section 3.6 LEGISLATIVE COMMITTEES

A. The members of Council may resolve themselves into committees, both standing and special, when this is convenient for the conduct of legislative business, including the investigative powers described in Section 3.8. Rules governing the organization and procedures of these committees shall be made by the Council.

Section 4.1B POWERS OF THE MAYOR

The Mayor shall be a voting member of City Council and preside over the City Council meetings, having the power to propose legislation; represent the City in intragovernmental and intergovernmental relationships; appoint with the consent of the Council the members of citizen advisory boards and commissions; make appointments and perform duties pursuant to federal and state law; present an annual state of the City message, convene the Council in special session and perform other duties specified by the Council.

Section 4.3 – MAYOR PRO TEMPORE

A. At the first meeting upon the start of new terms of office following each general election, the Council shall elect from among the Representatives a Mayor Pro Tempore, who shall hold that office for a two year term. Should the office of Mayor Pro Tempore become vacant, the Council shall elect a new Mayor Pro Tempore.

B. During the absence or disability of the Mayor, the Mayor Pro Tempore shall act as Mayor.

Section 7.3 – BUDGET PROCEDURES

The procedures here stated shall govern adoption of the annual budget and the appropriations of monies pursuant thereto.

D. Adoption. The budget shall be adopted by resolution, not later than the day before the first day of the City's fiscal and budget year; but, in the event the budget is not adopted, the appropriation for personnel and essential operating supplies made in the previous year shall be extended until the new budget is adopted.

City of El Paso Special Election for Charter Amendment
Ballot Proposition H

Should section 1.2, 3.5E , 3.6, 4.1B, 4.3,and 7.3 of the City Charter be amended to authorize the Mayor to vote on all City Council agenda items and remove the Mayor's tie-breaking and veto capacity effective the first City Council meeting of January 2025?

YES ()

NO ()

CITY OF EL PASO PROPOSITION I

Text of Amendment

Amending Section 6.1-4 of the City Charter, relating to Civil Service qualifications to read in pertinent part as follows:

Section 6.1-4 QUALIFICATIONS.

Members of the Commission must be residents of the City at the time of their appointment and remain a resident of the City throughout their term of office. No Commissioner shall be related in any manner described in Article III, Section 3.3 B to any employee of the City, the Public Service Board, or any entity that has a contract with the City to operate or manage any City facility or department, nor hold any salaried public office or other employment compensated by the City, and any violation of this provision shall be deemed malfeasance in office and cause for removal therefrom. The City should adopt rules that reflect the diversity of the community and City workforce. No more than three Commissioners may be former city employees, and any such Commissioners are not eligible for appointment until two years following separation from the City. Any commissioner may be either actively employed or retired.

City of El Paso Special Election for Charter Amendment
Ballot Proposition I

Should 6.1-4 of the City Charter be amended to allow for appointment of Civil Service Commissioners that reflect the diversity of the community and City workforce?

YES ()

NO ()

CITY OF EL PASO PROPOSITION J

Text of Amendment

Amending Section 6.2-2 of the City Charter, relating to the unclassified services and 6.2-3B, relating to appointment and removal of unclassified personnel to read in pertinent part as follows:

Section 6.2-2 UNCLASSIFIED SERVICES.

The unclassified services shall include only the following positions:

- A. The City Attorney, Assistant City Attorneys, law clerks and paralegal personnel;
- B. The Mayor's executive secretary(s) and Executive Assistant(s);
- C. All elected officials;
- D. Members of all City boards, commissions, and committees who serve without compensation;
- E. Employees hired by contract, and short-term or limited-funding grant-funded employees as designated by the City Manager and hired on or after the effective date of this amendment;
- F. The City Manager;
- G. All executive level employees, and executive staff or salaried professional employees reporting directly to the City Manager;
- H. Employees hired on or after May 18, 2007 who work at the Metropolitan Planning Organization; and
- I. Persons given provisional and temporary appointments who are not classified employees at the time of such appointment.
- J. A person hired solely as a District Representative's legislative aide for the limited period of the term of office for that District Representative.

Section 6.2-3 – APPOINTMENT AND REMOVAL OF UNCLASSIFIED PERSONNEL

- B. Except as otherwise provided by law or in this Charter, unclassified personnel may be removed by the City Manager or designee, who may establish written procedures for removal.

City of El Paso Special Election for Charter Amendment
Ballot Proposition J

Should Section 6.2-2 relating to Unclassified Services and 6.2-3 relating to appointment and removal of unclassified personnel be amended to align the person carrying out the role of civil service commission recorder with all other unclassified City employees who may be removed by the City Manager or designee in accordance with the City Charter?

YES ()

NO ()

CITY OF EL PASO PROPOSITION K

Text of Amendment

Amending Section 6.7-1 and 6.8-1 of the City Charter, relating to penalty for deceit in examinations, examinations and eligibility to read in pertinent part as follows:

Section 6.7-1 PENALTY FOR DECEIT IN EXAMINATION.

(Reserved.)

Section 6.8-1 EXAMINATION AND ELIGIBILITY

The Human Resources Director shall establish administrative policies and procedures for the promotion process, and eligibility, consistent with the provisions of this Article and all applicable federal and state employment laws.

City of El Paso Special Election for Charter Amendment
Ballot Proposition K

Should Section 6.7-1 be deleted and 6.8-1 relating to Examinations of the City Charter be amended to allow the City to establish Civil Service Rules, policies and procedures for the promotion of City employees?

YES ()

NO ()

CITY OF EL PASO PROPOSITION L

Text of Amendment

Amending Section 6.13-11D of the City Charter, relating to pensions plans to read in pertinent part as follows:

Section 6.13-11D PENSION PLANS.

Firemen and Policemen Pension Fund of El Paso. The City shall continue to augment the Firemen and Policemen Pension Fund of El Paso in a manner consistent with the laws of Texas. To augment the Firemen and Policemen Pension Fund, the Council shall in each fiscal year beginning after November 2022, appropriate no less than eighteen percent of the total amount expended for wages of the participants, and may increase this contribution rate as allowed by the relevant state law requirements based on a qualified actuary's report; provided, however, that in the event age limits for participation in the pension fund, or any division of the fund, are increased as permitted by law and the raising of the age limits causes an increase in funding costs as determined by an actuary, the City shall appropriate an amount equal to such cost increase notwithstanding that such increased appropriation may exceed the otherwise determined percent of the total amount expended for wages of the participants.

City of El Paso Special Election for Charter Amendment **Ballot Proposition L**

Should section 6.13-11D relating to the police and fire pension fund be amended to establish that the City of El Paso shall contribute to the El Paso Policemen and Firemen Pension Fund no less than eighteen percent of the total amount expended for wages of the participants, and any increase to the contribution rate shall be as allowed by state law?

YES ()

NO ()

SECTION 2 – BALLOTS

The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "YES" or "NO" on the proposition, with the ballots to contain such provisions, markings and language as required by law, and with the proposition to be expressed substantially as set forth in section 1, above.

SECTION 3 – EARLY VOTING CLERK

Lisa Wise, El Paso County Elections Administrator, 500 E. San Antonio, Suite 314, El Paso, Texas, 79901, is hereby appointed as Early Voting Clerk. Applications for ballot by mail must be received no later than the close of business on October 28, 2022, sent to this address.

SECTION 4 – EARLY VOTING

Early voting by personal appearance shall be conducted at the El Paso County Courthouse, located at 500 E. San Antonio, El Paso, Texas 79901. In addition, early voting may also occur at such early voting polling places as are designated herein or otherwise designated by the El Paso County Elections Administrator and posted at City Hall by the City Clerk. The locations and hours for early voting by personal appearance shall be authorized for such election as set forth in Exhibit “A,” which may be amended.

In addition, mobile voting stations may be authorized and used for early voting at publicly owned buildings in the City as established by the El Paso County Elections Administrator. The City Clerk is authorized to make corrections or revisions to the list of these mobile stations, including the respective hours for early voting by personal appearance at these stations. The City Clerk is further authorized to make corrections or revisions to the list of early voting stations as set forth above, including the respective hours for early voting by personal appearance at these stations, and revise and correct all election notices regarding the early voting locations and the mobile voting stations, and the dates and times for such voting.

For purposes of processing ballots cast in early voting, the election officers for the Early Voting Ballot Board shall be appointed and designated in accordance with the provisions of the election agreement with El Paso County.

SECTION 5 – NOTICE OF ELECTION

The City Clerk shall give notice of such election by posting a notice of such election in English and Spanish in the Office of the City Clerk as provided by law and by publishing a copy of said notice in both English and Spanish in a newspaper in the City as required by law. Additionally, in accordance with Section 9.004(c) of the Local Government Code, notice shall be published in a newspaper of general circulation in El Paso on the same day, in each of two consecutive weeks, with the first publication occurring on or before the 14th day before election day. The notice shall contain a substantial copy of the proposed amendment.

The City Clerk shall deliver notice of this election to the County Clerk and voter registrar of El Paso County no later than Monday, October 24, 2022, or as otherwise required by law.

SECTION 6 – ELECTION SERVICES CONTRACT AND PROCEDURAL MATTERS

The City Manager is hereby authorized to execute the necessary contract(s) and agreements, joint or otherwise, with the El Paso County Elections Administrator, or any other public entity, for the purpose of having El Paso County furnish all or any portion of the election services and equipment needed by the City Clerk to conduct the election. The contract document and election services provided therein shall conform to Chapter 31, Subchapter D, of the Texas Election Code and all other applicable statutes and laws.

The election services contract with the County shall provide (a) the type of electronic voting equipment to be used for early voting by personal appearance and on election day, (b)

notification and training for election judges and clerks, (c) an estimate and final payment terms for the election services provided, (d) agreements for early voting equipment and voting machine rental, and (e) other procedures necessary to conduct the election.

Matters contained in this ordinance relating to discretionary, procedural matters may be amended by approval of the City Manager, and procedural matters not established by this ordinance will be established by resolution of City Council.

SECTION 7 – VOTING MACHINES AND ELECTION RESULTS

Voting machines used for the conduct of the election, shall be procured, maintained, operated, sealed and the votes therefrom tabulated pursuant to procedures established and authorized by the laws of the State of Texas.

The results of the election shall be certified, canvassed, and returned in the form and manner prescribed by law.

SECTION 8 – OTHER ACTION AND COMPLIANCE WITH APPLICABLE LAWS

The City Manager and City Clerk, in consultation with the City Attorney, are hereby authorized and directed to take any additional action necessary to comply with provisions of the Texas Election Code or other state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized herein.

SECTION 9 – SEVERABILITY

That should any part, section, subsection, paragraph, sentence, clause or phrase contained in this ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this ordinance, but in all respects said remaining portion shall be and remain in full force and effect.

SECTION 10 – EFFECTIVE DATE

This Ordinance shall be in force and effect from and after the date of its adoption, and it is so ordained.

APPROVED this ____ day of August, 2022.

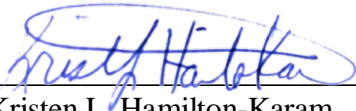
CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Kristen L. Hamilton-Karam
Senior Assistant City Attorney

November 2022 General Election

#govoteep



CLICK HERE for
a picture of site

EARLY VOTING PERIOD: Oct. 24 - November 4 EARLY VOTING STATIONS

CLICK HERE for
directions to site

(Main Early Voting Station)		Monday, Oct. 24 - Friday, Oct. 28	8am – 5pm
1. <u>El Paso County Courthouse</u>		Saturday, Oct. 29	7am – 7pm
Third Floor, Back Lobby		Sunday, Oct. 30	11am – 5pm
<u>500 E. San Antonio Ave. 79901</u>		Monday, Oct. 31 - Friday, Nov. 4	7am – 7pm
2. <u>Arlington Park Shelter</u>		Monday, Oct. 24 - Friday, Oct. 28	9am – 6pm
Main Hall		Saturday, Oct. 29 - Sunday, Oct. 30	12pm – 5pm
<u>10350 Pasadena Cir. 79924</u>		Monday, Oct. 31 - Friday, Nov. 4	9am – 6pm
3. <u>Bassett Place</u>		Monday, Oct. 24 - Friday, Oct. 28	10am – 7pm
TBA		Saturday, Oct. 29 - Sunday, Oct. 30	12pm – 5pm
<u>6101 Gateway West 79925</u>		Monday, Oct. 31 - Friday, Nov. 4	10am – 7pm
4. <u>Bowling Family YMCA</u>		Monday, Oct. 24 - Friday, Oct. 28	9am – 6pm
Camp Room		Saturday, Oct. 29 - Sunday, Oct. 30	12pm – 5pm
<u>5509 Will Ruth Ave. 79924</u>		Monday, Oct. 31 - Friday, Nov. 4	9am – 6pm
5. <u>Canutillo ISD Administration Facility</u>		Monday, Oct. 24 - Friday, Oct. 28	8am – 5pm
Culinary Room		Saturday, Oct. 29 - Sunday, Oct. 30	12pm – 5pm
<u>7965 Artcraft Rd. 79932</u>		Monday, Oct. 31 - Friday, Nov. 4	8am – 5pm
6. <u>Chayo Apodaca Community Center</u>		Monday, Oct. 24 - Friday, Oct. 28	9am – 6pm
Community Center		Saturday, Oct. 29 - Sunday, Oct. 30	12pm – 5pm
<u>341 N. Moon Rd. 79927</u>		Monday, Oct. 31 - Friday, Nov. 4	9am – 6pm
7. <u>Clint ISD Early College Academy</u>		Monday, Oct. 24 - Friday, Oct. 28	8am – 5pm
Library		Saturday, Oct. 29 - Sunday, Oct. 30	12pm – 5pm
<u>13100 Alameda Ave. 79836</u>		Monday, Oct. 31 - Friday, Nov. 4	8am – 5pm
8. <u>Commissioner's Corner</u>		Monday, Oct. 24 - Friday, Oct. 28	9am – 6pm
Community Room		Saturday, Oct. 29 - Sunday, Oct. 30	12pm – 5pm
<u>10700 Montana Ave. 79936</u>		Monday, Oct. 31 - Friday, Nov. 4	9am – 6pm

Note: Early Voting Stations, dates, and times are subject to change at any time. Any registered voter may vote at any Early Voting Station. Click on an address for a street view via Google Maps or click on a location name to view a picture to that specific site. For more information visit epcountyvotes.com or call (915) 546-2154.

EARLY VOTING PERIOD: Oct. 24 - November 4

EARLY VOTING STATIONS

9. <u>Eastlake High School</u> Theatre Lobby	13000 Emerald Pass Ave. 79928	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	8am – 5pm 12pm – 5pm 8am – 5pm
10. <u>El Paso County Coliseum</u> VIP Room	4100 E. Paisano Dr. 79905	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	9am – 6pm 12pm – 5pm 9am – 6pm
11. <u>El Paso County Eastside Annex</u> Community Room	2350 George Dieter Dr. 79936	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	8am – 6pm 12pm – 5pm 8am – 6pm
12. <u>El Paso County Northwest Annex</u> Community Room	435 E. Vinton Rd. 79821	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	8am – 6pm 12pm – 5pm 8am – 6pm
13. <u>El Paso County Self-Help Center</u> Computer Room	15371 Kentwood Ave. 79928	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	10am – 7pm 12pm – 5pm 10am – 7pm
14. <u>EPCC Administrative Services Center</u> TBA	9050 Viscount Blvd. 79925	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	8am – 5pm 12pm – 5pm 8am – 5pm
15. <u>Esperanza Acosta Moreno Library</u> Meeting Room	12480 Pebble Hills Blvd. 79938	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	10am – 7pm 12pm – 5pm 10am – 7pm
16. <u>Gary Del Palacio Recreation Center</u> Multipurpose Room	3001 Parkwood St. 79925	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	9am – 6pm 12pm – 5pm 9am – 6pm
17. <u>Gonzalez Place</u> Community Room	4101 Rich Beem Blvd. 79938	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	8am – 5pm 12pm – 5pm 8am – 5pm
18. <u>Marty Robbins Recreation Center</u> Lobby	11620 Vista Del Sol Dr. 79936	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	9am – 6pm 12pm – 5pm 9am – 6pm

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EARLY VOTING PERIOD: Oct. 24 - November 4

EARLY VOTING STATIONS

19. <u>Medano Heights</u> Community Center	7801 Medano Dr. 79912	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	10am – 7pm 12pm – 5pm 10am – 7pm
20. <u>Mountain View-Rae Gilmore Recreation Center</u> Multipurpose Room	8501 Diana Dr. 79904	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	10am – 7pm 12pm – 5pm 10am – 6pm
21. <u>Nations Tobin Sports Center</u> Conference Room	8831 Railroad Dr. 79904	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	9am – 6pm 12pm – 5pm 9am – 6pm
22. <u>Officer David Ortiz Recreation Center</u> Classroom A	563 N. Carolina Dr. 79915	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	9am – 6pm 12pm – 5pm 9am – 6pm
23. <u>Oz Glaze Senior Center</u> Main Room	13969 Veny Webb St. 79928	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	10am – 7pm 12pm – 5pm 10am – 7pm
24. <u>Pebble Hills High School</u> Auditorium Foyer	14400 Pebble Hills Blvd. 79938	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	8am – 5pm 12pm – 5pm 8am – 5pm
25. <u>Rogelio Sanchez Center</u> Library	1331 N. Fabens St. 79838	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	9am – 6pm 12pm – 5pm 9am – 6pm
26. <u>San Elizario Fire Rescue</u> Meeting Room	1415 San Antonio St. 79849	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	8am – 5pm 12pm – 5pm 8am – 5pm
27. <u>South El Paso Senior Citizens Center</u> Lobby	600 S. Ochoa St. 79901	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	8am – 5pm 12pm – 5pm 8am – 5pm
28. <u>Sunland Park Mall</u> TBA	750 Sunland Park Dr. 79912	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	9am – 6pm 12pm – 5pm 9am – 6pm

Note: Early Voting Stations, dates, and times are subject to change at any time. Any registered voter may vote at any Early Voting Station. Click on an address for a street view via Google Maps or click on a location name to view a picture to that specific site. For more information visit epcountytvotes.com or call (915) 546-2154.

EARLY VOTING PERIOD: Oct. 24 - November 4

EARLY VOTING STATIONS

29. UTEP - Mike Loya Academic Services Bldg. 601 W. Schuster Ave. 79968 ASB Room 131	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	8am – 5pm 12pm – 5pm 8am – 5pm
30. Wellington Chew Senior Center 4430 Maxwell Ave. 79904 Classroom 2	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	8am – 5pm 12pm – 5pm 8am – 5pm
31. W.E. Neill Community Center 19210 Cobb Ave. 79853 Library	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	8am – 5pm 12pm – 5pm 8am – 5pm
32. Ysleta Community Learning Center 121 Padres Dr. 79907 Annex	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	9am – 6pm 12pm – 5pm 9am – 6pm
33. YWCA-West 313 Bartlett Dr. 79912 Program Offices Room	Monday, Oct. 24 - Friday, Oct. 28 Saturday, Oct. 29 - Sunday, Oct. 30 Monday, Oct. 31 - Friday, Nov. 4	8am – 6pm 12pm – 5pm 8am – 6pm

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November 2022 General Election



Election Day: Tuesday, November 8, 2022
7:00 a.m. - 7:00 p.m.

You can now vote at any Vote Center on Election Day.

Vote Center	Address
Anthony City Hall	401 Wildcat Dr. 79821
El Paso County Northwest Annex	435 E. Vinton Rd. 79821
Canutillo Middle School	7311 Bosque Rd. 79835
Canutillo Elementary School	651 Canutillo Ave. 79835
Clint ISD Early College Academy	13100 Alameda Ave. 79836
Rio Valle Woman's Club	521 Mike Maros St. 79838
San Elizario Fire Rescue	1415 San Antonio St. 79849
W.E. Neill Community Center	19210 Cobb Ave. 79853
El Paso County Courthouse	500 E. San Antonio Ave. 79901
South El Paso Senior Citizens Center	600 S. Ochoa St. 79901
El Paso Community College-Rio Grande Campus	906 El Paso St. 79902
Fire Station #3	721 E. Rio Grande Ave. 79902
Lamar Elementary School	1440 E. Cliff Dr. 79902
Mesita Elementary School	3307 N. Stanton St. 79902
El Paso Tennis Club	2510 N. St. Vrain St. 79902
UTEP - Mike Loya Academic Services Building	601 W. Schuster Ave. 79968
Fire Station #7	3200 Pershing Dr. 79903
Cross of Grace Church	4700 Leeds Ave. 79903
Safety and Health Outreach Center	5415 Trowbridge Dr. 79903
Magoffin Middle School	4931 Hercules Ave. 79904
Nations Tobin Sports Center	8831 Railroad Dr. 79904
Logan Elementary School	3200 Ellertorpe Ave. 79904
Park Elementary School	3601 Edgar Park Ave. 79904
Fire Station #16	3828 Hercules Ave. 79904

Vote Center	Address
Bowie High School	801 S. San Marcial St. 79905
El Paso County Coliseum	4100 E. Paisano Dr. 79905
Hawkins Elementary School	5816 Stephenson Ave. 79905
Clardy Elementary School	5508 Delta Dr. 79905
El Paso County Ascarate Annex	301 Manny Martinez Dr. 79905
Mesa Vista Elementary School	8032 Alamo Ave. 79907
Loma Terrace Elementary School	8200 Ryland Dr. 79907
YWCA-Lower Valley	115 Davis Dr. 79907
Ysleta Community Learning Center	121 Padres Dr. 79907
Lancaster Elementary School	9230 Elgin Dr. 79907
Alicia R. Chacon International School	920 Burgundy Dr. 79907
**Formerly LeBarron Park Elementary School	
Congressman Silvestre & Carolina Reyes School	7440 Northern Pass Dr. 79911
Sunland Park Mall	750 Sunland Park Dr. 79912
Brown Middle School	7820 Helen of Troy Dr. 79912
Medano Heights	7801 Medano Dr. 79912
Tippin Elementary School	6541 Bear Ridge Dr. 79912
Fire Station #27	6767 Ojo De Aqua Dr. 79912
Rosa Guerrero Elementary School	7530 Lakehurst Rd. 79912
YWCA - West	313 Bartlett Dr. 79912
Carlos Rivera Elementary School	6445 Escondido Dr. 79912
Western Hills U.M.C.-Stewart Family Life Center A	524 Thunderbird Dr. 79912
Dr. Green Elementary School	5430 Buckley Dr. 79912
Putnam Elementary School	6508 Fiesta Dr. 79912
Polk Elementary School	940 Belvidere St. 79912
El Paso Community College-Valle Verde	919 Hunter Dr. 79915
Del Norte Heights Elementary School	1800 Winslow Rd. 79915
Ascarate Elementary School	7090 Alameda Ave. 79915
Riverside High School	301 Midway Dr. 79915
Ysleta Pre-K Center	7940 Craddock Ave. 79915
Bel Air Middle School	7909 Ranchland Dr. 79915
Officer David Ortiz Recreation Center	563 N. Carolina Dr. 79915

Vote Center	Address
Transition To Life Career Center	7988 Alameda Ave. 79915
Fire Station #15	115 Shorty Ln. 79922
Zach White Elementary School	4256 Roxbury Dr. 79922
Desertaire Elementary School	6301 Tiger Eye Dr. 79924
Bowling Family YMCA	5509 Will Ruth Ave. 79924
Dr. Joseph E. Torres Elementary School	10700 Rushing Rd. 79924
**Formerly Bradley Elementary School	
H.E. Charles Middle School	4909 Trojan Dr. 79924
Arlington Park Shelter	10350 Pasadena Cir. 79924
Newman Elementary School	10275 Alcan St. 79924
Parkland High School	5932 Quail Ave. 79924
Whitaker Elementary School	4700 Rutherford Dr. 79924
Coach Archie Duran Elementary School	5249 Bastille Ave. 79924
**Formerly Dowell Elementary School	
Fire Station #20	8301 Edgemere Blvd. 79925
Cielo Vista Elementary School	9000 Basil Ct. 79925
Edgemere Elementary School	10300 Edgemere Blvd. 79925
Eastwood High School	2430 McRae Blvd. 79925
YISD Central Office	9600 Sims Dr. 79925
Eastwood Heights Elementary School	10530 Janway Dr. 79925
Gary Del Palacio Recreation Center	3001 Parkwood St. 79925
Ross Middle School	6101 Hughey Cir. 79925
Bassett Place	6101 Gateway West 79925
Western Technical College	9624 Plaza Cir. 79927
El Paso Community College-Mission Del Paso	10700 Gateway Blvd E. 79927
H.D. Hilley Elementary School	693 N. Rio. Vista Rd. 79927
Chayo Apodaca Community Center	341 N. Moon Rd. 79927
Robert R. Rojas Elementary School	500 Bauman Rd. 79927
Escontrias Elementary School	205 Buford Rd. 79927
Campestre Elementary School	11399 Socorro Rd. 79927
KEYS Academy	12380 Pine Springs Dr. 79928
Desert Hills Elementary School	300 N. Kenazo Dr. 79928

Vote Center	Address
Desert Wind K-8 School	1100 Colina De Paz Dr. 79928
Horizon Heights Elementary School	13601 Ryderwood Ave. 79928
Dr. Sue A Shook Elementary School	13777 Paseo Del Este Blvd. 79928
Eastlake High School	13000 Emerald Pass Ave. 79928
El Paso Self-Help Center	15371 Kentwood Ave. 79928
Carroll T. Welch Elementary School	14510 Mc Mahon Ave. 79928
Center for Career and Technology Education	1170 N. Walnut St. 79930
Travis Elementary School	5000 N. Stevens St. 79930
Paul C. Moreno Elementary School	2300 San Diego Ave. 79930
Memorial Park Senior Citizen Center	1800 Byron St. 79930
Austin High School	3500 Memphis Ave. 79930
Fire Station #2	111 E. Borderland Rd. 79932
Community Connections Center	5300 Warriors Dr. 79932
Dr. Nixon Elementary School	11141 Loma Roja Dr. 79934
Fred & Maria Loya Family YMCA	2044 Trawood Dr. 79935
Pebble Hills Elementary School	11145 Edgemere Blvd. 79936
El Paso County Eastside Annex	2350 George Dieter Dr. 79936
Hanks High School	2001 Lee Trevino Dr. 79936
Tierra Del Sol Elementary School	1832 Tommy Aaron Dr. 79936
Hanks Middle School	1641 Billie Marie Dr. 79936
**Formerly Desert View Middle School	
ESC Region 19 Head Start Multipurpose Center	11670 Chito Samaniego Dr. 79936
Jane Hambric K-8 School	3535 Nolan Richardson Dr. 79936
Bill Sybert K-8 School	11530 Edgemere Blvd. 79936
Benito Martinez Elementary School	2640 Robert Wynn St. 79936
Helen Ball Elementary School	1950 Firehouse Dr. 79936
O'Shea Keleher Elementary School	1800 Leroy Bonse Dr. 79936
Marty Robbins Recreation Center	11620 Vista Del Sol Dr. 79936
Sierra Vista Elementary School	1501 Bob Hope Dr. 79936
Hurshel Antwine Elementary School	3830 Rich Beem Blvd. 79938
Esperanza Acosta Moreno Library	12480 Pebble Hills Blvd. 79938
Lujan-Chavez Elementary School	2200 Sun Country Dr. 79938

Vote Center	Address
Pebble Hills High School	14400 Pebble Hills Blvd. 79938
Red Sands Elementary School	4250 O'Shea Rd. 79938
Montana Vista Elementary School	3550 Mark Jason Dr. 79938

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*Nota: Centros de Votación están sujetos a cambio en cualquier momento. Para ver mapa del lugar, presione en la dirección del Lugar de Votación de su preferencia via Google Maps o para ver una imagen del lugar, presione en el nombre del Centro de Votación de su preferencia. Para más información visite es.epcountyvotes.com o llame al **(915) 546-2154**.*

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, ORDERING A SPECIAL ELECTION FOR THE SUBMISSION OF CHARTER AMENDMENTS TO SECTION 2.2C TO ALLOW PERSONS TO SERVE TWO FULL TERMS AS MAYOR OR DISTRICT REPRESENTATIVE IF SUCH PERSON CARRIED OUT AN UNEXPIRED TERM; SECTION 3.18 TO ALLOW CITY COUNCIL TO AUTHORIZE LEASES FOR 40 YEARS OR LESS BY RESOLUTION OR ORDINANCE; SECTION 3.5A TO ALLOW COUNCIL TO RESCHEDULE MEETINGS FOR HOLIDAYS AND ALLOW THE MAYOR TO CANCEL A COUNCIL MEETING IF REQUIRED DUE TO DECLARED EMERGENCY; SECTION 3.9B, 3.10B, AND 6.1-12 TO ALIGN TO STATE LAW AND UPDATE OBSOLETE REFERENCES; SECTION 3.11 TO REMOVE THE REQUIREMENT FOR A SECOND PETITION IN INITIATIVES, AND PROVIDE A PROCEDURE FOR CITIZENS TO INITIATE CITY ORDINANCES; SECTION 1.2, 3.5E, 3.6, 4.1B, 4.3 AND 7.3 TO AUTHORIZE THE MAYOR TO VOTE ON ALL COUNCIL ITEMS, REMOVING THE TIE-BREAKING AND VETO CAPACITY; SECTION 6.1-4 TO AUTHORIZE THE CITY TO CREATE A POLICY REGARDING MEMBERSHIP ON THE CIVIL SERVICE COMMISSION TO REFLECT THE COMMUNITY AND CITY WORKFORCE; SECTIONS 6.2-2 AND 6.2-3 TO ALIGN THE EMPLOYEE SERVING AS CIVIL SERVICE COMMISSION RECORDER WITH OTHER EMPLOYEES CARRYING OUT SIMILAR DUTIES; SECTION 6.7-1 AND 6.8-1 TO ALLOW THE CITY TO ESTABLISH MORE FLEXIBLE POLICIES IN HIRING EMPLOYEES; SECTION 6.13-11D TO ESTABLISH THE CITY CONTRIBUTION TO THE POLICE AND FIRE PENSION FUND OF NO LESS THAN 18% OF THE WAGES OF THE PARTICIPANTS, AND REMOVE THE LIMIT ON THE CITY'S CONTRIBUTION; SUCH ELECTION TO BE HELD WITHIN THE CITY, ON NOVEMBER 8, 2022; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND AUTHORIZING A CONTRACT WITH EL PASO COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council appointed a nine (9) member Ad Hoc Charter Advisory Committee in January 2022 to assist in the review and to make recommendations on potential charter amendments; and

WHEREAS, the Ad Hoc Charter Advisory Committee reviewed proposed Charter Amendments approved by a majority of the City Council and the Committee met from February 2022 through May 2022 to review the City Charter and in May 2022, the Committee finalized its report of its findings in writing, and presented its proposed amendments to the City Council; and

WHEREAS, the City Council has reviewed the proposed Amendments by the Committee and the City Council of the City of El Paso, Texas has determined it appropriate to

submit a proposed amendment to the existing City Charter of the City of El Paso to the qualified voters of the City for their adoption or rejection thereof pursuant to Section 9.004(a) of the Texas Local Government Code; and

WHEREAS, Section 9.04(b) of the Texas Local Government Code requires that an ordinance be approved ordering said election to be held on the first authorized uniform election date prescribed by the Texas Election Code and establishing the procedure to be followed in said election; and

WHEREAS, Section 41.001 of the Texas Election Code establishes November 8, 2022, as a uniform election date for the purposes of conducting an election; and

WHEREAS, pursuant to Texas Local Government Code Section 9.004(e), more than one amendment may be combined in one ballot proposition as long as the amendments contain only one subject; and

WHEREAS, pursuant to the Texas Local Government Code Section 9.004 a ballot for proposed charter amendments shall be prepared so that a voter may approve or disapprove any one or more amendments without having to approve or disapprove all of the amendments; and

WHEREAS, during a public meeting held on August 2, 2022, the City Council considered and approved for public vote, in the form of a ballot proposition, the following Charter amendments after considering recommendations by the 2022 Ad Hoc Charter Advisory Committee; and

WHEREAS, the City Council of the City of El Paso, Texas, hereby directs City staff to publish notice of the special charter election in a newspaper of general circulation in the City on the same day in each of two (2) successive weeks, the date of the first publication to be not less than fourteen (14) days prior to the date of the November 8, 2022 election, in compliance with Section 9.004(c) of the Texas Local Government Code.

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

SECTION 1 – CHARTER AMENDMENT ELECTION CALLED

The El Paso City Council does hereby order an election to submit to the voters of the City of El Paso proposed amendments to the City Charter, to be held on Tuesday, November 8, 2022. That such election shall be held at the precincts and the polling places designated in Exhibit "A" or such other locations as may be designated prior to the election by the City Council, attached hereto and made a part hereof for all purposes, and said polling places shall open at 7 a.m. and remain open until 7 p.m. on the day of the election.

That at such election, the following amendments to the Charter of the City of El Paso ("Propositions") shall be submitted to the qualified voters of the City and official ballots for the election shall be prepared in accordance with the Texas Election Code so as to permit the

electors to vote for or against the proposed amendment, and with such proposition to be expressed substantially as follows:

CITY OF EL PASO PROPOSITION A

Text of Amendment

Amending Section 2.2C of the City Charter, relating to term limits for the Mayor and District Representatives, to read in pertinent part as follows:

Section 2.2C LIMITATION.

No Mayor or Representative may hold such office for more than a total of ten years throughout their lifetime, however, a person who serves an unexpired term due to a Mayor or Representative's resignation will be allowed to serve two full four-year terms, regardless of whether it results in more than a total of ten years.

City of El Paso Special Election for Charter Amendment Ballot Proposition A

Should section 2.2C of the City Charter, relating to term limits, be amended to provide that a person who serves an unexpired term due to a Mayor or Representative's vacancy be allowed to serve two full four-year terms, regardless of whether it results in more than a total of ten years served throughout their lifetime?

YES ()

NO ()

CITY OF EL PASO PROPOSITION B

Text of Amendment

Amending Section 3.1 of the City Charter, relating to the creation; composition; powers and duties of City Council, to read in pertinent part as follows:

Section 3.1 – CREATION; COMPOSITION; POWERS AND DUTIES

There shall be a City Council consisting of District Representatives and the Mayor. The Council shall have legislative powers, and the power and duty to select, direct, and regularly evaluate the City Manager, as well as such other and specific powers and duties as may be provided by law or this Charter. Each Representative shall have the discretion and sole authority to appoint and remove ~~a legislative aide~~ district office staff.

City of El Paso Special Election for Charter Amendment Ballot Proposition B

Should section 3.1 of the City Charter, relating to creation, composition; powers and duties of Council be amended to allow City Council Representatives to appoint and remove district office staff?

YES ()

NO ()

CITY OF EL PASO PROPOSITION C

Text of Amendment

Amending Section 3.18 of the City Charter, relating to the use of ordinances, to read in pertinent part as follows:

Section 3.18 LEASE; FRANCHISE, AND CONVEYANCE.

The right of control, ownership and use of streets, alleys, parks and public places of the City is declared to be inalienable except as provided by ordinance passed by the Council and except for uses of less than thirty days which may have a separate approval process as established by ordinance.

Any authorization ordinance providing for the conveyance, lease, or grant of a franchise regarding the property of the City shall provide for payment to the City of a reasonable fee as consideration for that conveyance, lease, or franchise.

Any sale of City owned property in fee simple, franchise or lease for an initial term longer than forty years shall be approved by ordinance.

In addition, any authorization ordinance providing for a the lease or franchise shall must provide that: ~~1. At the termination of the lease or franchise, the property involved, together with any improvements thereto, made or erected during the term of the lease or franchise, shall (either without further compensation or upon payment of a fair valuation therefore as determined by the terms of the ordinance), become the property of the City; and 2. Every lease or franchise~~ the City may ~~be~~ revoked ~~it by the City~~ if necessary to secure efficiency of public service at a reasonable rate, ~~or to~~ and must assure that the property is maintained in good ~~order~~ condition throughout the life of the lease or franchise grant.

City of El Paso Special Election for Charter Amendment **Ballot Proposition C**

Should section 3.18 of the City Charter relating to Leases, Franchises, and Conveyances be amended to authorize Council to lease City owned property for 40 years or less by Council resolution or ordinance?

YES ()

NO ()

CITY OF EL PASO PROPOSITION D

Text of Amendment

Amending Section 3.5 of the City Charter, relating to City Council Procedures and Rules, to read in pertinent part as follows:

Section 3.5 A CITY COUNCIL PROCEDURES AND RULES

Meetings. Regular meetings of the Council shall be held in Council chambers no less than once every other week at such times as may be prescribed by resolution, except that Council may reschedule meetings by resolution to allow for City holidays, but must have no less than two regular meetings per month. The Mayor may cancel a meeting if necessary due to a Federal, State or Local declared emergency.

City of El Paso Special Election for Charter Amendment **Ballot Proposition D**

Should section 3.5A of the City Charter be amended to allow Council to reschedule meetings by resolution to allow for City holidays but shall hold no less than two regular meetings per month?

YES ()

NO ()

CITY OF EL PASO PROPOSITION E

Text of Amendment

Section 3.5 A CITY COUNCIL PROCEDURES AND RULES

Meetings. Regular meetings of the Council shall be held in Council chambers no less than once every other week at such times as may be prescribed by resolution, except that Council may reschedule meetings by resolution to allow for City holidays, but must have no less than two regular meetings per month. The Mayor may cancel a meeting if necessary due to a Federal, State or Local declared emergency.

City of El Paso Special Election for Charter Amendment **Ballot Proposition E**

Should section 3.5A of the City Charter be amended to allow the Mayor to cancel a meeting if necessary due to a Federal, State or Local declared emergency?

YES ()

NO ()

CITY OF EL PASO PROPOSITION F

Text of Amendment

Amending Sections 3.9B relating to Ordinances, 3.10B relating to emergency ordinances, 6.1-12 relating to civil service hearing officers to read in pertinent part as follows:

Section 3.9 ORDINANCES IN GENERAL.

B. Legislative Procedure. Except as provided in Section 3.13, an ordinance may be introduced by any Council member at any meeting of the Council. A proposed ordinance must be filed with the City Clerk in sufficient time for inclusion on the agenda for the Council meeting at which it is to be introduced. Upon such filing the City Clerk shall distribute copies to each member of the Council and to the City Manager. ~~A reasonable number of copies shall be available in the office of the City Clerk, and at such other public places as the Council may designate, for examination by interested persons.~~ No ordinance shall be adopted finally except at a regular open meeting of the Council following notice, publication, and a public hearing. The notice shall contain:

- 1.The proposed ordinance or a brief summary thereof;
- 2.The places where copies of it have been filed and the times when they are available for public examination; and
- 3.The time and place for the public hearing. The notice shall be published by any contemporary means of information sharing, including but not limited to publication in a newspaper of general circulation in the City or placement on a website at least five days prior to the public hearing. The hearing may be held by a designated Council committee or the Council separately or in connection with any Council meeting and may be adjourned to a specified time. All interested persons present shall have an opportunity to be heard. As soon as practicable after adoption of any ordinance, the City Clerk shall publish it again, with notice of its adoption, in abstract form, by any contemporary means of information sharing. These abstracts must state, at a minimum, the purpose of the ordinance and, where penal, the penalty provided. In any event, the publication must be written so as to be understood by an average person.

Section 3.10B EMERGENCY ORDINANCES.

Procedures. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it may be introduced on one ~~two~~ hours' public notice, and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the unanimous vote of the Council members ~~Representatives~~ present, ~~and the consent of the Mayor,~~ shall be required for adoption.

Section 6.1-12 HEARING OFFICERS.

The Commission will appoint one or more compensated hearing officers to hear appeals made under Section 6.13-4. The need for hearing officers in excess of one shall be determined jointly by the Commission and the City Manager. Hearing officers will perform those duties and functions necessary to render a recommendation to the Commission on the matter in dispute.

The hearing officers will serve at the Commission's pleasure, and ~~will not be classified. Reasonable compensation shall be paid by the City. will be procured through the City's procurement process.~~

City of El Paso Special Election for Charter Amendment **Ballot Proposition F**

Shall Sections 3.9B, 3.10B, 6.1-12 of the City Charter be amended to eliminate provisions which have become inoperative because they have been superseded by state law; replace obsolete references and update terminology to current legal usage?

YES ()

NO ()

CITY OF EL PASO PROPOSITION G

Text of Amendment

Amending Section 3.11 of the City Charter, relating to Initiatives to read in pertinent part as follows:

Section 3.11 INITIATIVE.

Any five registered voters, referred to in this section as the committee, may initiate an ordinance that complies with federal, state and local law by filing with the City Clerk a statement that they intend to circulate a petition, however no ordinance may be initiated through this process regarding required appropriation or allocation of City funds, zoning or rezoning, levy of taxes, setting utility rates, purchase or sale of an interest in real property or granting a franchise. Such statement must include the names and addresses of the committee members, the full text of the proposed ordinance, and the designated lead committee member.

The City Clerk shall place the proposed Ordinance on the City Council Agenda for introduction within thirty days after receiving the statement, followed by a public hearing at the second

reading. If City Council fails to adopt the ordinance, or adopts it with amendments, the City Clerk will notify the committee through the lead committee member.

If the committee still wishes to seek adoption of the ordinance after Council fails to adopt, or does not agree to Council's amendments, it will then have 180 calendar days after notice from the City Clerk to complete the petition by gathering signatures in the form required by state law, including but not limited to original signature, printed name, residence address and date of birth or voter registration of ~~Whenever~~ a number of registered voters equal to at least five percent of the voters who voted in the last general City election, sign a ~~The~~ petition must setting forth the precise content of ~~an the~~ ordinance desired by the ~~petitioners, signers,~~

Within thirty working days, the City Clerk shall review the petition to verify if it meets all requirements, and if authenticated with the required number of signatures, the Council must place that ordinance on the agenda of a Council meeting to be held within thirty working days of the ~~receipt, authentication~~ by the City Clerk, of the petition bearing the authenticated names and addresses of the petitioners. Such an item shall be treated by the Council exactly as any other proposed ordinance.

Should an ordinance proposed by such petition not be enacted by the If Council does not adopt, or should it be enacted adopts the proposed ordinance in an amended form, a second petition, signed by a number of registered voters equal to at least five percent of the voters who voted in the last general City election, may be submitted to the City Clerk and that official shall have twenty working days in which to authenticate the signatures and thereafter must place the re proposed ordinance on the ballot at the next citywide general election specified in State law, if the proposal receives ~~d~~ the favorable vote of a majority of those voting in that election it shall thereupon become a City ordinance.

The Council is not obliged to consider the same ordinance initiated by petition, or one that is substantially the same, more often than once in: two years.

City of El Paso Special Election for Charter Amendment **Ballot Proposition G**

Should section 3.11 relating to the initiative petition of the City Charter be amended to remove the requirement for a second petition, and institute a process for the public to initiate a City ordinance?

YES ()

NO ()

CITY OF EL PASO PROPOSITION H

Text of Amendment

Amending Section 1.2 relating to Definitions, 3.5E relating to City Council Procedures

and Rules, 3.6 relating to Legislative Committees, 4.1B Power of the Mayor, 4.3 relating to Mayor Pro Tempore and 7.3 relating to budget procedures of the City Charter effective the first City Council meeting January of 2025, to read in pertinent part as follows:

Section 1.2 - DEFINITIONS

As used in this Charter, the term "laws of Texas" shall include the Constitution and statutes of the State of Texas, the common law as it exists in the State of Texas, and appropriate case law. As used herein, "State" shall mean the State of Texas; "City" shall mean the City of El Paso; "City Council" or "Council" shall mean the Mayor and Representatives of the City of El Paso, with the Mayor being a ~~non-voting~~ voting member of Council; ~~provided, however, the Mayor shall not be considered a member of Council for items and matters requiring a super-majority vote of all members of the governing body~~; and "department" shall mean any City agency, office, bureau or other organizational unit.

Section 3.5 E CITY COUNCIL PROCEDURES AND RULES

~~Veto-Effective Date.~~ Ordinances and resolutions finally adopted by the Council shall be filed in the office of the City Clerk and signed by the Mayor before they take effect. ~~If the Mayor vetoes the ordinance or resolution, reasons shall be set forth by the Mayor in writing, and the ordinance or resolution with those reasons shall be returned to the Council. However, the Mayor shall not have any veto power over any City Council action which removes the City Manager or the City Attorney. To override the Mayor's veto, three-fourths of all of the Representatives must vote in favor of the returned ordinance or resolution, in which event the adopted ordinance or resolution shall become law.~~ If the Mayor shall either fail to ~~approve or object in writing~~ sign to any adopted ordinance or resolution within five days after it has been filed with the City Clerk, exclusive of the day of filing, it shall become law.

Section 3.6 LEGISLATIVE COMMITTEES

A. The ~~Representatives~~ members of Council may resolve themselves into committees, both standing and special, when this is convenient for the conduct of legislative business, including the investigative powers described in Section 3.8. Rules governing the organization and procedures of these committees shall be made by the Council, ~~and the Mayor shall have no power to veto any of those rules except upon grounds of illegality.~~

Section 4.1B POWERS OF THE MAYOR

The Mayor shall be a voting member of City Council and preside over the City Council meetings, having the power to propose legislation; represent the City in intra-governmental and intergovernmental relationships; appoint with the consent of the Council the members of citizen advisory boards and commissions; make appointments and perform duties pursuant to federal and state law; present an annual state of the City message, ~~break tie votes, veto legislation except for any City Council action which removes the City Manager or the City Attorney~~ convene the Council in special session and perform other duties specified by the Council.

Section 4.3 – MAYOR PRO TEMPORE

A. At the first meeting upon the start of new terms of office following each general election, the Council shall elect from among the Representatives a Mayor Pro Tempore, who shall hold that office for a two year term. Should the office of Mayor Pro Tempore become vacant, the Council shall elect a new Mayor Pro Tempore.

B. During the absence or disability of the Mayor, the Mayor Pro Tempore shall act as Mayor, ~~but shall vote as a Representative, and shall have no veto power.~~

Section 7.3 – BUDGET PROCEDURES

The procedures here stated shall govern adoption of the annual budget and the appropriations of monies pursuant thereto.

D. Adoption. The budget shall be adopted by resolution, ~~subject to the Mayor's veto,~~ not later than the day before the first day of the City's fiscal and budget year; but, in the event the budget is not adopted, the appropriation for personnel and essential operating supplies made in the previous year shall be extended until the new budget is adopted.

City of El Paso Special Election for Charter Amendment **Ballot Proposition H**

Should section 1.2, 3.5E , 3.6, 4.1B, 4.3, and 7.3 of the City Charter be amended to authorize the Mayor to vote on all City Council agenda items and remove the Mayor's tie-breaking and veto capacity effective the first City Council meeting of January 2025?

YES ()

NO ()

CITY OF EL PASO PROPOSITION I

Text of Amendment

Amending Section 6.1-4 of the City Charter, relating to Civil Service qualifications to read in pertinent part as follows:

Section 6.1-4 QUALIFICATIONS.

Members of the Commission must be residents of the City at the time of their appointment and remain a resident of the City throughout their term of office. No Commissioner shall be related in any manner described in Article III, Section 3.3 B to any employee of the City, the Public Service Board, or any entity that has a contract with the City to operate or manage any City facility or department, nor hold any salaried public office or other employment compensated by the City, and any violation of this provision shall be deemed malfeasance in office and cause for removal therefrom. ~~At least two Commissioners must hold or have retired from positions other than managerial or professional. The City should adopt rules that reflect the diversity of the community and City workforce.~~ No more than three Commissioners may be former city

employees, and any such Commissioners are not eligible for appointment until two years following separation from the City. Any commissioner may be either actively employed or retired.

City of El Paso Special Election for Charter Amendment
Ballot Proposition I

Should 6.1-4 of the City Charter be amended to allow for appointment of Civil Service Commissioners that reflect the diversity of the community and City workforce?

YES ()

NO ()

CITY OF EL PASO PROPOSITION J

Text of Amendment

Amending Section 6.2-2 of the City Charter, relating to the unclassified services and 6.2-3B, relating to appointment and removal of unclassified personnel to read in pertinent part as follows:

Section 6.2-2 UNCLASSIFIED SERVICES.

The unclassified services shall include only the following positions:

A. The City Attorney, Assistant City Attorneys, law clerks and paralegal personnel;

B. The Mayor's executive secretary(s) and Executive Assistant(s);

~~C. Hearing officer(s) and the Commission Recorder;~~

~~D. All elected officials;~~

~~E. D. Members of all City boards, commissions, and committees who serve without compensation;~~

~~F. E. Employees hired by contract, and short-term or limited-funding grant-funded employees as designated by the City Manager and hired on or after the effective date of this amendment;~~

~~G. F. The City Manager;~~

~~H. G. All executive level employees, and executive staff or salaried professional employees reporting directly to the City Manager;~~

~~I. H~~ Employees hired on or after May 18, 2007 who work at the Metropolitan Planning Organization; and

~~J. I.~~ Persons given provisional and temporary appointments who are not classified employees at the time of such appointment.

~~K. J.~~ A person hired solely as a District Representative's legislative aide for the limited period of the term of office for that District Representative.

Section 6.2-3 – APPOINTMENT AND REMOVAL OF UNCLASSIFIED PERSONNEL

B. Except as otherwise provided by law or in this Charter, unclassified personnel may be removed by the City Manager or designee, who may establish written procedures for removal.; ~~except for hearing officers and the Commission Recorder, who may be removed only by a majority vote of the commissioners.~~

City of El Paso Special Election for Charter Amendment **Ballot Proposition J**

Should Section 6.2-2 relating to Unclassified Services and 6.2-3 relating to appointment and removal of unclassified personnel be amended to align the person carrying out the role of civil service commission recorder with all other unclassified City employees who may be removed by the City Manager or designee in accordance with the City Charter?

YES ()

NO ()

CITY OF EL PASO PROPOSITION K

Text of Amendment

Amending Section 6.7-1 and 6.8-1 of the City Charter, relating to penalty for deceit in examinations, examinations and eligibility to read in pertinent part as follows:

Section 6.7-1 PENALTY FOR DECEIT IN EXAMINATION.

~~An applicant in any examination who uses or attempts to use any unfair or deceitful means to pass the examination shall be excluded from further participation in the examination and the papers not rated, except as may be provided in the applicable Rules or policies and procedures.~~
(Reserved.)

Section 6.8-1 EXAMINATION AND ELIGIBILITY

The Human Resources Director shall establish administrative policies and procedures for the promotion process, ~~including examination~~ and eligibility, consistent with the provisions of this Article and all applicable federal and state employment laws. ~~Promotion to any position in the Civil Service shall be by examination weighed by seniority and performance record, except as otherwise provided in the Charter or Rules. Eligibility criteria and rating factors for promotions shall be established by Rule and shall include a credit for seniority.~~

City of El Paso Special Election for Charter Amendment **Ballot Proposition K**

Should Section 6.7-1 be deleted and 6.8-1 relating to Examinations of the City Charter be amended to allow the City to establish Civil Service Rules, policies and procedures for the promotion of City employees?

YES ()

NO ()

CITY OF EL PASO PROPOSITION L

Text of Amendment

Amending Section 6.13-11D of the City Charter, relating to pensions plans to read in pertinent part as follows:

Section 6.13-11D PENSION PLANS.

Firemen and Policemen Pension Fund of El Paso. The City shall continue to augment the Firemen and Policemen Pension Fund of El Paso in a manner consistent with the laws of Texas. To augment the Firemen and Policemen Pension Fund, the Council shall in each fiscal year beginning after ~~November 2022, February, 1968~~, appropriate ~~no less than eighteen percent of the total amount expended for wages of the participants, and may increase this contribution rate as allowed by the relevant state law requirements based on a qualified actuary's report; an amount equal to three times the amount paid into the fund by the participants therein; provided that the amount contributed by the City shall not exceed eighteen percent of the total amount expended for salaries of the participants;~~ provided further, however, that in the event age limits for participation in the pension fund, or any division of the fund, are increased as permitted by law and the raising of the age limits causes an increase in funding costs as determined by an actuary, the City shall appropriate an amount equal to such cost increase notwithstanding that such increased appropriation may exceed ~~the otherwise determined eighteen percent of the total amount expended for salaries of the participants, but such increased appropriation shall in no case exceed eighteen and one-half~~ percent of the total amount expended for ~~wages~~ salaries of the participants.

City of El Paso Special Election for Charter Amendment
Ballot Proposition L

Should section 6.13-11D relating to the police and fire pension fund be amended to establish that the City of El Paso shall contribute to the El Paso Policemen and Firemen Pension Fund no less than eighteen percent of the total amount expended for wages of the participants, and any increase to the contribution rate shall be as allowed by state law ?

YES ()

NO ()

SECTION 2 – BALLOTS

The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "YES" or "NO" on the proposition, with the ballots to contain such provisions, markings and language as required by law, and with the proposition to be expressed substantially as set forth in section 1, above.

SECTION 3 – EARLY VOTING CLERK

Lisa Wise, El Paso County Elections Administrator, 500 E. San Antonio, Suite 314, El Paso, Texas, 79901, is hereby appointed as Early Voting Clerk. Applications for ballot by mail must be received no later than the close of business on October 28, 2022, sent to this address.

SECTION 4 – EARLY VOTING

Early voting by personal appearance shall be conducted at the El Paso County Courthouse, located at 500 E. San Antonio, El Paso, Texas 79901. In addition, early voting may also occur at such early voting polling places as are designated herein or otherwise designated by the El Paso County Elections Administrator and posted at City Hall by the City Clerk. The locations and hours for early voting by personal appearance shall be authorized for such election as set forth in Exhibit “A,” which may be amended.

In addition, mobile voting stations may be authorized and used for early voting at publicly owned buildings in the City as established by the El Paso County Elections Administrator. The City Clerk is authorized to make corrections or revisions to the list of these mobile stations, including the respective hours for early voting by personal appearance at these stations. The City Clerk is further authorized to make corrections or revisions to the list of early voting stations as set forth above, including the respective hours for early voting by personal appearance at these stations, and revise and correct all election notices regarding the early voting locations and the mobile voting stations, and the dates and times for such voting.

For purposes of processing ballots cast in early voting, the election officers for the Early Voting Ballot Board shall be appointed and designated in accordance with the provisions of the election agreement with El Paso County.

SECTION 5 – NOTICE OF ELECTION

The City Clerk shall give notice of such election by posting a notice of such election in English and Spanish in the Office of the City Clerk as provided by law and by publishing a copy of said notice in both English and Spanish in a newspaper in the City as required by law. Additionally, in accordance with Section 9.004(c) of the Local Government Code, notice shall be published in a newspaper of general circulation in El Paso on the same day, in each of two consecutive weeks, with the first publication occurring on or before the 14th day before election day. The notice shall contain a substantial copy of the proposed amendment.

The City Clerk shall deliver notice of this election to the County Clerk and voter registrar of El Paso County no later than Monday, October 24, 2022, or as otherwise required by law.

SECTION 6 – ELECTION SERVICES CONTRACT AND PROCEDURAL MATTERS

The City Manager is hereby authorized to execute the necessary contract(s) and agreements, joint or otherwise, with the El Paso County Elections Administrator, or any other public entity, for the purpose of having El Paso County furnish all or any portion of the election services and equipment needed by the City Clerk to conduct the election. The contract document and election services provided therein shall conform to Chapter 31, Subchapter D, of the Texas Election Code and all other applicable statutes and laws.

The election services contract with the County shall provide (a) the type of electronic voting equipment to be used for early voting by personal appearance and on election day, (b) notification and training for election judges and clerks, (c) an estimate and final payment terms for the election services provided, (d) agreements for early voting equipment and voting machine rental, and (e) other procedures necessary to conduct the election.

Matters contained in this ordinance relating to discretionary, procedural matters may be amended by approval of the City Manager, and procedural matters not established by this ordinance will be established by resolution of City Council.

SECTION 7 – VOTING MACHINES AND ELECTION RESULTS

Voting machines used for the conduct of the election, shall be procured, maintained, operated, sealed and the votes therefrom tabulated pursuant to procedures established and authorized by the laws of the State of Texas.

The results of the election shall be certified, canvassed, and returned in the form and manner prescribed by law.

SECTION 8 – OTHER ACTION AND COMPLIANCE WITH APPLICABLE LAWS

The City Manager and City Clerk, in consultation with the City Attorney, are hereby authorized and directed to take any additional action necessary to comply with provisions of the Texas Election Code or other state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized herein.

SECTION 9 – SEVERABILITY

That should any part, section, subsection, paragraph, sentence, clause or phrase contained in this ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this ordinance, but in all respects said remaining portion shall be and remain in full force and effect.

SECTION 10 – EFFECTIVE DATE

This Ordinance shall be in force and effect from and after the date of its adoption, and it is so ordained.

APPROVED this ____ day of August, 2022.

CITY OF EL PASO

Oscar Leaser
Mayor

ATTEST:

APPROVED AS TO FORM:

Laura D. Prine
City Clerk

Kristen L. Hamilton-Karam
Senior Assistant City Attorney



Legislation Text

File #: 22-1370, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

*Please choose District and Department from drop down menu. Please post exactly as example below.
No Title's, No emails. Please use ARIAL 10 Font.*

District 2

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

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action that the City Manager be authorized to sign a Use, Construction, and Donation Agreement with Western Refining Company, LLC for use, construction and donation of improvements at Marina Rios Park.

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

AGENDA DATE: October 25, 2022
PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:
Yvette Hernandez, P.E. City Engineer, (915) 212-1860

DISTRICT(S) AFFECTED: 2

STRATEGIC GOAL: No. 4 Enhance El Paso's Quality of Life Through Recreational, Cultural, & Educational Environments

SUBGOAL: 4.2 Create Innovative recreational, educational, and cultural program.

SUBJECT:

Discussion and action that the City Manager be authorized to sign a Use, Construction, and Donation Agreement with Western Refining Company, LLC for use, construction and donation of improvements at Marina Rios Park.

BACKGROUND / DISCUSSION:

On July 9, 2019, City Council approved the use of Community Development Block Grant (CDBG) funds for the design and construction of a pocket park located at on a vacant 0.5-acre property at the corner of Cleveland Ave. and N. Clark Dr. (Marina Rios Park). During the design it was determined available funding was insufficient to construct the Park as planned and allowed only installation of landscaping and park amenities on approximately 0.25 acres located on the western side. Improvements in that area of the property were completed in November 2021.

Shortly after completion of construction, the Capital Improvement Department was approached by Representative Hernandez, the representative for the area of the City of when the park was constructed to assess the Department's interest in the Representative having discussions with Western Refining Company, LLC (WRC) regarding whether WRC would be willing to fund and construct the improvements for the undeveloped portion of the property. WRC agreed to fund the improvements and designs and an agreement were finalized. The improvements are valued at \$171,227.28.

SELECTION SUMMARY: N/A

CONTRACT VARIANCE: N/A

PROTEST N/A

PRIOR COUNCIL ACTION: July 9, 2019 City Council approved the use of Community Development Block Grant (CDBG) funds for the design and construction of a pocket park located at on a vacant 0.5-acre property at the corner of Cleveland Ave. and N. Clark Dr. (Marina Rios Park).

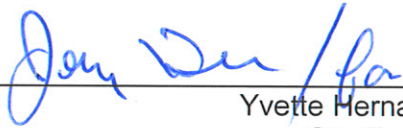
AMOUNT AND SOURCE OF FUNDING: \$171,227.28 Private funding no City Match

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Capital Improvement Department
SECONDARY DEPARTMENT: Parks and Recreation

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

DEPARTMENT HEAD:

A handwritten signature in blue ink, appearing to read "Yvette Hernandez", is written over a horizontal line.

Yvette Hernandez, P.E
.City Engineer

RESOLUTION

WHEREAS, the City seeks to promote healthy outdoor recreational activity to the citizens and visitors of El Paso through the use of its City parks; and

WHEREAS, Western Refining Company, LLC (Western) wishes to donate, construct and install park amenities and landscaping features, at Western's sole cost, in accordance with the City's design specifications to be used at the Marina Rios Park; and

WHEREAS, the City and Western are mutually desirous of entering into the Use, Construction, and Donation Agreement for the benefit of the public;

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

That the City Manager, or designee be authorized to sign a Use, Construction, and Donation Agreement for improvements at Marina Rios Park by and between the City of El Paso, Texas and Western Refining Company LLC.

APPROVED THIS _____ DAY OF _____ 2022

CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

Laura Prine
City Clerk

APPROVED AS TO FORM

Donald C. Davie

Donald Davie
Senior Assistant Attorney

APPROVED AS TO CONTENT

Assistant Director Capital Improvement

Jerry DeMuro/for

Yvette Hernandez, P.E.
City Engineer

THE STATE OF TEXAS

§

§ USE, CONSTRUCTION, AND DONATION

§

§ AGREEMENT

§

COUNTY OF EL PASO

THIS USE, CONSTRUCTION, AND DONATION AGREEMENT FOR CONSTRUCTION AND DONATION OF IMPROVEMENTS AT CLEVELAND CLARK PARK RECENTLY FORMALLY RENAMED MARINA RIOS PARK (hereinafter referred to as "**Agreement**") is made and entered into on this 13th day of October, 2022, ("Effective Date") by and between the Western Refining Company LLC (hereafter referred to as "**Western**") and the City of El Paso, Texas, a Texas home rule municipal corporation, (hereinafter referred to as "**City**"). Western and the City are sometimes referred to herein as a "Party" and collectively may be referred to herein as the "Parties".

WHEREAS, the City seeks to promote healthy outdoor recreational activity to the citizens and visitors of El Paso through the use of its City parks; and

WHEREAS, Western wishes to donate and install park amenities and landscaping features in accordance with the City's design specifications to be used at the Cleveland Clark Park, as described herein.

WHEREAS, the City and Western are mutually desirous of entering into this Agreement for the benefit of the public;

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES HEREIN, WESTERN AND CITY AGREE TO THE FOLLOWING TERMS AND CONDITIONS:

1. Contractual Relationship:

- 1.1. The Parties to this Agreement are independent contractors. Except as may be expressly and unambiguously provided in this Agreement, no partnership or joint venture is intended to be created by this Agreement, nor any principal-agent or employer-employee relationship between the Parties or any of their officers, employees, agents or representatives.
- 1.2. As an independent contractor, Western understands and agrees that it will be responsible for its respective acts or omissions, and the City will in no way be responsible as an employer to Western's officers, employees, agents or representatives who perform any service in connection with this Agreement.
- 1.3. As an independent contractor, the City understands and agrees that it will be responsible for its respective acts or omissions, and Western will in no way be responsible as an employer to the City's officers, employees, agents or representatives who perform any service in connection with this Agreement.
- 1.4. Western acknowledges and agrees that it does not have, and will not attempt to assert, the authority to make commitments for or to bind the City to any obligation other than the obligations set forth in this Agreement. The City also acknowledges and agrees that it does not have, and will not attempt to assert, the authority to make commitments for or to bind Western to any obligations other than the obligations set forth in this Agreement. Western agrees that its personnel will participate in the donation, construction, and installation of park amenities, landscaping features

and public art, as applicable, in compliance with all applicable federal, state, and/or local rules and regulations.

2. **Term:** This Agreement will commence on the Effective Date and will terminate upon completion of the Improvements by Western and their acceptance by City, unless terminated earlier in accordance with this Agreement ("Term").

3. Use of City Property

- 3.1. In consideration of the construction of Improvements and donation thereof to City, as hereafter described, City does hereby grant to Western during the Term of this Agreement the use of the area described in **Exhibit A**, referred to and incorporated herein by reference, in Cleveland Clark Park (hereafter "Park") for the purpose of constructing and installing park amenities and landscaping within the Park ("Improvements").
- 3.2. Western agrees to maintain City's Park in a safe and clean condition during Western's use of the Park. Western further agrees and covenants that City's Park and all Improvements will at all times be subject to inspection by City, however, City has no duty to inspect the property.

4. Construction of Improvements

- 4.1. [RESERVED].
- 4.2. During the Term of this Agreement, Western will construct the Improvements in accordance with this Agreement and as substantially shown in the "Construction Plans Design Documents" contained in Exhibit B, referred to and incorporated herein by reference.
- 4.3. Western will include in all Western construction agreements for the Improvements the following provisions:
 - 4.3.1. Typical market based indemnification obligations of a contractor doing business on Western's property.
- 4.4. Western will also require the contractors, in all Western construction agreements for the Improvements, to furnish insurance at no cost to the City, that provides, but is not limited to the indemnification provisions of this Agreement, insuring contractor's liability for injury to or death of employees of the contractor and third Parties. Western and all of its contractors and their subcontractors will maintain insurance with limits that meet the following requirements:
 - 4.4.1. Commercial General Liability: \$2,000,000 per occurrence and \$1,000,000 aggregate for bodily injury, personal injury and property damage. This policy will have no coverages removed by endorsement.
 - 4.4.2. Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage. Coverage will be provided for any auto, including hired and non-owned vehicles.

- 4.4.3. Workers' Compensation and Employers' Liability: If applicable under law, Statutory Workers' Compensation with Employers' Liability limits of \$1,000,000 each accident, \$1,000,000 each employee for disease and \$1,000,000 policy limit for disease.
- 4.4.4. All insurance policies of the contractors for the Improvements will be written with Western as an additional insured and will be written through companies duly authorized to transact that class of insurance in the State of Texas. The policies will also waive subrogation rights for loss or damage so that insurers have no right to recovery or subrogation against Western. Contractors will provide a certificate of insurance evidencing the coverage to Western who will, if requested, provide a copy of such certificates to the City.
- 4.5. Western agrees that all work to be performed by it or its contractors, including all workmanship and materials, will be of first-class quality and will be performed in full compliance and in accordance with all federal, state and local laws, ordinances, codes and regulations, and such work will be subject to City inspection during the performance thereof and after it is completed. However, City has no duty to inspect the property.
- 4.6. Western will discharge all obligations to contractors, subcontractors, materialmen, workmen and/or other persons for all work performed and for materials furnished for or on account of Western as such obligations mature. Western expressly agrees that it will neither give nor grant, nor purport to give or grant any mechanic's or materialmen's lien upon the City's Park or upon any Improvements thereupon in the process of construction or repair, nor allow any condition to exist or situation to develop whereby any Party should be entitled, as a matter of law, to a mechanic's or materialmen's lien against the City's Park or Improvements thereon, and Western will discharge any such lien within 30 days after notice of filing thereof. Western will obtain All Bills Paid Affidavits from its contractors upon completion of the Improvements.
- 4.7. All construction upon the City's Park will comply with all applicable federal, state or municipal laws, ordinances, rules, regulations and requirements. During the progress of all work, City's duly authorized representative may enter upon the premises and make such inspections as may be reasonably necessary for the purpose of satisfying City that the work or construction meets the requirements or standards.
- 4.8. Western will conduct its operations under this Agreement in an orderly and proper manner, considering the nature of such operation, so as not to unreasonably annoy, disturb, endanger or be offensive to others.
- 4.9. Western will repair any damage to offsite property of the City, the Park, the Improvements at the Park and which are caused by or resulting from any activities or construction by Western, or Western's contractors, ordinary wear and tear excepted.
5. **Cost of Improvements:** The complete cost of developing all necessary plans and specifications, as provided in this Agreement, and the cost of construction of the Improvements by Western will be borne solely by Western and be at no expense to the City.
6. **Ownership of Improvements:** Upon completion of the Improvements, it is Western's desire to donate the Improvements to City. All alterations and Improvements on or in City's Park at the commencement of the Term, or those that may be installed or erected during the Term, will become

part of City's Park upon completion of the construction and installation of the Improvements by Western and acceptance by City. Any warranties given to the Western for the Improvements, or their construction, will be conveyed to the City at the same time as the Improvements are transferred to the City.

7. **Ingress and Egress:** Western will have the right to obtain ingress and egress to and from the Park by means of all existing roadways or access ways, to be used in common with others having the right of ingress and egress.

8. Rules and Regulations, Signage and Development Standards.

- 8.1. Western agrees to observe and obey any and all rules and regulations and all other federal, state and municipal rules, regulations, ordinances and laws, including but not limited to the impact fees, subdivision rules and regulations, zoning, landscape standards, general park standards, and the construction sections of the Code of the City, and require its contractors, and suppliers to observe and obey the same. Signage placed at the Park as part of the construction of the Improvements will comply with City ordinances.
 - 8.2. Western agrees to obtain from all governmental authorities having jurisdiction, all licenses, certificates and permits necessary for the conduct of its operations and to keep them current.
9. **Default:** If at any time during the Term of this Agreement, Western will fails to commence the work in accordance with the provisions of this Agreement or fails to diligently provide services in an efficient, timely and careful manner and in strict accordance with the provisions of this Agreement, or fails to use an adequate number or quality of personnel or equipment to complete the work or fails to perform any of its obligations under this Agreement, then City will have the right, if Western will not cure any such default after 30 days written notice thereof, to terminate this Agreement and complete the work in any manner it deems desirable, including engaging the services of other Parties. Any such act by City will not be deemed a waiver of any other right or remedy of City.

10. Western's Responsibilities: Including all other responsibilities of Western identified in this Agreement, Western will:

- 10.1. Order playground equipment, exercise equipment, other related park amenities and landscaping features in accordance with City design specifications detailed on Exhibit B. All donated park equipment, park amenities, warranties and related documentation will become the Park of the City upon transference from Western upon inspection and acceptance.
- 10.2. Provide donations for landscaping that meet City Park standards.
- 10.3. Oversee the delivery of all park equipment at the Park.
- 10.4. Install all park equipment, amenities and landscaping features at the Park.

11. City's Responsibilities: Including all other responsibilities of City identified in this Agreement, City will:

Final Execution Version

- 11.1. Provide the design and layout of the park equipment, amenities and landscaping for the Park.
 - 11.2. Issue all necessary permitting & approvals under customary procedures of the City.
 - 11.3. Provide installation approvals under customary procedures of the City.
 - 11.4. Provide point of contact for all communications to Western.
 - 11.5. Be responsible for maintenance and repairs to the Improvements upon conveyance and transfer from Western to City upon inspection and acceptance by City.
- 12. Amendment of Agreement:** No amendment to this Agreement will be effective unless reduced to writing, executed by the authorized representatives of the City and Western. The City Manager for the City or a designee is authorized to enter into amendments to this Agreement that do not affect the City Budget.
- 13. Notices:** All notices under this Agreement will be in writing and delivered either by personal delivery or by United States certified mail, return receipt requested. Such notices will be deemed given when received by such Party's designated representative.

WESTERN:

Western Refining Company LLC
 Attn.: Vice President of Refining or Refining Division Manager
 2121 N. Clark.
 El Paso, TX 79905

With copies to:

Western Refining Company LLC
 539 South Main Street
 Findlay, OH 45840
 Attn: Manager, Title and Contract

Western Refining Company LLC
 212 N. Clark
 El Paso, Texas 79901
 Attn: Manager, State Government Affairs

CITY:

City of El Paso
 Attn.: City Manager
 P.O. Box 1890
 El Paso, Texas 79950-1890

COPY TO:

City of El Paso
 Yvette Hernandez
 City Engineer
 218 N. Campbell St.

El Paso, TX 79901

14. Assignment. This Agreement is not assignable in whole or in part by any Party hereto without prior written consent of the other Party.

15. Force Majeure. This agreement may be terminated by either Party due to acts of God, war, government regulations, disaster, strikes (save and except strikes involving employees of the Party seeking the protections of this provision), civil disorder, curtailment of transportation facilities, or other emergencies making it illegal or impossible to perform obligations under this agreement. In order to terminate this agreement under this provision for any one or more of such reasons, the terminating Party must provide written notice to the other Party within 5 days of the occurrence of any of these events. In the event that services are suspended for a time period not to exceed 30 days because of an act of nature, act of God or other force majeure event, beyond the reasonable control of a Party, either Party may terminate this Agreement immediately without cause or penalty and any monies paid for such services in advance will be refunded immediately.

16. Termination

16.1. Termination - Cause. The Parties agree that either Party may terminate this Agreement in whole or in part. Such termination may be made for failure of one Party to substantially fulfill its contractual obligations, pursuant to this Agreement, and through no fault of the other Party. No such termination will be made unless the other Party being terminated is granted (a) written notice of intent to terminate enumerating the failures for which the termination is being sought; (b) a minimum of 30 calendar days to cure such failures; and (c) an opportunity for consultation with the terminating Party prior to such termination.

16.2. Termination - Convenience. Either Party may terminate this Agreement without cause upon 90 days written notice to the other Party if the purchase or donation of equipment has not yet been executed by Western.

16.3. Termination Shall Not Be Construed as Release. Termination by either Party will not be construed as a release of any claims that the terminating Party may lawfully be entitled to assert against the other Party. Further, the terminated Party will not be relieved of any liability for damages sustained by the terminating Party by virtue of any breach of this Agreement.

16.4. Except as otherwise provided herein, all duties and obligations of the City and Western will cease upon termination or expiration of this Agreement.

17. Insurance and Indemnification

17.1. AS A CONDITION OF THIS AGREEMENT, WESTERN WILL INDEMNIFY, DEFEND AND HOLD THE CITY, ITS OFFICERS, AGENTS AND EMPLOYEES, HARMLESS FROM AND AGAINST ANY AND ALL CLAIMS, CAUSES OF ACTION, LIABILITY, DAMAGES OR EXPENSE, INCLUDING BUT NOT LIMITED TO ALL JUDGMENTS, SETTLEMENT AMOUNTS, ATTORNEYS' FEES, COURT COSTS AND EXPENSES INCURRED IN THE INVESTIGATION, HANDLING, DEFENSE AND LITIGATION

OF ANY CLAIM OR SUIT, INCLUDING BUT NOT LIMITED TO ANY CLAIM OR SUIT FOR ANY DAMAGE TO OR LOSS OF ANY PROPERTY, OR ANY ILLNESS, INJURY, PHYSICAL OR MENTAL IMPAIRMENT, LOSS OF SERVICES, OR DEATH TO ANY PERSON REGARDLESS OF THE MERITS OF OR OUTCOME OF SUCH CLAIM OR SUIT ARISING OUT OF WESTERN'S NEGLIGENT ACTS, WILLFUL MISCONDUCT, GROSS NEGLIGENCE OR OMISSIONS RELATED TO THIS AGREEMENT. WITHOUT MODIFYING THE CONDITIONS PRECEDENT FOR PRESERVING DEFENSES, ASSERTING CLAIMS OR ENFORCING ANY LEGAL LIABILITY, AGAINST THE CITY AS REQUIRED BY THE CITY CHARTER OR ANY LAW, THE CITY WILL PROMPTLY FORWARD TO WESTERN EVERY DEMAND, NOTICE, SUMMONS OR OTHER PROCESS RECEIVED BY THE CITY IN ANY CLAIM OR LEGAL PROCEEDING CONTEMPLATED HEREIN. THE CITY, AT ITS ELECTION WILL HAVE THE RIGHT TO PARTICIPATE IN ANY SUCH NEGOTIATIONS OR LEGAL PROCEEDINGS TO THE EXTENT OF ITS INTEREST.

18. **Consideration.** Western agrees to perform the services for no monetary compensation and that the opportunity to provide the donation constitutes full and complete consideration. For documentation purposes only, Western estimates that the value of the donation is approximately \$171,227.28.
19. **Governmental Function.** The Parties expressly agree that, in all things relating to this Agreement, the City enters into this Agreement for the purpose of performing a governmental function and is performing a governmental function, as defined by the Texas Tort Claims Act. Neither Party waives any immunity under the Texas Tort Claims Act. The Parties further expressly agree that every act or omission of the City, which in any way pertains to or arises out of this Agreement, falls within the definition of governmental function.
20. **Governing Law.** This Agreement will be governed by and construed in accordance with the laws of the State of Texas, along with applicable provisions of the federal law, the El Paso City Code, and any Ordinance of the City.
21. **Entire Agreement.** This agreement contains the entire understanding between the Parties and supersedes any and all prior agreements, arrangements, communications, or representations, whether oral or written concerning the same subject matter. This Agreement may not be amended, altered, modified or changed except in writing, signed by both Parties.
22. **Severability.** In the event any one or more of the provisions of the Agreement will be held by a tribunal of competent jurisdiction to be invalid, illegal or unenforceable, the remaining provisions of this Agreement will be unimpaired, and the invalid, illegal or unenforceable provision will be replaced by a mutually acceptable provision, which, being valid, legal and enforceable, comes closest to the intention of the Parties underlying the invalid, illegal or unenforceable provision. If any provision of this Agreement is held to be excessively broad as to duration, geographical scope, activity or subject, it is to be construed by limiting and reducing it, so as to be enforceable to the extent compatible with applicable law.

23. Headings. The headings of sections and subsections of this Agreement are for reference only and will not alter the terms and conditions of this Agreement.

24. Authorization to Enter into Agreement. The Parties warrant and represent that they have full authority to enter into this Agreement and to consummate the transactions contemplated hereby and that this Agreement is not in conflict with any other agreement to which the Parties are a Party or by which they may be bound.

IN WITNESS WHEREOF, the Parties hereto by their duly authorized representatives have executed this Agreement as of the Effective Date.

WESTERN REFINING COMPANY LLC


Signed By: 
Travis Beltz (Oct 14, 2022 15:38 EDT)
Printed Name: Travis Beltz
Title: General Manager, El Paso Refinery


Timothy Berry (Oct 13, 2022 15:41 CDT)
Approved as to Form

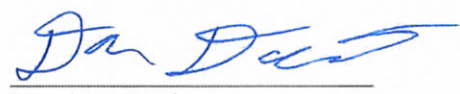
VJ Smith (Oct 13, 2022 14:43 MDT)

Final Execution Version


CITY OF EL PASO:


Avette Hernandez, P.E., City Engineer
Capital Improvement Department

APPROVED AS TO FORM:


Donald C. Davie
Assistant City Attorney

APPROVED AS TO CONTENT:


Jerry DeMuro, Assistant Director
Capital Improvement Department

Final Execution Version

Exhibit A

Property Description and Depiction of the Park

Plans and Specification too large to scan – plans and specifications on file with CID



Legislation Text

File #: 22-1216, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

District 8

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

Planning and Inspections, Andrew Salloum, (915) 212-1603

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

An Ordinance changing the zoning of Lots 17 to 20, Block 52, Bassett, 2101 Texas Avenue, City of El Paso, El Paso County, Texas from A-3/SP (Apartment/Special Permit) to C-4 (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: 2101 Texas Avenue

Applicant: D & H Enrique Properties, LLC., PZRZ22-00020

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

AGENDA DATE: September 27, 2022
PUBLIC HEARING DATE: October 25, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Andrew Salloum, (915) 212-1603

DISTRICT(S) AFFECTED: District 8

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance changing the zoning of Lots 17 to 20, Block 52, Bassett, 2101 Texas Avenue, City of El Paso, El Paso County, Texas from A-3/sp (Apartment/special permit) to C-4 (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: 2101 Texas Avenue
Applicant: D & H Enrique Properties, LLC. - PZRZ22-00020

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone the subject property from A-3/sp (Apartment/special permit) to C-4 (Commercial) to allow for offices and vocational school. City Plan Commission recommended 5-0 to approve the proposed rezoning on September 8, 2022. The Planning Division received one phone call in opposition to the request from the public on August 25, 2022. Initially, two speakers from neighborhood associations spoke in opposition at the August 25, 2022, CPC meeting. On September 6, 2022, the applicants had a meeting with neighborhood associations to address their concerns with the request. Subsequently, the neighborhood associations have no opposition to the request at the September 8, 2022 CPC meeting. As of September 19, 2022, the Planning Division has received four letters via email in support of the request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 17 TO 20, BLOCK 52, BASSETT, 2101 TEXAS AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-3/SP (APARTMENT/SPECIAL PERMIT) TO C-4 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

Pursuant to Section 20.04.360 of the El Paso City Code, the zoning of **Lots 17 to 20, Block 52, Bassett, 2101 Texas Avenue**, located in the City of El Paso, El Paso County, Texas, be changed from **A-3/sp (Apartment/special permit)** to **C-4 (Commercial)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly, and that the special permit designation be rescinded.

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

ADOPTED this _____ day of _____, 20____.


THE CITY OF EL PASO:

Oscar Leaser, Mayor

ATTEST:

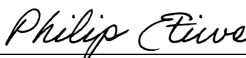
Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____

2101 Texas Avenue

City Plan Commission — September 8, 2022 (REVISED)

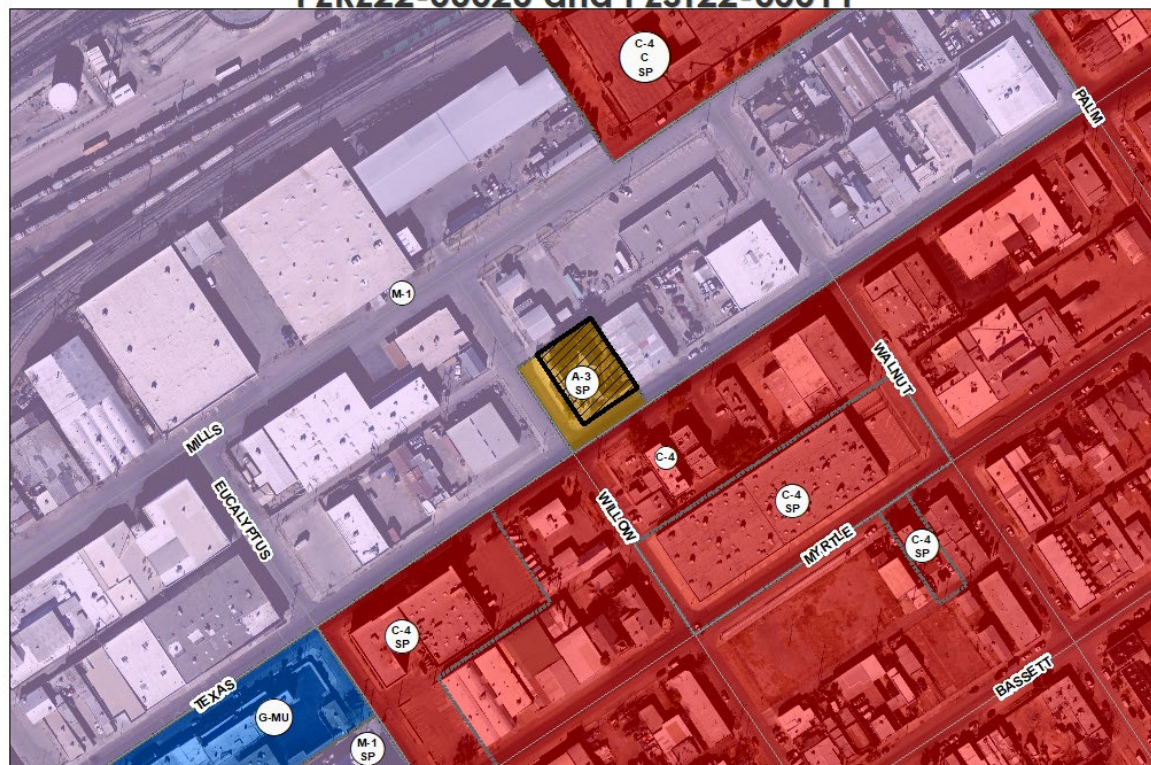


CASE NUMBER: PZRZ22-00020
CASE MANAGER: Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov
PROPERTY OWNER: D&H Enrique Properties, LLC
REPRESENTATIVE: Martin Atayde
LOCATION: 2101 Texas Avenue (District 8)
PROPERTY AREA: 0.275 acres
REQUEST: Rezone from A-3/sp (Apartment/special permit) to C-4 (Commercial)
RELATED APPLICATIONS: PZST22-00011 Special permit
PUBLIC INPUT: As of September 1, 2022, staff received a phone call in opposition. Two speakers from Neighborhood Associations spoke in opposition at the August 25, 2022, CPC. As of September 8, staff received four letters via email in support of the request.

SUMMARY OF REQUEST: The applicant is requesting to rezone the subject property from A-3/sp (Apartment/special permit) to C-4 (Commercial) to allow for offices and vocational school.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the rezoning request as the proposed rezoning is in keeping with the policies of the G-2 Traditional Neighborhood Land Use Designation of *Plan El Paso*, the City's adopted Comprehensive Plan.

PZRZ22-00020 and PZST22-00011



This map is designed for illustrative purposes only. The features depicted here are approximate and more accurate studies may be required to draw accurate conclusions. Enlargement of this map to scales greater than its original can induce errors and may lead to misinterpretation of the data. The Planning & Inspection Department Planning Division makes no claim to its accuracy or completeness.



0 65 130 260 390 520 Feet



Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone the subject property from A-3/sp (Apartment/special permit) to C-4 (Commercial) to allow for offices and vocational school. The property consists of 0.275 acres. There is an existing vacant building on the subject property. The detailed site development plan shows the existing 2,820 sq. ft. office building and a new 1,180 sq. ft. vocational school addition. Access to the subject property is provided from Willow Street via the alley. This rezoning application is related to special permit application PZST22-000011. The special permit would allow an infill development with rear and side street yard setback reductions and 100% parking reduction for the proposed development.

PREVIOUS CASE HISTORY: On May 24, 2005, City Council approved a rezoning from M-1 (Light Manufacturing) to A-3 (Apartment) and a special permit to allow for an eighty-five percent (85%) parking reduction for apartment use, (see Attachment no. 5). The existing special permit designation will be repealed once the new rezoning and special permit designation request is approved.

On August 25, 2022, the City Plan Commission (CPC) voted unanimously to postpone this item so that applicant could meet with the neighborhood and address their concerns related to the rezoning request for C-4 (Commercial) and special permit request for infill development and parking reduction.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The subject property is proposed to be developed into a commercial development. The proposed zoning district is consistent with the surrounding M-1 (Light Manufacturing) to the north, east, and west and C-4 (Commercial) districts to the south and meet the established character of the neighborhood surrounding the subject property. The closest school is Frederick Douglas Elementary School located 0.51 miles and the closest park is Chamizal National Memorial Park located 1.04 miles away.

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with Plan El Paso, consider the following factors:	
Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p><u>G-2 Traditional Neighborhood (Walkable):</u> This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.</p>	<p>Yes. The subject property is proposed to be developed into office and commercial developments, which are in character with the future land use designation of <i>Plan El Paso</i>.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p><u>C-4 (Commercial) District:</u> The purpose of this district is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.</p>	<p>Yes. The proposed C-4 (Commercial) zoning district is the same as the adjacent zoning district to the south, southeast, and southwest. The proposed commercial developments have the potential to provide goods and render services to the nearby area and in character with the spirit of the C-4 (Commercial) zone districts.</p>

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Preferred Development Locations: Located along an arterial (or greater street classification) or the intersection of two collectors (or greater street classification). The site for proposed rezoning is not located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.	Yes. Proposed development will have access to the existing Texas Avenue and Willow Street which are designated a major arterial and local street, respectively as per El Paso's Major Thoroughfare Plan (MTP). The classification of these roads are appropriate for the proposed development.
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.	The proposed development is not within any historic districts or study area plan boundaries.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	The proposed development is not anticipated to pose any adverse effects on the community. The proposed development will be compatible with development immediately surrounding the subject property.
Natural Environment: Anticipated effects on the natural environment.	The subject property does not involve greenfield, environmentally sensitive land, or arroyo disturbance.
Stability: Whether the area is stable or in transition.	The area is stable and the proposed development is compatible with the existing residential, light manufacturing zoning, and commercial uses of the surrounding properties.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	None. The proposed development is within an older, stable area of the city. The established neighborhood is comprised of offices, academies, and general retail sales and services. There was a recent rezoning G-MU (General-Mixed Use) request for this area located at 1918 Texas Avenue to the southwest in 2014.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The proposed development will have access to the existing Texas Avenue and Willow Street which are designated a major arterial and local street, respectively as per El Paso's MTP. The classification of these roads are appropriate for the proposed development. The existing infrastructure and services are adequate to serve the proposed redevelopment. The subject property is situated within 1,000 feet of a mass transit route. Access is proposed from Willow Street via the alley.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No adverse comments from reviewing departments.

PUBLIC COMMENT: The subject property lies within the boundaries of El Paso Central Business Association, Familias Unidas del Chamizal, Texas and Myrtle Ave. Business District Association, and Sunrise Civic Group which were notified of the rezoning application. Public notices were mailed to property owners within 300 feet of the subject property on August 10, 2022. As of September 1, 2022, the Planning Division received one phone call in opposition to the request from the public. Two speakers from Neighborhood Associations spoke in opposition at the August 25, 2022, CPC. On September 6, 2022, the applicants had a meeting with neighborhood associations to address their concerns with the request. The neighborhood associations have no opposition to the request. As of September 8, 2022, staff received four letters via email in support of the request.

RELATED APPLICATIONS: PZST22-00011 Special permit for an infill development to allow for rear and side street yard setback reductions and 100% parking reduction for the proposed development.

CITY PLAN COMMISSION OPTIONS:

The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
2. **Recommend Approval of the rezoning request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
3. **Recommend Denial** of the rezoning request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

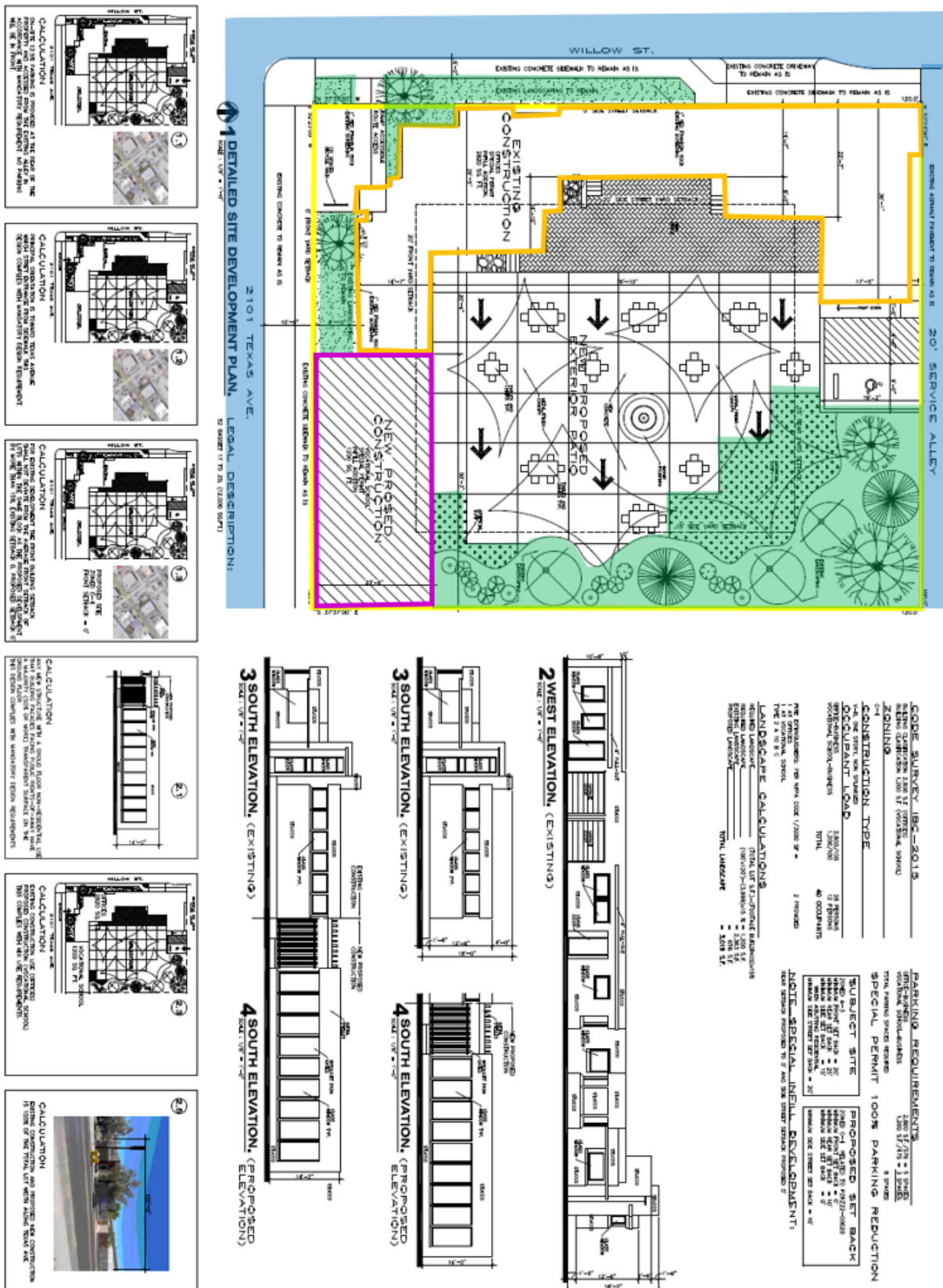
ATTACHMENTS:

1. Future Land Use Map
2. Detailed Site Development Plan
3. Department Comments
4. Rezoning Ordinance No. 16057 and Special Permit Ordinance No. 16058
5. Neighborhood Notification Boundary Map
6. Letters via email in support

PZRZ22-00020 and PZST22-00011



ATTACHMENT 2



ATTACHMENT 3

Planning and Inspections Department - Planning Division

Staff recommends approval of the rezoning request as the proposed rezoning is in keeping with the policies of the G-2 Traditional Neighborhood Land Use Designation of *Plan El Paso*, the City's adopted Comprehensive Plan.

Planning and Inspections Department – Plan Review & Landscaping Division

No objections to special permit and detailed site development plan.

Note: At the time of submittal for building permit, the project will need to comply with all applicable provisions of the ICC, TAS and Municipal Code.

Planning and Inspections Department – Land Development

1. Show existing drainage flow patterns on the site plan and identify the discharge and/or storage location(s) for all storm-water runoff within the subdivision.

2. The code encourages the use of nonstructural storm water management such as the preservation of greenspace, rainwater harvesting within parkways, landscaped areas, and other conservation efforts, to the maximum extent practicable.

Note: Stormwater drainage has been verified. Rainwater harvesting is recommended at time of development.

Note: the comments have been addressed as shown on the site plan.

Fire Department

Recommend approval. No adverse comments.

Police Department

No comments received.

Environment Services

No adverse comments.

Streets and Maintenance Department

The Streets and Maintenance Department has no objections for this application.

Texas Department of Transportation

Please have the requestor submit to ELP_Access@txdot.gov for grading and drainage review of the proposed plans.

Note: the applicants will coordinate with TxDOT at time of building permit stage.

Sun Metro

Please be advised that the vehicle entrance to your property located at 2101 Texas Ave., is situated within 1,000 feet of a mass transit route. Specifically, 5 Points Circulator, Alameda Brio, DCT Via Alameda, Gov't. District via Lakeside, and Valle Verde via North Loop.

El Paso Water

EPWater does not object to this request.

Water:

There is an existing 6-inch diameter water main that extends along the east side of Willow St. This main is available for service.

There is an existing 4-inch diameter water main that extends along the north side of the alley north of Texas Ave. This main is available for service.

EPWater records indicate an active 1½-inch domestic water meter serving the subject property. The service address for this meter is 2103 Texas Ave.

Previous water pressure from fire hydrant #3123 located at the northeast corner of Texas Ave. and Willow St. has yielded a static pressure of 84 (psi), a residual pressure of 78 (psi) and a discharge of 1404 gallons per minute (gpm). The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer, and relief valve, to be set for pressure as desired by the customer. The Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main that extends along the alley north of Texas Ave. This main is available for service.

General:

An application for additional water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater-PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Stormwater Engineering

EPWater-SW has no objections to this proposal.

El Paso County 911 District

The 911 District has no comments or concerns regarding this zoning/special permit.

El Paso County Water Improvement District #1

The item is not within the boundaries of EPCWID1.

ATTACHMENT 4

19C

ORDINANCE NO. 16057

AN ORDINANCE CHANGING THE ZONING OF LOTS 17-20, BLOCK 52, BASSETT ADDITION, EL PASO, EL PASO COUNTY, TEXAS FROM [M-1 (LIGHT-MANUFACTURING) TO A-3 (APARTMENT)]. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

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

That the zoning of Lots 17-20, Block 52, Bassett Addition, El Paso, El Paso County, Texas be changed from [M-1 (Light -Manufacturing)] to A-3 (Apartment)], within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 24th day of May, 2005.

THE CITY OF EL PASO

ATTEST:

Joe Wardy
Mayor

for Diana Nunez - Deputy City Clerk
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Matt Watson
Matt Watson
Assistant City Attorney
Doc No. 11307

APPROVED AS TO CONTENT:

Christina Valles
Christina Valles, Planner II
Planning, Research & Development
Department

APPROVED AS TO CONTENT:

Rodolfo Valdez
Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development
Department

Doc #11307/PLANNING/ZON05-00008/MWAT

ORDINANCE NO. 16057

Zoning Case No: ZON05-00008

16058

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00010, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 17-20, BLOCK 52, BASSETT ADDITION, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.64.175 OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, John R. Bruker has applied for a Special Permit under Section 20.64.175 of the El Paso Municipal Code to allow for a parking reduction;

WHEREAS, the requirements of Section 20.64.175 have been satisfied; and

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

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

1. That the property described as follows is in the A-3 (Apartment) District, requiring thirteen (13) off-street parking spaces to serve proposed apartments;

Lots 17-20, Block 52, Bassett Addition, El Paso, El Paso County, Texas;
and

2. That the City Council hereby grants a Special Permit under Section 20.64.175 of the El Paso Municipal Code so that the parking requirements described in Paragraph 1 of this Ordinance may be satisfied with a parking reduction as described in Paragraph 3 of this Ordinance;

3. That the City Council hereby grants a Special Permit under Section 20.64.175 for a parking reduction of 85%, so that the property, required to provide thirteen (13) off-street parking spaces, can satisfy the parking requirements by providing two (2) off-street parking spaces;

4. That this Special Permit is issued subject to the development standards in the A-3 (Apartment) District regulations and is subject to the approved Detailed Site Development Plan

Doc No. 11308/Planning/ORD-ZON05-00010/MWAT

ORDINANCE NO. 16058

Special Permit No. ZON05-00010

signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and is incorporated herein by reference for all purposes;

5. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00010**, shall be subject to automatic termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this 24th day of May, 2005.

THE CITY OF EL PASO

ATTEST:

Joe Wardy
Mayor

Diana Alvarez-Deputy City Clerk
for Richarda Duffy Momen
City Clerk

APPROVED AS TO FORM:

Matt Watson
Matt Watson, Assistant City Attorney

APPROVED AS TO CONTENT:

Christina Valles
Christina Valles, Planner II
Planning, Research & Development

APPROVED AS TO CONTENT:

Rodolfo Valdez
Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

Doe No. 11308/Planning/ORD-ZON05-00010/MWAT

2

ORDINANCE NO. 16058

Special Permit No. ZON05-00010

AGREEMENT

John R. Bruker, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan and in accordance with the standards identified in the A-3 (Apartment) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 21st day of April, 2005.

John R. Bruker
John R. Bruker

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 21st day of April, 2005, by John Robert Bruker as Applicant.

My Commission Expires:



Nancy M. Spencer
Notary Public, State of Texas
Notary's Printed or Typed Name:
Nancy M. Spencer

Doc No. 11308/Planning/ORD-ZON05-00010/MWAT

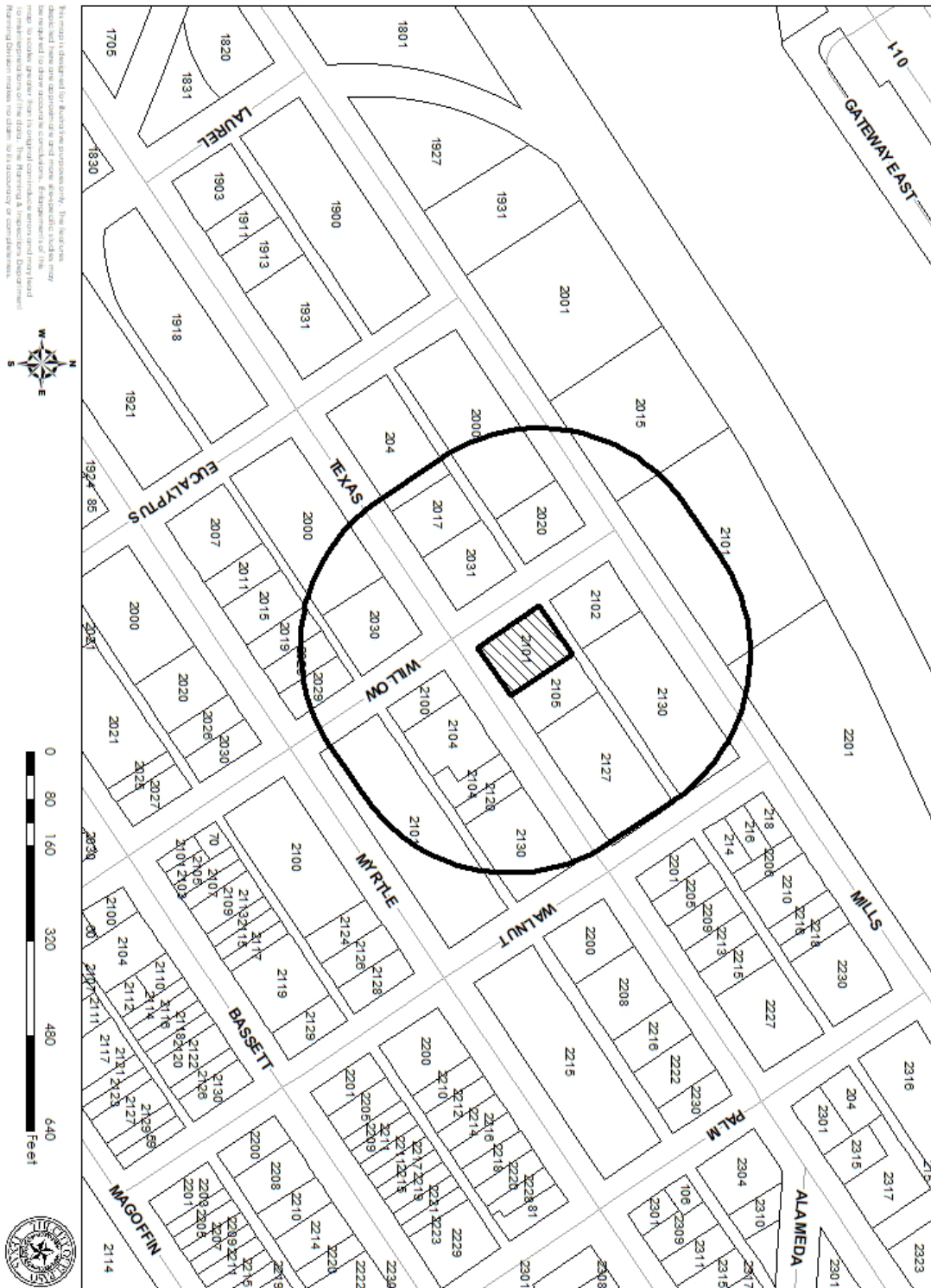
3

ORDINANCE NO. 16058

Special Permit No. ZON05-00010

ATTACHMENT 5

PZR22-00020 and PST22-00011



ATTACHMENT 6

Salloum, Andrew M.

From: Hilda Villegas <hildavillegas63@yahoo.com>
Sent: Thursday, September 8, 2022 9:20 AM
To: martin atayde
Cc: Hector M. Enriquez; Cemelli de Aztlan; Salloum, Andrew M.
Subject: Re: 2101 EXAS AVE. - PARKING STUDY

You don't often get email from hildavillegas63@yahoo.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the City of El Paso. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, use Phish Alert or forward to SpamReport@elpasotexas.gov.

Good morning,

I am aware that today is the hearing for the request by Mr. Enriquez to change his property zoning code from apartment to commercial. Being that that strip that he is located in is already zoned commercial we are not opposing that change, as long as any current and future proposal is a smart growth proposal. In reference to the parking reduction, as long as the parking reduction does not cause issues for the residents at Uxmal apartments, the Daycare Rayito del Sol, located right across and any other residents in the surrounding area, we do not oppose.

We sat down with Mr. Enriquez and we had a discussion about his plans for a culinary school for the property. We agree that he is on his right to implement. We also discussed our concerns of any further business in the area that interfere with the quality of life of the already existing residents, home owners/renters. Since its a mixed use area we are concern of any potential development that goes against a smart growth. The residents and renters have the same rights as the business/ commercial owners and they should be considered.

We expressed our concerns about any potential beer gardens in his property as well as nuisance created due to any after hour activities and they assured us that their operating hours would not extend beyond 9pm.

In accordance to what we discussed and agreed, we are ok with the parking reduction and the change of zoning to commercial for their property. We also agreed that for any further concerns we would reach out, to discuss. Thank you for your attention, any questions you can reach me at 915-222-1977

Hilda Villegas
President of Familias Unidas del Chamizal

On Thursday, September 1, 2022 at 12:37:38 PM MDT, martin atayde <atayde65@yahoo.com> wrote:

Hola Hilda.

Me llamo el Sr. Enriquez y me dijo que el proximo Martes 6 de Septiembre a las 10:00 am nos vemos en sus oficinas, disculpe el anterior e-mail la fecha esta mal, que tenga muy buen dia.

Gracias.

Martin Atayde / Hector Enriquez

----- Forwarded Message -----

From: martin atayde <atayde65@yahoo.com>
To: Hilda Villegas <hildavillegas63@yahoo.com>

1

Sent: Thursday, September 1, 2022 at 12:36:32 PM MDT
Subject: Fw: 2101 EXAS AVE. - PARKING STUDY

Hola Hilda.

Me llamo el Sr. Enriquez y me dijo que el proximo Martes 6 de Septiembre a las 10:00 am nos vemos en sus oficinas, disculpe el anterior e-mail la fecha esta mal, que tenga muy buen dia.

Gracias.

Martin Atayde / Hector Enriquez

----- Forwarded Message -----

From: martin atayde <atayde65@yahoo.com>
To: Hilda Villegas <hildavillegas63@yahoo.com>
Cc: Hector M. Enriquez <enriquez@utep.edu>
Sent: Tuesday, August 30, 2022 at 03:45:00 PM MDT
Subject: Re: 2101 EXAS AVE. - PARKING STUDY

Ya le llame al Sr. Enriquez y me confirmo que esta bien para el Martes 6 de Agosto a las 10:00 am, usted diganos en donde desea que tengamos la cita y nosotros llegamos.

Gracias.

Martin Atayde.

On Tuesday, August 30, 2022 at 03:31:58 PM MDT, martin atayde <atayde65@yahoo.com> wrote:

Hola Hilda.

Creo que no debe de haber ningun problema, dejeme solo lo confirmo con el Sr. Enriquez y se lo hago saber lo mas pronto posible.

Gracias.

Martin Atayde

On Tuesday, August 30, 2022 at 01:04:18 PM MDT, Hilda Villegas <hildavillegas63@yahoo.com> wrote:

Hola Martin,
nos podemos ver el martes 6 de agosto. Despues de las 10am esta bien. Me avisan donde y si pueden ese dia. Gracias.

On Tuesday, August 30, 2022 at 12:43:55 PM MDT, martin atayde <atayde65@yahoo.com> wrote:

Hi Miss. Villegas.

On the next attachment can find an parking study requested by the city of El Paso, the study analyses the subject property and adjacent properties within 300 feet of the subject property.
We still waiting for your response about the meeting requested by us last week.

Thanks.

Martin Atayde / Hector M. Enriquez

PM

Yahoo Mail - Fwd: 2101 texas ave. rezone

2101 texas ave. rezone

From: Tony (atayde65@yahoo.com)

To: enriquez@utep.edu

Date: Wednesday, August 31, 2022 at 02:48 PM MDT

Sent from my iPhone

Begin forwarded message:

From: encinas@dacedace.com

Date: August 31, 2022 at 11:20:25 AM MDT

To: martin atayde <atayde65@yahoo.com>

Subject: RE: 2101 texas ave. rezone

Martin

Per your attached letter, please consider this Email as my approval to your efforts in rezoning 2101 Texas Ave to C4 (Commercial). I hope the best of luck for you, may your business do well.

Good luck,

Orlando Encinas

Manufacturing LLC

1731 Myrtle Ave Ste. B

El Paso TX. 79901

915-256-7427

From: martin atayde [mailto:atayde65@yahoo.com]

Sent: Tuesday, August 30, 2022 8:02 PM

To: encinas@dacedace.com

Subject: 2101 texas ave.

Hi Mr. Encinas.

Today I pass to your office and I gave you a little explanation about this new project at the above reference address.

Do you had the opportunity to review the letter I show you earlier at your office?.

The attached document is the same letter I show you before.

Thanks.

Martin Atayde

915-490-7873

atayde65@yahoo.com

1/2

2, 5:49 AM

Yahoo Mail - Re: 2101 TEXAS AVE. - Request Letter

Re: 2101 TEXAS AVE. - Request Letter

From: Suzanne Dipp (suzdipp@gmail.com)

To: atayde65@yahoo.com

Date: Monday, May 16, 2022 at 03:43 PM MDT

Martin, thank you for reaching out. I received your request and I believe your usage to a culinary school is fine.

Suzanne Dipp
Sunrise Civic Group

On Wed, May 11, 2022 at 10:17 AM martin atayde <atayde65@yahoo.com> wrote:

Hi Suzanne.

Good morning , can you revise the attached document please.

Thanks.

Martin Atayde
915-490-7873
atayde65@yahoo.com

1/1



To Whom it may concern:

Address: 2101 Texas Ave., El Paso TX 79901

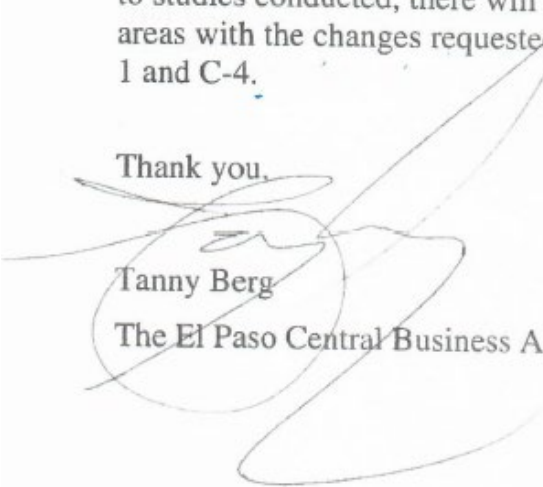
Legal Description: 52 Basset 17 to 20

Application Type: Rezoning and Special Permit

Please allow this letter to have the El Paso Central Business Association (CBA) acknowledge and support this zoning change request.

The purpose of this letter serves as a REZONING REQUEST/SPECIAL PERMIT for 2101 Texas Ave., from zone A3 (apartments) to zone C4 (commercial). The intentions are to build a BUSINESS (vocational school) in culinary, with our approval without any inconvenience we would wish to allow them to proceed with rezoning approval. According to studies conducted, there will be no negative impact in the neighboring areas with the changes requested (the surrounding areas are currently M-1 and C-4).

Thank you,



Tanny Berg

The El Paso Central Business Association (CBA)

EL PASO CENTRAL BUSINESS ASSOCIATION | PO BOX 96 | EL PASO, TX 79941 | 915.235.2022



Legislation Text

File #: 22-1217, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

District 8

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

Planning and Inspections, Andrew Salloum, (915) 212-1603

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

An Ordinance granting Special Permit No. PZST22-00011, to allow for Infill Development with a reduction in rear yard setback and side street yard setback and 100% parking reduction on the property described as Lots 17 to 20, Block 52, Bassett, 2101 Texas Avenue, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development and 20.14.070 Parking Reduction of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.

The proposed special permit 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: 2101 Texas Avenue

Applicant: D & H Enrique Properties, LLC., PZST22-00011

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

AGENDA DATE: September 27, 2022
PUBLIC HEARING DATE: October 25, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Andrew Salloum, (915) 212-1603

DISTRICT(S) AFFECTED: District 8

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance granting Special Permit No. PZST22-00011, to allow for Infill Development with a reduction in rear yard setback and side street yard setback and 100% parking reduction on the property described as Lots 17 to 20, Block 52, Bassett, 2101 Texas Avenue, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development and 20.14.070 Parking Reduction of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.

The proposed special permit 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: 2101 Texas Avenue
Applicant: D & H Enrique Properties, LLC. - PZST22-00011

BACKGROUND / DISCUSSION:

The applicant is requesting a special permit to allow for an infill development with rear and side street setback reductions and 100% parking reduction for offices and vocational school in C-4 (Commercial) zone district in accordance with the El Paso City Code Section 20.04.320 Special Permit. The City Plan Commission (CPC) recommended 5-0 to approve the proposed special permit on September 8, 2022. The Planning Division received one phone call in opposition to the request from the public on August 25, 2022. Initially, two speakers from neighborhood associations spoke in opposition at the August 25, 2022, CPC meeting. On September 6, 2022, the applicants had a meeting with neighborhood associations to address their concerns with the request. Subsequently, the neighborhood associations have no opposition to the request at the September 8, 2022 CPC meeting. As of September 19, 2022, the Planning Division has received four letters via email in support of the request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:



ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST22-00011, TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN REAR YARD SETBACK AND SIDE STREET YARD SETBACK AND 100% PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 17 TO 20, BLOCK 52, BASSETT, 2101 TEXAS AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT AND 20.14.070 PARKING REDUCTION OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, D & H Enrique Properties, LLC., have applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a reduction in rear yard setback and side street yard setback and Section 20.14.070 for 100% parking reduction; and,

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and,

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval; and,

WHEREAS, the City Council of the City of El Paso finds that the application conforms to all requirements of Sections 20.04.320 of the El Paso City Code.

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

1. That the property described as follows is in a C-4 (Commercial) Zone District:

Lots 17 to 20, Block 52, Bassett, 2101 Texas Avenue, City of El Paso, El Paso County, Texas , *City of El Paso, El Paso County, Texas and as more particularly described by metes and bounds on the attached Exhibit "A"; and,*

2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow an infill development for a reduction in rear yard setback and side street yard setback and 100% parking reduction; and,
3. That this Special Permit is issued subject to the development standards in the C-4 (Commercial) District regulations and is subject to the approved Detailed Site Development Plan, signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and incorporated herein by reference for all purposes; and,

ORDINANCE NO. _____

PZST22-00011

22-1007-2954|1198984

PZRZ22-00020 and PZST22-00011 2101 Texas | Ordinances |Special Permit Infill Dev w/Infill Reduced

Setbacks

RTA

4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST22-00011 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
5. That the Owners shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

ADOPTED this _____ day of _____, 2022.


THE CITY OF EL PASO:

Oscar Leaser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____

PZST22-00011

AGREEMENT

D & H Enrique Properties, LLC., referred to in the above Ordinance, hereby agree to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to same Ordinance, and in accordance with the standards identified in the C-4 (Commercial) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 12 day of September, 2022.

D & H Enrique Properties, LLC.:

By: Hector M Enriquez / Director
(name/title)

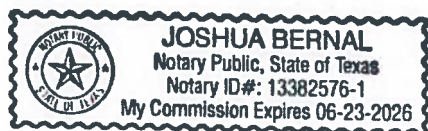
[Signature]
(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 12 day of September, 2022, by Hector M Enriquez for D & H Enrique Properties, LLC., as Owner.

My Commission Expires: 06/23/26



[Signature]
Notary Public, State of Texas

Notary's Printed or Typed Name:

Joshua Bernal

ORDINANCE NO. _____

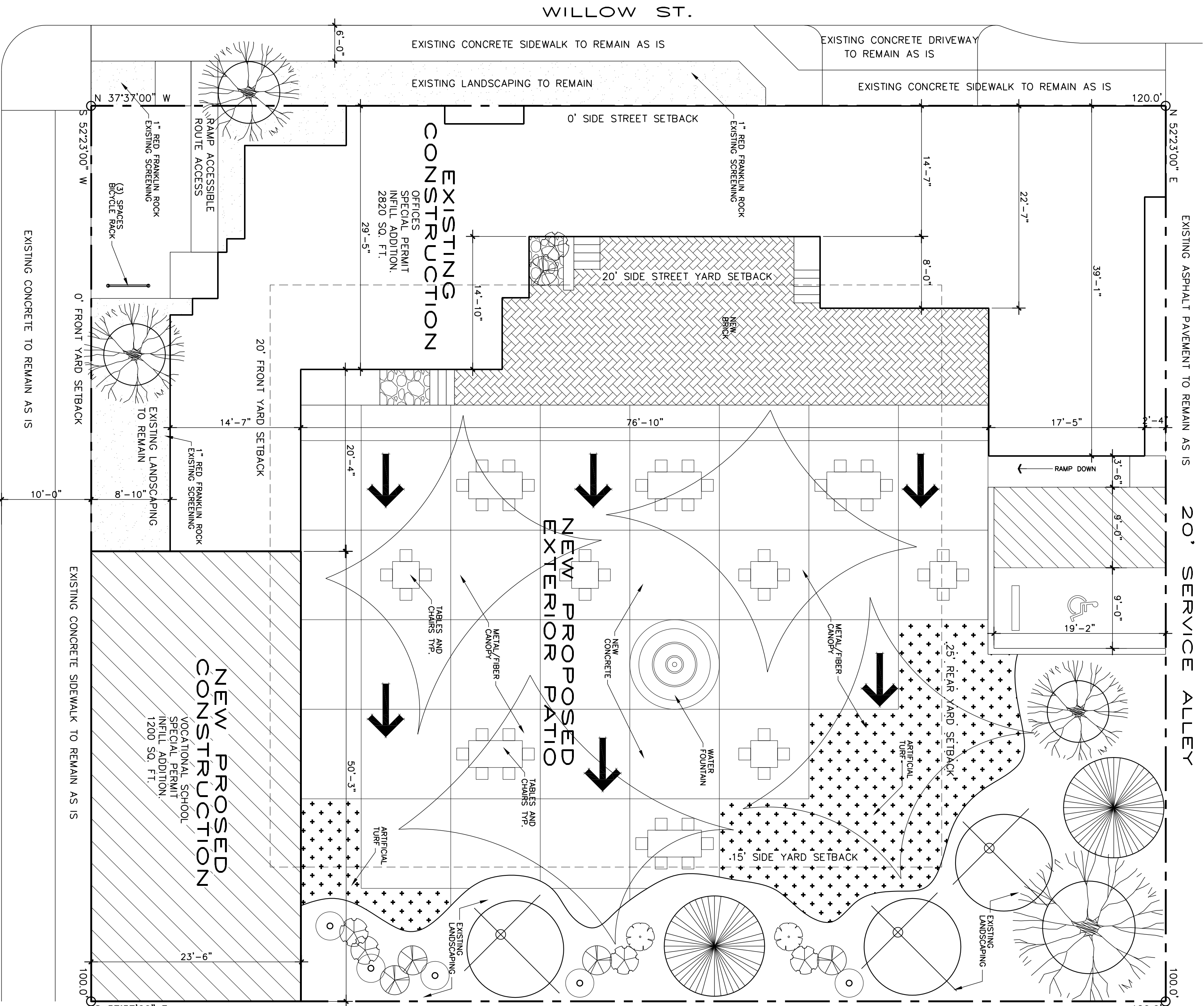
22-1007-2954 | 198984

PZR/22-00020 and PZST22-00011 | 2101 Texas | Ordinances | Special Permit Infill Dev w/ Infill Reduced

Setbacks

RTA

PZST22-00011

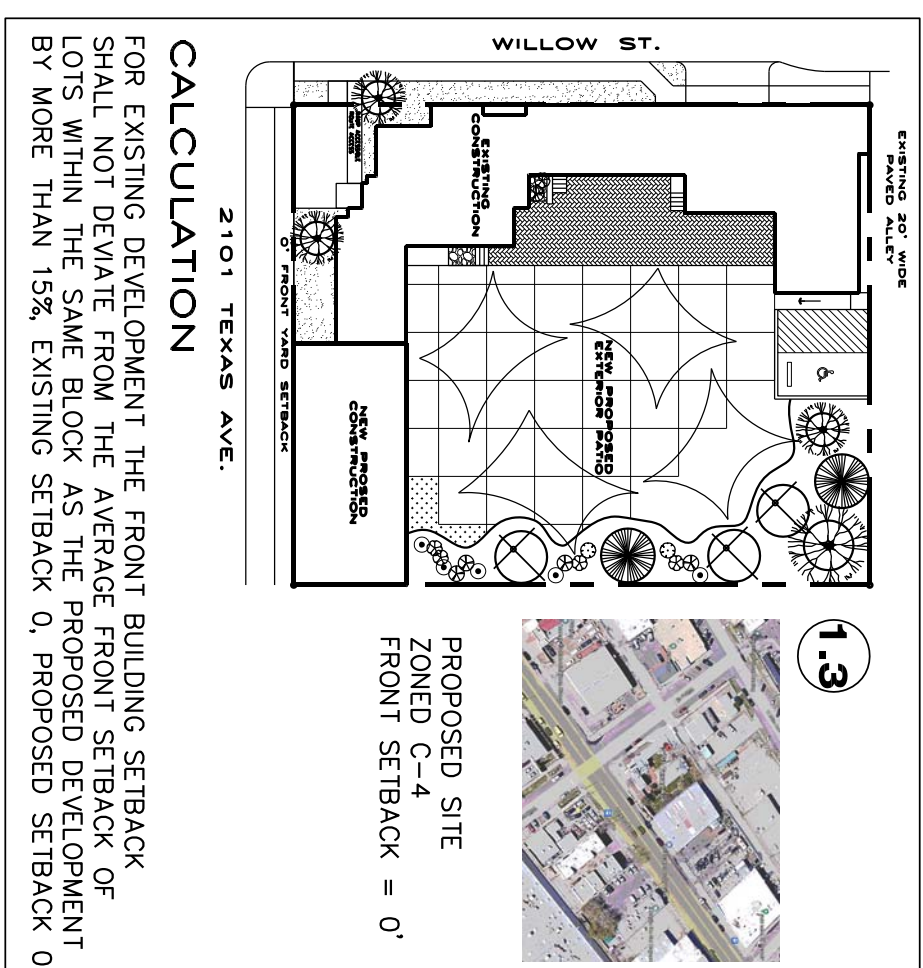
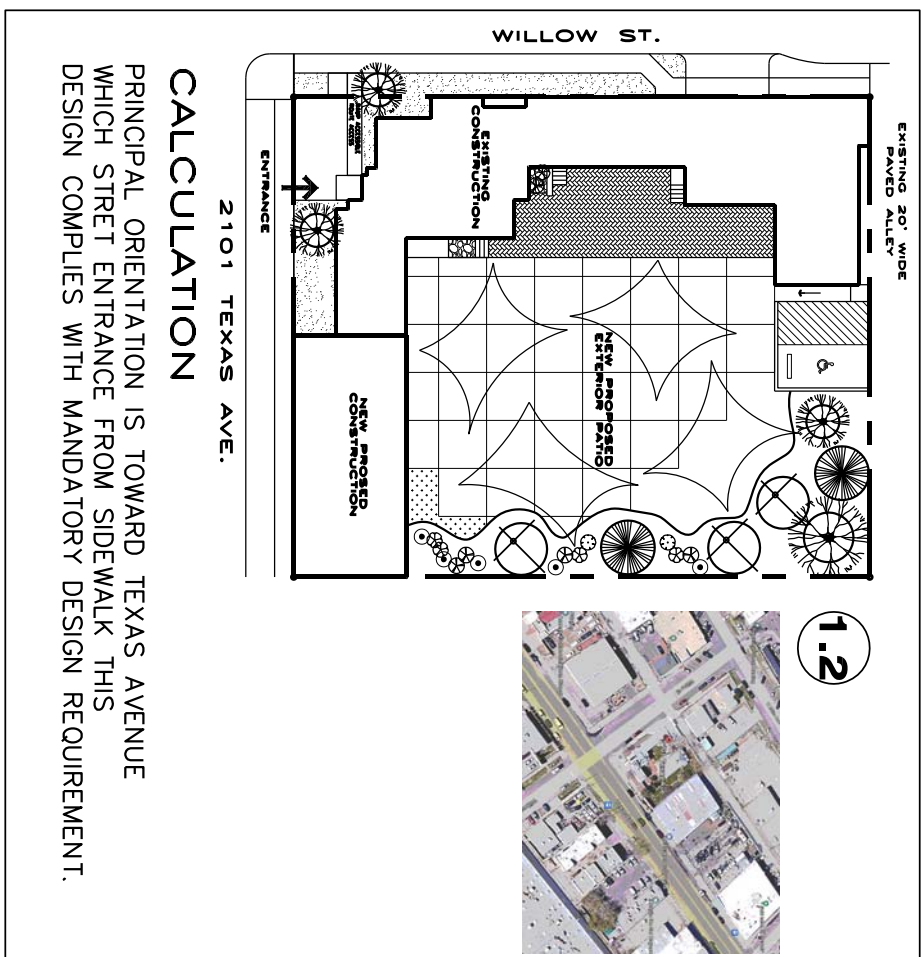
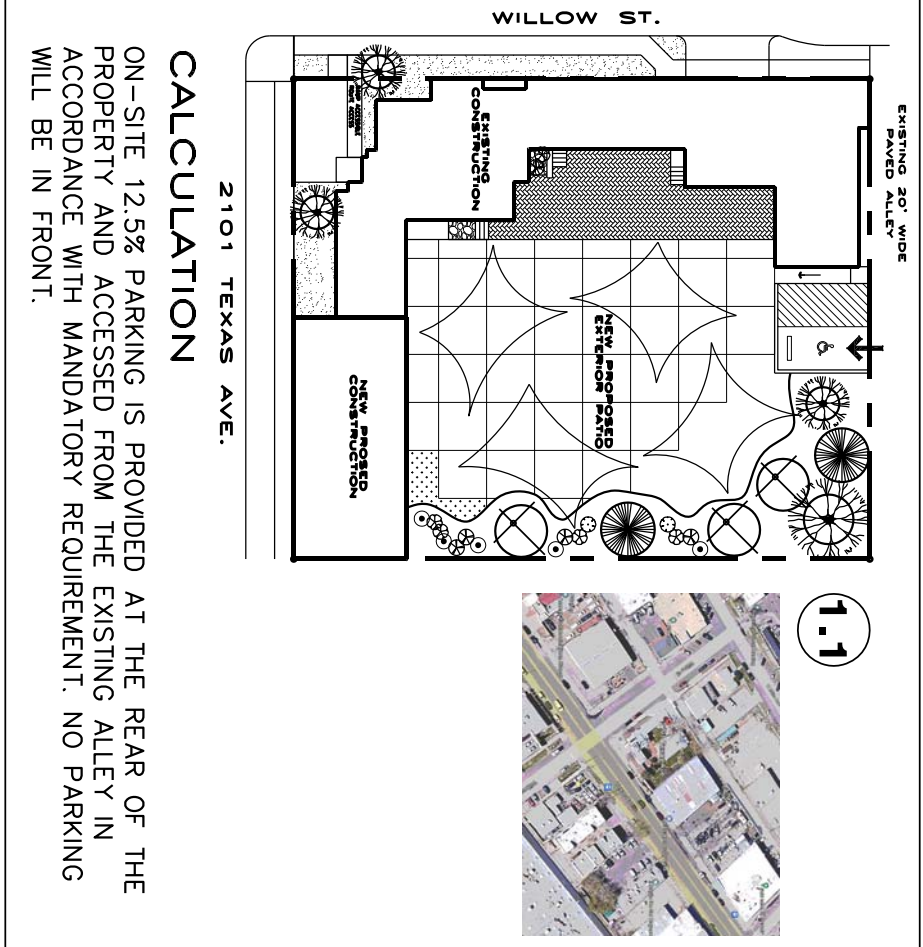


1 DETAILED SITE DEVELOPMENT PLAN.

SCALE : 1/8" = 1'-0"

2101 TEXAS AVE.

LEGAL DESCRIPTION:
52 BASSET 17 TO 20, (12,000 SQ.FT.)



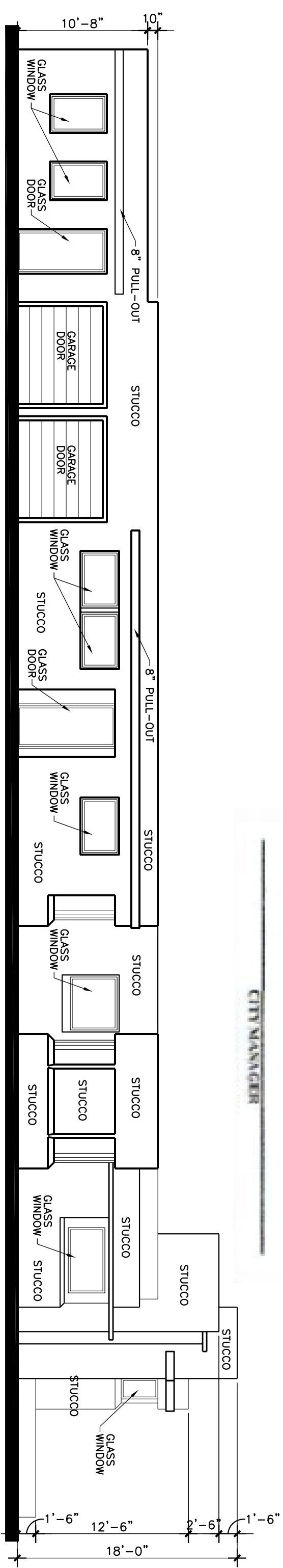
CODE SURVEY IBC-2015	
BUILDING CLASSIFICATION	2,800 S.F. (OFFICES)
BUILDING CLASSIFICATION	1,200 S.F. (VOCATIONAL SCHOOL)
ZONING	
C-4	
CONSTRUCTION TYPE	
V-B, ONE STORY, NON SPRINKLED	
OCCUPANT LOAD	
OFFICE-BUSINESS	2,800/100
VOCATIONAL SCHOOL-BUSINESS	1,200/100
TOTAL	40 OCCUPANTS
FIRE EXTINGUISHERS: PER NFPA CODE 1/3000 SF = 2 PROVIDED	
1 AT OFFICES	
1 AT VOCATIONAL SCHOOL	
TYPE 2 A 10 B C	
LANDSCAPE CALCULATIONS	
REQUIRED LANDSCAPE	(TOTAL LOT S.F.)-(FOOTAGE BUILDINGS)X15%
REQUIRED LANDSCAPE	(100'X120')-(3,999'X15 % = 1,200 S.F.
EXISTING LANDSCAPE	= 2,363 S.F.
PROPOSED LANDSCAPE	= 636 S.F.
TOTAL LANDSCAPE	= 3,019 S.F.

PARKING REQUIREMENTS	
OFFICE-BUSINESS	2,800 S.F. / 676 = 8 SPACES
VOCATIONAL SCHOOL-BUSINESS	1,200 S.F. / 475 = 3 SPACES
TOTAL PARKING SPACES REQUIRED	8 SPACES
SPECIAL PERMIT 100% PARKING REDUCTION	
SUBJECT SITE	
ZONED A-3	
MINIMUM FRONT SET BACK = 20'	
MINIMUM REAR SET BACK = 25'	
MINIMUM SIDE SET BACK = 0'	
MINIMUM SIDE STREET SET BACK = 20'	
PROPOSED SET BACK	
ZONED C-4 RELATED TO P2R222-00020	
MINIMUM FRONT SET BACK = 0'	
MINIMUM REAR SET BACK = 0'	
MINIMUM SIDE SET BACK = 0'	
MINIMUM SIDE STREET SET BACK = 10'	

NOTE: SPECIAL INFILL DEVELOPMENT:
REAR SETBACK PROPOSED TO 0' AND SIDE STREET SETBACK PROPOSED 0'

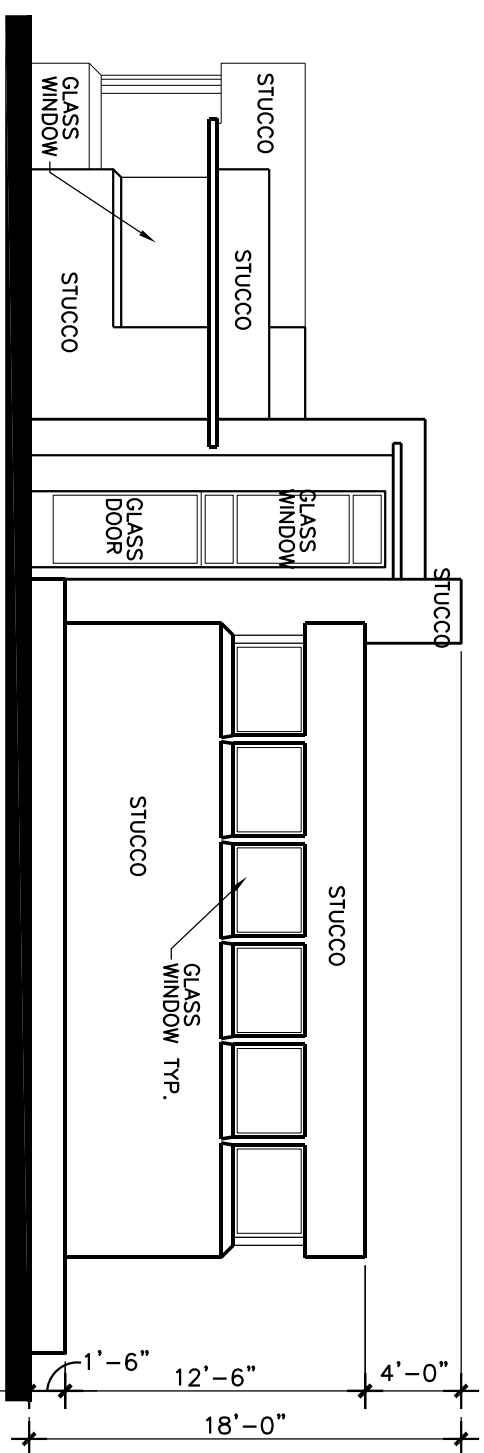
2 WEST ELEVATION. (EXISTING)

SCALE : 1/8" = 1'-0"



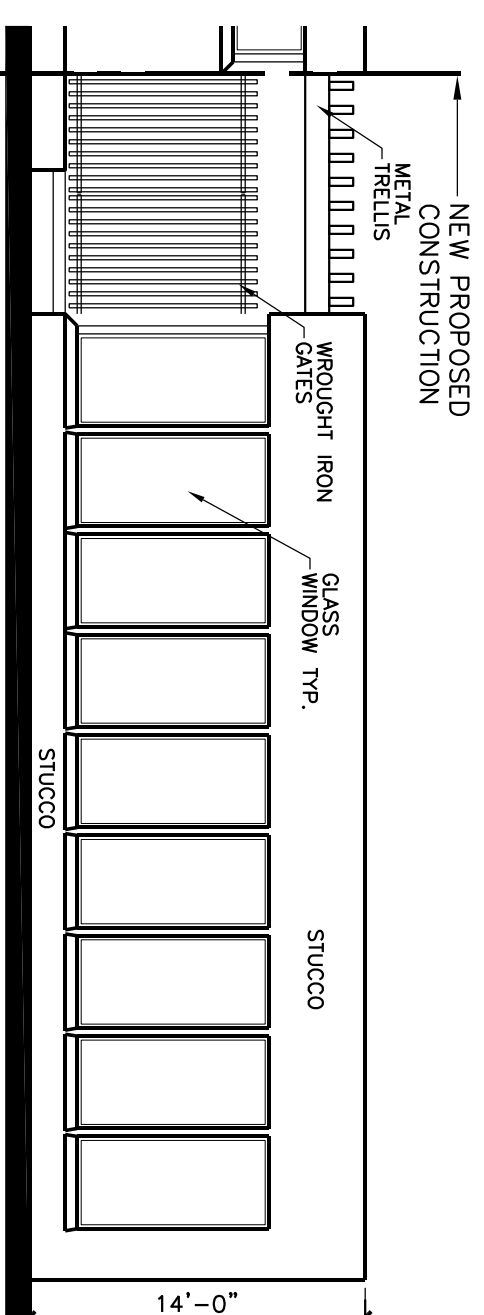
3 SOUTH ELEVATION. (EXISTING)

SCALE : 1/8" = 1'-0"



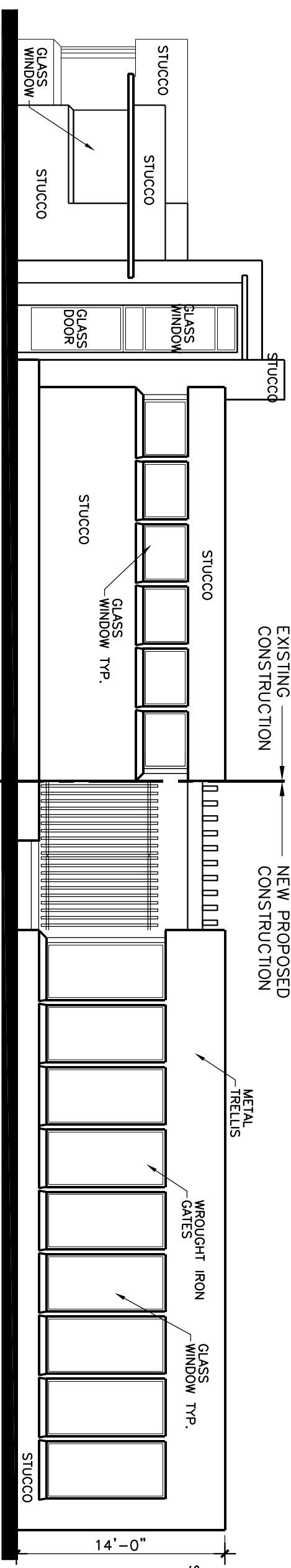
4 SOUTH ELEVATION. (PROPOSED ELEVATION)

SCALE : 1/8" = 1'-0"



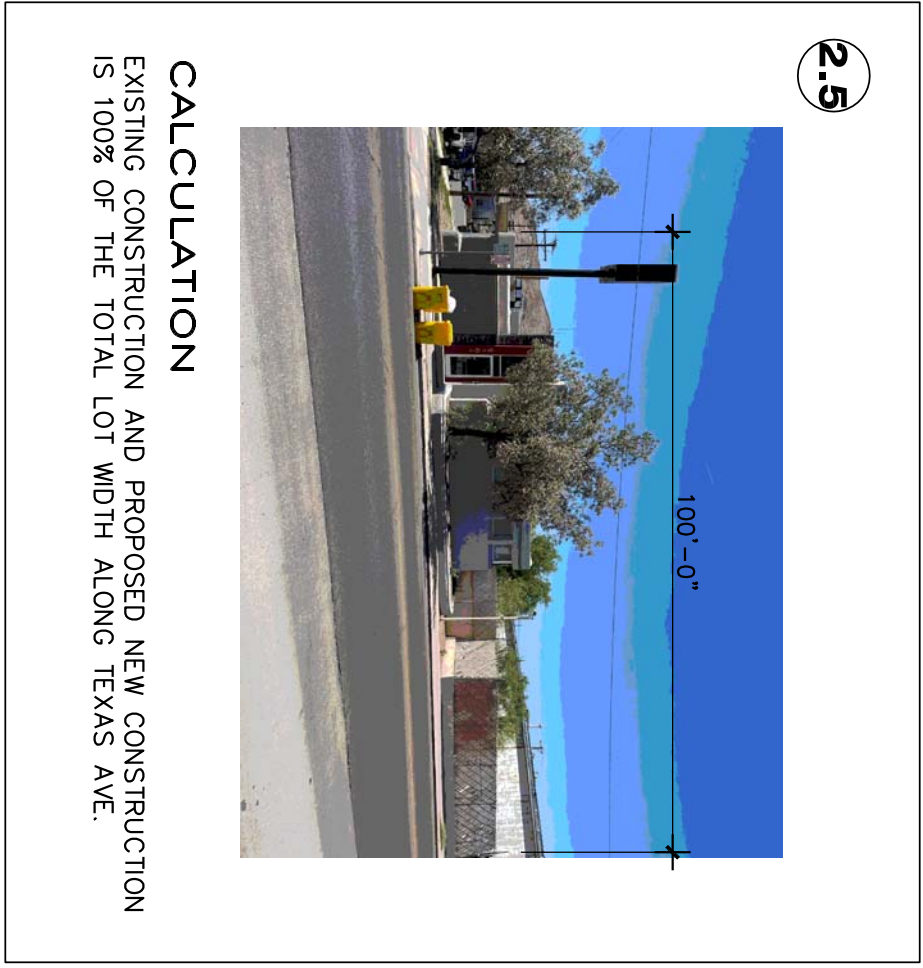
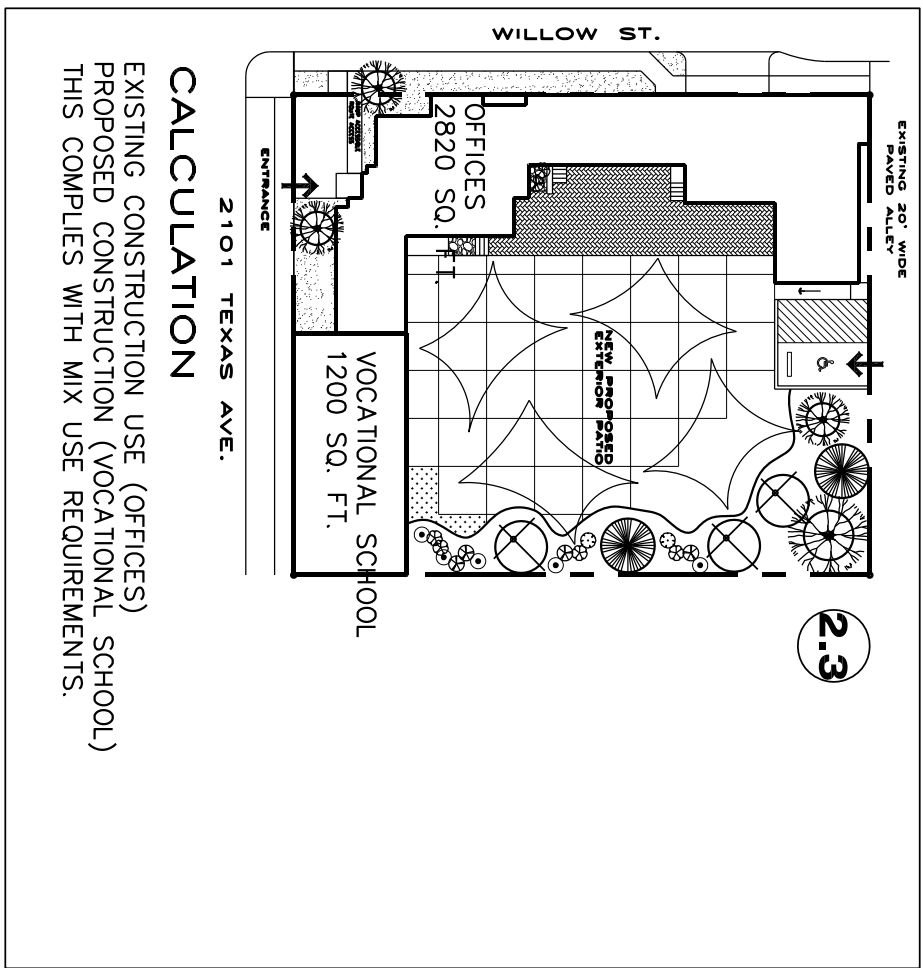
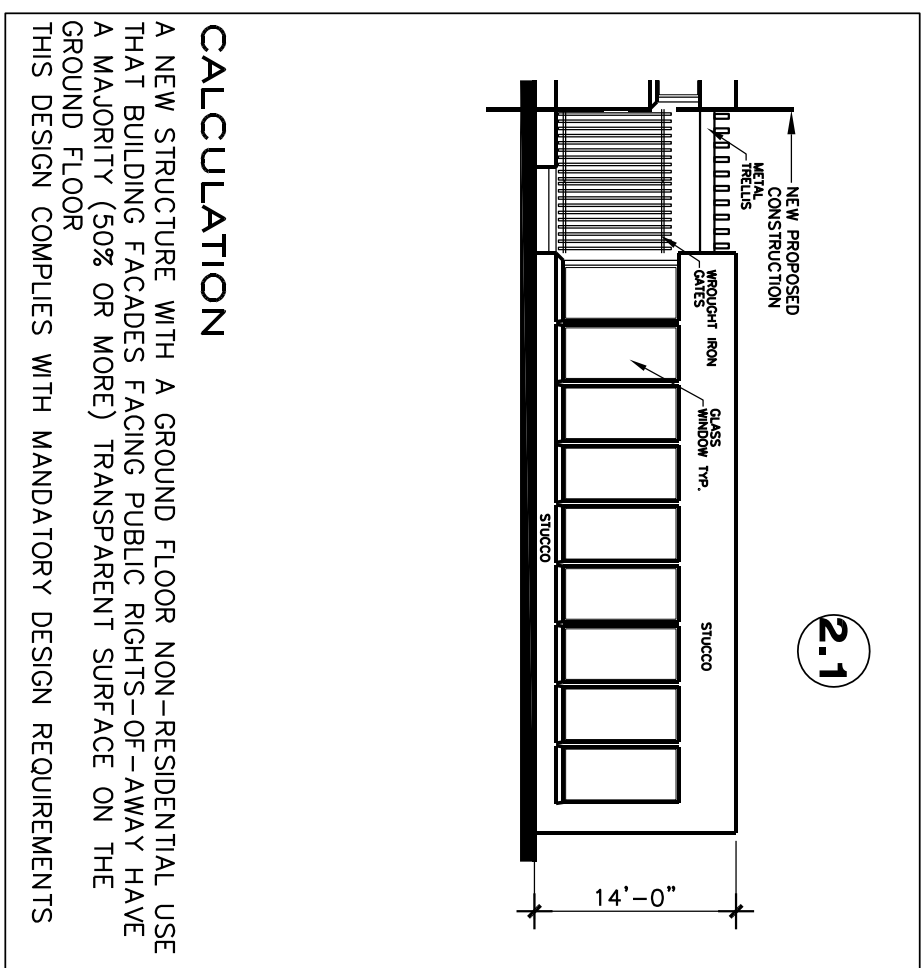
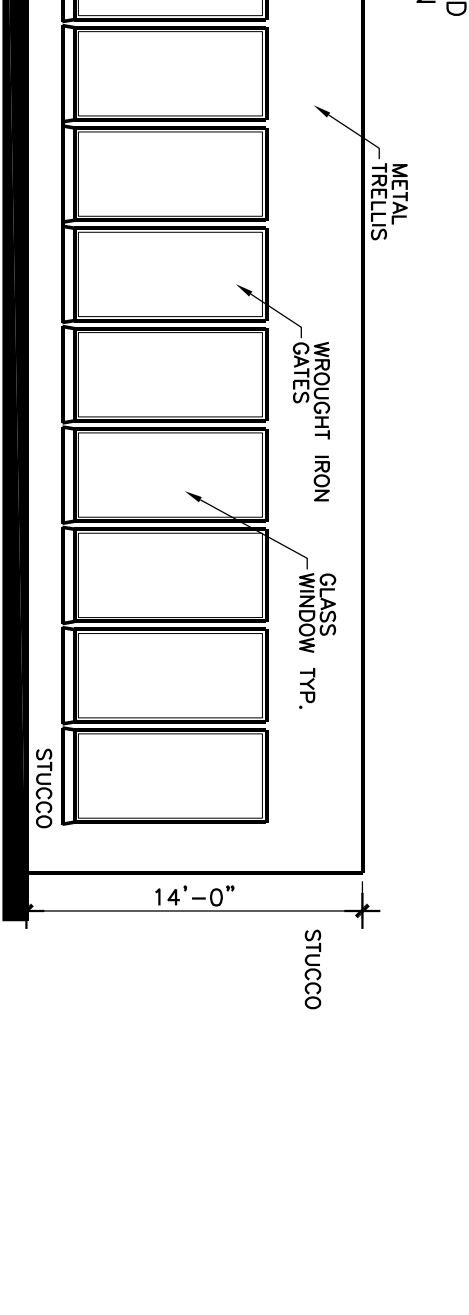
3 SOUTH ELEVATION. (EXISTING)

SCALE : 1/8" = 1'-0"



4 SOUTH ELEVATION. (PROPOSED ELEVATION)

SCALE : 1/8" = 1'-0"



DATE: 08-03-2022
DRAWN BY: M. ATAYDE
DRUG. 1 OF 1
TITLE: DETAILED SITE DEVELOPMENT PLAN
REV. DATE:
REV. DATE:

DETAILED SITE DEVELOPMENT PLAN

FOR

D & H ENRIQUEZ PROPERTIES LLC

2101 TEXAS AVE.

EL PASO, TEXAS 79901.

SP-1.0

5609 STAR VIEW DRIVE
EL PASO, TEXAS. 79912
TELEPHONE: (915) 726-0146
E-MAIL: aagonzalez8879@aol.com

ARTURO A. GONZALEZ, AIA
ARCHITECT

2101 Texas Avenue

City Plan Commission — September 8, 2022 (REVISED)



CASE NUMBER: PZST22-00011
CASE MANAGER: Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov
PROPERTY OWNER: D&H Enrique Properties, LLC
REPRESENTATIVE: Martin Atayde
LOCATION: 2101 Texas Avenue (District 8)
PROPERTY AREA: 0.275 acres
EXISTING ZONING: R-5 (Residential)
REQUEST: Special Permit to allow for an infill development and 100% parking reduction for offices and vocational school in C-4 (Commercial) zone district
RELATED APPLICATIONS: Rezoning – PZR22-00020
PUBLIC INPUT: As of September 1, 2022, staff received phone call in opposition. Two speakers from Neighborhood Associations spoke in opposition at the August 25, 2022, CPC. As of September 8, staff received four letters via email in support of the request.

SUMMARY OF REQUEST: The applicant is requesting a special permit to allow for an infill development with rear and side street setback reductions and 100% parking reduction for offices and vocational school in C-4 (Commercial) zone district in accordance with the El Paso City Code Section 20.04.320 Special Permit.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the special permit request for an infill development in C-4 (Commercial) zone district and parking reduction. The proposal meets all the requirements of El Paso City Code Sections: 20.10.280 – Infill development, 20.14.070 – Parking reductions, 20.04.320 – Special Permit, and 20.04.150 – Detailed Site Development Plan. It is also based on consistency with *Plan El Paso*, the City's adopted Comprehensive Plan.

PZR22-00020 & PZST22-00011



Figure A. Detailed Site Development Plan Superimposed on Aerial Imagery

DESCRIPTION OF REQUEST: The applicant is requesting a special permit for infill development and a detailed site development plan to reduce the rear yard setback and side street yard setback for a mixed use of office and vocational school. The detailed site development plan shows an existing 2,820 square feet office building with a new 1,200 square feet vocational school addition. The applicant is requesting the following setback reductions: from the required 10 feet rear yard setback to 0 foot and the required 10 feet side street yard setback to 0 foot as shown in the table below. The applicant is also requesting a 100% parking reduction. The development requires a minimum of eight (8) parking spaces. The applicant is providing one (1) accessible parking space and three (3) bicycle spaces. A parking study was submitted as required (see Attachment 2), which shows 91 on-street parking spaces within 300 ft. of the subject property. The highest count shows 42 spaces occupied and 49 vacant spaces. On a separate application, the applicant is also requesting to rezone this property from A-3/sp (Apartment/special permit) to C-4 (Commercial) in order to allow for offices and vocational school (Application PZR22-00020). Access to the subject property is proposed from Willow Street via the alley. The following table summarizes the request:

Setback: C-4 zone district	Required	Proposed
Front yard setback	0 foot	No change
Rear yard setback	10 feet	0 foot
Side yard setback	10 feet when abutting a residential or apartment district	No change
Side street yard setback	10 feet	0 foot
Cumulative front & rear yard setback	N/A	No change

PREVIOUS CASE HISTORY: On August 25, 2022, the City Plan Commission (CPC) voted unanimously to postpone this item so that applicant could meet with the neighborhood and address their concerns related to the rezoning request for C-4 (Commercial) and special permit request for infill development and parking reduction.

COMPLIANCE WITH SPECIAL PERMIT FOR INFILL DEVELOPMENT STANDARDS (El Paso City Code 20.10.280)	
Criteria	Does the Request Comply?
Location Criteria: An infill development may be located on any parcel of land, which meets at least one of the location criteria.	Yes. The subject property is part of the Bassett Subdivision, which was platted in 1905. This satisfies Mandatory Requirement 20.10.280.B.3 of the El Paso City Code - "Any parcel of land annexed prior to 1955."
Mandatory Design Requirement 1.1: Where on-site surface parking is proposed, it shall be located at the rear of the property and when possible accessed via alleyway; or at the side of the property and screened in accordance with Section 21.50.070.F5 of the El Paso City Code.	Yes. On-site ADA parking space is provided at the rear of the property and accessed from the existing alley. No parking will be provided in the front.
Mandatory Design Requirement 1.2: Buildings shall be placed on the parcels such that the principal orientation is toward the main street and the principal entrance is from the sidewalk.	Yes. The development shows a building where the principal orientation is towards Texas Avenue (main street) and the principal entrance with access from the sidewalk.
Mandatory Design Requirement 1.3: For proposals abutting existing residential development the front setback shall not deviate from the average front setback of lots within the same block as the proposed development by more than 15%.	Yes. The existing development has zero front yard setback and it shall not deviate from the average front setback of lots within the same block as the development by more than 15%, zero front yard setback.
Selective Design Requirement 2.1: Any new structure with a ground floor non-residential use shall demonstrate that building facades facing public rights-	Yes. The proposed addition facade will face the main street.

COMPLIANCE WITH SPECIAL PERMIT FOR INFILL DEVELOPMENT STANDARDS (El Paso City Code 20.10.280)	
of-way have a majority (50%) or more transparent surface on the ground floor. Transparent surface elements include, but are not limited to, doors and non-opaque windows.	
Selective Design Requirement 2.3: The project shall propose a mix of land use categories as classified in Section 20.08.030.	Yes. The proposed development will be mixed use as offices and vocational school.
Selective Design Requirement 2.5: The total width of the primary structure shall be greater than or equal to 80% of the total width along the main street. For the purposes of this calculation, any necessary vehicular access driveway shall be subtracted from the lot width.	Yes. The existing and new constructions are 100% of the total lot width along Texas Avenue (main street).

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (20.14.070) – EXISTING DEVELOPMENT: Up to 100% parking reduction for a use involving an existing structure located within an older neighborhood of the City that is proposed through the rehabilitation, alteration or expansion of the existing structure(s). The applicant shall satisfactorily demonstrate compliance with all of the following conditions:	
Criteria	Does the Request Comply?
1. That the structure(s) is located in an older neighborhood of the City that has been legally subdivided and developed for at least thirty years.	Yes. The subject property lies within the Bassett, platted in 1905.
2. That the structure(s) does not extend into an area within the property which was previously used to accommodate off-street parking.	Yes. The building has existed on the property with its current footprint since the 1930s. The development does not have any off-street parking.
3. That the off-street parking required for the proposed use of the structure(s) cannot be reasonably accommodated on the property due to the building coverage, whether due to the existing structure or due to a proposed expansion of the existing structure.	Yes. The subject property is entirely occupied by existing, new structures, new patio, and new landscaping. It is not possible to accommodate the parking needed to serve the uses on-site.
4. That no vacant areas exist within three hundred feet of the property where the proposed use is to be located that can be reasonably developed to accommodate the off-street parking requirements.	Yes. The property owner does not own any parcels within 300 feet that can accommodate the necessary off-street parking.

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (El Paso City Code 20.04.320.D)	
Criteria	Does the Request Comply?
1. The proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this title, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located.	Yes. The existing building has a rear yard setback of 0 foot and a side street setback of 0 foot. A 10-foot rear setback and 10-foot side street setback are required in the C-4 (Commercial) district. This special permit request includes a 100% parking reduction. The

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (El Paso City Code 20.04.320.D)	
	proposed redevelopment complies with all other applicable zoning requirements.
2. Furthers <i>Plan El Paso</i> and applicable neighborhood plans or policies.	Yes. The proposed redevelopment will reuse existing building and is in keeping with best planning practices and the recommendations of <i>Plan El Paso</i> .
3. Adequately served by and will not impose an undue burden upon public improvements.	Yes. The subject property directly abuts Texas Avenue and Willow Street, a major arterial and a local street, respectively. No reviewing departments had adverse comments, and the existing infrastructure is deemed appropriate to support the proposed use. The subject property is situated within 1,000 feet of a mass transit route.
4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.	No environmental problems currently existing or are anticipated from the approval of the proposed special permit and detailed site development plan. Adequate stormwater management is demonstrated, and no departments had adverse comments.
5. The design of the proposed development mitigates substantial environmental problems.	Yes. Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance.
6. The proposed development provides adequate landscaping and/or screening where needed.	Yes. The redevelopment will comply with landscaping ordinance requirements.
7. The proposed development is compatible with adjacent structures and uses.	Yes. The subject property is located within an established neighborhood in the core of the City. The surrounding area features a variety of uses. The existing building on the subject property was built at the same time as most of the surrounding development and blends in well with the urban fabric of the neighborhood.
8. The proposed development is not materially detrimental to the property adjacent to the site.	Yes. The proposed redevelopment is similar in intensity and scale to surrounding development.

COMPLIANCE WITH <i>PLAN EL PASO</i> GOALS & POLICIES – When evaluating whether a proposed special permit is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p><u>G-2, Traditional Neighborhood:</u> This sector includes the remainder of Central El Paso as it existing through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in the Comprehensive Plan.</p>	<p>Yes, the subject property and the proposed developments meet the intent of the G-2 Post-War Future Land Use designation. The proposed redevelopment contributes additional commercial to the area and integrates a neighborhood appropriate scale. The mixed-use proposal, reduced setbacks, and parking relief mimics SmartCode development.</p>
<p>Compatibility with Surroundings: The proposed use is compatible with those surrounding the site:</p> <p><u>C-4 (Commercial) District:</u> The purpose of this district is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.</p>	<p>Yes. All proposed uses are permitted by right within the C-4 (Commercial) District. The proposed special permit request will allow for a redevelopment project that meets the intent of the district. The subject property is located within an established commercial neighborhood in the core of the City. The proposed redevelopment maintains the pedestrian-oriented, accessible, mixed use character of that neighborhood.</p>
THE PROPOSED PROJECT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
<p>Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.</p>	<p>The proposed development is not within any historic districts or study area plan boundaries.</p>
<p>Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.</p>	<p>The proposed development is not anticipated to pose any adverse effects on the community.</p>
<p>Natural Environment: Anticipated effects on the natural environment.</p>	<p>Subject property does not involve greenfield, environmentally sensitive land, or arroyo disturbance.</p>
<p>Stability: Whether the area is stable or in transition.</p>	<p>The area is stable and the proposed development is compatible with the existing C-4 (Commercial) and M-1 (Light Manufacturing) zoning and uses of the surrounding properties.</p>

COMPLIANCE WITH *PLAN EL PASO* GOALS & POLICIES – When evaluating whether a proposed special permit is in accordance with *Plan El Paso*, consider the following factors:

Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The proposed development is within an older, stable area of the city. The established neighborhood is comprised of offices, academies, and general retail sales and services.
---	---

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property borders Texas Avenue and Willow Street which are designated as a major arterial and local street, respectively, as per the City of El Paso’s Major Thoroughfare Plan (MTP) and is adequate to serve the proposed development. The subject property is situated within 1,000 feet of a mass transit route. Access is proposed from Willow Street via the alley.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No objections to proposed special permit request. There were no adverse comments received from the reviewing departments. The applicant is responsible for obtaining all applicable permits and approvals prior to construction.

PUBLIC COMMENT: The subject property lies within the boundaries of El Paso Central Business Association, Familias Unidas del Chamizal, Texas and Myrtle Ave. Business District Association, and Sunrise Civic Group which were notified of the special permit application. Public notices were mailed to property owners within 300 feet of the subject property on August 11, 2022. On September 6, 2022, the applicants had a meeting with neighborhood associations to address their concerns with the request. The neighborhood associations have no opposition to the request. As of September 8, 2022, staff received four letters via email in support of the request.

RELATED APPLICATIONS: Rezoning – PZRZ22-00020, the applicant is also requesting to rezone from A-3/sp (Apartment/special permit) to C-4 (Commercial) in order to allow for offices and vocational school.

CITY PLAN COMMISSION OPTIONS:

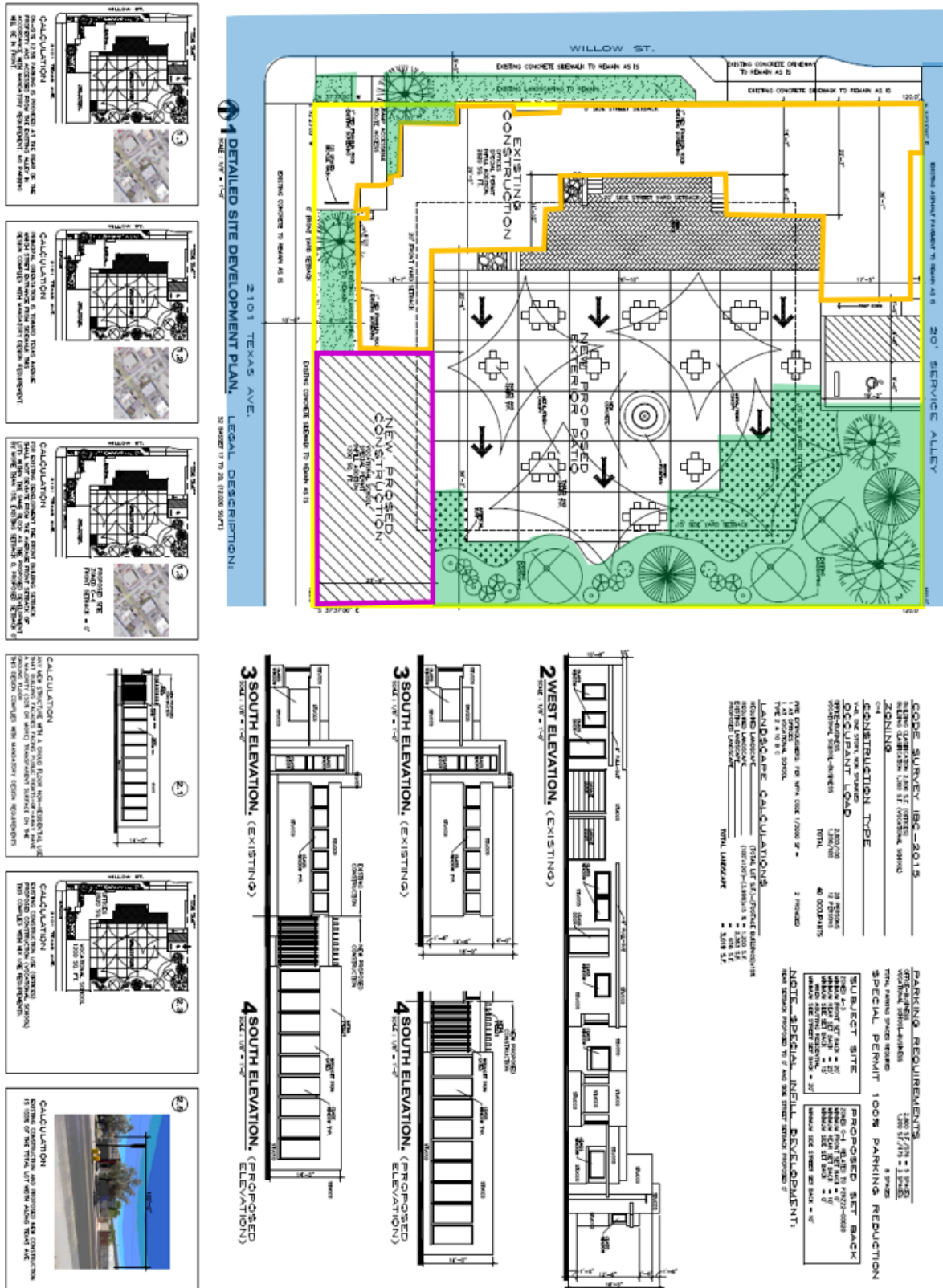
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

1. **Recommend Approval** of the special permit request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. (Staff Recommendation)
2. **Recommend Approval of the special permit request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
3. **Recommend Denial** of the special permit request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

ATTACHMENTS:

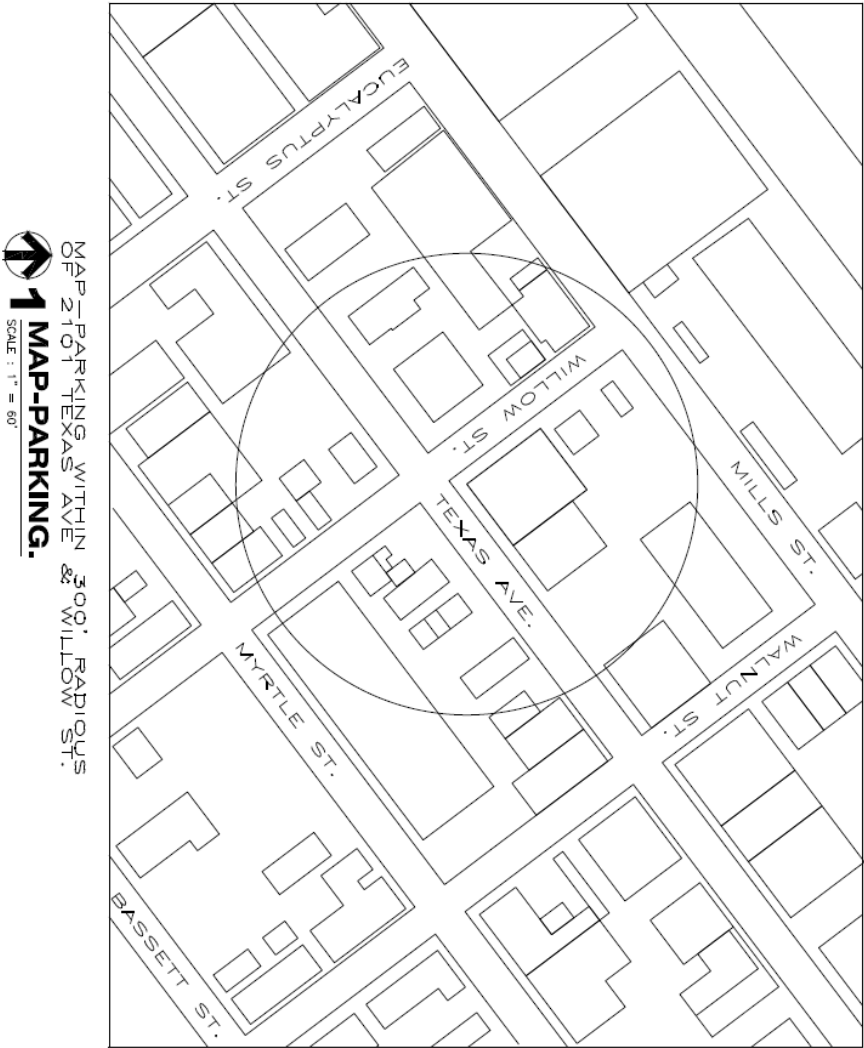
1. Detailed Site Development Plan
2. Parking Study
3. Zoning Map
4. Department Comments
5. Neighborhood Notification Boundary Map
6. Letters via email in support

ATTACHMENT 1

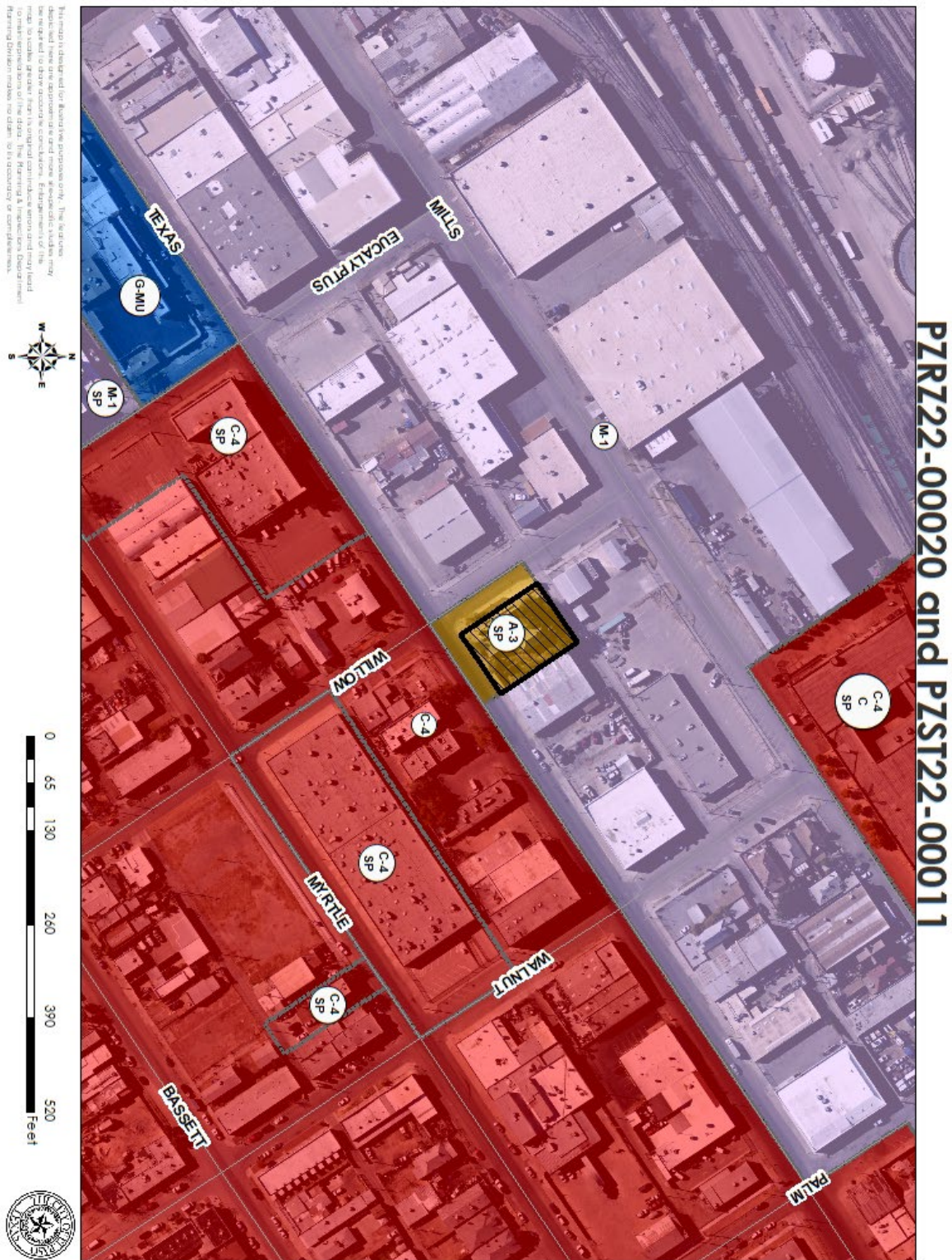


ATTACHMENT 2

LEGAL DESCRIPTION:
 52 BASSETT 17 TO 20. (12,000 SQFT)
 OFFSTREET PARKING:
 ALL ADJACENT PROPERTIES WITHIN 300 FEET OF THE
 SUBJECT PROPERTY.
 2101 TEXAS AVE.
 SPECIAL PERMIT PARKING SURVEY
 MAY 4, 2022.
 TEXAS AVE. EXISTING PARKING SPACES: 52 UNITS
 WILLOW ST. EXISTING PARKING SPACES: 39 UNITS
 TOTAL EXISTING PARKING SPACES: [91 UNITS]
 OFFSTREET PARKING USAGE
 DURING BUSINESS HOURS:
 8:00 AM IN USE PARKING UNITS : 31 UNITS
 9:00 AM IN USE PARKING UNITS : 33 UNITS
 10:00 AM IN USE PARKING UNITS : 36 UNITS
 11:00 AM IN USE PARKING UNITS : 37 UNITS
 12:00 PM IN USE PARKING UNITS : 37 UNITS
 13:00 PM IN USE PARKING UNITS : 42 UNITS
 14:00 PM IN USE PARKING UNITS : 40 UNITS
 15:00 PM IN USE PARKING UNITS : 34 UNITS
 16:00 PM IN USE PARKING UNITS : 38 UNITS
 17:00 PM IN USE PARKING UNITS : 21 UNITS



ATTACHMENT 3



ATTACHMENT 4

Planning and Inspections Department - Planning Division

Staff recommends approval of the special permit request for an infill development in C-4 (Commercial) zone district and parking reduction. The proposal meets all the requirements of 20.10.280 Infill development, 20.14.070 Parking reductions, 20.04.320 Special Permit, and 20.04.150 Detailed Site Development Plan. It is also based on consistency with Plan El Paso, the City's adopted Comprehensive Plan.

Planning and Inspections Department – Plan Review & Landscaping Division

No objections to special permit and detailed site development plan.

Note: At the time of submittal for building permit, the project will need to comply with all applicable provisions of the ICC, TAS and Municipal Code.

Planning and Inspections Department – Land Development

1. Show existing drainage flow patterns on the site plan and identify the discharge and/or storage location(s) for all storm-water runoff within the subdivision.
2. The code encourages the use of nonstructural storm water management such as the preservation of greenspace, rainwater harvesting within parkways, landscaped areas, and other conservation efforts, to the maximum extent practicable.

Note: Stormwater drainage has been verified. Rainwater harvesting is recommended at time of development.

Note: the comments have been addressed as shown on the site plan.

Fire Department

Recommend approval. No adverse comments.

Police Department

No comments received.

Environment Services

No adverse comments.

Streets and Maintenance Department

The Streets and Maintenance Department has no objections for this application.

Texas Department of Transportation

Please have the requestor submit to ELP_Access@txdot.gov for grading and drainage review of the proposed plans.

Note: the applicants will coordinate with TxDOT at time of building permit stage.

Sun Metro

Please be advised that the vehicle entrance to your property located at 2101 Texas Ave., is situated within 1,000 feet of a mass transit route. Specifically, 5 Points Circulator, Alameda Brio, DCT Via Alameda, Gov't. District via Lakeside, and Valle Verde via North Loop.

El Paso Water

EPWater does not object to this request.

Water:

There is an existing 6-inch diameter water main that extends along the east side of Willow St. This main is available for service.

There is an existing 4-inch diameter water main that extends along the north side of the alley north of Texas Ave. This main is available for service.

EPWater records indicate an active 1½-inch domestic water meter serving the subject property. The service address for this meter is 2103 Texas Ave.

Previous water pressure from fire hydrant #3123 located at the northeast corner of Texas Ave. and Willow St. has yielded a static pressure of 84 (psi), a residual pressure of 78 (psi) and a discharge of 1404 gallons per minute (gpm). The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer, and relief valve, to be set for pressure as desired by the customer. The Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main that extends along the alley north of Texas Ave. This main is available for service.

General:

An application for additional water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater-PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Stormwater Engineering

EPWater-SW has no objections to this proposal.

El Paso County 911 District

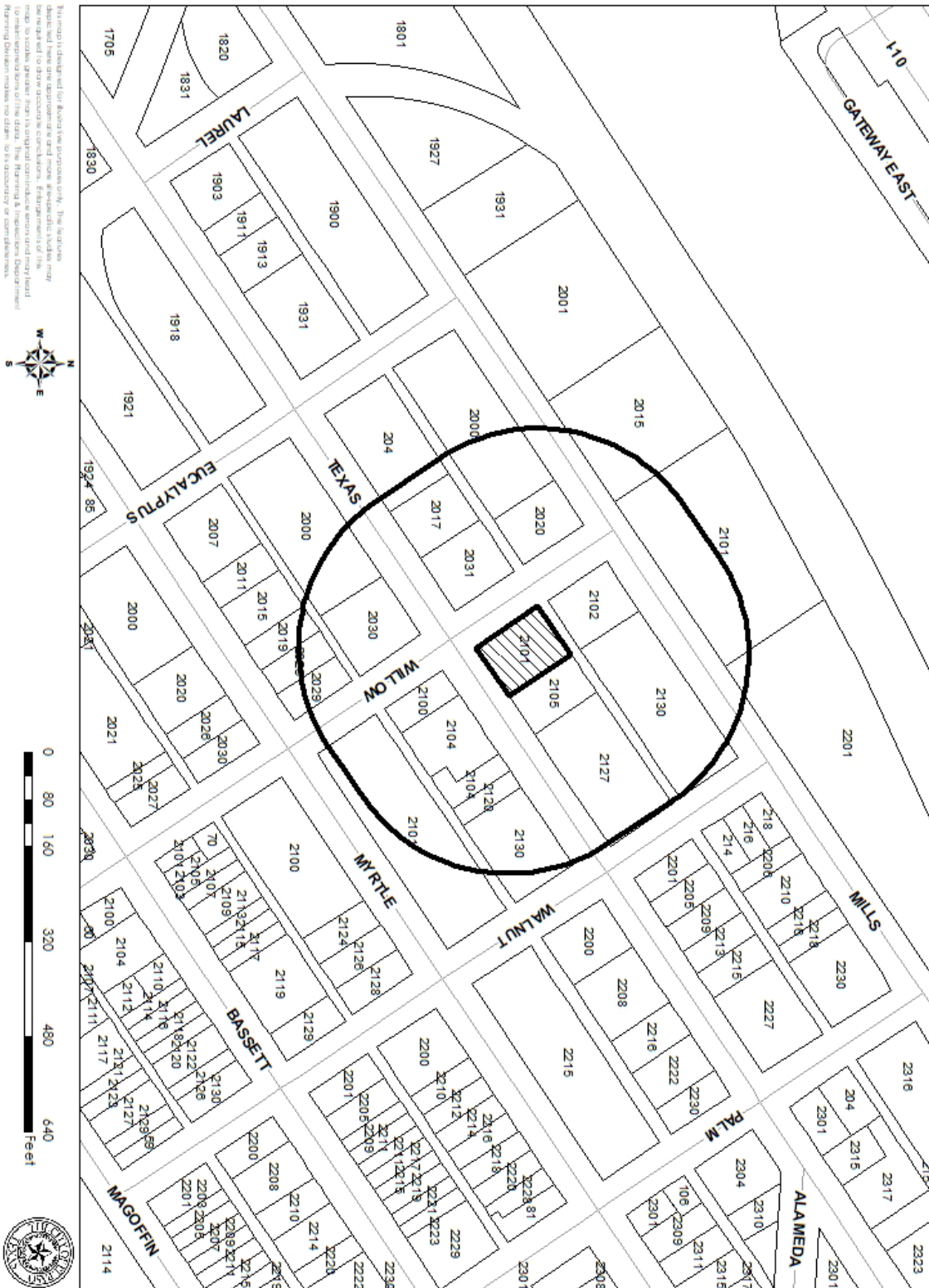
The 911 District has no comments or concerns regarding this zoning/special permit.

El Paso County Water Improvement District #1

The item is not within the boundaries of EPCWID1.

ATTACHMENT 5

PZR22-00020 and PST22-00011



ATTACHMENT 6

Salloum, Andrew M.

From: Hilda Villegas <hildavillegas63@yahoo.com>
Sent: Thursday, September 8, 2022 9:20 AM
To: martin atayde
Cc: Hector M. Enriquez; Cemelli de Aztlan; Salloum, Andrew M.
Subject: Re: 2101 EXAS AVE. - PARKING STUDY

You don't often get email from hildavillegas63@yahoo.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the City of El Paso. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, use Phish Alert or forward to SpamReport@elpasotexas.gov.

Good morning,

I am aware that today is the hearing for the request by Mr. Enriquez to change his property zoning code from apartment to commercial. Being that that strip that he is located in is already zoned commercial we are not opposing that change, as long as any current and future proposal is a smart growth proposal. In reference to the parking reduction, as long as the parking reduction does not cause issues for the residents at Uxmal apartments, the Daycare Rayito del Sol, located right across and any other residents in the surrounding area, we do not oppose.

We sat down with Mr. Enriquez and we had a discussion about his plans for a culinary school for the property. We agree that he is on his right to implement. We also discussed our concerns of any further business in the area that interfere with the quality of life of the already existing residents, home owners/renters. Since its a mixed use area we are concern of any potential development that goes against a smart growth. The residents and renters have the same rights as the business/ commercial owners and they should be considered.

We expressed our concerns about any potential beer gardens in his property as well as nuisance created due to any after hour activities and they assured us that their operating hours would not extend beyond 9pm.

In accordance to what we discussed and agreed, we are ok with the parking reduction and the change of zoning to commercial for their property. We also agreed that for any further concerns we would reach out, to discuss. Thank you for your attention, any questions you can reach me at 915-222-1977

Hilda Villegas
President of Familias Unidas del Chamizal

On Thursday, September 1, 2022 at 12:37:38 PM MDT, martin atayde <atayde65@yahoo.com> wrote:

Hola Hilda.

Me llamo el Sr. Enriquez y me dijo que el proximo Martes 6 de Septiembre a las 10:00 am nos vemos en sus oficinas, disculpe el anterior e-mail la fecha esta mal, que tenga muy buen dia.

Gracias.

Martin Atayde / Hector Enriquez

----- Forwarded Message -----

From: martin atayde <atayde65@yahoo.com>
To: Hilda Villegas <hildavillegas63@yahoo.com>

1

Sent: Thursday, September 1, 2022 at 12:36:32 PM MDT
Subject: Fw: 2101 EXAS AVE. - PARKING STUDY

Hola Hilda.

Me llamo el Sr. Enriquez y me dijo que el proximo Martes 6 de Septiembre a las 10:00 am nos vemos en sus oficinas, disculpe el anterior e-mail la fecha esta mal, que tenga muy buen dia.

Gracias.

Martin Atayde / Hector Enriquez

----- Forwarded Message -----

From: martin atayde <atayde65@yahoo.com>
To: Hilda Villegas <hildavillegas63@yahoo.com>
Cc: Hector M. Enriquez <enriquez@utep.edu>
Sent: Tuesday, August 30, 2022 at 03:45:00 PM MDT
Subject: Re: 2101 EXAS AVE. - PARKING STUDY

Ya le llame al Sr. Enriquez y me confirmo que esta bien para el Martes 6 de Agosto a las 10:00 am, usted diganos en donde desea que tengamos la cita y nosotros llegamos.

Gracias.

Martin Atayde.

On Tuesday, August 30, 2022 at 03:31:58 PM MDT, martin atayde <atayde65@yahoo.com> wrote:

Hola Hilda.

Creo que no debe de haber ningun problema, dejeme solo lo confirmo con el Sr. Enriquez y se lo hago saber lo mas pronto posible.

Gracias.

Martin Atayde

On Tuesday, August 30, 2022 at 01:04:18 PM MDT, Hilda Villegas <hildavillegas63@yahoo.com> wrote:

Hola Martin,
nos podemos ver el martes 6 de agosto. Despues de las 10am esta bien. Me avisan donde y si pueden ese dia. Gracias.

On Tuesday, August 30, 2022 at 12:43:55 PM MDT, martin atayde <atayde65@yahoo.com> wrote:

Hi Miss. Villegas.

On the next attachment can find an parking study requested by the city of El Paso, the study analyses the subject property and adjacent properties within 300 feet of the subject property.
We still waiting for your response about the meeting requested by us last week.

Thanks.

Martin Atayde / Hector M. Enriquez

PM

Yahoo Mail - Fwd: 2101 texas ave. rezone

2101 texas ave. rezone

From: Tony (atayde65@yahoo.com)

To: enriquez@utep.edu

Date: Wednesday, August 31, 2022 at 02:48 PM MDT

Sent from my iPhone

Begin forwarded message:

From: encinas@dacedace.com

Date: August 31, 2022 at 11:20:25 AM MDT

To: martin atayde <atayde65@yahoo.com>

Subject: RE: 2101 texas ave. rezone

Martin

Per your attached letter, please consider this Email as my approval to your efforts in rezoning 2101 Texas Ave to C4 (Commercial). I hope the best of luck for you, may your business do well.

Good luck,

Orlando Encinas

Manufacturing LLC

1731 Myrtle Ave Ste. B

El Paso TX. 79901

915-256-7427

From: martin atayde [mailto:atayde65@yahoo.com]

Sent: Tuesday, August 30, 2022 8:02 PM

To: encinas@dacedace.com

Subject: 2101 texas ave.

Hi Mr. Encinas.

Today I pass to your office and I gave you a little explanation about this new project at the above reference address.

Do you had the opportunity to review the letter I show you earlier at your office?.

The attached document is the same letter I show you before.

Thanks.

Martin Atayde

915-490-7873

atayde65@yahoo.com

1/2

2, 5:49 AM

Yahoo Mail - Re: 2101 TEXAS AVE. - Request Letter

Re: 2101 TEXAS AVE. - Request Letter

From: Suzanne Dipp (suzdipp@gmail.com)

To: atayde65@yahoo.com

Date: Monday, May 16, 2022 at 03:43 PM MDT

Martin, thank you for reaching out. I received your request and I believe your usage to a culinary school is fine.

Suzanne Dipp
Sunrise Civic Group

On Wed, May 11, 2022 at 10:17 AM martin atayde <atayde65@yahoo.com> wrote:

Hi Suzanne.

Good morning , can you revise the attached document please.

Thanks.

Martin Atayde
915-490-7873
atayde65@yahoo.com

1/1



To Whom it may concern:

Address: 2101 Texas Ave., El Paso TX 79901

Legal Description: 52 Basset 17 to 20

Application Type: Rezoning and Special Permit

Please allow this letter to have the El Paso Central Business Association (CBA) acknowledge and support this zoning change request.

The purpose of this letter serves as a REZONING REQUEST/SPECIAL PERMIT for 2101 Texas Ave., from zone A3 (apartments) to zone C4 (commercial). The intentions are to build a BUSINESS (vocational school) in culinary, with our approval without any inconvenience we would wish to allow them to proceed with rezoning approval. According to studies conducted, there will be no negative impact in the neighboring areas with the changes requested (the surrounding areas are currently M-1 and C-4).

Thank you,



Tanny Berg

The El Paso Central Business Association (CBA)

EL PASO CENTRAL BUSINESS ASSOCIATION | PO BOX 96 | EL PASO, TX 79941 | 915.235.2022



Legislation Text

File #: 22-1225, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

District 7

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

Planning and Inspections, Saul Pina, (915) 212-1612

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

An Ordinance changing the zoning of a portion of Tract 4, Kilpatrick Subdivision, 8636 North Loop Drive, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-3 (Commercial) and imposing a condition. 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: 8636 North Loop Drive

Applicant: Rojas Pullman Trust, PZRZ22-00018

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

AGENDA DATE: September 27, 2022
PUBLIC HEARING DATE: October 25, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Saul Pina, (915) 212-1612

DISTRICT(S) AFFECTED: District 7

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance changing the zoning of a portion of Tract 4, Kilpatrick Subdivision, 8636 North Loop Drive, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-3 (Commercial) and imposing a condition. 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: 8636 North Loop Drive
Applicant: Rojas Pullman Trust, PZRZ22-00018

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone from A-2 (Apartment) to C-3 (Commercial) to allow for the proposed use of material sales (building & construction). City Plan Commission recommended 6-0 to approve the proposed rezoning on September 8, 2022. As of September 20, 2022, the Planning Division has not received any communication in support or opposition to the rezoning request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 4, KILPATRICK SUBDIVISION, 8636 NORTH LOOP DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) TO C-3 (COMMERCIAL), AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of *a portion of Tract 4, Kilpatrick Subdivision, 8636 North Loop Drive, located in the City of El Paso, El Paso County, Texas,* and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from **A-2 (Apartment)** to **C-3 (Commercial)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following conditions which are necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

That the following uses be prohibited on the property:

Automobile (Sales, service, storage, and rental);

Automotive repair garage;

Bus (Sales, service, storage, and rental);

Commercial fueling station;

Light truck (Sales, service, storage, and rental);

Motor vehicle repair, major;

Motor vehicle repair, minor.

Motorcycle (Sales, service, storage, and rental);

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

ADOPTED this _____ day of _____, **2022.**

THE CITY OF EL PASO:


ATTEST:

Oscar Leeser
Mayor

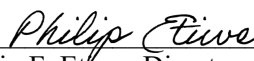
Laura D. Prine
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Joyce Garcia
Assistant City Attorney



Philip F. Etlwe, Director
Planning & Inspections Department

ORDINANCE NO. _____

Zoning Case No: PZRZ22-00018

EXHIBIT "A"

Prepared For: Ponzio Properties
Date: 08-09-2022
Being a Portion of Tract 4 Kilpatrick Subdivision
City of El Paso, El Paso County, Texas
W.O. # 022021-6

METES AND BOUNDS DESCRIPTION

Description of a 1.795-acre parcel of land more or less, being a Portion Tract 4, Kilpatrick Subdivision (Book 13, Page 41, Plat Records, El Paso County, Texas) City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows to wit:


Commencing at a found TXDOT brass cap monument on the westerly right-of-way of North Loop Drive (AKA State Highway 76, 120-Foot Right-of-Way) from which another TXDOT brass cap monument found on said southwesterly right-of-way bears South $31^{\circ}48'50''$ East a distance of 784.11 feet; Thence South $31^{\circ}48'50''$ East, along said right-of-way, a distance 246.14 feet to a found MAG nail being the Point of Beginning, said point being on the most northerly boundary corner of Tract 4 Kilpatrick Subdivision and on the westerly right-of-way of North Loop Drive described in Book 2774, Page 1762, Deed Records, El Paso County, Texas;

Thence South $31^{\circ}48'50''$ East, continuing along said right-of-way, a distance of 199.45 feet to a $5/8''$ rebar found on the common boundary line of Tract 4, Kilpatrick Subdivision, and a certain parcel of land described in File Clerk's No. 20090073100, Deed Records, El Paso County Texas;

Thence South $57^{\circ}37'35''$ West, along said boundary line, a distance of 438.14 feet to a $5/8''$ rebar with cap stamped TX 2372 found on the common boundary line of Tract 4, and on the northwesterly boundary line of Mission Valley Elementary School File Clerk's No 20170056325, Plat Records, El Paso County, Texas;

Thence North $52^{\circ}59'25''$ West, along said boundary line a distance of 143.02 feet to a $5/8''$ rebar with cap stamped TX 2372 found on the common boundary line of said Tract 4, and the southerly boundary line of Lot 6, Block 4, Villa Encantado Book 34, Page 7, Plat Records, El Paso County, Texas;

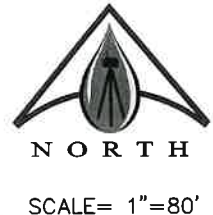
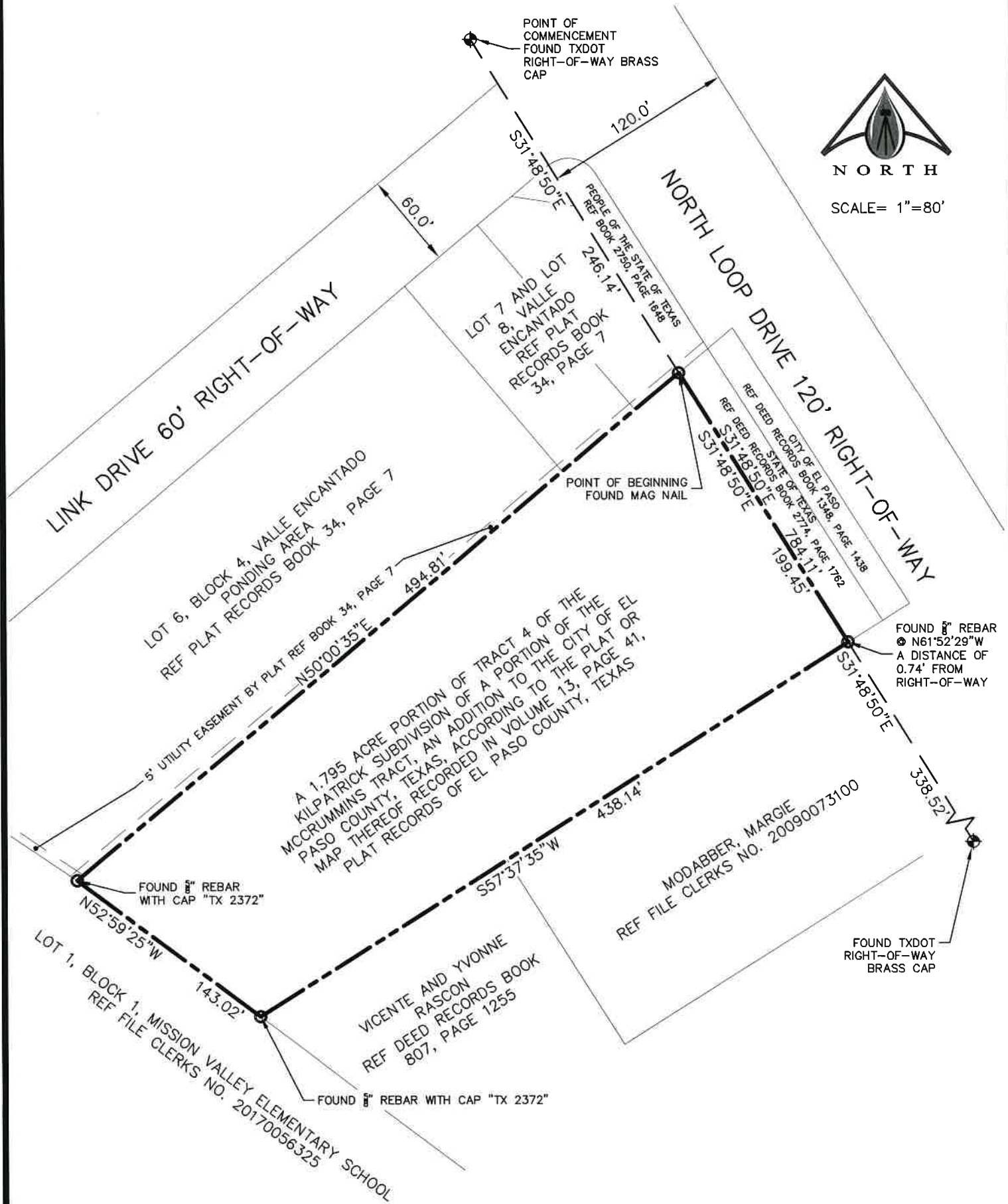
Thence North $50^{\circ}00'35''$ East, along said boundary line, a distance of 494.81 feet to the Point of Beginning and containing in all 78,169 square feet or 1.795 acres of land more or less.

8-09-2022 
CHARLES H. GUTIERREZ R.P.L.S. 5572
H2O-Terra



NOTES:

1. BASIS OF BEARINGS AND COORDINATE VALUES IS IN THE TEXAS STATE PLANE COORDINATE SYSTEM CENTRAL ZONE NO. 4203 NORTH AMERICAN DATUM OF 1983 (NAD 83 HORIZONTAL) AND (NAVD 1988 VERTICAL) DETERMINED VIA THE EL PASO VIRTUAL REFERENCE STATION (VRS) NETWORK.
2. A SURVEY PLAT OF EVEN DATE HERE WITH ACCOMPANIES THIS METES AND BOUNDS DESCRIPTION.



8-9-2022

NOTES:

- 1. PLAT OF THE KILPATRICK SUBDIVISION IS RECORDED IN BOOK 13, PAGE 41, PLAT RECORDS, EL PASO COUNTY, TEXAS.
- 2. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL 4802140048C, DATED FEBRUARY 16, 2006, THIS PROPERTY LIES IN FLOOD HAZARD ZONES "AE" AND "X"
- 3. THE BASIS OF BEARING AND COORDINATE VALUES ARE IN THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NO. 4203, NORTH AMERICAN DATUM OF 1983 (NAD 83 HORIZONTAL) AND NORTH AMERICAN DATUM OF 1988 (NAVD 88 VERTICAL) DETERMINED VIA THE EL PASO VIRTUAL REFERENCE STATION NETWORK (VRS).
- 4. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.

FILING INFORMATION	CERTIFICATION	BOUNDARY SURVEY	
DATE: AUGUST 9, 2022 FIELD: G.C. OFFICE: L.R. W.O. 022021-6 FILE: 8636 NORTH LOOP SCALE: 1" = 80' REVISED:	I hereby certify that the foregoing Boundary Survey was made on the ground under my supervision on August 9, 2022, and that this plat correctly represents the facts found at the time of the survey. CHARLES H. GUTIERREZ R.P.L.S. 5572	8636 NORTH LOOP A 1.795 ACRE PORTION OF TRACT 4 OF THE KILPATRICK SUBDIVISION OF A PORTION OF THE MCCRUMMINS TRACT, AN ADDITION TO THE CITY OF EL PASO COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 13, PAGE 41, PLAT RECORDS OF EL PASO COUNTY, TEXAS AREA = 78,169 sq.ft. or 1.795 ac ± PREPARED FOR: PONZIO PROPERTIES	 ENGINEERING. SURVEYING. SOLUTIONS. TBPE FIRM NO. F-2103 TBPLS FIRM NO. 10060700 2020 E. MILLS AVENUE El Paso, TX 79901 (915) 533-1418 FAX: (915) 533-4972

8636 North Loop Drive

City Plan Commission — September 8, 2022 - RECONSIDERATION



CASE NUMBER: PZR22-00018
CASE MANAGER: Saul Pina, (915) 212-1612, PinaSJ@elpasotexas.gov
PROPERTY OWNER: Rojas Pullman Trust
REPRESENTATIVE: Jose Hernandez (H2O Terra)
LOCATION: 8636 North Loop Dr. (District 7)
PROPERTY AREA: 1.8 acres
REQUEST: Rezone from A-2 (Apartment) to C-3 (Commercial)
RELATED APPLICATIONS: None
PUBLIC INPUT: None received as of September 1, 2022

SUMMARY OF REQUEST: The applicant is requesting to rezone the subject property from A-2 (Apartment) to C-3 (Commercial) to allow for the construction of a building to be used as material sales (building & construction). This application is a reconsideration as the applicant did not contacted all the neighborhood associations within the subject property, prior to the previous case hearing on July 28, 2022.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL with a CONDITION** of the rezoning request. This recommendation is based on the consistency of the request with *Plan El Paso*, the City's adopted Comprehensive Plan, for the G-3, Post-War future land use designation. The condition is the following:

That the following uses be prohibited on the property:

- Automobile (Sales, service, storage, and rental);
- Automotive repair garage;
- Bus (Sales, service, storage, and rental);
- Commercial fueling station;
- Light truck (Sales, service, storage, and rental);
- Motor vehicle repair, major;
- Motor vehicle repair, minor;
- Motorcycle (Sales, service, storage, and rental)

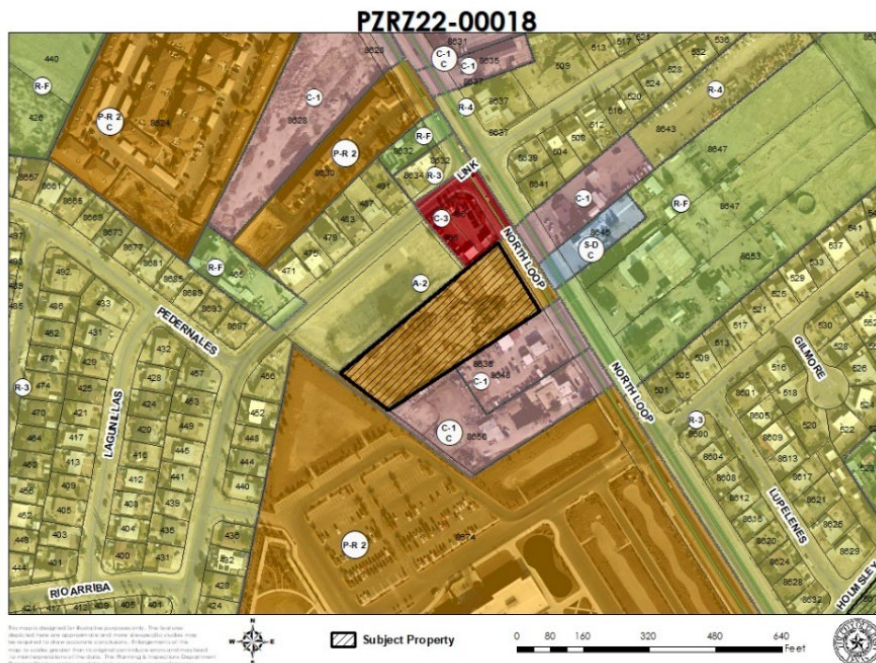


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: This application is a reconsideration of a rezoning request previously heard on July 28, 2022. The applicant requested to rezone from A-2 (Apartment) to C-3 (Commercial) to allow for the construction of a building to be used as material sales (building & construction). However, not all neighborhood associations applicable to the subject property were contacted. This new request is to allow the applicant to contact all pertinent neighborhood associations and to present future development within the subject property.

The size of the property is 1.8 acres. The conceptual plan shows a proposed 6,000 square-foot building and on-site ponding located at the rear of the property. Main access to the property is from North Loop Drive.

PREVIOUS CASE HISTORY: On July 28, 2022, City Plan Commission (CPC) recommended approval of the rezoning request for the subject property from A-2 (Apartment) to C-3 (Commercial) to allow the subject property to be used for material sales (building & construction). No conditions were considered in the previous request.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed rezoning is consistent with adjacent commercial uses and meets the established character of the neighborhood. Properties to the northwest include auto sales, zoned C-3 (Commercial) and a retention pond, zoned R-3 (Residential); properties to the southeast include single family dwellings zoned C-1 (Commercial); properties to the northeast include a barber shop and beauty salon zoned S-D/c (Special Development/conditions) and a single-family dwelling zoned R-F (Ranch and Farm); and properties to the southwest include a school zoned P-R II (Planned Residential). The nearest schools, Mission Valley Elementary School and Del Valle Middle School, are 0.3 miles away and the nearest park, Pueblo Viejo Park, is 1.2 miles away from the subject property.

REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p>G-3, Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.</p>	<p>Yes. The proposed development is compatible with the future land use designation. The intent is to provide commercial services and activities available to surrounding residential districts.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>C-3 (Commercial) District: The purpose of the district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the district will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.</p>	<p>Yes. Surrounding development currently has commercial zoning, which is similar in nature to the proposed rezoning site. These properties have access through North Loop Drive, classified as a Major Arterial on the City of El Paso's Major Thoroughfare Plan (MTP). The proposed development will permit commercial activity not available within the area.</p>

REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Preferred Development Locations: Located along an arterial (or greater street classification) or the intersection of two collectors (or greater street classification). The site for proposed rezoning is not located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.	Yes. The subject property has access to North Loop Drive, which is designated as a Major Arterial in the City's Major Thoroughfare Plan. The classification of this road is appropriate for the proposed development as it facilitates the rapid access to multiple businesses and commercial establishments.
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small area plans, including land-use maps in those plans.	None. The property is not located within any historic districts nor any other special designation areas.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	None. There are no anticipated adverse impacts.
Natural Environment: Anticipated effects on the natural environment.	The subject property is located within a flood zone. Because of this, on-site ponding is required.
Stability: Whether the area is stable or in transition.	Yes. The area is in transition to commercial uses along North Loop Drive. In the last 10 years, surrounding developments have changed zoning from R-F (Ranch and Farm) to C-1 (Commercial) and other similar commercial zone districts. As a result, commercial activity has grown, facilitating business within the area.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	None.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Primary access is from North Loop Drive, which is classified as a Major Arterial on the City of El Paso's Major Thoroughfare Plan (MTP) and is adequate for the proposed development. The site can be accessed by multiple means, (vehicle, bus, foot) and will provide additional commercial services to the area.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No adverse comments were received for the rezoning request from the reviewing departments.

PUBLIC COMMENT: The subject property lies within the Save the Valley 21, Mission Valley Civic Association, Corridor 20 Civic Association, and Penrose Neighborhood Associations. The applicant has contacted all four neighborhood associations prior to September 8, 2022 being the new City Plan Commission hearing date

Property owners within 300 feet of the subject property were previously notified of the rezone request on July 14, 2022. On August 25, 2022, new notices were mailed to property owners within 300 feet of the subject property. As of September, 1, 2022, the Planning Division has not received any communication in support or opposition to the rezoning request.

CITY PLAN COMMISSION OPTIONS:

The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

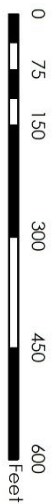
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan.
2. **Recommend Approval of the rezoning request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
3. **Recommend Denial** of the rezoning request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

ATTACHMENTS:

1. Future Land Use Map
2. Conceptual Site Plan
3. Department Comments
4. Neighborhood Notification Boundary Map

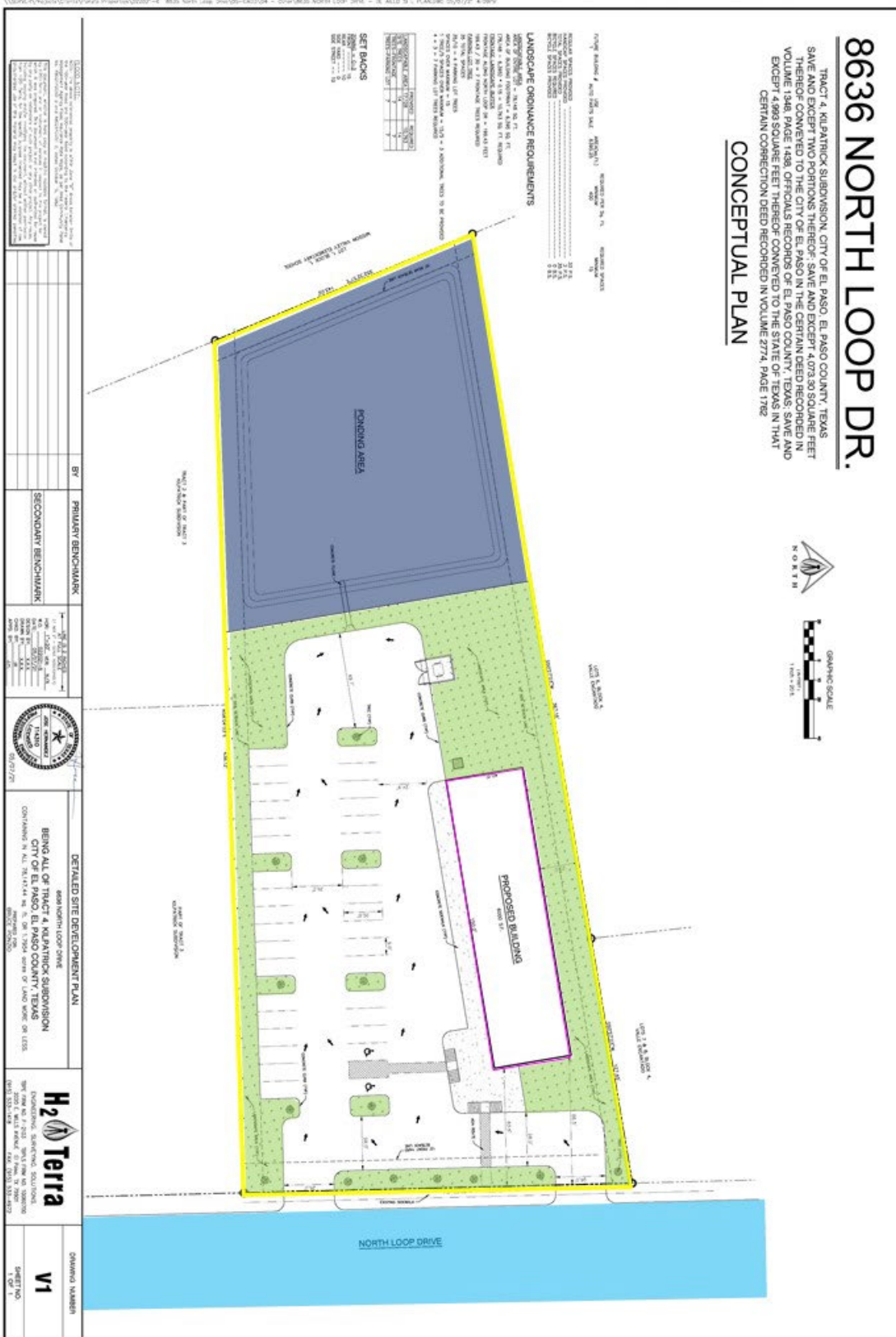
ATTACHMENT 1

This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Engagements of this map to local government officials, including the Planning Division, are for informational purposes only and do not constitute a commitment. Planning Division makes no claim to its accuracy or completeness.



PZR22-00018

ATTACHMENT 2



ATTACHMENT 3

Planning and Inspections Department - Planning Division

Staff recommends approval of the rezoning request with the following condition:

That the following uses be prohibited on the property:

- Automobile (Sales, service, storage, and rental);
- Automotive repair garage;
- Bus (Sales, service, storage, and rental);
- Commercial fueling station;
- Light truck (Sales, service, storage, and rental);
- Motor vehicle repair, major;
- Motor vehicle repair, minor;
- Motorcycle (Sales, service, storage, and rental).

Planning and Inspections Department – Plan Review & Landscaping Division

Recommend approval.

The generalized site plan is not being reviewed for conformance due to conceptual nature. No objections to proposed rezoning. At the time of submittal for building permit, the project will need to comply with all applicable provisions of the ICC, TAS and Municipal Code

Planning and Inspections Department – Land Development

Recommend approval.

1. On site ponding is required in compliance with sections (DSC panel 1-4C-J, 19.19.010A and DDM, 11.1).
2. No stormwater runoff shall be allowed to discharge into TXDOT ROW as per TXDOT regulations.
3. Add note for FEMA FIRM panel information. Property is currently within flood zones AE & 500-year .2% storm areas.

Note: Comments addressed.

Fire Department

Recommend approval.

No adverse comments.

Police Department

No comments/concerns.

Environment Services

No comments provided.

Streets and Maintenance Department

No TIA required.

Sun Metro

No comments provided.

El Paso Water

El Paso Water (EPWU) does not object to this request.

Water

There is an existing 12-inch diameter water main that extends along North Loop Dr. approximately 13-feet north of the property. This main is available for service.

Previous water pressure from fire hydrant #3612 located at the intersection of Gilmore Way and North Loop Dr., yield a static pressure of 104 (psi), a residual pressure of 96 (psi), and a discharge of 1,300 gallons per minute. The owner should, for his own protection and at his own expense shall install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the water pressure regulator device.

EPWU records indicate a ¾-inch vacant water service with 8648 North Loop Dr. as the service address.

Sanitary Sewer

There is an existing 8-inch diameter sanitary sewer main along North Loop Dr., approximately 22 feet north of the subject property. This main is available for service.

There is an existing 8-inch diameter sanitary sewer main along a 15-foot easement west of the and parallel to the property's west boundary line. This main is available for service.

General

North Loop Dr. is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within North Loop Dr. right-of-way requires written permission from TxDOT.

An application for additional water and sanitary sewer services should be submitted 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor and on www.epwater.org. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property, and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Stormwater:

As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.

Any proposed ponding area shown, shall have enough capacity to hold the developed runoff for a designated 100-yr. storm event. Label the pond as "Private".

Texas Department of Transportation

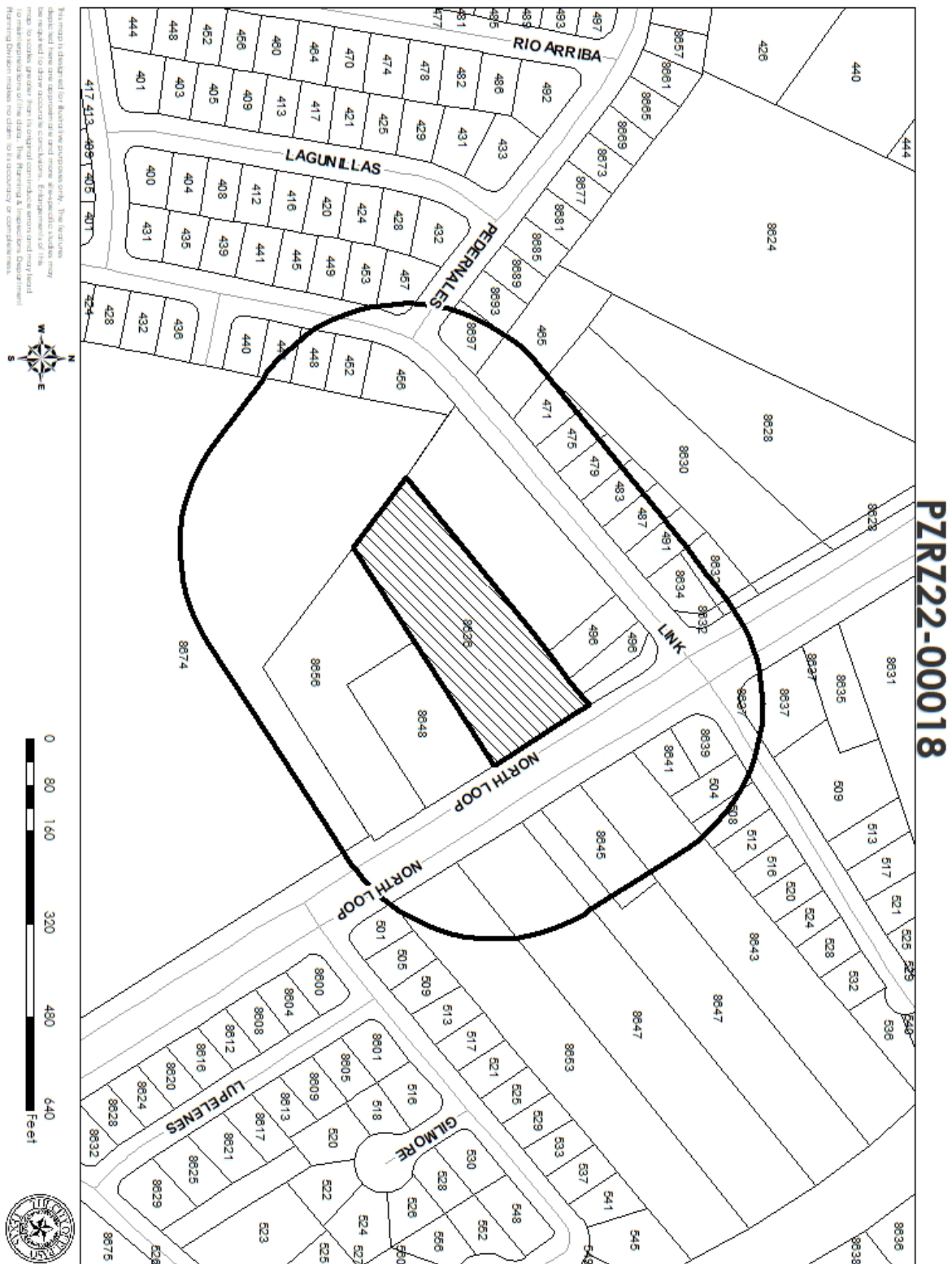
Please submit grading and drainage plans for TxDOT review to this address. If any work is on TXDOT ROW, a permit is required by TXDOT with a traffic control plan.

Note: Coordination with TXDOT will be required prior to any construction.

El Paso County Water Improvement District #1

EPCWID1 has no comments on the above-mentioned item.

ATTACHMENT 4





Legislation Text

File #: 22-1418, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Office of Management and Budget, K. Nicole Cote, (915) 212-1092

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

Purchasing and Strategic Sourcing, (915) 212-1218

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Presentation, discussion and action by the City Manager's Office and Office of Emergency Management providing information on key activities, efforts, and processes related to the migrant crisis:

1. That the City Council ratify the increase of contract 2022-0971 Charter Bus Transportation Services for an additional \$2,000,000 for a total amount not to exceed \$8,000,000.

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

AGENDA DATE: October 25, 2022

PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER:

K. Nicole Cote, Interim Managing Director, (915) 212-1092

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

Claudia A. Garcia, Interim Director of Purchasing & Strategic Sourcing, (915) 212-1218

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: 2 – Set the Standard for a Safe and Secure City

SUBGOAL: 2.1 – Maintain standing as one of the nation's top safest cities

SUBJECT:

Presentation, discussion and action by the City Manager's Office and Office of Emergency & Management providing information on key activities, efforts, and processes related to the migrant crisis:

1. That the City Council ratify the increase of contract 2022-0971 Charter Bus Transportation Services for an additional \$2,000,000 for a total amount not to exceed \$8,000,000.

BACKGROUND / DISCUSSION:

The actual use and associated cost of the services covered by Contract 2022-0971 are likely to exceed the initial award amount. This contract was executed under of Emergency Ordinance 019333, § 252.022(a)(1) of the Texas Local Government Code, and § 252.022(a)(2) of the Texas Local Government Code and will allow the City to continue to use the Contract to provide transportation to migrants to other cities as may be needed.

Yes, Emergency Ordinance No. 019333 was passed and adopted on May 23, 2022 and reaffirmed on October 11, 2022.

PRIOR COUNCIL ACTION: N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$2,000,000 additional not to exceed \$8,000,000

Funding Source: 522150-322-2720-22130-G2221EFSP

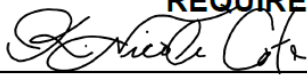
Account: Emergency Food and Shelter

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: City Manager's Office - Office of Management and Budget

SECONDARY DEPARTMENT: Fire, Purchasing & Strategic Sourcing, All City

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

DEPARTMENT HEAD: 

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, on May 19, 2022 the Mayor of the City of El Paso (“City”) issued an Emergency Ordinance due to a new wave of migration through the City of El Paso (“Ordinance 019333”); and

WHEREAS, on September 12, 2022, City Council ratified the award of 2022-0971 Charter Bus Transportation Services (“Contract”), under § 252.022(a)(1) – (2) of the Texas Local Government Code in an amount not to exceed \$2,000,000 from August 26, 2022 to December 31, 2023 to Gogo Charters LLC, for charter bus transportation services to migrants; and

WHEREAS, on September 27, 2022, City Council approved the contract increase for 2022-0971 Charter Bus Transportation Services for an additional amount of \$4,000,000 for a total amount not to exceed \$6,000,000; and

WHEREAS, as of October 19, 2022 the City has expended \$ \$6,095,700 for contract 2022-0971 Charter Bus Transportation Services; and

WHEREAS, the City wishes to increase the amount of the Contract to allow the City to continue to use the Contract to provide transportation to migrants to other cities as may be needed.

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

That the City Council ratify the contract increase of contract 2022-0971 Charter Bus Transportation Services for an additional \$2,000,000 for a total amount not to exceed \$8,000,000.

APPROVED this _____ day of _____, 2022

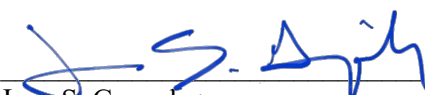
THE CITY OF EL PASO:

Oscar Leoser
Mayor

ATTEST:


Laura D. Prine City Clerk

APPROVED AS FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Claudia Garcia, Interim Director
Purchasing and Strategic Sourcing



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1375, Version: 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Capital Improvement Department, Joaquin Rodriguez, (915) 328-8731

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action on a Resolution adopting the "El Paso Complete Streets Policy - Mobility Advisory Committee Enabling Policy".

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

AGENDA DATE: October 25, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Joaquin Rodriguez, 915-328-8731

DISTRICT(S) AFFECTED: City-wide

STRATEGIC GOAL: Goal 3 – Promote the Visual Image of El Paso

SUBGOAL: 3.2 - Set one standard for infrastructure across the city

SUBJECT:

DISCUSSION and ACTION on a resolution adopting the “El Paso Complete Streets Policy – Mobility Advisory Committee Enabling Policy”

BACKGROUND / DISCUSSION:

The adopted “El Paso Complete Streets Policy” includes the formation of two committees comprised of internal and external stakeholders to guide the inclusion and implementation of complete streets principles within the city’s design process for public works and transportation related projects.

In accordance with the complete streets policy the Technical Review Committee has drafted an enabling policy creating the Mobility Advisory Committee (“MAC”); establishing the MAC’s membership; its responsibilities; and describing how the TRC and MAC will interface. Staff recommends adoption of the policy as presented.

PRIOR COUNCIL ACTION:

City Plan Commission – June 16, 2022

City Council Ordinance Adoption – July 19, 2022

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? XXX YES ___ NO

PRIMARY DEPARTMENT: Capital Improvement Department

SECONDARY DEPARTMENT: Streets and Maintenance

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

DEPARTMENT HEAD:



(Yvette Hernandez, P.E., City Engineer)

RESOLUTION

WHEREAS, through Ordinance No. 019355, adopted July 19, 2022, the City of El Paso (“City”) approved the Complete Streets Policy, an addendum to the City’s Comprehensive Plan, *Plan El Paso*; and

WHEREAS, pursuant to the Complete Streets Policy, the Technical Review Committee (the “TRC”) and the Mobility Advisory Committee (the “MAC”) were to be created; and

WHEREAS, the TRC is responsible for overseeing implementation of the Complete Streets Policy and is comprised of staff from various City departments and one representative from the MAC; and

WHEREAS, pursuant to the Complete Streets Policy, the TRC is responsible for drafting an enabling policy creating the MAC; establishing its membership and responsibilities; and describing how the TRC and MAC will interface; and

WHEREAS, City staff has prepared a “Mobility Advisory Committee Enabling Policy,” attached as Exhibit “A”, for the purpose of creating the MAC; establishing membership and responsibilities; and describing how the TRC and MAC will interface.

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

That the “Mobility Advisory Committee Enabling Policy,” attached as Exhibit “A”, is approved; and, in furtherance of the approved policy, City staff is directed to perform all acts necessary to give effect to the “Mobility Advisory Committee Enabling Policy.”

PASSED AND APPROVED this _____ day of _____, 2022.

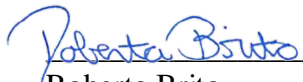
THE CITY OF EL PASO:

Oscar Leaser, Mayor

ATTEST:

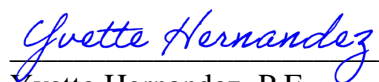
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Roberta Brito
Assistant City Attorney

APPROVED AS TO CONTENT:



Yvette Hernandez, P.E.
City Engineer

Exhibit “A”

Mobility Advisory Committee Enabling Policy

Introduction:

The City of El Paso (“City”) passed Ordinance No. 019355 on July 19, 2022, adopting the Complete Streets Policy, an addendum to the City’s Comprehensive Plan, *Plan El Paso*.

In accordance with the Complete Streets Policy, the Technical Review Committee (“TRC”) is to prepare an “enabling policy” creating the Mobility Advisory Committee (“MAC”); establishing the MAC’s membership; its responsibilities; and describing how the TRC and MAC will interface.

Therefore, in compliance with the Complete Streets Policy, the TRC has prepared this “Mobility Advisory Committee Enabling Policy.”

I. Establishment of the MAC

The Technical Review Committee (“TRC”) hereby establishes the Mobility Advisory Committee (“MAC”) in accordance with the Complete Streets Policy.

II. Membership

- A. The MAC shall consist of eighteen members.
- B. MAC members shall be selected by the TRC.
- C. The TRC shall select MAC members through a bi-annual application and review process that seeks to ensure the MAC consists of diverse stakeholders, including representatives from the general public as well as different sectors, industries, and subject areas such as transportation, health, education, environment, environmental justice, social equity, public art, economic development, business, and construction. The MAC shall also include representatives from advocacy groups and organizations working with communities prioritized in the Complete Streets Policy.
- D. The members of the MAC shall be geographically distributed to ensure equal representation from all City of El Paso Representative Districts.
- E. Membership shall consist of two (2) members from each Representative District and two (2) at large members.
- F. The TRC Chair will serve as the recording secretary and shall provide administrative and technical staff support to the MAC.

III. Terms

- A. The terms of office shall be for two (2) years and all terms shall expire on October 31st. Appointments to vacancies that occur other than by expiration of a member's term of office shall be filled by appointment by the TRC for the remainder of the unexpired term. Members shall not serve more than two consecutive terms.
- B. At the time the term of office of any member expires, the member shall continue to serve until his successor is appointed and qualified, or until thirty (30) days have passed following the expiration of the term, whichever event occurs first. Any holding over past the thirty (30) day period is prohibited, and after that time a vacancy shall exist.
- C. The MAC shall annually select from among its appointed members a chair, a vice-chair, and representative to serve on the TRC.
- D. The MAC shall follow Roberts Rules of Order for conducting its meetings.
- E. The MAC is not a board or commission of City Council, and therefore is not governed by the rules and policies for such, including City Code 2.04.

IV. Responsibilities

- A. The MAC shall act as a resource for the TRC and shall have the following responsibilities:
 - 1. Advise the TRC on issues related to the implementation of the El Paso Complete Streets Policy.
 - 2. Hold TRC accountable for implementation of the El Paso Complete Streets Policy.
 - 3. Review existing city programming and design standards and provide recommendations on potential updates or revisions to the TRC.
 - 4. Review methodology used by the TRC for project prioritization and selection to ensure it aligns with the Complete Street Policy.
 - 5. Review exceptions made by the TRC to the Complete Streets Policy, methodology for project prioritization and selection, funding allocation, and advocacy and engagement around Complete Streets projects at the program level. The MAC will have no responsibilities related to the review of individual projects.
- B. The MAC shall meet at least once quarterly and may meet more frequently if deemed necessary by the TRC.

V. Interfacing between the TRC and the MAC

The TRC and the MAC shall interface in the following manner:

- A. TRC will support the MAC in coordinating meetings of the MAC.
- B. TRC will work with the MAC to develop agendas for quarterly meetings and present implementation updates and milestones for feedback from the MAC.
- C. The MAC will appoint one member to serve on the TRC and report to MAC on TRC activities.
- D. The TRC will provide an annual report to the MAC on the planning, implementation, integration, and operation of Complete Streets Policy.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1374, Version: 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

City Manager's Office, K. Nicole Cote, (915) 212-1092

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Presentation, discussion and action on the FY 2021-2022 4th Quarter Financial Report and to authorize the City Manager or his designee to allocate year-end surplus to the Operating and Debt Stabilization Fund.

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

AGENDA DATE: October 25, 2022

PUBLIC HEARING DATE:

CONTACT PERSON(S) NAME AND PHONE NUMBER:

K. Nicole Cote, Interim Managing Director, City Manager's Office (915) 212-1092

DISTRICT(S) AFFECTED: All

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

SUBGOAL: N/A

SUBJECT:

Presentation, discussion and action on the FY 2021-2022 4th Quarter Financial Report and to authorize the City Manager or his designee to allocate year-end surplus to the Operating and Debt Stabilization Fund.

BACKGROUND / DISCUSSION:

The FY 2022 Budget Resolution requires that within forty-five (45) working days after the close of each fiscal quarter the City Manager or his/her designee shall provide a quarterly report to City Council regarding the status and year end projection of the budget

PRIOR COUNCIL ACTION:

The City Council adopted the Budget Policies on March 3, 2020 to approve the budget stabilization fund. The stabilization fund was established as a reserve of surplus revenues to be used with the purpose of 1) minimizing future tax rate impact, 2) protecting against raising charges for services and fees and 3) providing available funding for specific circumstances as needed to maintain the same levels of service.

AMOUNT AND SOURCE OF FUNDING:

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: City Manager's Office

SECONDARY DEPARTMENT: All City

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

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client
department should sign also)



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1354, **Version:** 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

Economic and International Development, Lindsey Adams, 915-212-1622

Economic and International Development, Elizabeth Triggs, 915-212-0094

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action on the City of El Paso's Legislative Agenda for the 88th Regular Session of the Texas State Legislature.

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

AGENDA DATE: October 25, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Lindsey Adams, 915-212-1622
Elizabeth Triggs, 915-212-0094

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: Goal 6: Set the Standard for Sound Governance and Fiscal Management
SUBGOAL: N/A

SUBJECT:

Discussion and action on the City of El Paso's Legislative Agenda for the 88th Regular Session of the Texas State Legislature.

BACKGROUND / DISCUSSION:

Prior to the convening of each biennial State legislative session, the City Council of the City of El Paso identifies policy priorities and legislative initiatives that it would like the Texas Legislature to address during its legislative session. These priorities and initiatives are adopted and compiled into the City's Legislative Agenda which is shared with the City's legislative delegation and additionally used to guide staffs' activity during the legislative session. The legislative team has begun the process of identifying issues for the upcoming 88th Legislative Session, which is set to begin on January 10, 2023, by working with City departments to consider recommendations for inclusion in the draft of the City's proposed legislative agenda. This presentation is an update on the process as well as final adoption of the complete agenda, to include the entirety of the Support/Oppose section and an additional priority.

PRIOR COUNCIL ACTION:

City Council adopts a Legislative Agenda for each biennial State legislative session and receives regular updates from City staff on legislative activity during the State's regular and special sessions. City Council received a legislative briefing to initiate this process on May 9, 2022, and received an update on August 16, 2022, where the legislative priorities were approved.

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Economic and International Development

SECONDARY DEPARTMENT: City Attorney's Office

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

DEPARTMENT HEAD: Elizabeth Triggs



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

CITY OF EL PASO
STATE LEGISLATIVE PRIORITIES FOR
88TH TEXAS LEGISLATIVE SESSION

MAYOR AND CITY COUNCIL
OSCAR LEESER, MAYOR

PETER SVARZBEIN
ALEXSANDRA ANNELLO
CASSANDRA HERNANDEZ
JOE MOLINAR
ISABEL SALCIDO
CLAUDIA RODRIGUEZ
HENRY RIVERA
CISSY LIZARRAGA

CITY MANAGER
TOMAS GONZALEZ

Strategic Policy Statements: The City Council of the City of El Paso has met to formulate strategic goals and policies to serve as guiding principles for the governance of the City of El Paso. Decisions regarding City of El Paso positions on legislative matters will be weighed against these guiding principles when formulating positions.

1. **Goal 1:** Cultivate an Environment Conducive to Strong Economic Development
2. **Goal 2:** Set the Standard for a Safe and Secure City
3. **Goal 3:** Promote the Visual Image of El Paso
4. **Goal 4:** Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments
5. **Goal 5:** Promote Transparent and Consistent Communication Amongst All Members of the Community
6. **Goal 6:** Set the Standard for Sound Governance and Fiscal Management
7. **Goal 7:** Enhance and Sustain El Paso's Infrastructure Network
8. **Goal 8:** Nurture and Promote a Healthy, Sustainable Community

General Principles: The City of El Paso supports legislation that enhances the City's ability to solve problems and improve the quality of life for its citizens. The City of El Paso opposes legislation that reduces the City's authority or increases the City's costs. We will work with other Cities to enhance and protect the authority of municipalities and to ensure that City taxpayers are not burdened with additional unfunded mandates.

The City of El Paso will also support legislative initiatives of community partners that enhance the educational, cultural, and infrastructure resources in our region.

The City of El Paso will oppose legislation that reduces a municipality's ordinance making authority.

This document reflects the City's adopted legislative policy as approved by City Council. The City's legislative program is organized into two categories:

- I. **Priority Legislative Initiatives** - The City will actively seek to secure legislators to author bills for these initiatives, unless otherwise noted. The City will support and provide positive testimony for these initiatives and actively pursue passage of the bill.
- II. **Statement of Support or Opposition** – City staff and authorized representatives will make known the City's position on these issues. Depending on the issue, staff will work to either assist in the passage of the bill or work against passage to preserve the City's interests. The important distinction between this category and the earlier category is that the City will not seek introduction of any legislation, but will vocalize the City's position in support or opposition.

PRIORITY LEGISLATIVE INITIATIVES

The City will actively seek the passage of the following initiatives using City staff and authorized representatives to secure legislators to author a bill, provide testimony, and advocate for the bill's passage throughout the legislative process:

1. Seek legislation that will streamline and expand the Skills Development Fund Program to allow municipalities' access to funding or provides for the reimbursement to companies relocating to Texas for the training provided by those companies.
2. Seek legislation that will extend the Texas Economic Development Act (Chapter 313) and expand eligibility for the Act to include back office and large-scale warehouse distribution companies.
3. Seek legislation that will clearly allow municipalities to convey city owned property as part of Chapter 380 economic development agreement.
4. Appropriate money for the Defense Economic Adjustment Assistance Grant (DEAAG) program to fund military value projects that strengthen Texas military installations.
5. Seek legislation that will expand the appropriation of funding to municipalities for the acquisition of police body cameras and storage of data obtained by body cameras
6. Seek Legislation that will add transparency on how the Texas Department of Transportation Commission allocates Category 12 Funding under the Unified Transportation Program to include whether or not formulas used need to be updated and clarification on how Metro District Designations are defined and determined
7. Seek Legislation that allows the county to submit to the voters an increase in vehicle registration fees and contains provisions that will provide for a more equitable distribution of any increased revenue by such legislation
8. Appropriate funding for the Wyler Aerial Tramway
9. Seek legislation that will appropriate funding to install and upgrade ITS technology and traffic control improvements/measures at the Paso del Norte (PDN) and Stanton Street bridges.
10. Seek legislation that will enhance and complement the use of the ITS by completing the Texas Transportation Institute's Border Crossing Information System to include exploring the possibility of expanding scope into Mexico via the Camino Real Regional Mobility Authority.
11. Seek legislation that will increase funding for Cross Border Infrastructure for projects identified in the TXDOT Texas Mexico Border Transportation Master Plan (BTMP) and provide for a dedicated funding source
12. Seek Legislation that will provide a dedicated funding source for specialized training either through the School Marshal program or other existing programs already available for the School Districts to hire law enforcement officer or peace officers and for mental health services and community mental health programs. Establish and fund statewide minimum standards and guidelines for school safety. Provide firearm safety legislation that will adopt extreme risk protection laws that allow family members or law enforcement to petition the court to temporarily remove firearms from an individual experiencing crisis; provides funding for community-based violence intervention programs; and adopts measures to protect women against gun violence from domestic abusers; strengthens existing legislation to provide stronger ways to more efficiently, effectively and consistently enforce existing laws; raises the minimum age to purchase firearms to 21; require universal background checks for all firearm sales; implements temporary red flag laws to allow temporary removal of firearms from those who are an imminent danger to themselves or others; requires a cooling off period for the purchase of a firearm; and regulates civilian ownership of high capacity magazines, and prohibits straw purchases and provides a penalty for those who participate in straw purchases.

~~12~~13. Seek riders for construction or improvements of the City's transportation infrastructure system.

STATEMENTS OF SUPPORT AND OPPOSITION

The City will either support or oppose legislation regarding the following issues meaning that, if a bill is introduced, then City staff and authorized representatives will make known the City's position on these issues and will work to either pass or defeat the legislation accordingly. The important distinction between this category and the "priority" category is that the City will not work to seek introduction of any legislation but will engage if a bill is otherwise introduced.

CITY COUNCIL LED ITEMS

Support legislation that:

- a. Provides for new ways to repurpose electric car batteries and solar panels once they reach the end of their useful life
- b. Supports continued full funding for the Hazelwood Act
- c. Supports the expansion of the benefits paid under Chapter 615 to school district employees when they suffer a death occurring during the performance of his or her duty resulting from exposure to risk inherent in the particular duty performed or a risk to which the general public is not customarily exposed
- d. Supports all efforts to protect women's reproductive rights and file the city's opposition to any bills or efforts to ban abortion in Texas

PENSION

Support legislation that:

- a. Enhances the city's ability to provide pension benefits to its retirees and employees

Oppose legislation that:

- a. Restricts the city or the city's pension boards ability to manage the city's pension program or results in an unfunded mandate for either the city or the city's pension fund
- b. Would have the effect of increasing the city's pension liability unless the city specifically adopts such legislation

ECONOMIC DEVELOPMENT

Support legislation that:

- a. provides incentives for the development of an entertainment and sports arena;
- b. preserves the full funding for Texas tourism;
- c. provides for a law school to be located in El Paso;
- d. expands the ability of local workforce organizations to access funding through the Skills Development Fund program and increases program funding or flexibility for eligible training

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- programs;
- e. allows for more transparency and clarity in the manner in which Texas Enterprise Funds are reviewed and awarded;
- f. appropriates money for the Moving Image Industry Incentive Program (MIIP) and creates supplemental tools for local communities to attract moving image projects and related jobs; or
- g. local option tools to include legislation that allows municipalities to submit for voter approval an increase in the sales tax; the amount of the sales tax increase, the sunset date of the increase, and how the additional revenue will be used.

Oppose legislation that:

- a. would reduce or eliminate the current Event Trust Fund Program;
- b. would harm the city's viability to compete for conventions, sporting events and corporate relocations;
- c. amend, abolish, or repeal Section 26.03 of the Texas Tax code related to the treatment of captured appraised value and tax increment in the calculation of ad valorem tax rates for a taxing unit; or,
- d. negatively affects the city's ability to use existing economic development tools, to include property tax abatement, reinvestment zones, and Chapter 380 Agreements.

PROPERTY TAX REFORM & DEBT ISSUANCE

Support legislation that:

- a. authorizes property tax exemptions at a specified dollar amount in lieu of a percentage of taxable value;
- b. improves the Central Appraisal District's appeal process; or,
- c. requires the Central Appraisal District staff and/or appraisal appeal boards to receive additional training and/or certifications that will improve the accuracy of the appraisals of property.

Oppose legislation that:

- a. lowers the appraisal cap;
- b. imposes revenue caps including a lowered rollback rate, mandatory tax rate ratification elections, or lowered rollback petition requirements; or
- c. unnecessarily restricts the City's ability to issue debt or imposes undue burdens on debt issuance referendums.

LAND DEVELOPMENT

Support Legislation that:

- a. requires the General Land Office to comply with local zoning and other regulations governing development and land use when the state retains an ownership in a private company (i.e. – when the State leases state land to third parties for commercial enterprises);
- b. expands the City's zoning authority in the extraterritorial jurisdiction; or
- c. provides for administrative approvals of 30-day subdivision approval waivers.

Oppose legislation that:

- a. would restrict the city's ability to enforce or adopt building code requirements or collection of registration, administrative or licensing fees

MILITARY AND VETERANS AFFAIRS

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Support legislation that:

- a. assists military personnel and their dependents including legislation that address wait times for veterans seeking care at VA clinics and medical centers and legislation that address the mental health needs of Texas veterans; or
- b. improves workforce development programs for military personnel and veterans

TRANSPORTATION

Support legislation that:

- a. creates financing options for roads and transit projects through a sustainable and predictable funding source;
- b. eliminates the diversions of State transportation revenue to non-transportation uses;
- c. provides more funding allocated specifically for increasing TXDOT financial contribution in the maintenance of landscaping located on state highways within municipalities; or
- d. amends the formulas used by TXDOT to allocate funding to cities to ensure that El Paso gets additional and equitable funding from all TXDOT funding sources.

Oppose legislation that:

- a. mandates that municipalities participate in the Texas Department of Transportation “Turnback Program.”

PARKS

Support legislation that:

- a. provides funding for the Texas State Park System and the Texas Recreation & Parks Account Local Park Grant Program;
- b. directly benefits parks, recreation, open space, trails, tourism, health and wellness;
- c. provides that the sales tax from sporting good sales is fairly and equitably distributed to state and local parks;
- d. provides the pass through of federal dollars for parks, recreation, open space, trails and tourism; or
- e. creates a fair distribution of the sporting goods sales tax revenue for local and state parks and require projects to be subject to a competitive scoring system established by the Texas Parks and Wildlife Department.

UTILITIES

Oppose Legislation that:

- a. -removes the City’s “original jurisdiction” of the rate setting process for gas and electric service or removes the City’s ability to recover expenses associated with conducting or intervening in gas and electric rate cases.
- b. Would increase the proportion of renewable energies in the state’s renewable generation requirements

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SUSTAINABILITY & ENVIRONMENTAL

Support legislation that:

- a. requires or enhances the use of renewable energy “buy back” programs in the State of Texas;
- b. creates renewable energy tax credits that complement federal renewable energy tax credits; and/or tax credits for battery storage
- c. advances clean energy solutions by creating incentives and rebates to encourage the use of solar panels and energy efficiency;
- d. allocates the Fund 5000 funds to projects identified by the local municipalities; or,
- e. provides for economic incentives/support for solar and renewable energy initiatives.
- f. Supports any State climate change goals
- g. Supports deployment of EV vehicles and charging infrastructure
- h. Increases the net-metering cap for distributed energy systems as well as the \$/kWh value for electricity exported to the grid
- i. Supports Distributed Energy Resources (DERs) including Community Solar initiatives
- j. Increase energy efficiency goals (standards) for utilities, resulting in more energy efficiency programs for residential and commercial customers

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BRIDGE WAIT TIMES/PORTS OF ENTRY

Support legislation that:

- a. continues or expands the Coordinated Border Infrastructure (CBI) funding and prioritizes funding by port of entry; or,
- b. provides the city with additional funding, procedures, or opportunities to bridge/ports of entry wait time without increasing costs to the city.

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DEVELOPMENT

Support legislation that:

- a. requires school bond elections for the construction of new schools to include associated infrastructure costs for municipalities.

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ACCESS FOR PEOPLE WITH DISABILITIES

Support legislation that:

- a. -increases accessibility for people with disabilities and reduces barriers to public facilities and transit.

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PAYDAY LENDING REFORMS

Support legislation that:

- a. -would cap fees/rates on any loans brokered by Credit Service Organizations.

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CODE ENFORCEMENT

Support legislation that:

- a. allows cities to recover costs associated with addressing blighted or abandoned properties; or
- b. extends the Texas Board of Plumbing Examiners.

WAGE THEFT

- a. Support legislation that enhances penalties for wage theft and provides protection for employees who report and seek to recover wages.

GAMING

Support legislation that:

- a. restores gaming rights on tribal land.

LIBRARIES

Support legislation that:

- a. increases ~~sed~~ state aid for public libraries.

- b. ~~Support legislation that~~ prohibits a firearm license holder from the carrying of firearms into a library.

HOMELESSNESS

Support legislation that:

- a. Provides funding or creates ~~and~~ programs to address homelessness issues.

HIGHER EDUCATION

University of Texas at El Paso

Support legislation that:

- a. Provide funding for capital improvement projects, such as renovation, repair & completion of existing academic buildings and the Student Success Building
- b. Appropriates \$5 million for the biennium to match federal funds and strengthen innovation and commercialization of advanced manufacturing technologies in West Texas
- c. Appropriates \$2 million for the Teacher Paid Residency Program
- d. Appropriates \$6 million for the UTEP Center for Hispanic Health Disparities research
- e. Appropriates \$2 million for the Center for Legal Studies
- f. Appropriates \$2 million for the Pharmacy Program Expansion
- g. Appropriates \$500,000.00 for the U.S. Census Restricted Access Research Data Center
- h. Appropriates \$250,000.00 for the Law School Planning Study.

Support legislation that would:

- a. provide more funding for the Woody Hunt School of Dental Medicine.
- b. preserve the special line item appropriation and formula funding for the Paul L. Foster School of

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Medicine:

e. University of Texas El Paso

- ~~(1) restore 5% general revenue reduction FY 20-21 Biennium.~~
- ~~(2) restore 5% revenue reductions in FY 22-23 non-formula items.~~
- ~~(3) provide funding for COVID-19 recovery and transition.~~
- ~~(4) provide a Tuition Revenue Bond (TRB) Bill for capital improvement projects on UTEP's campus including:~~
 - ~~▲ Replacement of a 60-year-old classroom building~~
 - ~~▲ A consolidated student success building for academic and career advising and counseling and psychological services~~
- ~~(5) allocate funding in future years for the following proposals made before the pandemic:~~
 - ~~▲ Interdisciplinary Institute for the Study of Hispanic Health~~
 - ~~▲ U.S. Census Restricted Access Research Data Center~~
 - ~~▲ West Texas Water Institute~~
 - ~~▲ Pharmacy Program Expansion~~
 - ~~▲ Center for Legal Studies~~

ANIMAL CONTROL

Support legislation that would:

- a. allow flexibility for municipal owned shelters to provide veterinarian services; and
- b. suspend, reduce or allow more flexibility in the applicability of Chapter 828 of the Health and Safety Code to municipally owned shelters during federal, state or local state of emergencies.
- b.c. that allows shelter animals to be spayed or neutered by a veterinarian authorized to perform spays and neuters in the veterinarian's respective state

Oppose legislation that:

- a. would impose more stringent requirements or regulations on municipal owned animal shelters or clinics that provide low cost spay/neuter procedures and vaccinations.

PUBLIC HEALTH & SAFETY AND WELFARE

~~Support legislation reduces the background check requirements for telecommunicators.~~

- A. Supports the simplification of the process to apply for SNAP Program (food stamps).

PUBLIC NOTICES

Support legislation that:

- a. allows cities to publish certain notices via the internet.

ANNEXATION

Oppose legislation that:

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a. would further restrict municipal authority to annex land or impose more stringent requirements on a municipality's ability to annex land.

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WATER AND WASTEWATER

Support legislation that:

a. reauthorizes the Economically Distressed Areas Program for Texas Water Development Board for Colonia projects.

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PUBLIC SAFETY

Support legislation that:

- a. increases existing or creates new grant program funding that provides financial assistance to local governmental law enforcement agencies for public safety resources;
- b. increases and identifies funding earmarked for local government/law enforcement agencies located at the border; or,
- c. increases existing funding and new grant funding for public safety resources to local governments and police departments to help prevent mass shootings.

~~— Oppose legislation that will allow U.S. Border Patrol agents to be carried as state peace officers.~~

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MENTAL HEALTH

Support legislation that:

a. -continues to fund or provides funding for state and local mental health programs.

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AIRPORT

Support legislation that:

a. will enhance the economic opportunities and development of municipal airports.

Oppose legislation that

a. will limit municipalities ability to regulate peer to peer car sharing companies

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TELECOMMUNICATIONS

Support legislation that:

a. addresses the digital divide disparity and expands broad band access.

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Oppose legislation that:

a. restricts the city's ability to regulate the telecommunications industry or the way fees are charged for the use of city right of way.

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EMINENT DOMAIN

Oppose legislation that:

a. -increases the cost to the city for acquiring property or restricts the city's ability to acquire property.

AFFORDABLE HOUSING

Support legislation that:

- a. Prioritizes viable transactions for 4% LITHTC tax credit applications
- b. Would repeal the two mile/same year rule for low income housing tax credits or allow municipalities to approve a waiver of the rule
- c. Would limit Housing Finance Corporations to operate only within the municipal city limits

GENERAL LEGISLATIVE PRINCIPLES

- The City of El Paso supports legislation that enhances the City's ability to enhance services and improve the quality of life for its citizens.
- The City of El Paso also supports the legislative initiatives of the Texas Municipal League and other community partners that enhance the educational, cultural, and infrastructure resources in our region to the extent these initiatives do not conflict with the City's agenda.
- The City of El Paso opposes legislation that reduces the City's authority, increases the City's costs of providing services, undermines the principle of home rule, results in loss of revenue, diminishes the current authority of cities to regulate development, or imposes unfunded mandates.
- The Mayor, as representative of the city in intra-governmental and intergovernmental relationships, shall provide additional direction to the legislative team on the City's position on legislation, provided that such direction is not contrary with the general principles and general legislative principles stated in this document.

For more information, please feel free to contact: Lindsey Adams, Legislative Liaison, City of El Paso, adamsln@elpasotexas.gov , 915-212-1622

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Legislation Text

File #: 22-1360, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

City Manager's Office, Robert Cortinas, (915) 212-1067

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action on the Resolution that the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2022 by Paseo Del Este Municipal Utility District No. 7 with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

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

DEPARTMENT: City Manager's Office

AGENDA DATE: October 25, 2022

PUBLIC HEARING DATE: N/A

CONTACT PERSON NAME AND PHONE NUMBER: Robert Cortinas, Chief Financial Officer (915) 212-1067

DISTRICT(S) AFFECTED: All Districts

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

SUBGOAL: 6.5

SUBJECT:

Discussion and action on the resolution that the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2022 by Paseo Del Este Municipal Utility District No. 7 with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

BACKGROUND/ DISCUSSION:

On December 3, 2002 the City Council of the City of **El Paso** ('City') consented to the creation of Paseo Del Este Municipal Utility Districts Nos. 1 through 9 ("Districts") in the City of **El Paso's** Extraterritorial Jurisdiction. The City's conditions for the creation of the Districts was that the City is to review and approve the Districts' bonds and notes prior to issuance and may place restrictions on the terms and provisions of each of the District's bonds and notes issued to provide service to the land and conditions on the sale of the District's bonds and notes to the extent such restrictions and conditions do not generally render the bonds and notes of the Districts unmarketable.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING: N/A

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

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, on December 3, 2002 the City Council of the City of El Paso ("City") consented to the creation of Paseo Del Este Municipal Utility Districts Nos. 1 through 9 ("Districts") in the City of El Paso's Extraterritorial Jurisdiction; and

WHEREAS, the City's consent to the creation of the Districts was subject to several conditions; and

WHEREAS, one of the City's conditions for the creation of the Districts was that the City is to review and approve the Districts' bonds and notes prior to issuance and may place restrictions on the terms and provisions of each of the District's bonds and notes issued to provide service to the land and conditions on the sale of the District's bonds and notes to the extent such restrictions and conditions do not generally render the bonds and notes of the Districts unmarketable; and

WHEREAS, Paseo Del Este Municipal Utility District No. Seven ("M.U.D. No. 7") requested review and approval of the issuance of the Unlimited Tax Bonds, Series 2022 Bonds by M.U.D. No. 7 (the "Series 2022 Bonds"); and

WHEREAS, the City reviewed the proposed issuance of Series 2022 Bonds by M.U.D. No. 7 and desires to approve the issuance of the bonds.

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

That the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2022 Bonds in the estimated amount of \$2,750,000, by Paseo Del Este Municipal Utility District No. 7, with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

APPROVED THIS _____ DAY OF _____ 2022.

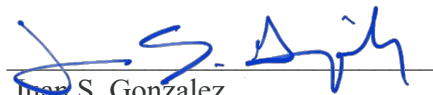
CITY OF EL PASO:

Oscar Leaser, Mayor

ATTEST:

Laura Prine,
City Clerk

APPROVED AS TO FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Robert Cortinas,
Chief Financial Officer

PRELIMINARY OFFICIAL STATEMENT DATED OCTOBER 31, 2022

THE DELIVERY OF THE BONDS IS SUBJECT TO THE OPINION OF BOND COUNSEL AS TO THE VALIDITY OF THE BONDS AND TO THE EFFECT THAT INTEREST ON THE BONDS IS EXCLUDABLE FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES UNDER STATUTES, REGULATIONS, COURT DECISIONS, AND PUBLISHED RULINGS EXISTING ON THE DATE THEREOF, SUBJECT TO THE MATTERS DESCRIBED UNDER "TAX EXEMPTION" HEREIN, INCLUDING THE ALTERNATIVE MINIMUM TAX ON CERTAIN CORPORATIONS.

THE DISTRICT EXPECTS TO DESIGNATE THE BONDS AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" FOR FINANCIAL INSTITUTIONS

NEW ISSUE - Book Entry Only

\$2,750,000

PASEO DEL ESTE MUNICIPAL UTILITY DISTRICT NO. 7

(A political subdivision of the State of Texas located within El Paso County)

UNLIMITED TAX BONDS, SERIES 2022

Dated: December 1, 2022

Due: August 15, as shown below

Principal of the Bonds will be payable at stated maturity or redemption upon presentation of the Bonds at the principal payment office of the paying agent/registrar, initially BOKF, N.A., (the "Paying Agent/Registrar") in Dallas, Texas. Interest on the Bonds will accrue from the date of delivery of the Bonds (expected to be December 13, 2022), and is payable on August 15, 2023 and on each February 15 and August 15 thereafter until the earlier of maturity or redemption. The Bonds will be issued only in fully registered form in denominations of \$5,000 each or integral multiples thereof. Interest will be calculated on the basis of a 360 day year of twelve 30 day months. The Bonds are subject to redemption prior to maturity as shown below.

The Bonds will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds. Beneficial owners of the Bonds will not receive physical certificates representing the Bonds, but will receive a credit balance on the books of the nominees of such beneficial owners. So long as Cede & Co. is the registered owner of the Bonds, the principal of and interest on the Bonds will be paid by the Paying Agent/Registrar directly to DTC, which will, in turn, remit such principal and interest to its participants for subsequent disbursement to the beneficial owners of the Bonds as described herein. See "BOOK-ENTRY-ONLY SYSTEM."

MATURITIES, PRINCIPAL AMOUNTS, INTEREST RATES AND INITIAL REOFFERING YIELDS

Due	Principal	Interest	Initial	CUSIP	Due	Principal	Interest	Initial	CUSIP
Aug. 15	Amount ^(a)	Rate	Reoffering	Number ^(d)	Aug. 15	Amount ^(a)	Rate	Reoffering	Number ^(d)
			Yield ^(b)					Yield ^(b)	
2024	\$ 55,000				2037	\$ 110,000			
2025	60,000				2038	115,000			
2026	65,000				2039	120,000			
2027	65,000				2040	125,000			
2028	70,000				2041	130,000			
2029	75,000				2042	140,000			
2030	75,000				2043	145,000			
2031	80,000				2044	155,000			
2032	85,000				2045	160,000			
2033	90,000				2046	170,000			
2034	95,000				2047	175,000			
2035	100,000				2048	185,000			
2036	105,000								

(a) The Initial Purchasers (as defined herein) may designate one or more maturities as term bonds. See accompanying "OFFICIAL NOTICE OF SALE" and "OFFICIAL BID FORM."

(b) Initial reoffering yield represents the initial offering yield to the public which has been established by the Initial Purchaser for offers to the public and which may be subsequently changed by the Initial Purchaser and is the sole responsibility of the Initial Purchaser.

(c) Bonds maturing on or after August 15, 20__ are subject to redemption prior to maturity at the option of the District, in whole or, from time to time in part, on August 15, 20__, or on any date thereafter, at a price equal to the par value thereof plus accrued interest from the most recent interest payment date to the date fixed for redemption. See "THE BONDS – Redemption Provisions."

(d) CUSIP Numbers have been assigned to the Bonds by CUSIP Global Services and are included solely for the convenience of the purchasers of the Bonds. Neither the District nor the Initial Purchaser shall be responsible for the selection or correctness of the CUSIP Numbers set forth herein.

INSURANCE. . . Application has been made to municipal bond insurance companies for the qualification of the Bonds for municipal bond insurance. If qualified, such insurance will be available at the option and expense of the Initial Purchaser. The rating fees associated with the insurance will be the responsibility of the Initial Purchaser.

The Bonds, when issued, will constitute valid and legally binding obligations of Paseo del Este Municipal Utility District No. 7 (the "District") and will be payable from the proceeds of an annual ad valorem tax, without legal limitation as to rate or amount, levied against all taxable property located within the District. The Bonds are obligations solely of the District and are not obligations of the State of Texas, El Paso County, the City of El Paso or any entity other than the District. Investment in the Bonds is subject to special considerations described herein. See "RISK FACTORS."

The Bonds are offered by the Initial Purchaser subject to prior sale, when, as and if issued by the District and accepted by the Initial Purchaser, subject, among other things, to the approval of the Bonds by the Attorney General of Texas and the approval of certain legal matters by McCall, Parkhurst & Horton L.L.P., Austin, Texas, Bond Counsel. Certain legal matters will be passed upon for the District by Winstead PC, Dallas, Texas as Disclosure Counsel. Delivery of the Bonds through the facilities of DTC is expected on or about December 13, 2022.

BIDS DUE: Thursday, November 10, 2022 at 8:00 A.M., Mountain Standard Time in El Paso, Texas
BID AWARD: Thursday, November 10, 2022 at 9:30 A.M., Mountain Standard Time in El Paso, Texas

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The cover page hereof, this page, the appendices included herein and any addenda, supplement or amendment hereto, are part of the Official Statement.

USE OF INFORMATION IN OFFICIAL STATEMENT

No dealer, broker, salesman or other person has been authorized to give any information or to make any representations other than those contained in this Official Statement, and, if given or made, such other information or representation must not be relied upon as having been authorized by the District.

This Official Statement is not to be used in an offer to sell or the solicitation of an offer to buy in any state in which such offer or solicitation is not authorized or in which the person making such offer or solicitation is not qualified to do so or to any person to whom it is unlawful to make such offer or solicitation.

All of the summaries of the statutes, resolutions, contracts, audited financial statements, engineering and other related reports set forth in this Official Statement are made subject to all of the provisions of such documents. These summaries do not purport to be complete statements of such provisions, and reference is made to such documents, copies of which are available from Michael G. McLean, Attorney, 4695 North Mesa Street, El Paso, Texas 79912 upon payment of duplication costs.

This Official Statement contains, in part, estimates, assumptions and matters of opinion which are not intended as statements of fact, and no representation is made as to the correctness of such estimates, assumptions or matters of opinion, or as to the likelihood that they will be realized. Any information and expressions of opinion herein contained are subject to change without notice and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the District or other matters described herein since the date hereof. However, the District has agreed to keep this Official Statement current by amendment or sticker to reflect material changes in the affairs of the District and, to the extent that information actually comes to its attention, the other matters described in this Official Statement until delivery of the Bonds to the Initial Purchaser and thereafter only as specified in “PREPARATION OF OFFICIAL STATEMENT - Updating the Official Statement.”

OFFICIAL STATEMENT SUMMARY

The following information is qualified in its entirety by the detailed information appearing elsewhere in this Official Statement.

THE FINANCING

<i>The Issuer</i>	Paseo del Este Municipal Utility District No. 7 (the "District"), a political subdivision of the State of Texas, is located in El Paso County, Texas. See "THE DISTRICT."
<i>The Issue</i>	The \$2,750,000 Unlimited Tax Bonds, Series 2022 (the "Bonds") are issued pursuant to a resolution (the "Bond Resolution") of the District's Board of Directors. The Bonds will be issued as fully registered bonds in denominations of \$5,000 each or integral multiples thereof, maturing on August 15 in each of the years and in the amounts set forth on the cover hereof. Interest on the Bonds accrues from the date of initial delivery of the Bonds (expected to be December 13, 2022), and is payable on August 15, 2023 and on each February 15 and August 15 thereafter until the earlier of maturity or prior redemption.
<i>Redemption</i>	The Bonds maturing on and after August 15, 20__, are subject to redemption, in whole or in part, at the option of the District, prior to their maturity dates, on August 15, 20__, or on any date thereafter. Upon redemption, the Bonds will be payable at a price of par plus accrued interest to the date of redemption. See "THE BONDS - Redemption Provisions."
<i>Source of Payment</i>	The Bonds are payable from an annual ad valorem tax, without legal limitation as to rate or amount, levied upon all taxable property within the District (see "TAX PROCEDURES"). The Bonds are obligations of the District and are not obligations of the State of Texas, El Paso County, the City of El Paso, Texas (the "City") or any other political subdivision or agency other than the District. See "THE BONDS - Source of and Security for Payment."
<i>Use of Proceeds</i>	Proceeds from sale of the Bonds will be used to reimburse the Developer (as hereinafter defined) for funds advanced on behalf of the District for the District's pro rata share of costs relating to facilities constructed by or on behalf of Paseo del Este Municipal Utility District No. 1 (the "Master District") being a portion of costs of certain regional water and sanitary sewer facilities serving the District and the other "Participant Districts" as hereafter defined, including engineering costs (the "Regional Facilities"), and the cost of certain internal water, wastewater and drainage facilities serving the District (the "Internal Facilities"). Bond proceeds will also be used to pay engineering costs, to pay 12 months of capitalized interest on the Bonds, and to pay certain costs associated with the issuance of the Bonds. See "THE SYSTEM - Use and Distribution of Bond Proceeds."
<i>Payment Record</i>	The District has previously issued two series of unlimited tax bonds, of which an aggregate principal amount of \$5,565,000 currently remains outstanding prior to the issue of the Bonds (the "Outstanding Bonds"). The District has never defaulted in payments of principal of or interest on its unlimited tax debt, which included up to twenty-four months of capitalized interest.
<i>Qualified Tax-Exempt Obligations</i>	The District expects to designate the Bonds as "qualified tax-exempt obligations for financial institutions." See "TAX EXEMPTION - Qualified Tax-Exempt Obligations for Financial Institutions."
<i>Ratings</i>	No application for a rating on the Bonds has been made.
<i>Bond Insurance</i>	Application has been made to municipal bond insurance companies for the qualification of the Bonds for municipal bond insurance. If qualified, such insurance will be available at the option and expense of the Initial Purchaser. The rating fees associated with the insurance will be the responsibility of the Initial Purchaser (as defined herein).
<i>General Counsel</i>	Gordon Davis Johnson & Shane P.C., El Paso, Texas.
<i>Bond Counsel</i>	McCall, Parkhurst & Horton L.L.P., Austin, Texas.

<i>Disclosure Counsel</i>	Winstead PC, Dallas, Texas.
<i>Financial Advisor</i>	Hilltop Securities, Inc., El Paso, Texas.
<i>Engineer</i>	TRE & Associates, LLC, Austin, Texas and El Paso, Texas.
<i>Risk Factors</i>	The purchase and ownership of the Bonds are subject to special risk factors, including certain risk factors related to the current COVID - 19 pandemic, and all prospective purchasers are urged to examine carefully the entire Official Statement for a discussion of investment risks, including particularly the section captioned “RISK FACTORS.”

THE DISTRICT

<i>Description</i>	The District was created by division of Paseo del Este Municipal Utility District (the “Original District”) pursuant to a division order adopted by the Original District on March 27, 2003, and operates pursuant to Chapter 443, Acts of the Texas Legislature, Regular Session, 1997 (the “Act”) and Chapters 49 and 54, Texas Water Code. Prior to division, Paseo del Este Municipal Utility District was created as a Conservation and Reclamation District on May 29, 1997 by the Act. The District presently contains approximately 323.640 acres of land (241 developable acres) located in the southeast portion of El Paso County approximately 15 miles east of the central area of the City. The District is located north of Interstate Highway 10 and east of Loop 375. Eastlake Boulevard provides access to the District. From Interstate Highway 10, exit Eastlake Boulevard and proceed north approximately 1.8 miles to the intersection of Eastlake Boulevard and Peyton Drive. The District lies within the exclusive extraterritorial jurisdiction of the City. See “AERIAL PHOTOGRAPH” herein.
<i>Master District Contract</i>	The District and nine other districts in the Paseo del Este development in eastern El Paso County known as Paseo del Este Municipal Utility District Nos. 2, 3, 4, 5, 6, 8, 9, 10 and 11 (those ten districts and the Master District being collectively referred to as the “Participant Districts” and individually as “Participant District No. –”) have each entered into a “Master District Contract” with the Master District to coordinate the development of the water, sanitary sewer and drainage facilities to serve the area within all eleven Participant Districts. Under the Master District Contract, the Master District will acquire, construct, own and operate the Regional Facilities to serve the area within all eleven Participant Districts; each Participant District will acquire, construct and own its Internal Facilities serving only area within it and lease the Internal Facilities to the Master District for operation; and the Master District will provide retail water and wastewater service to all retail customers in all of the Participant Districts.
<i>Status of Development</i>	The Participant Districts are being developed primarily for single family residential, commercial and industrial purposes, and are within the Paseo del Este development (“Paseo del Este”). Paseo del Este is being developed primarily by Hunt Communities Group, Inc. (“Hunt”) and certain affiliates thereof, and B&G/Sunrise Joint Venture (“B&G”), and is planned to include approximately 4,300 acres of land. The land in Paseo del Este was purchased from the Texas General Land Office by Hunt and affiliates thereof and B&G in varying positions in a series of transactions between 1998 and 2020. As of August 31, 2022, approximately 8,990 single family residential lots have been developed within Paseo del Este, and approximately 7,984 homes are completed or are in various stages of construction in Paseo del Este, including approximately 784 lots and 754 homes are completed or are in various stages of construction within the District.

The development within the District includes Peyton Estates Unit One which was developed in 2010 as a high school and includes a portion of Peyton Drive an arterial that abuts the District, Peyton Pass Unit 1 which is a single family residential subdivision platted in 2011 containing 121 single family lots and encompassing approximately 15.465 acres, Peyton Pass Commercial which was originally platted in 2016 as a 13+ acre, nine-lot commercial subdivision but has since been re-platted three times as Peyton Pass Commercial Replats A, B and C, Peyton Estates Unit 5 contains 290 lots, 39.96 acres, Peyton Estates Unit 7 a residential subdivision containing approximately 48.445 acres and Peyton Estates Unit 8 a residential

subdivision containing 43.797 acres. Hunt Peyton Estates, LLC is the developer of all of the above mentioned subdivisions.

Of the 241 developable acres within the District, all have been furnished with water, sanitary sewer and storm drainage facilities. See “RISK FACTORS – Undeveloped Acreage” and “THE DISTRICT – Status of Development.”

The DeveloperMajor water, sewer and drainage facilities and streets to serve land within the District have been developed by Hunt Peyton Estates, LLC, an affiliate of Hunt. The activities of Hunt and its affiliates include development, construction, consulting and advisory. Water, sewer and drainage facilities to serve specific sections within the District have been acquired or constructed by Hunt Peyton Estates, LLC, referred to herein as the “Developer.” See “THE DEVELOPER.”

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SELECTED FINANCIAL INFORMATION

Tax Year 2022 Certified Assessed Valuation	\$	98,035,234	(a)
District Debt:			
Gross Debt Outstanding (after the issuance of the Bonds)	\$	8,315,000	
Estimated Overlapping Debt		<u>3,435,682</u>	(b)
Gross Debt and Estimated Overlapping Debt	\$	11,750,682	
Ratio of Gross Debt to Tax Year 2022 Certified Assessed Valuation		8.48%	
Ratio of Gross Debt and Estimated Overlapping Debt to Tax Year 2022 Certified Assessed Valuation		11.99%	
Debt Service Funds Available, as of September 8, 2022.	\$	341,295.90	(c)
Capital Projects Funds Available, as of September 8, 2022,	\$	100,038.14	
Operating Funds Available, as of September 8, 2022,	\$	78,928.45	
Tax Year 2022 Tax Rates:			
Debt Service	\$	0.3851	(d)
Contract		0.2900	
Maintenance and Operations		<u>0.0251</u>	
Total	\$	0.7002	/\$100 A.V.
Average Annual Debt Service Requirements (2023 - 2048) of the Bonds ("Average Requirement")	\$	497,969	(c)(e)
Tax rate required to pay Average Requirement based upon Tax Year 2022			
Certified Assessed Valuation at a 98% collection rate		0.5183	/\$100 A.V.
Status of Water Connections as of August 31, 2022:			
Single-family residential - completed and occupied	347		
Single-family residential - completed and vacant	1		
Single-family residential - under construction - builder	406		
Commercial	13		
Other (Irrigation connections)	<u>7</u>		
Total Connections	774		

- (a) As certified by the El Paso Central Appraisal District (the "Appraisal District"). Represents the assessed taxable valuation within the District as of January 1, 2022. See "TAX PROCEDURES."
- (b) See "ESTIMATED OVERLAPPING DEBT STATEMENT" herein.
- (c) The District will capitalize twelve (12) months of interest from Bond proceeds (estimated \$137,500). Neither the Bond Resolution nor Texas law require that the District maintain any particular balance in the Debt Service Fund.
- (d) In connection with its approval of the Bonds, the Texas Commission on Environmental Quality has approved an initial debt service tax rate after issuance of the Bonds of at most \$0.00 per \$100 assessed valuation.
- (e) See "PRO-FORMA DEBT SERVICE REQUIREMENTS."

PRELIMINARY OFFICIAL STATEMENT

\$2,750,000

PASEO DEL ESTE MUNICIPAL UTILITY DISTRICT NO. 7

(A political subdivision of the State of Texas located within El Paso County)

UNLIMITED TAX BONDS, SERIES 2022

This Official Statement provides certain information in connection with the issuance by Paseo del Este Municipal Utility District No. 7 (the “District”) of its \$2,750,000 Unlimited Tax Bonds, Series 2022 (the “Bonds”).

The Bonds are issued pursuant to the Texas Constitution, Chapter 443, Acts of the Texas Legislature, Regular Session, 1997 (the “Act”) and Chapters 49 and 54 of the Texas Water Code, as amended, a resolution authorizing the issuance of the Bonds (the “Bond Resolution”) adopted by the Board of Directors of the District (the “Board”), and an order of the Texas Commission on Environmental Quality (the “TCEQ”).

This Official Statement includes descriptions, among others, of the Bonds and the Bond Resolution, and certain other information about the District and the Developer of land within the District. All descriptions of documents contained herein are only summaries and are qualified in their entirety by reference to each document. Copies of documents may be obtained from Gordon Davis Johnson & Shane P.C., the District’s General Counsel, 4695 North Mesa Street, El Paso, Texas 79912 upon payment of the costs of duplication therefor.

RISK FACTORS

General

The Bonds, which are obligations of the District and not obligations of the State of Texas, El Paso County, the City, or any other political entity other than the District, will be secured by a continuing, direct, annual ad valorem tax levied, without legal limitation as to rate or amount, on all taxable property within the District. The ultimate security for payment of the principal of and interest on the Bonds depends on the ability of the District to collect from the property owners within the District all taxes levied against the property or, in the event of foreclosure, on the value of the taxable property with respect to taxes levied by the District and by other taxing authorities. See “THE BONDS - Source of and Security for Payment.” The collection by the District of delinquent taxes owed to it and the enforcement by the Registered Owners of the District’s obligation to collect sufficient taxes may be a costly and lengthy process. Furthermore, the District cannot and does not make any representations that continued development of taxable property within the District will accumulate or maintain taxable values sufficient to justify continued payment of taxes by property owners or that there will be a market for the property in the District or that owners of the property in the District will have the ability to pay taxes. See “Registered Owners’ Remedies and Bankruptcy Limitations” below.

Infectious Disease Outbreak (COVID-19)

In March 2020, the World Health Organization and the President of the United States separately declared the outbreak of a respiratory disease caused by a novel coronavirus (“COVID-19”) to be a public health emergency. On March 13, 2020, the Governor of Texas (the “Governor”) declared a state of disaster for all counties in the State of Texas (the “State”) because of the effects of COVID-19. Subsequently, in response to a rise in COVID-19 infections in the State and pursuant to the Chapter 418 of the Texas Government Code, the Governor issued a number of executive orders intended to help limit the spread of COVID-19 and mitigate injury and the loss of life, including limitations imposed on business operations, social gatherings, and other activities.

Over the ensuing year, COVID-19 negatively affected commerce, travel and businesses locally and globally, and negatively affected economic growth worldwide and within the State. Following the widespread release and distribution of various COVID-19 vaccines in 2021 and a decrease in active COVID-19 cases generally in the United States, state governments (including Texas) have started to lift business and social limitations associated with COVID-19. Beginning in March 2021, the Governor issued various executive orders, which, among other things, rescinded and superseded prior executive orders and provide that there are currently no COVID-19 related operating limits for any business or other establishment except in counties with an “area with high hospitalizations” where a county judge may impose COVID-19 related mitigation strategies. The Governor retains the right to impose additional restrictions on activities if needed to mitigate the effects of COVID-19. Additional information regarding executive orders issued by the Governor is accessible on the website of the Governor at <https://gov.texas.gov/>. Neither the information on, nor accessed through, such website of the Governor is incorporated by reference into this Offering Memorandum.

The District has not experienced any decrease in property values, unusual tax delinquencies, or interruptions to service as a result of COVID-19; however the District cannot predict the long-term economic effect of COVID-19 or a similar virus should there be a reversal of economic activity and re-imposition of restrictions.

Factors Affecting Taxable Values and Tax Payments

Economic Factors and Interest Rates: A substantial percentage of the taxable value of the District results from the current market value of single-family residences, undeveloped land and developed lots which are currently being marketed by the Developer (as defined herein) to builders for the construction of primary residences. The market value of such homes and lots is related to general economic conditions affecting the demand for residences. Demand for lots of this type and the construction of residential dwellings thereon can be significantly affected by factors such as interest rates, credit availability (see “Credit Markets and Liquidity in the Financial Markets” below), construction costs, energy availability and the prosperity and demographic characteristics of the urban center toward which the marketing of lots is directed. Decreased levels of construction activity would tend to restrict the growth of property values in the District or could adversely impact such values. See “THE DISTRICT - Status of Development.”

Future development and construction in the District are highly dependent on the availability of financing. Lenders generally have become more selective in making real estate loans throughout the nation, including in Texas. Because of the numerous and changing factors affecting the availability of funds, the District is unable to assess the future availability of such funds to potential home builders and home purchasers.

Credit Markets and Liquidity in the Financial Markets: Interest rates and the availability of mortgage and development funding have a direct impact on the construction activity, particularly short-term interest rates at which Developer are able to obtain financing for development costs. Interest rate levels may affect the ability of a landowner with undeveloped property to undertake and complete construction activities within the District. Because of the numerous and changing factors affecting the availability of funds, the District is unable to assess the future availability of such funds for continued construction within the District. In addition, since the District is located approximately 15 miles east from the central downtown business district of the City, the success of development within the District and growth of District taxable property values are, to a great extent, a function of the El Paso metropolitan and regional economies and national credit and financial markets. A downturn in the economic conditions in the El Paso area and/or decline in the nation’s real estate and financial markets could continue to adversely affect development and home-building plans in the District and restrain the growth of the District’s property tax base.

Competition: The demand for and construction of single-family homes in the District, which is 15 miles east from downtown El Paso, could be affected by competition from other residential developments, including other residential developments located in the northwestern, northeastern and far eastern portion of the El Paso area market. In addition to competition for new home sales from other developments, there are numerous previously-owned homes in the area of the District. Such homes could represent additional competition for new homes proposed to be sold within the District.

The competitive position of the builders in the sale of single-family residential homes within the District is affected by most of the factors discussed in this section. Such a competitive position directly affects the growth and maintenance of taxable values in the District and tax revenues to be received by the District. The District can give no assurance that building and marketing programs in the District by the Developer will be implemented or, if implemented, will be successful.

Landowner Obligation to the District: There are no commitments from or obligations of any developer or any landowner to the District to proceed at any particular rate or according to any specified plan with the construction of improvements in the District, and there is no restriction on any landowner's right to sell its land. Failure to develop undeveloped land or construct taxable improvements on developed lots or developed tracts of land would restrict the rate of growth of taxable values in the District. The District cannot and does not make any representations that over the life of the Bonds, taxable property within the District will increase or maintain its taxable value. See “Undeveloped Acreage” below.

Dependence on Principal Taxpayers: The ability of any principal taxpayer to make full and timely payments of taxes levied against its property by the District and similar taxing authorities will directly affect the District's ability to meet its debt service obligations. If, for any reason, any one or more principal taxpayers do not pay taxes due or do not pay in a timely manner, the District may need to levy additional taxes or use other funds available for debt service purposes. However, the District has not covenanted in the Bond Resolution, nor is it required by Texas law, to maintain any particular balance in its Debt Service Fund or any other funds to allow for any such delinquencies. Therefore, failure by one or more principal taxpayers to pay their taxes on a timely basis in amounts in excess of the District's available funds could have a material adverse effect upon the District's ability to pay debt service on the Bonds on a current basis. See “TAX DATA – Principal Taxpayers”.

Impact on District Tax Rates: Assuming no further development, the value of the land and improvements currently within the District will be the major determinant of the ability or willingness of District property owners to pay their taxes. The 2022 certified assessed valuation of the District (see “SELECTED FINANCIAL INFORMATION”) is \$98,035,234. After issuance of the Bonds, the projected maximum annual debt service requirement will be \$560,436 (2044) and the projected average annual debt service requirement will be \$497,969 (2023-2048). Assuming no increase or decrease from the 2022 assessed valuation and no use of funds other than tax collections, a tax rate of \$0.5833 per \$100 assessed valuation at a 98% collection rate would be necessary to pay the projected maximum annual debt service requirement of \$560,436 and a tax rate of \$0.5183 per \$100 assessed valuation at a 98% collection rate would be necessary to pay the projected average annual debt service requirement of \$497,969 (see “SELECTED FINANCIAL INFORMATION”). Such calculated rates may be higher than tax rates presently being levied in utility districts in the general vicinity of the District. Although calculations have been made regarding average and maximum tax rates necessary to pay the debt service on the Bonds based upon the 2022 Assessed Valuation, the District can make no representations regarding the future level of assessed valuation within the District. Increases in the tax rate may be required in the event the District's assessed valuation does not continue to increase or in the event major taxpayers do not pay their District taxes timely. Increases in taxable values depend primarily on the continuing construction and sale of homes and other taxable improvements within the District. See “TAX PROCEDURES,” “FINANCIAL STATEMENT,” and “TAX DATA – Projected Tax Adequacy for Debt Service.”

Undeveloped Acreage

Of the 241 developable acres within the District, all have been furnished with water, sanitary sewer and drainage facilities. The District can make no assurances as to whether or when such remaining acreage will be developed. See “THE DISTRICT – Status of Development.”

District Operations and Contract Tax

The Master District Contract between the District and the Master District provides that, as partial consideration for the District allowing the Master District to provide retail water and wastewater service to retail customers inside the District's boundaries, the Master District will pay the District's administrative expenses to manage the District pursuant to a budget process outlined below. The Master District Contracts between the other Participant Districts and the Master Districts have similar provisions regarding those other Participant Districts. The Master District Contract provides that the District will submit annually a budget for its administrative expenses to the Master District for review and approval by the Master District. Once approved, all such expenses will be paid by the Master District. The District's budget must be approved by the Master District if it is no more than 10% higher than the average of the annual budgets of the Participant Districts Nos. 2-11. To date, the District's annual budgets have all been approved by the Master District.

The Master District Contract also provides that the Master District will pay its own operation and administrative expenses and the approved administrative expenses of the Participant Districts from the revenues from the Master District's water and wastewater system. If the Master District's water and wastewater system revenues are insufficient to pay all of those costs, the resulting deficit will be paid by all Participant Districts (including the Master District) from the proceeds of an annual ad valorem contract tax levied by each Participant District on all taxable property within its boundaries in an amount sufficient to pay each Participant District's pro rata share of the deficit. A Participant District's pro rata share of the deficit each year is determined by multiplying the deficit by a fraction, the numerator of which is the Participant District's taxable assessed valuation for the year and the denominator of which is the total of the taxable assessed valuations in all the Participant Districts (including the Master District). See “THE SYSTEM - The Master District Contract.”

For the 2022 fiscal year, the District intends to pay its pro rata share of the Master District's budgeted operating deficit from the \$0.29/\$100 assessed value contract tax levied by the District on September 16, 2022.

Future Debt

At an election held May 14, 2011, the District authorized the issuance of up to \$32,000,000 of unlimited tax debt. The District reserves in the Bond Resolution the right to issue the remaining \$23,590,000 principal amount of unlimited tax debt authorized but unissued after the issuance of the Bonds for the purpose of acquiring or constructing water, sanitary sewer and drainage facilities and the District may issue additional bonds which may be voted hereafter. The District may also issue revenue bonds and refunding bonds. See “THE BONDS - Issuance of Additional Debt” and “THE SYSTEM.” The issuance of such future obligations may dilute and adversely affect the investment security of the Bonds. The District does not employ any formula with regard to assessed valuations or tax collections or otherwise to limit the amount of bonds which may be issued. Any bonds issued by the District, however, must be approved by the Board of the District, the Attorney General of Texas and, with respect to bonds for water, sewer and drainage improvements, the TCEQ. After sale of the Bonds and reimbursement to the Developer of a portion of the proceeds therefrom, the District will still owe not less than approximately \$3,276,000.00 to the Developer for the costs of facilities for which the Developer have not yet been reimbursed. The District expects to sell additional bonds to reimburse the Developer for such costs. See “THE SYSTEM” herein. See “THE SYSTEM – Future Debt” “THE BONDS – Issuance of Additional Debt,” and “UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED.”

Environmental Regulation

Wastewater treatment and water supply facilities are subject to stringent and complex environmental laws and regulations. The Master District currently receives wholesale water and wastewater services from the El Paso Water Utilities Public Service Board (“EPWU”) for the areas within the Participant Districts. Facilities must comply with environmental laws at the federal, state, and local levels. These laws and regulations can restrict or prohibit certain activities that affect the environment in many ways such as:

- Requiring permits for construction and operation of water supply wells and wastewater treatment facilities;
- Restricting the manner in which wastes are released into the air, water, or soils;
- Restricting or regulating the use of wetlands or other property;
- Requiring action to prevent or mitigate pollution;
- Imposing substantial liabilities for pollution resulting from facility operations.

Compliance with environmental laws and regulations can increase the cost of planning, designing, constructing and operating water production and wastewater treatment facilities. Sanctions against a municipal utility district or other type of district (“Utility Districts”) for failure to comply with environmental laws and regulations may include a variety of civil and criminal enforcement measures, including assessment of monetary penalties, imposition of remedial requirements, and injunctive relief as to future compliance of and the ability to operate the Utility District’s water supply, wastewater treatment, and drainage facilities. Environmental laws and regulations can also impact an area’s ability to grow and develop. It should be noted that changes in environmental laws and regulations occur frequently, and any changes that result in more stringent and costly requirements could materially impact the District.

Tax Collection Limitations

The District’s ability to make debt service payments may be adversely affected by its inability to collect ad valorem taxes. Under Texas law, the levy of ad valorem taxes by the District constitutes a lien in favor of the District on a parity with the liens of all other state and local taxing authorities on the property against which taxes are levied, and such lien may be enforced by foreclosure. The District’s ability to collect ad valorem taxes through such foreclosure may be impaired by (i) cumbersome, time-consuming and expensive collection procedures, (ii) a bankruptcy court’s stay of tax collection procedures against a taxpayer, or (iii) market conditions affecting the marketability of taxable property within the District and limiting the proceeds from a foreclosure sale of such property. While the District has a lien on taxable property within the District for taxes levied against such property, such lien can be foreclosed only in a judicial proceeding. The costs of collecting any such taxpayer’s delinquencies could substantially reduce the net proceeds to the District from a tax foreclosure sale. Finally, a bankruptcy court with jurisdiction over bankruptcy proceedings initiated by or against a taxpayer within the District pursuant to the Federal Bankruptcy Code could stay any attempt by the District to collect delinquent ad valorem taxes against such taxpayer. In addition to the automatic stay against collection of delinquent taxes afforded a taxpayer during the pendency of a bankruptcy, a bankruptcy could affect payment of taxes in two other ways: first, a debtor’s confirmation plan may allow a debtor to make installment payments on delinquent taxes for up to six years; and, second, a debtor may challenge, and a bankruptcy court may reduce, the amount of any taxes assessed against the debtor, including taxes that have already been paid. See “TAX PROCEDURES - District’s Rights in the Event of Tax Delinquencies.”

Registered Owners' Remedies and Bankruptcy Limitations

If the District defaults in the payment of principal, interest, or redemption price on the Bonds when due, or if it fails to make payments into any fund or funds created in the Bond Resolution, or defaults in the observation or performance of any other covenants, conditions, or obligations set forth in the Bond Resolution, the Registered Owners have the statutory right of a writ of mandamus issued by a court of competent jurisdiction requiring the District and its officials to observe and perform the covenants, obligations, or conditions prescribed in the Bond Resolution. Except for mandamus, the Bond Resolution does not specifically provide for remedies to protect and enforce the interests of the Registered Owners. There is no acceleration of maturity of the Bonds in the event of default and, consequently, the remedy of mandamus may have to be relied upon from year to year. Further, there is no trust indenture or trustee, and all legal actions to enforce such remedies would have to be undertaken at the initiative of, and be financed by, the Registered Owners. Statutory language authorizing local governments such as the District to sue and be sued does not waive the local government’s sovereign immunity from suits for money damages, so that in the absence of other waivers of such immunity by the Texas Legislature, a default by the District in its covenants in the Bond Resolution may not be reduced to a judgment for money damages. If such a judgment against the District were obtained, it could not be enforced by direct levy and execution against the District’s property. Further, the Registered Owners cannot themselves foreclose on property within the District or sell property within the District to enforce the tax lien on taxable property to pay the principal of and interest on the Bonds. The enforceability of the rights and remedies of the Registered Owners may further be limited by a State of Texas statute reasonably required to attain an important public purpose or by laws relating to bankruptcy, reorganization or other similar laws of general application affecting the rights of creditors of political subdivisions, such as the District.

The enforceability of the rights and remedies of Registered Owners may be limited by laws relating to bankruptcy, reorganization or other similar laws of general application affecting the rights of creditors of political subdivisions such as the District. Texas law requires municipal utility districts such as the District to obtain the approval of the TCEQ as a condition to seeking relief under Chapter 9 of the Federal Bankruptcy Code.

If a petitioning district were allowed to proceed voluntarily under Chapter 9 of the Federal Bankruptcy Code, it could file a plan for an adjustment of its debts. If such a plan were confirmed by the bankruptcy court, it could, among other things, affect Registered Owners by reducing or eliminating the amount of indebtedness, deferring or rearranging the debt service schedule, reducing or eliminating the interest rate, modifying or abrogating the collateral or security arrangements, substituting (in whole or in part) other securities, and otherwise compromising and modifying the rights and remedies of the Registered Owners' claims against a district.

A district such as the District may not be forced into bankruptcy involuntarily.

Continuing Compliance with Certain Covenants

The Bond Resolution contains covenants by the District intended to preserve the exclusion from gross income of interest on the Bonds. Failure by the District to comply with such covenants in the Bond Resolution on a continuous basis prior to maturity of the Bonds could result in interest on the Bonds becoming taxable retroactively to the date of original issuance. See "TAX EXEMPTION—Opinion."

Marketability

The District has no agreement with the Initial Purchaser (as defined herein) regarding the reoffering yields or prices of the Bonds and has no control over trading of the Bonds in the secondary market. Moreover, there is no assurance that a secondary market will be made in the Bonds. If there is a secondary market, the difference between the bid and asked price of the Bonds may be greater than the difference between the bid and asked price of bonds of comparable maturity and quality issued by more traditional issuers as such bonds are generally bought, sold or traded in the secondary market. Additionally, there are no assurances that if a secondary market for the Bonds were to develop, that any such secondary market would not be disrupted by events including, but not limited to, the current pandemic associated with the COVID-19 virus. See "RISK FACTORS – Infectious Disease Outbreak (COVID-19)."

The failure by the District to comply with its agreement to provide the information and notices required by Rule 15c(2)-12 of the United States Securities and Exchange Commission ("SEC") ("Rule 15c2-12") could possibly inhibit the sale of the Bonds in the secondary market. See "CONTINUING DISCLOSURE OF INFORMATION."

The Effect of FIRREA on Tax Collections of the District

The Financial Institutions Reform, Recovery and Enforcement Act of 1989 ("FIRREA") contains certain provisions which affect the time for protesting property valuations, the fixing of tax liens and the collection of penalties and interest on delinquent taxes on real property owned by the Federal Deposit Insurance Corporation ("FDIC") when the FDIC is acting as the conservator or receiver of an insolvent financial institution.

Under FIRREA, real property held by the FDIC is still subject to ad valorem taxation, but such act states that (i) no real property of the FDIC shall be subject to foreclosure or sale without the consent of the FDIC and no involuntary liens shall attach to such property, (ii) the FDIC shall not be liable for any penalties, interest, or fines, including those arising from the failure to pay any real or personal property tax when due, and (iii) notwithstanding failure of a person to challenge an appraisal in accordance with state law, such value shall be determined as of the period for which such tax is imposed.

To the extent that the FDIC attempts to enforce the same, these provisions may affect the timeliness of collection of taxes on property, if any, owned by the FDIC in the District and may prevent the collection of penalties and interest on such taxes or may affect the valuation of such property.

Changes in Tax Legislation

Certain tax legislation, whether currently proposed or proposed in the future, may directly or indirectly reduce or eliminate the benefit of the exclusion of interest on the Bonds from gross income for federal income tax purposes. Any proposed legislation, whether or not enacted, may also affect the value and liquidity of the Bonds. Prospective purchasers of the Bonds should consult with their own tax advisors with respect to any proposed, pending or future legislation.

THE BONDS

General

Following is a description of some of the terms and conditions of the Bonds, which description is qualified in its entirety by reference to the Bond Resolution of the Board authorizing the issuance and sale of the Bonds. The Bond Resolution authorizes the issuance and sale of the Bonds and prescribes the terms, conditions, and provisions for the payment of the principal of and interest on the Bonds by the District.

The Bonds will be dated December 1, 2022, and will accrue interest from the date of initial delivery of the Bonds (expected to be December 13, 2022). Interest is payable on each August 15 and February 15 commencing August 15, 2023, until the earlier of maturity or prior redemption. The Bonds mature on August 15 in the amounts and years shown on the cover page of this Official Statement. Interest calculations are based on a 360-day year comprised of twelve 30-day months. The Bonds will be issued only in fully registered form in denominations of \$5,000 each or integral multiples thereof.

Authority for Issuance

At a bond election held within the District on May 14, 2011, the voters of the District authorized the issuance of a total of \$32,000,000 principal amount of unlimited tax bonds for water, wastewater and drainage facilities. See "Issuance of Additional Debt" and "UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED" below. The Bonds are the third issuance of debt by the District. The TCEQ has authorized the District to sell the Bonds for the purposes described in "THE SYSTEM - Use and Distribution of Bond Proceeds."

The Bonds are issued by the District pursuant to the terms and provisions of the Bond Resolution, an Order of the TCEQ, Article XVI, Section 59 of the Texas Constitution, the Act and Chapters 49 and 54 of the Texas Water Code, as amended.

Source of and Security for Payment

While the Bonds or any part of the principal thereof or interest thereon remain outstanding and unpaid, the District covenants in the Bond Resolution to levy an annual ad valorem tax, without legal limitation as to rate or amount, upon all taxable property in the District sufficient to pay the principal of and interest on the Bonds, with full allowance being made for delinquencies and costs of collection.

The Bonds are obligations of the District and are not the obligations of the State of Texas, El Paso County, the City or any entity other than the District.

Record Date

The record date for the interest payable on the Bonds on any interest payment date means the close of business on the last day of the preceding month whether or not a business day

Funds

In the Bond Resolution, the Debt Service Fund is created, and the proceeds from all taxes levied, assessed and collected for and on account of the Bonds authorized by the Bond Resolution shall be deposited, as collected, in such fund.

Proceeds from sale of the Bonds, including interest earnings thereon, shall be deposited into the Capital Projects Fund, to pay the costs of acquiring or constructing Internal Facilities or the District's pro rata share of capacity in Regional Facilities, for paying the District's pro rata share of creation and administrative costs of all Participant Districts and for paying the costs of issuing the Bonds. See "THE SYSTEM - Use and Distribution of Bond Proceeds" for a more complete description of the use of Bond proceeds.

No Arbitrage

The District will certify as of the date the Bonds are delivered and paid for that, based upon all facts and estimates now known or reasonably expected to be in existence on the date the Bonds are delivered and paid for, the District reasonably expects that the proceeds of the Bonds will not be used in a manner that would cause the Bonds, or any portion of the Bonds, to be "arbitrage bonds" under the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations prescribed thereunder. Furthermore, all officers, employees, and agents of the District have been authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the District as of the date the Bonds are delivered and paid for. In particular, all or any officers of the District are authorized to certify to the facts and circumstances and reasonable expectations of the District on the

date the Bonds are delivered and paid for regarding the amount and use of the proceeds of the Bonds. Moreover, the District covenants in the Bond Resolution that it shall make such use of the proceeds of the Bonds, regulate investment of proceeds of the Bonds, and take such other and further actions and follow such procedures, including, without limitation, calculating the yield on the Bonds, as may be required so that the Bonds shall not become “arbitrage bonds” under the Code and the regulations prescribed from time to time thereunder.

Redemption Provisions

Optional Redemption: The District reserves the right, at its option, to redeem Bonds having stated maturities on and after August 15, 20__, in whole or in part in principal amounts of \$5,000 or any integral multiple thereof, on August 15, 20__, or any date thereafter, at the par value thereof plus accrued thereon to the date fixed for redemption.

If fewer than all of the Bonds are redeemed at any time, the particular maturities of Bonds to be redeemed shall be selected by the District. If less than all the Bonds of any maturity are redeemed at any time, the particular Bonds within a maturity to be redeemed shall be selected by the Paying Agent/Registrar by lot or other customary method of selection (or by DTC in accordance with its procedures while the Bonds are in book-entry-only form).

Mandatory Sinking Fund Redemption: In the event the Bonds are structured as "term" bonds, such term bonds will be subject to mandatory sinking fund redemption in accordance with the applicable provisions of the Bond Resolution and will be described in the final Official Statement.

Notice of Redemption: Notice of any optional redemption identifying the Bonds to be redeemed in whole or in part shall be given by the Paying Agent/Registrar at least thirty (30) days prior to the date fixed for optional redemption by sending written notice by first class mail to the Registered Owner of each Bond to be redeemed in whole or in part at the address shown on the register. Such notices shall state the redemption date, the redemption price, the place at which the Bonds are to be surrendered for payment and, if fewer than all the Bonds outstanding within any one maturity are to be redeemed, the numbers of the Bonds or the portions thereof to be redeemed. Any notice given shall be conclusively presumed to have been duly given, whether or not the Registered Owner receives such notice. By the date fixed for redemption, due provision shall be made with the Paying Agent/Registrar for payment of the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest to the date fixed for redemption. When Bonds have been called for redemption in whole or in part and due provision has been made to redeem the same as herein provided, the Bonds or portions thereof so redeemed shall no longer be regarded as outstanding except for the purpose of receiving payment solely from the funds so provided for redemption, and the rights of the Registered Owners to collect interest that would otherwise accrue after the redemption date on any Bond or portion thereof called for redemption shall terminate on the date fixed for redemption.

Paying Agent/Registrar

The Board has appointed BOKF, NA, Dallas, Texas, as the initial Paying Agent/Registrar (the “Paying Agent/Registrar”) for the Bonds. The principal of and interest on the Bonds shall be paid to DTC, which will make distribution of the amounts so paid to the beneficial owners of the Bonds. See “BOOK-ENTRY-ONLY SYSTEM.”

Registration and Transfer

So long as any Bonds remain outstanding, the Paying Agent/Registrar shall keep the register at its principal payment office and, subject to such reasonable regulations as it may prescribe, the Paying Agent/Registrar shall provide for the registration and transfer of Bonds in accordance with the terms of the Bond Resolution. While the Bonds are in the Book-Entry-Only System, the Bonds will be registered in the name of Cede & Co. and will not be transferred. See “BOOK-ENTRY-ONLY SYSTEM.”

Replacement of Paying Agent/Registrar

Provision is made in the Bond Resolution for replacement of the Paying Agent/Registrar. If the Paying Agent/Registrar is replaced by the District, the new paying agent/registrar shall act in the same capacity as the previous Paying Agent/Registrar. Any paying agent/registrar selected by the District shall be a national or state banking institution, a corporation organized and doing business under the laws of the United States of America or of any State, authorized under such laws to exercise trust powers, and subject to supervision or examination by federal or state authority, to act as Paying Agent/Registrar for the Bonds.

Issuance of Additional Debt

The District may issue additional bonds, with the approval of the TCEQ, necessary to provide and maintain improvements and facilities consistent with the purposes for which the District was created. After issuance of the Bonds, the District will have \$23,590,000 of unlimited tax bonds authorized but unissued for water, sanitary sewer and drainage purposes. The Bond Resolution

imposes no limitation on the amount of additional parity bonds which may be authorized for issuance by the District's voters or the amount of bonds ultimately issued by the District. See "THE SYSTEM - Future Debt and "UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED."

The District is empowered, among other things, to purchase, construct, operate and maintain all works, improvements, facilities and plants necessary for the supply and distribution of water; the collection, transportation, and treatment of wastewater; and the control and diversion of storm water. The District may issue bonds and other forms of indebtedness to purchase or construct such facilities or acquire contract rights therefor. The District is also empowered to establish, operate, and maintain fire-fighting facilities, independently or with one or more conservation and reclamation districts after approval by the City, the TCEQ and the voters of the District.

Annexation by the City of El Paso

The District lies wholly within the extraterritorial jurisdiction of the City, and may be annexed by the City in accordance with existing Texas law. Under prior Texas law, a municipality could annex and dissolve a municipal utility district located within its extraterritorial jurisdiction without consent of the district or its residents. Under House Bill 347 approved during the 86th Regular Legislative Session ("HB 347"), (a) a municipality may annex a district with a population of less than 200 residents only if: (i) the municipality obtains consent to annex the area through a petition signed by more than 50% of the registered voters of the district, and (ii) if the registered voters in the area to be annexed do not own more than 50% of the land in the area, a petition has been signed by more than 50% of the landowners consenting to the annexation; and (b) a municipality may annex a district with a population of 200 residents or more only if: (i) such annexation has been approved by a majority of those voting in an election held for that purpose within the area to be annexed, and (ii) if the registered voters in the area to be annexed do not own more than 50% of the land in the area, a petition has been signed by more than 50% of the landowners consenting to the annexation. Notwithstanding the foregoing, a municipality may annex an area if each owner of land in the area requests the annexation. As of August 31, 2022, the District had an estimated population of 2,866, thus triggering the voter approval and/or landowner consent requirements discussed in clause (b) above. The described election and petition process does not apply, however, during the term of a strategic partnership agreement between a municipality and a district specifying the procedures for annexation of all or a portion of the District. At present, the District and the City have not entered into (and do not currently have plans to enter into) any such strategic partnership agreement.

If the District is annexed, the City must assume the District's assets and obligations (including the Bonds) and dissolve the District within ninety (90) days. Annexation of territory by the City and dissolution of the District is a policy-making matter within the discretion of the Mayor and City Council of the City, subject to HB 347, and therefore, the District makes no representation that the City will ever annex the District and assume its debt, nor does the District make any representation concerning the ability of the City to pay debt service on the District's bonds if annexation were to occur.

Remedies in Event of Default

Other than a writ of mandamus, the Bond Resolution does not provide a specific remedy for a default. If the District defaults, a Registered Owner could petition for a writ of mandamus issued by a court of competent jurisdiction compelling and requiring the District and the District's officials to observe and perform the covenants, obligations or conditions prescribed in the Bond Resolution. Such remedy might need to be enforced on a periodic basis. Based on recent Texas court decisions, it is unclear whether §49.066, Texas Water Code, effectively waives governmental immunity of a municipal utility district for suits for money damages. Even if a judgment against the District for money damages could be obtained, it could not be enforced by direct levy and execution against the District's property. Further, the Registered Owners cannot themselves foreclose on property within the District or sell property within the District to enforce the tax lien on taxable property to pay the principal of and interest on the Bonds. The enforcement of a claim for payment on the Bonds would be subject to the applicable provisions of the federal bankruptcy laws, any other similar laws affecting the rights of creditors of political subdivisions, and general principles of equity which permit the exercise of judicial discretion. Certain traditional legal remedies also may not be available. See "RISK FACTORS - Registered Owners' Remedies and Bankruptcy Limitations."

Legal Investment and Eligibility to Secure Public Funds in Texas

Pursuant to Section 49.186, Texas Water Code, the Bonds, whether rated or unrated, are (a) legal investments for banks, savings banks, trust companies, building and loan associations, savings and loan associations, insurance companies, fiduciaries, and trustees and (b) legal investments for the public funds of cities, towns, villages, school districts, and other political subdivisions or public agencies of the State. The Bonds are also eligible under the Public Funds Collateral Act, Chapter 2257, Texas Government Code, to secure deposits of public funds of the State or any political subdivision or public agency of the State and are lawful and sufficient security for those deposits to the extent of their market value. Most political subdivisions in the State are required to adopt investment guidelines under the Public Funds Investment Act, Chapter 2256, Texas Government Code, and such political subdivisions may

impose other, more stringent requirements in order for the Bonds to be legal investments for such entity's funds or to be eligible to serve as collateral for their funds.

No representation is made that the Bonds will be suitable for or acceptable to financial or public entities for investment purposes. No representation is made concerning other laws, rules, regulations, or investment criteria which might apply to or which might be utilized by any of such persons or entities to limit the acceptability or suitability of the Bonds for any of the foregoing purposes. Prospective purchasers are urged to carefully evaluate the investment quality of the Bonds as to the suitability or acceptability of the Bonds for investment or collateral purposes.

Defeasance

The Bond Resolution provides that the District may discharge its obligations to the Registered Owners of any or all of the Bonds to pay principal, interest and redemption price thereon in any manner permitted by law. Under current Texas law, such discharge may be accomplished either (i) by depositing with the Comptroller of Public Accounts of the State of Texas a sum of money equal to the principal of, premium, if any, and all interest to accrue on the Bonds to maturity or redemption or (ii) by depositing with any place of payment (paying agent) of the Bonds or other obligations of the District payable from revenues or from ad valorem taxes or both, or with a commercial bank or trust company designated in the proceedings authorizing such discharge, amounts sufficient to provide for the payment and/or redemption of the Bonds; provided that such deposits may be invested and reinvested only in (a) direct obligations of the United States of America, (b) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the governing body of the District adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (c) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the District adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and which mature and/or bear interest payable at such times and in such amounts as will be sufficient to provide for the scheduled payment and/or redemption of the Bonds.

Upon such deposit as described above, such bonds shall no longer be regarded as outstanding or unpaid. After firm banking and financial arrangements for the discharge and final payment or redemption of the Bonds have been made as described above, all rights of the District to initiate proceedings to call the Bonds for redemption or take any other action amending the terms of the Bonds are extinguished; provided, however, that the right to call the Bonds for redemption is not extinguished if the District: (i) in the proceedings providing for the firm banking and financial arrangements, expressly reserves the right to call the Bonds for redemption; (ii) gives notice of the reservation of that right to the owners of the Bonds immediately following the making of the firm banking and financial arrangements; and (iii) directs that notice of the reservation be included in any redemption notices that it authorizes.

There is no assurance that the current law will not be changed in the future in a manner which would permit investments other than those described above to be made with amounts deposited to defease the Bonds.

BOOK-ENTRY-ONLY SYSTEM

This section describes how ownership of the Bonds is to be transferred and how the principal of and interest on the Bonds are to be paid to and credited by The Depository Trust Company, New York, New York, ("DTC") while the Bonds are registered in its nominee name. The information in this section concerning DTC and the Book-Entry-Only System has been provided by DTC for use in disclosure documents such as this Official Statement. The District and the Financial Advisor believe the source of such information to be reliable, but neither of the District nor the Financial Advisor takes any responsibility for the accuracy or completeness thereof.

The District cannot and does not give any assurance that (1) DTC will distribute payments of debt service on the Bonds, or redemption or other notices, to DTC Participants, (2) DTC Participants or others will distribute debt service payments paid to DTC or its nominee (as the registered owner of the Bonds), or redemption or other notices, to the Beneficial Owners, or that they will do so on a timely basis, or (3) DTC will serve and act in the manner described in this Official Statement. The current rules applicable to DTC are on file with the Securities and Exchange Commission, and the current procedures of DTC to be followed in dealing with DTC Participants are on file with DTC.

DTC will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered certificate will be issued for each maturity of the Bonds, in the aggregate principal amount of such maturity, and will be deposited with DTC.

DTC, the world's largest depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 2.2 million issues of U.S. and non-U.S. equity, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC, in turn, is owned by a number of Direct Participants of DTC and Members of the National Securities Clearing Corporation, Fixed Income Clearing Corporation, and Emerging Markets Clearing Corporation (NSCC, FICC, and EMCC, also subsidiaries of DTCC), as well as by the New York Stock Exchange, Inc., the American Stock Exchange LLC, and the National Association of Securities Dealers, Inc. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing companies that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has a Standard & Poor's rating: "AA+." The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Bonds, such as redemptions, tenders, defaults, and proposed amendments to the Bond documents. For example, Beneficial Owners of Bonds may wish to ascertain that the nominee holding the Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the Paying Agent/Registrar and request that copies of notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all of the Bonds within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

The District may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Bonds unless authorized by a Direct Participant in accordance with DTC's Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the District as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Principal, interest and redemption payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the District or the Paying Agent/Registrar, on the payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Paying Agent/Registrar, or the District, subject

to any statutory or regulatory requirements as may be in effect from time to time. Payment of principal, interest and redemption payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the District or the Paying Agent/Registrar, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the District or the Paying Agent/Registrar. Under such circumstances, in the event that a successor depository is not obtained, printed certificates for the Bonds are required to be printed and delivered

Use of Certain Terms in Other Sections of this Official Statement. In reading this Official Statement it should be understood that while the Bonds are in the Book-Entry-Only System, references in other sections of this Official Statement to registered owners should be read to include the person for which the Participant acquires an interest in the Bonds, but (i) all rights of ownership must be exercised through DTC and the Book-Entry-Only System, and (ii) except as described above, notices that are to be given to registered owners under the Bond Resolution will be given only to DTC.

Information concerning DTC and the Book-Entry-Only System has been obtained from DTC and is not guaranteed as to accuracy or completeness by, and is not to be construed as a representation by, the District or the Financial Advisor.

BOND INSURANCE

Application for municipal bond insurance has been made by the District. Upon the determination of which entity, if any, will provide such insurance, information relating to the issuer of the municipal bond insurance policy applicable to the Bonds will be set forth in the final Official Statement. The purchase of such insurance, if available and the payment of all associated costs will be at the option and expense of the Initial Purchaser. If bond insurance is purchased, purchasers of the Bonds should be aware of the following:

Bond Insurance Risks

The District has applied for a bond insurance policy to guarantee the scheduled payment of principal and interest on the Bonds. The District has yet to determine whether an insurance policy will be purchased with respect to the Bonds. If an insurance policy is purchased, the following are factors relating to bond insurance.

In the event of default of the payment of principal or interest with respect to the Bonds when all or some becomes due, any owner of the Bond shall have a claim under the applicable Bond Insurance Policy (the "Policy") for such payments. The payment of principal and interest in connection with mandatory or optional prepayment of the Bonds by the District which is recovered by the District from the Bond owner as a voidable preference under applicable bankruptcy law is covered by the Policy, however, such payments will be made by the insurer at such time and in such amounts as would have been due absent such prepayment by the District unless the bond insurer chooses to pay such amounts at an earlier date.

Under no circumstances does default of payment of principal and interest obligate acceleration of the obligations of the bond insurer without their consent, so long as the bond insurer performs its obligations under the applicable Policy. In the event the bond insurer is unable to make payment of principal and interest as such payments become due under the Policy, the Bonds are payable solely from the revenues pledged in the Bond Resolution. In the event the bond insurer becomes obligated to make payments with respect to the Bonds, no assurance is given that such event will not adversely affect the market price of the Bonds or the marketability (liquidity) for the Bonds.

In the event bond insurance is purchased, the long-term rating on the Bonds, if any, will be dependent in part on the financial strength of the bond insurer and its claims paying ability. The bond insurer's financial strength and claims paying ability are predicated upon a number of factors which could change over time. No assurance is given that the long-term ratings of the bond insurer or of the Bonds, if any, insured by the bond insurer will not be subject to downgrade and such event could adversely affect the market price of the Bonds or the marketability (liquidity) for the Bonds.

The obligations of the bond insurer are general obligations of the bond insurer and in an event of default by the bond insurer the remedies may be limited by applicable bankruptcy law. Neither the District nor the Financial Advisor have made an independent investigation into the claims paying ability of any potential bond insurer and no assurance or representation regarding the financial strength or projected financial strength of any potential bond insurer is given.

THE DISTRICT

General

Paseo del Este Municipal Utility District No. 7 (the “District”) is a conservation and reclamation district created by division of Paseo del Este Municipal Utility District pursuant to a division order adopted by the Original District on March 27, 2003, and operates pursuant to the Act and Chapters 49 and 54, Texas Water Code. Prior to division, Paseo del Este Municipal Utility District was created as a Conservation and Reclamation District by the Act. The District is located wholly within the extraterritorial jurisdiction of the City.

The District is empowered, among other things, to purchase, construct, operate and maintain all works, improvements, facilities and plants, and contract rights therefore, necessary for the supply and distribution of water; the collection, transportation, and treatment of wastewater; and the control and diversion of storm water. The District may issue bonds and other forms of indebtedness to purchase or construct such facilities or contract rights therefor. The District is also empowered to establish, operate, and maintain fire-fighting facilities, independently or with one or more conservation and reclamation districts after approval by the City, the TCEQ and the voters of the District.

The TCEQ exercises continuing supervisory jurisdiction over the District. The District is required to observe certain requirements of the City which limit the purposes for which the District may sell bonds to the acquisition, construction, and improvement of waterworks, wastewater, and drainage facilities or contract rights therefor, and the refunding of outstanding debt obligations; place restrictions on the terms and provisions and conditions on the sale of the District’s bonds so long as such restraints and conditions do not render the bonds unmarketable; require approval by the City of District construction plans; and permit connections only to platted lots and reserves which have been approved by the City. Construction and operation of the District’s drainage system are subject to the regulatory jurisdiction of additional government agencies. See “THE SYSTEM.”

The District presently contains approximately 323.640 acres of land (241 developable acres) located in the southeast portion of El Paso County approximately 15 miles east of the central area of the City. The District is located north of Interstate Highway 10 and east of Loop 375. Eastlake Boulevard provides access to the District. From Interstate Highway 10, exit Eastlake Boulevard and proceed north approximately 1.8 miles to the intersection of Eastlake Boulevard and Peyton Drive. See “AERIAL PHOTOGRAPH” herein.

Validation of Creation of Participant Districts

The creation of the Original District and its division into Participant District Nos. 1-9 has been validated by a final judgment of the County Court-at-Law of El Paso County, TX. Likewise, creation of Participant District Nos. 10 and 11 has been validated by a final judgment of the District Court of El Paso County, TX. Each of the Participant Districts, including the District, has held a confirmation, bond, refunding bond, maintenance tax and contract tax election. All such election propositions have been approved by voters of the Participant Districts, including the District.

Status of Development

The District is being developed primarily for single family residential purposes, and is within the Paseo del Este development (“Paseo del Este”). Paseo del Este is being developed primarily by Hunt Communities Group, Inc. (“Hunt”), and B&G/Sunrise Joint Venture (“B&G”) and is planned to include approximately 4,300 acres of land. The land in Paseo del Este was purchased from the Texas General Land Office by Hunt and affiliates thereof and B&G in varying positions in a series of transactions between 1998 and 2020. As of August 31, 2022, approximately 8,990 single family residential lots have been developed within Paseo del Este, and approximately 7,984 homes are completed or are in various stages of construction in Paseo del Este, including approximately 784 lots and 754 homes are completed or are in various stages of construction within the District.

The development within the District includes Peyton Estates Unit One which was developed in 2010 as a high school and includes a portion of Peyton Drive an arterial that abuts the District, Peyton Pass Unit 1 which is a single family residential subdivision platted in 2011 containing 121 single family lots and encompassing approximately 22 acres, Peyton Pass Commercial which was originally platted in 2016 as a 13+ acre, nine-lot commercial subdivision but has since been re-platted three times as Peyton Pass Commercial Replats A, B and C, Peyton Estates Unit 5 contains 290 lots, 39.96 acres, Peyton Estates Unit 7 a residential subdivision containing approximately 48.445 acres and Peyton Estates Unit 8 a residential subdivision containing 43.797 acres. Hunt Peyton Estates, LLC is the developer of all of the above mentioned subdivisions.

Of the 241 developable acres within the District, all have been furnished with water, sanitary sewer and storm drainage facilities. See “RISK FACTORS – Undeveloped Acreage” and “THE DISTRICT – Status of Development.”

Community Facilities

Community facilities are located in the general vicinity of the District. Neighborhood shopping facilities, including supermarkets, pharmacies, cleaners, restaurants, banking facilities and other retail and service establishments are located within five miles of the District along areas adjacent to Loop 375. Fire protection for residents of the District is provided by the El Paso County Emergency Services District No. 1. Police protection is provided by the El Paso County Sheriff. Medical care for District residents is available from various facilities in the City within 15 miles of the District. The land within the District is located within the boundaries of Socorro Independent School District, and children within the District attend elementary and middle schools of Socorro Independent School District located within two (2) miles of the District.

MANAGEMENT

Board of Directors

The District is governed by the Board of Directors, consisting of five directors, which has control over and management supervision of all affairs of the District. None of the Directors listed below reside within the District; however, each Director owns a small parcel of land in the District. Directors are elected by the voters within the District for four-year staggered terms. Director elections are held in May in odd numbered years. The Directors and Officers of the District are listed below:

<u>Name</u>	<u>Title</u>	<u>Term Expires</u>
Tom Hansen	President	2023
Rene Goldfien	Vice-President	2025
Manuel Garnica	Secretary	2023
Bernard Moye	Assistant Secretary	2025
Lana Ulrich	Assistant Secretary	2023

While the District does not employ any full-time employees, it has contracted for certain services as follows:

Tax Assessor/Collector

Land and improvements within the District are appraised for ad valorem taxation purposes by the El Paso Central Appraisal District. The District's Tax Assessor/Collector is agreed upon by virtue of the interlocal agreement between the City of El Paso and the District and the District has appointed the City of El Paso Tax Assessor/Collector to serve in this capacity for the District.

Operations

The District contracts with Inframark, LLC for maintenance and operation of the District's System. Inframark, LLC also serves as the operator of the Master District's System.

Bookkeeper

The District has engaged Municipal Accounts & Consulting, L.P., to serve as the District's bookkeeper.

Engineer

The consulting engineer for the District is TRE & Associates, LLC. (the "Engineer").

General Counsel

The District engages Gordon Davis Johnson & Shane P.C., El Paso, Texas, as General Counsel. The fees payable to General Counsel are not contingent upon the issuance sale and delivery of the Bonds.

Bond Counsel

The District has engaged McCall, Parkhurst & Horton L.L.P., Austin, Texas as Bond Counsel. The fees payable to Bond Counsel are contingent upon the issuance, sale and delivery of the Bonds.

Disclosure Counsel

The District has engaged Winstead PC, Dallas, Texas, as Disclosure Counsel. The fees payable to Disclosure Counsel are contingent upon the sale, issuance and delivery of the Bonds.

Financial Advisor

Hilltop Securities, Inc., El Paso, Texas and Dallas, Texas (the “Financial Advisor”) serves as financial advisor to the District. The fee to be paid the Financial Advisor is contingent upon sale and delivery of the Bonds.

Auditor

The District’s financial statements for the fiscal year ending September 30, 2021 have been audited by West, Davis & Company, LLP.

THE DEVELOPER

Role of a Developer

In general, the activities of a landowner or developer in a district such as the District include designing the project, defining a marketing program and setting building schedules; securing necessary governmental approvals and permits for development; arranging for the construction of roads and the installation of utilities; and selling or leasing improved tracts or commercial reserves to other Developer or third parties. In most instances, a landowner or developer will be required by the TCEQ to pay thirty percent (30%) of the cost of placing the water distribution, wastewater collection, and storm drainage facilities in a district, exclusive of water supply and storage and wastewater treatment plants of which the district incurs one hundred percent (100%) of the cost. While a developer is required by the TCEQ to pave streets, a developer is under no obligation to a district to undertake development activities according to any particular plan or schedule. Furthermore, there is no restriction on a developer's right to sell any or all of the land which the developer owns within a district. In addition, the developer is ordinarily the major taxpayer within the district during the early stages of development. The relative success or failure of a developer to perform in the above-described capacities may affect the ability of a district to collect sufficient taxes to pay debt service and retire bonds.

Neither the Developer (as hereinafter defined) nor any of its affiliates, is obligated to pay principal of or interest on the Bonds. See “RISK FACTORS - Factors Affecting Taxable Values and Tax Payments.” Furthermore, neither the Developer nor any of its affiliates has any binding commitment to the District to carry out any plan of development, and the furnishing of information relating to the proposed development by the Developer should not be interpreted as such a commitment. Prospective purchasers are encouraged to inspect the District in order to acquaint themselves with the nature of development that has occurred or is occurring within the boundaries of the District.

The Developer

Water, sewer and drainage facilities to serve specific sections within the District have been acquired or constructed by Hunt Peyton Estates, LLC, referred to herein as the “Developer.” Major water, sewer and drainage facilities and streets to serve land within the District are being developed by Hunt Peyton Estates, LLC, an affiliate of Hunt. The activities of Hunt and its affiliates include investment management, mortgage banking, direct lending, loan servicing, asset management, property management, development, construction, consulting and advisory.

Land within the District is a portion of the development known as Paseo del Este. The Master District and the Participant Districts have been formed to include approximately 4,300 acres of land in and adjacent to the District. See “THE DISTRICT - Status of Development.”

The Developer is not responsible for, liable for, and has made no commitment for payment of the Bonds or other obligations of the District. The Developer may sell or otherwise dispose of its property within the District, or any other assets, at any time. See “RISK FACTORS - Factors Affecting Taxable Values and Tax Payments - Landowner Obligation to the District”.

Developer Reimbursement Agreements

Each Participant District, including the District, has entered into reimbursement agreements with the Developer of the Regional Facilities serving all Participant Districts pursuant to which the Participant District agrees to reimburse the Developer for the Participant District's pro rata share of the costs of the Regional Facilities based on the Participant District's total ultimate estimated connections as compared to the total connections in all eleven Participant Districts. In addition, such reimbursement agreements contemplate the Participant District will reimburse the Developer for the Participant District's pro rata share of (i) the Developer costs for creation of all eleven Participant Districts and (ii) the administrative and operation advances to all eleven Participant Districts by the Developer, with each Participant District's pro rata share of such expenses based on the ratio of 1 to 11. Finally, each Participant District, including the District, has entered into reimbursement agreements with the Developer of the Internal Facilities serving the specific Participant District pursuant to which the Participant District agrees to reimburse the Developer for the Internal Facilities serving only the specific Participant District. Before such Internal Facilities are purchased by a Participant District, the developer leases them to the Master District for its use in serving the retail customers within the Participant District. After purchase of such Internal Facilities by a Participant District, the Master District will continue to lease the Internal Facilities from the Participant District.

THE SYSTEM

Regulation

According to the Engineer, the District's water supply and distribution, wastewater collection, and storm drainage facilities (collectively, the "System") have been designed in accordance with accepted engineering practices and the then current requirements of various entities having regulatory or supervisory jurisdiction over the construction and operation of such facilities. The construction of the System was required to be accomplished in accordance with the standards and specifications of the District, the TCEQ and EPWU and is subject to inspection by each such entity. Operation of the System is conducted by the Master District; however, EPWU operates the water treatment and storage and sewer treatment facilities providing wholesale service to the Master District. The regulations and requirements of entities exercising regulatory jurisdiction over the System are subject to further development and revision which, in turn, could require additional expenditures by the District in order to achieve compliance. In particular, additional or revised requirements in the future in connection with any permit held by the EPWU for the wastewater treatment plant from which the District receives service could result in the need to construct additional facilities in the future.

The Master District Contract

The District and the remaining Participant Districts have each entered into a "Master District Contract" with the Master District to coordinate the development of the water, sanitary sewer and drainage facilities to serve the area within all eleven Participant Districts. Under the Master District Contract, the Master District will acquire, construct, own and operate the Regional Facilities to serve the area within all eleven Participant Districts; each Participant District will acquire, construct and own its Internal Facilities serving only area within it and lease the Internal Facilities to the Master District for operation; and the Master District will provide retail water and wastewater service to all retail customers in all of the Participant Districts.

Master District Facilities

Source of Water Supply: The District receives its water supply pursuant to the Paseo del Este Wholesale Potable Water Supply and Wastewater Treatment and Transportation Contract (the "Water Supply and Wastewater Agreement") between the Master District and EPWU. Pursuant to terms of the Water Supply and Wastewater Agreement, which expires in 2063, EPWU is obligated to provide wholesale water to meet the needs of the area served by the Master District, including land within the boundaries of the District. EPWU currently supplies water to the Master District facilities from its existing three million gallon elevated storage tank and 12.3 MGD booster pump station. The major components of the EPWU's system serving the Master District's water supply system will serve the anticipated 16,995 equivalent single-family connections and contractually up to 20,000 equivalent single-family connections committed to the Master District, of which 1,468 are allocated to the District. As of August 31, 2022, the Master District is serving approximately 9,077 active water connections, of which 774 are within the District. According to the Engineer, the District's currently allocated water supply capacity (1,468 equivalent single family connections) is sufficient to serve the District at ultimate build-out.

In order to fully provide water supply to all of the Participant Districts in Paseo del Este, the Master District Facilities will need to be expanded from time to time to meet the demand for such facilities.

Source of Wastewater Treatment: The District is provided wastewater treatment capacity by EPWU through the Water Supply and Wastewater Agreement. Pursuant to the terms of the Water Supply and Wastewater Agreement, EPWU is obligated to provide wholesale wastewater service to meet the needs of the area served by the Master District, including land within the boundaries of

the District. The agreement expires in 2063. Wastewater flows are routed to EPWU's Bustamante plant, which has a current permitted capacity of 39 MGD. Current wastewater treatment capacity can serve the anticipated 16,995 equivalent single-family connections and contractually up to 20,000 equivalent single-family connections committed to the Master District. As of August 31, 2022, the Master District is serving approximately 8,990 active wastewater connections, of which 767 are within the District. The Master District currently receives wholesale water and wastewater services from the EPWU for the areas within Participant Districts. According to the Engineer, the District's currently allocated wastewater treatment capacity (1,468 equivalent connections) is sufficient to serve the District at ultimate build-out.

Distribution and Wastewater Collection: Water distribution facilities consist of waterlines ranging in size from 8-inch to 16-inch, generally located within the rights-of-way. These water distribution facilities supply water from the EPWU to each Participant District's internal facilities.

The current wastewater collection facilities include sanitary sewer lines ranging in size from 8-inch to 27-inch generally located within the rights-of-way of collector roads. These collection lines collect wastewater from each Participant District and transport it to an EPWU wastewater interceptor.

Drainage: The Master District will provide the Participant Districts with drainage facilities when it is determined that the facilities benefit two or more Participant Districts. These Regional Facilities will be capable of handling a 100-year storm event and will include storm sewers, drainage channels and retention ponds.

Internal Water Distribution, Wastewater Collection and Storm Drainage Facilities

Internal water distribution, wastewater collection and storm drainage facilities ("Internal Facilities") have been constructed by the District with funds advanced by the Developer to serve Peyton Estates Unit 8, which is a single family residential subdivision containing approximately 325 single family lots and encompassing approximately 43.797 acres. A portion of the proceeds from sale of the Bonds will be used to reimburse the Developer for certain of the advances.

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Use and Distribution of Bond Proceeds

The estimated use and distribution of Bond proceeds is shown below. Of proceeds to be received from sale of the Bonds, \$2,325,859 is estimated for construction costs, and \$424,141 is estimated for non-construction costs. The actual amounts to be reimbursed by the District and the non-construction costs, including Developer Interest, will be finalized after sale of the Bonds and review by an independent auditor.

<u>Construction Costs</u>	<u>District's Share</u>
A. District Facilities	
1. Peyton Estates Unit Eight Water, Wastewater and Drainage.....	\$ 2,084,344
2. Engineering	241,515
Total Developer Contribution Items	\$ 2,325,859
TOTAL CONSTRUCTION COSTS (85% of BIR)	\$ 2,325,859
<u>Non-Construction Costs</u>	
A. Legal Fees	\$ 55,000
B. Financial Advisor Fees (1.25%).....	34,375
C. Interest Costs	
1. Capitalized Interest (12 months @ 5%).....	137,500
2. Developer Interest.....	-
D. Bond Discount	82,500
E. Bond Issuance Expenses.....	45,141
F. Bond Application Report Costs.....	60,000
G. Attorney General's Fee (0.10%).....	2,750
H. TCEQ Bond Issuance Fee (0.25%).....	6,875
TOTAL NON-CONSTRUCTION COSTS (15% of BIR)	\$ 424,141
TOTAL BOND ISSUE REQUIREMENT	\$ 2,750,000

(a) TCEQ approved maximum amount of 12 months capitalized interest.

In the event approved estimated amounts exceed actual costs, the difference comprises a surplus which may be expended for uses in accordance with the rules of the TCEQ. In the event actual costs exceed previously approved estimated amounts and contingencies, additional TCEQ approval and the issuance of additional bonds may be required.

Future Debt

In addition to the costs of facilities being financed with proceeds from sale of the Bonds, the Developer has financed the engineering and construction of certain other Regional Facilities. After reimbursement from sale of the Bonds, the Developer will have expended approximately \$125,000 (as of August 31, 2022) for design, construction and acquisition of the District's share of Regional Facilities not yet reimbursed and \$3,151,000 (as of August 31, 2022) for District Facilities not yet reimbursed. It is anticipated that proceeds from future issues of District bonds will be used, in part, to reimburse the Developer for the District's pro rata share of the costs of the Regional Facilities and all of the costs of the District Facilities and future costs of developing currently undeveloped land, to the extent allowed by the TCEQ.

UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED

<u>Date of</u> <u>Authorization</u>	<u>Purpose</u>	<u>Amount</u> <u>Authorized</u>	<u>Issued</u> <u>to Date</u>	<u>Amount</u> <u>Unissued</u>
5/14/2011	Water, Sanitary Sewer and Drainage	\$32,000,000	\$8,410,000*	\$23,590,000

* Includes the Bonds.

FINANCIAL STATEMENT

Tax Year 2022 Certified Assessed Valuation \$98,035,234^(a)

District Debt:

Currently Outstanding Bonds \$ 5,565,000

The Bonds \$ 2,750,000

Gross Debt Outstanding (after issuance of the Bonds)..... \$ 8,315,000

Ratio of Gross Debt to 2022 Certified Assessed Valuation..... 8.48%

Approximate Area of District – 323.640 acres (241 developable acres)

(a) As certified by the El Paso Central Appraisal District (the “Appraisal District”). Represents the assessed valuation within the District as of January 1, 2022. See “TAX PROCEDURES.”

Cash and Investment Balances (as of September 8, 2022)

Operating Fund	Cash and Temporary Investments	\$ 78,928.45
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Capital Projects	Cash and Temporary Investments	\$100,038.14
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Debt Service Fund	Cash and Temporary Investments	\$341,295.90 ^(a)
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See “SELECTED FINANCIAL INFORMATION.”

(a) Balance as of delivery of Bonds. Twelve (12) months of capitalized interest will be deposited into such fund from Bond proceeds (estimated at \$137,500). Neither the Bond Resolution nor Texas law requires that the District maintain any particular balance in the Debt Service Fund.

ESTIMATED OVERLAPPING DEBT STATEMENT

Expenditures of the various taxing entities within the territory of the District are paid out of ad valorem taxes levied by such entities on properties within the District. Such entities are independent of the District and may incur borrowings to finance their expenditures. This statement of direct and estimated overlapping ad valorem tax bonds ("Tax Debt") was developed from information contained in the "Texas Municipal Reports" published by the Municipal Advisory Council of Texas. Except for the amounts relating to the District, the District has not independently verified the accuracy or completeness of such information, and no person should rely upon such information as being accurate or complete. Furthermore, certain of the entities listed may have issued additional bonds since the date hereof, and such entities may have programs requiring the issuance of substantial amounts of additional bonds, the amount of which cannot be determined. The following table reflects the estimated share of the overlapping Tax Debt of the District.

Taxing Jurisdiction	Outstanding Bonds	As of	Overlapping	
			Percent	Amount
El Paso County	\$ 170,979,011	9/30/2022	0.10%	\$ 170,979
El Paso County Hospital District	309,920,000	9/30/2022	0.10%	309,920
Socorro Independent School District	777,574,552	9/30/2022	0.38%	2,954,783
Total Estimated Overlapping Debt.....				\$ 3,435,682
The District.....				\$ 8,315,000 ^(a)
Total Direct and Estimated Overlapping Debt.....				\$ 11,750,682
Ratio of Total Direct and Estimated Overlapping Debt to 2022 Certified Assessed Valuation.....				11.99%

(a) Includes the Bonds.

Overlapping Tax Rates for 2022

Taxing Jurisdiction	2022 Tax Rate per \$100 Assessed Valuation
The District	\$ 0.700200
El Paso County	0.426290
El Paso County Emergency Services District No. 1	0.100000
El Paso Community College District	0.122611
Socorro Independent School District	1.249712
University Medical Center	0.235000
Total Overlapping Tax Rate	\$ 2.833813

TAX DATA

Tax Collections

The following statement of tax collections sets forth in condensed form the historical tax collection experience of the District. This summary has been prepared for inclusion herein, based upon information from District records. Reference is made to these records for further and more complete information.

Tax Year	Assessed Valuation	Tax Rate	Tax Levy	Current Collections		Total Collections		Fiscal Year Ending
				Amount	Percent	Amount	Percent	
2018	\$ 22,036,036	\$ 0.7500	\$ 165,270	\$ 166,340	100.65%	\$ 167,043	101.07%	9/30/2019
2019	24,090,555	0.7500	180,679	183,455	101.54%	184,233	101.97%	9/30/2020
2020	30,551,226	0.7500	229,134	238,972	104.29%	238,972	104.29%	9/30/2021
2021	58,356,802	0.7002	408,614	409,295	100.17%	409,295	100.17%	9/30/2022 ^(a)
2022	98,035,234	0.7002	686,443	N/A	0.00%	N/A	0.00%	9/30/2023

(a) Tax Collections billed on October 1. Collections are as of September 30, 2022.

Taxes are due October 1 and become delinquent if not paid before February 1 of the year following the year in which imposed. No split payments are allowed and no discounts are allowed.

Tax Rate Distribution

	2022	2021	2020	2019	2018
Debt Service	\$0.3851	\$0.3851	\$0.4490	\$0.4500	\$0.0000
Contract ^(a)	0.2900	0.2900	0.2900	0.2900	0.2700
Maintenance and Operations	0.0251	0.0251	0.0110	0.0100	0.4800
Total	\$0.7002	\$0.7002	\$0.7500	\$0.7500	\$0.7500

(a) See “RISK FACTORS – District Operations and Contract Tax” and “– Contract Tax” below.

Tax Rate Limitations

Debt Service: Unlimited (no legal limit as to rate or amount). Maintenance and Operations: \$1.00 per \$100 Assessed Valuation.

Debt Service Tax

The Board covenants in the Bond Resolution to levy and assess, for each year that all or any part of the Bonds remain outstanding and unpaid, a tax adequate to provide funds to pay the principal of and interest on the Bonds. In connection with the approval of the Bonds, the TCEQ has approved an initial debt service rate of at most \$0.00 per \$100 assessed valuation.

Contract Tax

Under the Master District Contract, each Participant District has agreed to levy and collect a tax (the “Contract Tax”) to make payments to the Master District for (i) the Participant District’s pro rata share of any operating deficits incurred by the Master District and (ii) the debt service on any bonds issued by the Master District for Regional Facilities payable from the Contract Tax (“Master District Bonds”), with the Participant District’s pro rata share based on the Participant District’s total taxable assessed valuation as compared to the total taxable assessed valuation in all eleven Participant Districts. However, the Master District Contract contemplates that the Master District would not issue Master District Bonds for purposes of reimbursing the Developer for the initial construction of the Regional Facilities. Thus, for the foreseeable future, the District contemplates levying a Contract Tax only for its pro rata share of the operating deficits of the Master District. The District levied a total tax of \$0.7002 per \$100 of Assessed Valuation for Tax Year 2022, as follows: \$0.3851 for debt service tax, \$0.2900 for Contract Tax and \$0.0251 for maintenance and operations tax.

Maintenance Tax

The Board of Directors of the District has the statutory authority to levy and collect an annual ad valorem tax for maintenance of the District's improvements, if such maintenance tax is authorized by vote of the District's electors. On May 14, 2011, the Board was authorized to levy such a maintenance tax in an amount not to exceed \$1.00 per \$100 of assessed valuation. For the 2022 tax year, the Board has levied a maintenance tax in the amount of \$0.0251 per \$100 assessed valuation. Such tax is in addition to taxes which the District is authorized to levy for paying principal and interest on the District's bonds.

Tax Exemptions

As discussed in the section titled "TAX PROCEDURES" herein, certain property in the District may be exempt from taxation by the District. The District does not exempt any percentage of the market value of any residential homesteads from taxation.

Additional Penalties

The District has contracted with a delinquent tax attorney to collect delinquent taxes. Pursuant to the contract and in accordance with the Texas Property Tax Code, the District recovers certain costs, expenses and fees associated with tax collection suits, including reasonable attorney's fees in the amount of twenty percent (20%) of the total amount of taxes, penalties, and interest due to the District.

Principal Taxpayers

The following list of principal taxpayers is based upon the 2022 tax roll, which reflects ownership at January 1, 2022.

Name of Taxpayer	Nature of Property	2022	% of
		Taxable Assessed Valuation	Taxable Assessed Valuation
Hunt Peyton Estates LLC	Real Estate	\$ 2,384,434	2.48%
Autozone Parts Inc	Retail Store	1,286,505	1.34%
Hakes Brothers EPTX LLC	Real Estate	1,124,132	1.17%
Ardent Quest @ Peyton Place	Real Estate	1,120,165	1.17%
Saratoga Homes Inc	Real Estate	997,380	1.04%
Casas de Leon LLC	Real Estate	936,948	0.98%
Ithaca Development	Developer	846,669	0.88%
Ashish Ventures LLC	Real Estate	822,511	0.86%
B&B Merritt Real Estate LLC	Real Estate	812,777	0.85%
Jerlet LLC & Barlee LLC	Real Estate	780,174	0.81%
Total		<u>\$11,111,695</u>	<u>11.57%</u>

Summary of Assessed Valuation

The following summary of the Assessed Valuation is provided by the District's Tax Assessor/Collector based on information contained in the 2018-2022 tax rolls of the District. Differences in totals may vary slightly from other information herein due to differences in dates of data.

	2022	2021	2020	2019	2018
Land and Improvements	\$ 101,518,469	\$ 59,866,900	\$ 31,745,661	\$ 26,633,396	\$ 25,359,963
Personal Property	2,210,107	2,301,348	2,037,645	1,232,197	361,723
Exemptions	(5,693,342)	(3,811,446)	(3,232,080)	(3,775,038)	(3,685,650)
Total Assessed Valuation	<u>\$ 98,035,234</u>	<u>\$ 58,356,802</u>	<u>\$ 30,551,226</u>	<u>\$ 24,090,555</u>	<u>\$ 22,036,036</u>

Projected Tax Adequacy for Debt Service

The calculations shown below assume, solely for purpose of illustration, no increase or decrease in assessed valuation over the 2022 Certified Assessed Valuation, no use of available funds, and utilization of a tax rate necessary to pay the District's projected average annual debt service requirements on the Bonds.

Projected Average Annual Debt Service Requirements, 2023-2048	\$ 497,969
\$0.5183 Tax Rate on the 2022 Certified Assessed Valuation at 98% Collection Produces.....	\$ 497,969

TAX PROCEDURES

Authority to Levy Taxes

The Board is authorized to levy an annual ad valorem tax, without legal limitation as to rate or amount, on all taxable property within the District in an amount sufficient to pay the principal of and interest on the Bonds, and any additional bonds payable from taxes which the District may hereafter issue (see “RISK FACTORS - Future Debt”) and to pay the expenses of assessing and collecting such taxes. The District agrees in the Bond Resolution to levy such a tax from year to year as described more fully herein under “THE BONDS - Source of and Security for Payment.” Under Texas law, the Board may also levy and collect an annual ad valorem tax for the operation and maintenance of the District and its water and wastewater system and for the payment of certain contractual obligations. See “TAX DATA.”

Property Tax Code and County-Wide Appraisal District

The Texas Property Tax Code (the “Property Tax Code”) specifies the taxing procedures of all political subdivisions of the State of Texas, including the District. The District must also follow tax procedures found in the Texas Water Code. These statutory provisions are complex and are not fully summarized here.

The Property Tax Code requires, among other matters, county-wide appraisal and equalization of taxable property values and establishes in each county of the State of Texas an appraisal district with the responsibility for recording and appraising property for all taxing units within a county and an appraisal review board with responsibility for reviewing and equalizing the values established by the appraisal district. The Appraisal District has the responsibility for appraising property for all taxing units within El Paso County, including the District. Such appraisal values are subject to review and change by the El Paso County Appraisal Review Board (the “Appraisal Review Board”).

Property Subject to Taxation by the District

General: Except for certain exemptions provided by Texas law, all real property, tangible personal property held or used for the production of income, mobile homes, and certain categories of intangible personal property with a tax situs in the District are subject to taxation by the District; however, no effort is expected to be made by the Appraisal District to include on a tax roll tangible or intangible personal property not devoted to commercial or industrial use. Principal categories of exempt property include, but are not limited to: property owned by the State of Texas or its political subdivisions if the property is used for public purposes; property exempt from ad valorem taxation by federal law; income producing tangible personal property or mineral interest with a taxable value of less than \$500; certain property used for the control of air, water or land pollution; solar and wind powered energy devices; certain non-profit cemeteries, farm products owned by the producer; and certain property owned by qualified charitable, religious, veterans, youth development, fraternal organizations, designated historical sites, travel trailers, and most individually owned automobiles. Goods, wares, ores and merchandise (other than oil, gas, or petroleum products) that are acquired in or imported into the state and forwarded out of state within 175 days thereafter are also exempt. Article VIII, Section 1-a of the Texas Constitution grants a \$3,000 homestead exemption for all homesteads taxed by counties for farm-to-market roads and flood control purposes. Property owned by a disabled veteran or by the spouse of certain children of a deceased disabled veteran or a veteran who died while on active duty is partially exempt to between \$5,000 and \$12,000 of assessed value depending upon the disability rating of the veteran. A veteran who receives a disability rating of 100% is entitled to an exemption for the full value of the veteran’s residence homestead. Additionally, subject to certain conditions, the surviving spouse or a disabled veteran who is entitled to an exemption for the full value of the veteran's residence homestead is also entitled to an exemption from taxation of the total appraised value of the same property to which the disabled veteran's exemption applied. The surviving spouse of a member of the armed services who was killed in action is entitled to an exemption from taxation of the total appraised value of the surviving spouse's residence homestead where certain condition are met and, subject to certain conditions, an exemption up to the same amount may be transferred to a subsequent residence homestead of the surviving spouse.

The surviving spouse of a first responder who was killed or fatally injured in the line of duty is, subject to certain conditions, entitled to an exemption of the total appraised value of the surviving spouse's residence homestead, and, subject to certain conditions, an exemption up to the same amount may be transferred to a subsequent residence homestead of the surviving spouse. Also partially exempt are residence homesteads of certain persons who are disabled or at least 65 years old, not less than \$3,000 of appraised value or such higher amount as the Board or the District's voters may approve. Subject to certain conditions, the surviving spouse of a person 65 or older is entitled to an exemption for the same property in an amount equal to that which the deceased spouse was qualified. The District's tax assessor is authorized by statute to disregard exemptions for the disabled and elderly if granting the exemption would impair the District's obligation to pay tax-supported debt incurred prior to adoption of the exemption by the District. The District's tax assessor/collector is authorized by statute to disregard such exemptions for the elderly and disabled if granting the exemptions would impair the District's obligation to pay tax supported debt incurred prior to adoption of the exemptions by the District. See "TAX DATA."

Residential Homestead Exemptions: The Property Tax Code authorizes the governing body of each political subdivision in the State of Texas to exempt up to twenty percent (20%) (not less than \$5,000) of the appraised value of residential homesteads from ad valorem taxation. Where ad valorem taxes have previously been pledged for the payment of debt, the governing body of a political subdivision may continue to levy and collect taxes against the exempt value of the homesteads until the debt is discharged, if the cessation of the levy would impair the obligations of the contract by which the debt was created. The adoption of a homestead exemption may be considered each year, but must be adopted before July 1. The District has not adopted a general residential homestead exemption. See "TAX DATA."

Freeport Goods Exemption: Freeport goods are goods, wares, merchandise, other tangible personal property and ores, other than oil, natural gas and other petroleum products, which have been acquired or brought into the state for assembling, storing, manufacturing, repair, maintenance, processing or fabricating purposes, or used to repair or maintain aircraft of a certified air carrier, and shipped out of the state within one hundred seventy-five (175) days. Freeport goods are exempt from taxation by the District.

Goods-in-Transit Exemptions: A "Goods-in-Transit Exemption" may apply to certain tangible personal property that is acquired in or imported into Texas for assembling, storing, manufacturing or fabrication purposes which is destined to be forwarded to another location in Texas not later than 175 days after acquisition or importation, so long as the location where said goods are detained is not directly or indirectly owned by the owner of the goods. The District has not taken action to allow taxation of goods-in-transit, and accordingly, the exemption is available within the District. However, the District may determine in the future to take action to tax exempt goods-in-transit personal property. A taxpayer may not claim both a Freeport Goods Exemption and a Goods-in-Transit Exemption on the same property.

Tax Abatement

El Paso County may designate all or part of the area within the District as a reinvestment zone. Thereafter, El Paso County, Socorro Independent School District, the District, and, if the District is annexed and dissolved, the City, at the option and discretion of each entity, may enter into tax abatement agreements with owners of property within the zone. Prior to entering into a tax abatement agreement, each entity must adopt guidelines and criteria for establishing tax abatement, which each entity will follow in granting tax abatement to owners of property. The tax abatement agreements may exempt from ad valorem taxation by each of the applicable taxing jurisdictions, including the District, for a period of up to ten (10) years, all or any part of any increase in the assessed valuation of property covered by the agreement over its assessed valuation in the year in which the agreement is executed, on the condition that the property owner make specified improvements or repairs to the property in conformity with the terms of the tax abatement. Each taxing jurisdiction has discretion to determine terms for its tax abatement agreements without regard to the terms approved by the other taxing jurisdictions.

Valuation of Property for Taxation

Generally, property in the District must be appraised by the Appraisal District at market value as of January 1 of each year. Once an appraisal roll is prepared and finally approved by the Appraisal Review Board, it is used by the District in establishing its tax rolls and tax rate. Generally, assessments under the Property Tax Code are to be based on one hundred percent (100%) of market value, as such is defined in the Property Tax Code. In determining market value, either the replacement cost or the income or the market data method of valuation may be used, whichever is appropriate. Nevertheless, certain land may be appraised at less than market value under the Property Tax Code. Increases in the appraised value of residence homesteads are limited by the Texas Constitution to 10 percent annually regardless of the market value of the property.

The Property Tax Code permits land designated for agricultural use, open space or timberland to be appraised at its value based on the land's capacity to produce agricultural or timber products rather than at its market value. Substantially all of the undeveloped land in the District is valued based on agricultural use. The Property Tax Code permits under certain circumstances that residential real property inventory held by a person in the trade or business be valued at the price all such property would bring if sold as a unit

to a purchaser who would continue the business. Provisions of the Property Tax Code are complex and are not fully summarized here. Landowners wishing to avail themselves of the agricultural use, open space or timberland designation or residential real property inventory designation must apply for the designation and the appraiser is required by the Property Tax Code to act on each claimant's right to the designation individually. A claimant may waive the special valuation as to taxation by some political subdivisions while claiming it as to another. If a claimant receives the agricultural use designation and later loses it by changing the use of the property or selling it to an unqualified owner, the District can collect taxes based on the new use, including taxes for the previous three (3) years for agricultural use and taxes for the previous five (5) years for open space land and timberland.

The Property Tax Code requires the Appraisal District to implement a plan for periodic reappraisal of property to update appraisal values. The plan must provide for appraisal of all real property in the Appraisal District at least once every three (3) years. It is not known what frequency of reappraisal will be utilized by the Appraisal District or whether reappraisals will be conducted on a zone or county-wide basis. The District, however, at its expense has the right to obtain from the Appraisal District a current estimate of appraised values within the District or an estimate of any new property or improvements within the District. While such current estimate of appraised values may serve to indicate the rate and extent of growth of taxable values within the District, it cannot be used for establishing a tax rate within the District until such time as the Appraisal District chooses formally to include such values on its appraisal roll.

District and Taxpayer Remedies

Under certain circumstances taxpayers and taxing units (such as the District) may appeal the orders of the Appraisal Review Board by filing a timely petition for review in State district court. In such event, the value of the property in question will be determined by the court or by a jury if requested by any party. Additionally, taxing units may bring suit against the Appraisal District to compel compliance with the Property Tax Code. The Property Tax Code also establishes a procedure for notice to property owners of reappraisals reflecting increased property value, appraisals which are higher than renditions, and appraisals of property not previously on an appraisal roll.

Rollback of Operation and Maintenance Tax Rate

During the 86th Regular Legislative Session, Senate Bill 2 ("SB 2") was passed and signed by the Governor, with an effective date (as to those provisions discussed herein) of January 1, 2020, and the provisions described herein are effective beginning with the 2020 tax year. See "SELECTED FINANCIAL INFORMATION" for a description of the District's current total tax rate. Debt service and contract tax rates cannot be reduced by a rollback election held within any of the districts described below.

SB 2 classifies municipal utility districts differently based on their current operation and maintenance tax rate or on the percentage of projected build-out that a district has completed. Districts that have adopted an operation and maintenance tax rate for the current year that is 2.5 cents or less per \$100 of taxable value are classified herein as "Special Taxing Units." Districts that have financed, completed, and issued bonds to pay for all land, improvements and facilities necessary to serve at least 95% of the projected build-out of the district are classified as "Developed Districts." Districts that do not meet either of the classifications previously discussed can be classified herein as "Developing Districts." The impact each classification has on the ability of a district to increase its maintenance and operations tax rate pursuant to SB 2 is described for each classification below.

Special Taxing Units

Special Taxing Units that adopt a total tax rate that would impose more than 1.08 times the amount of the total tax imposed by such district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, are required to hold an election within the district to determine whether to approve the adopted total tax rate. If the adopted total tax rate is not approved at the election, the total tax rate for a Special Taxing Unit is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.08 times the amount of operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, subject to certain homestead exemptions.

Developed Districts

Developed Districts that adopt a total tax rate that would impose more than 1.035 times the amount of the total tax imposed by the district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, plus any unused increment rates, as calculated and described in Section 26.013 of the Tax Code, are required to hold an election within the district to determine whether to approve the adopted total tax rate. If the adopted total tax rate is not approved at the election, the total tax rate for a Developed District is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.035 times the amount of operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence

homestead in the district in that year, subject to certain homestead exemptions, plus any unused increment rates. In addition, if any part of a Developed District lies within an area declared for disaster by the Governor of Texas or President of the United States, alternative procedures and rate limitations may apply for a temporary period. If a district qualifies as both a Special Taxing Unit and a Developed District, the district will be subject to the operation and maintenance tax threshold applicable to Special Taxing Units.

Developing Districts

Districts that do not meet the classification of a Special Taxing Unit or a Developed District can be classified as Developing Districts. The qualified voters of these districts, upon the Developing District's adoption of a total tax rate that would impose more than 1.08 times the amount of the total tax imposed by such district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, are authorized to petition for an election to reduce the operation and maintenance tax rate. If an election is called and passes, the total tax rate for Developing Districts is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.08 times the amount of operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, subject to certain homestead exemptions.

The District

A determination as to a district's status as a Special Taxing Unit, Developed District or Developing District will be made by the Board of Directors on an annual basis. With respect to the District's 2022 tax rate, the District has been classified as a Developing District. The District cannot give any assurances as to what its classification will be at any point in time or whether the District's future tax rates will result in a total tax rate that will reclassify the District into a new classification and new election calculation.

Levy and Collection of Taxes

The District is responsible for the levy and, unless it elects to transfer such functions to another governmental entity, collection of its taxes. By September 1 of each year, or as soon thereafter as practicable, the rate of taxation is set by the Board of Directors based upon: a) the valuation of property within the District as of the preceding January 1, and b) the amount required to be raised for debt service, maintenance purposes and authorized contractual obligations. Taxes are due October 1, or when billed, whichever comes later, and become delinquent if not paid before February 1 of the year following the year in which imposed. A delinquent tax incurs a penalty of six percent (6%) of the amount of the tax for the first calendar month it is delinquent, plus one percent (1%) for each additional month or portion of a month the tax remains unpaid prior to July 1 of the year in which it becomes delinquent. If the tax is not paid by July 1 of the year in which it becomes delinquent, the tax incurs a total penalty of twelve percent (12%) regardless of the number of months the tax has been delinquent and incurs an additional penalty for collection costs of an amount established by the District and a delinquent tax attorney. For those taxes billed at a later date and that become delinquent on or after June 1, they will also incur an additional penalty for collection costs of an amount established by the District and a delinquent tax attorney. The delinquent tax accrues interest at a rate of one percent (1%) for each month or portion of a month it remains unpaid. The Property Tax Code makes provisions for the split payment of taxes, discounts for early payment and the postponement of the delinquency date of taxes under certain circumstances which, at the option of the District, may be rejected.

The District's tax collector is required to enter into an installment payment agreement with any person who is delinquent on the payment of tax on a residence homestead for payment of tax, penalties and interest, if the person requests an installment agreement and has not entered into an installment agreement with the collector in the preceding 24 months. The installment agreement must provide for payments to be made in monthly installments and must extend for a period of at least 12 months and no more than 36 months. Additionally, the owner of a residential homestead property who is (i) sixty-five (65) years of age or older, (ii) disabled, or (iii) a disabled veteran, is entitled by law to pay current taxes on a residential homestead in installments without penalty or to defer the payment of taxes during the time of ownership. In the instance of tax deferral, a tax lien remains on the property and interest continue to accrue during the period of deferral.

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District's Rights in the Event of Tax Delinquencies

Taxes levied by the District are a personal obligation of the owner of the property as of January 1 of the year for which the tax is imposed. On January 1 of each year, a tax lien attaches to property to secure the payment of all state and local taxes, penalties, and interest ultimately imposed for the year on the property. The lien exists in favor of the State of Texas and each local taxing unit, including the District, having power to tax the property. The District's tax lien is on a parity with tax liens of such other taxing units (see "ESTIMATED OVERLAPPING DEBT STATEMENT - Overlapping Tax Rates for 2022"). A tax lien on real property takes priority over the claim of most creditors and other holders of liens on the property encumbered by the tax lien, whether or not the debt or lien existed before the attachment of the tax lien; however, whether a lien of the United States is on a parity with or takes priority over a tax lien of the District is determined by applicable federal law. Personal property under certain circumstances is subject to seizure and sale for the payment of delinquent taxes, penalty, and interest.

At any time after taxes on property become delinquent, the District may file suit to foreclose the lien securing payment of the tax, to enforce personal liability for the tax, or both. In filing a suit to foreclose a tax lien on real property, the District must join other taxing units that have claims for delinquent taxes against all or part of the same property. Collection of delinquent taxes may be adversely affected by the cost of suit and sale, by the amount of taxes owed to other taxing units, by the effects of market conditions on the foreclosure sale price, by taxpayer redemption rights (a taxpayer may redeem property within six (6) months for commercial property and two (2) years for residential and all other types of property after the purchaser's deed issued at the foreclosure sale is filed in the county records) or by bankruptcy proceedings which restrict the collection of taxpayer debts. The District's ability to foreclose its tax lien or collect penalties or interest on delinquent taxes may be limited on property owned by a financial institution which is under receivership or conservatorship by the FDIC. See "RISK FACTORS – The Effect of FIRREA on Tax Collections of the District."

GENERAL FUND OPERATIONS

General

The Bonds are payable from the levy of an ad valorem tax, without legal limitation as to rate or amount, upon all taxable property in the District. Surplus revenues, if any, of the District's general fund are not pledged to the payment of the Bonds but are available for any lawful purpose including payment of debt service on the Bonds, at the discretion and upon action of the Board. It is not expected that significant net revenue, if any, will be available for payment of debt service on the Bonds.

Contract Tax

Under the Master District Contract, each Participant District has agreed to levy and collect the Contract Tax to make payments to the Master District for (i) the Participant District's pro rata share of any operating deficits incurred by the Master District and (ii) the debt service on any Master District Bonds, with the Participant District's pro rata share based on the Participant District's total taxable assessed valuation as compared to the total taxable assessed valuation in all eleven Participant Districts. However, the Master District Contract contemplates that the Master District would not issue Master District Bonds for purposes of reimbursing the Developer for the initial construction of the Regional Facilities. Thus, for the foreseeable future, the District contemplates levying a Contract Tax only for its pro rata share of the operating deficits of the Master District. The District levied a total tax of \$0.7002 per \$100 of Assessed Valuation for Tax Year 2022, as follows: \$0.3851 for debt service tax, \$0.2900 for contract tax and \$0.0251 for maintenance tax.

District Operation and Maintenance Expense

Because the Master District provides retail water and sanitary sewer service to all customers in the area within all eleven Participant Districts, including the District, the District does not expect to incur significant operating expenses; rather it expects to mainly incur administrative expenses. The Master District Contract provides that the Master District will pay each Participant District's ordinary administrative expenses, including the District's, if approved by the Master District as part of an annual budget. The Master District Contract provides an annual budget process where each Participant District submits its budget for approval by the Master District. So long as a Participant District's expenses are no more than ten percent higher than the average of the budgets for Participant Districts Nos. 2-11, the budget must be approved by the Master District. In addition, the District may levy its own maintenance tax to pay such expenses. However, because the Master District provides retail water and sanitary sewer service to all customers in the area within all eleven Participant Districts, including the District, the District does not expect to have any revenues from water and sanitary sewer operations to pay its operation and expenses.

No Water and Sanitary Sewer Revenues

Because the Master District provides retail water and sanitary sewer service to all customers in the area within all eleven Participant Districts, including the District, the District does not expect to have any revenues from water and sanitary sewer operations to pay its operation and maintenance expenses.

Operating Statement

The following statement sets forth in condensed form the historical results of operation of the District's General Fund. Accounting principles customarily employed in the determination of net revenues have been observed and in all instances exclude depreciation. Such summary is based upon information obtained from the District's audited financial statements and the District's bookkeeping records. Reference is made to such statements and records for further and more complete information.

	Fiscal Year Ended September 30,				
	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>
Revenues:					
Transfer From Master District	\$ 78,362	\$ 67,981	\$ 77,723	\$ 49,217	\$ 47,952
Property Taxes	3,502	3,239	107,003	75,681	102,607
Contract Taxes	92,527	71,204	60,247	69,779	27,649
Interest	41	1,030	6,744	3,306	844
Total Revenues	<u>\$ 174,432</u>	<u>\$ 143,454</u>	<u>\$ 251,717</u>	<u>\$ 197,983</u>	<u>\$ 179,052</u>
Expenditures:					
Tax Transfer to Master District	\$ 92,527	\$ 71,204	\$ 60,247	\$ 69,779	\$ 27,649
Legal Fees	19,829	12,258	20,340	8,831	9,089
Audit Fees	5,500	5,500	4,000	4,000	4,000
Accounting Fees	22,619	22,403	23,575	18,000	16,445
Engineering Fees	3,756	3,803	5,046	1,845	2,010
Management Fees	9,287	8,918	8,494	8,026	7,640
Director Salaries and Payroll Taxes	8,881	8,074	9,043	2,907	3,875
Insurance	1,358	1,365	1,365	1,365	874
Tax Assessor/Collector	3,235	2,213	2,165	1,986	1,862
Printing and Office Supplies	605	464	511	319	1,326
Postage and Delivery	296	188	162	30	47
Legal Notices	2,582	1,457	840	720	
Travel	414	1,338	2,181	1,190	784
Fiscal Agent Fees	1,500	1,500	1,500	-	-
Total Expenditures	<u>\$ 172,389</u>	<u>\$ 140,685</u>	<u>\$ 139,469</u>	<u>\$ 118,998</u>	<u>\$ 75,601</u>
Transfer (to) Other Funds	<u>(564)</u>	<u>(246,131)</u>	<u>-</u>	<u>-</u>	<u>-</u>
Change in Net Position	<u>\$ 1,479</u>	<u>\$ (243,362)</u>	<u>\$ 112,248</u>	<u>\$ 78,985</u>	<u>\$ 103,451</u>
Fund Balance/Net Position - Beginning	<u>88,828</u>	<u>332,190</u>	<u>219,942</u>	<u>140,957</u>	<u>37,506</u>
Fund Balance/Net Position - Ending	<u>\$ 90,307</u>	<u>\$ 88,828</u>	<u>\$ 332,190</u>	<u>\$ 219,942</u>	<u>\$ 140,957</u>

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PRO-FORMA DEBT SERVICE REQUIREMENTS

Fiscal Year Ending, 30-Sep	Outstanding Debt Service	The Bonds ⁽¹⁾			Total Debt Service
		Principal	Interest	Total	
2023	\$ 319,633	\$ -	\$ 91,667	\$ 91,667	\$ 411,299
2024	325,633	55,000	137,500	192,500	518,133
2025	321,358	60,000	134,750	194,750	516,108
2026	327,083	65,000	131,750	196,750	523,833
2027	327,458	65,000	128,500	193,500	520,958
2028	332,633	70,000	125,250	195,250	527,883
2029	332,439	75,000	121,750	196,750	529,189
2030	337,039	75,000	118,000	193,000	530,039
2031	336,339	80,000	114,250	194,250	530,589
2032	335,370	85,000	110,250	195,250	530,620
2033	339,183	90,000	106,000	196,000	535,183
2034	342,583	95,000	101,500	196,500	539,083
2035	345,558	100,000	96,750	196,750	542,308
2036	348,208	105,000	91,750	196,750	544,958
2037	350,339	110,000	86,500	196,500	546,839
2038	347,139	115,000	81,000	196,000	543,139
2039	353,559	120,000	75,250	195,250	548,809
2040	354,503	125,000	69,250	194,250	548,753
2041	359,968	130,000	63,000	193,000	552,968
2042	359,873	140,000	56,500	196,500	556,373
2043	364,274	145,000	49,500	194,500	558,774
2044	363,186	155,000	42,250	197,250	\$ 560,436
2045	226,745	160,000	34,500	194,500	421,245
2046	225,940	170,000	26,500	196,500	422,440
2047	-	175,000	18,000	193,000	193,000
2048	-	185,000	9,250	194,250	194,250
Total	<u>\$ 7,976,035</u>	<u>\$ 2,750,000</u>	<u>\$ 2,221,167</u>	<u>\$ 4,971,167</u>	<u>\$ 12,947,202</u>
Average Annual Debt Service (2023-2048).					\$ 497,969
Maximum Annual Debt Service (2044).					\$ 560,436

(1) Interest on the Bonds calculated at a rate of 5% per annum for purposes of illustration only. Preliminary, subject to change.

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LEGAL MATTERS

Legal Proceedings

Issuance of the Bonds is subject to the approving legal opinion of the Attorney General of Texas to the effect that the Bonds are valid and binding obligations of the District payable from the proceeds of an annual ad valorem tax levied, without legal limit as to rate or amount, upon all taxable property within the District. Issuance of the Bonds is also subject to the legal opinion of McCall, Parkhurst & Horton L.L.P. ("Bond Counsel"), based upon examination of a transcript of the proceedings incident to authorization and issuance of the Bonds, to the effect that the Bonds are valid and binding obligations of the District payable from the sources and enforceable in accordance with the terms and conditions described therein, except to the extent that the enforceability thereof may be affected by governmental immunity, bankruptcy, insolvency, reorganization, moratorium, or other similar laws affecting creditors' rights or the exercise of judicial discretion in accordance with general principles of equity. Bond Counsel's legal opinion will also address the matters described below under "TAX EXEMPTION". Such opinions will express no opinion with respect to the sufficiency of the security for or the marketability of the Bonds. In connection with the issuance of the Bonds, Bond Counsel has been engaged by, and only represents, the District.

The legal fees to be paid Bond Counsel for services rendered in connection with the issuance of the Bonds are based upon a percentage of Bonds actually issued, sold and delivered, and therefore, such fees are contingent upon the sale and delivery of the Bonds.

The various legal opinions to be delivered concurrently with the delivery of the Bonds express the professional judgment of the attorneys rendering the opinions as to the legal issues explicitly addressed therein. In rendering a legal opinion, the attorney does not become an insurer or guarantor of the expression of professional judgment, of the transaction opined upon, or of the future performance of the parties to the transaction, nor does the rendering of an opinion guarantee the outcome of any legal dispute that may arise out of the transaction.

Bond Counsel has reviewed the information appearing in this Official Statement under "THE BONDS," "THE DISTRICT - General," "MANAGEMENT – Bond Counsel" "TAX PROCEDURES," "MANAGEMENT – Bond Counsel," "LEGAL MATTERS – Legal Proceedings" (insofar as such section relates to the legal opinion of Bond Counsel), and "TAX EXEMPTION" (insofar as such section relates to the legal opinion of Bond Counsel) and "CONTINUING DISCLOSURE OF INFORMATION" (except under the subheading "Compliance with Prior Undertakings") solely to determine if such information, insofar as it relates to matters of law, is true and correct, and whether such information fairly summarizes the provisions of the documents referred to therein. Bond Counsel has not, however, independently verified any of the factual information contained in this Official Statement nor has it conducted an investigation of the affairs of the District for the purpose of passing upon the accuracy or completeness of this Official Statement. No person is entitled to rely upon Bond Counsel's limited participation as an assumption of responsibility for or an expression of opinion of any kind with regard to the accuracy or completeness of any information contained herein.

No Material Adverse Change

The obligations of the Initial Purchaser to take and pay for the Bonds, and of the District to deliver the Bonds, are subject to the condition that, up to the time of delivery of and receipt of payment for the Bonds, there shall have been no material adverse change in the financial condition of the District from that set forth or contemplated in the Preliminary Official Statement as amended or supplemented through the date of sale.

No-Litigation Certificate

The District will furnish the Initial Purchaser a certificate, executed by both the President and Secretary of the Board, and dated as of the date of delivery of the Bonds, to the effect that no litigation of any nature is pending, or to its knowledge threatened, either in state or federal courts, contesting or attacking the Bonds; restraining or enjoining the levy, assessment and collection of ad valorem taxes to pay the interest or the principal of the Bonds; in any manner questioning the authority or proceedings for the issuance, execution or delivery of the Bonds; or affecting the validity of the Bonds or the title of the present officers of the District.

TAX EXEMPTION

Opinion

On the date of initial delivery of the Bonds, Bond Counsel will render its opinion that, in accordance with statutes, regulations, published rulings and court decisions existing on the date thereof (“Existing Law”), (1) interest on the Bonds for federal income tax purposes will be excludable from the “gross income” of the holders thereof and (2) the Bonds will not be treated as “specified private activity bonds” the interest on which would be included as an alternative minimum tax preference item under section 57(a)(5) of the Internal Revenue Code of 1986 (the “Code”). Except as stated above, Bond Counsel to the District will express no opinion as to any other federal, state or local tax consequences of the purchase, ownership or disposition of the Bonds. See “APPENDIX B – Form of Bond Counsel’s Opinion.”

In rendering its opinion, Bond Counsel to the District will rely upon (a) the District’s federal tax certificate and (b) covenants of the District with respect to arbitrage, the application of the proceeds to be received from the issuance and sale of the Bonds and certain other matters. Failure of the District to comply with these representations or covenants could cause the interest on the Bonds to become includable in gross income retroactively to the date of issuance of the Bonds.

The Code and the regulations promulgated thereunder contain a number of requirements that must be satisfied subsequent to the issuance of the Bonds in order for interest on the Bonds to be, and to remain, excludable from gross income for federal income tax purposes. Failure to comply with such requirements may cause interest on the Bonds to be included in gross income retroactively to the date of issuance of the Bonds. The opinion of Bond Counsel to the District is conditioned on compliance by the District with the covenants and the requirements described in the preceding paragraph, and Bond Counsel to the District has not been retained to monitor compliance with these requirements subsequent to the issuance of the Bonds.

Bond Counsel’s opinion represents its legal judgment based upon its review of Existing Law and the reliance on the aforementioned information, representations and covenants. Bond Counsel’s opinion is not a guarantee of a result. The Existing Law is subject to change by the Congress and to subsequent judicial and administrative interpretation by the courts and the Department of the Treasury. There can be no assurance that such Existing Law or the interpretation thereof will not be changed in a manner which would adversely affect the tax treatment of the purchase, ownership or disposition of the Bonds.

A ruling was not sought from the Internal Revenue Service by the District with respect to the Bonds or the facilities financed or refinanced with the proceeds of the Bonds. Bond Counsel’s opinion represents its legal judgment based upon its review of Existing Law and the representations of the District that it deems relevant to render such opinion and is not a guarantee of a result. No assurances can be given as to whether the Internal Revenue Service will commence an audit of the Bonds, or as to whether the Internal Revenue Service would agree with the opinion of Bond Counsel. If an audit is commenced, under current procedures the Internal Revenue Service is likely to treat the District as the taxpayer and the Bondholders may have no right to participate in such procedure. No additional interest will be paid upon any determination of taxability.

Federal Income Tax Accounting Treatment of Original Issue Discount

The initial public offering price to be paid for one or more maturities of the Bonds may be less than the principal amount thereof or one or more periods for the payment of interest on the Bonds may not be equal to the accrual period or be in excess of one year (the “Original Issue Discount Bonds”). In such event, the difference between (i) the “stated redemption price at maturity” of each Original Issue Discount Bond, and (ii) the initial offering price to the public of such Original Issue Discount Bond would constitute original issue discount. The “stated redemption price at maturity” means the sum of all payments to be made on the Bonds less the amount of all periodic interest payments. Periodic interest payments are payments which are made during equal accrual periods (or during any unequal period if it is the initial or final period) and which are made during accrual periods which do not exceed one year.

Under Existing Law, any owner who has purchased such Original Issue Discount Bond in the initial public offering is entitled to exclude from gross income (as defined in section 61 of the Code) an amount of income with respect to such Original Issue Discount Bond equal to that portion of the amount of such original issue discount allocable to the accrual period. For a discussion of certain collateral federal tax consequences, see discussion set forth below.

In the event of the redemption, sale or other taxable disposition of such Original Issue Discount Bond prior to stated maturity, however, the amount realized by such owner in excess of the basis of such Original Issue Discount Bond in the hands of such owner (adjusted upward by the portion of the original issue discount allocable to the period for which such Original Issue Discount Bond was held by such initial owner) is includable in gross income.

Under Existing Law, the original issue discount on each Original Issue Discount Bond is accrued daily to the stated maturity thereof (in amounts calculated as described below for each six-month period ending on the date before the semiannual anniversary dates of the date of the Bonds and ratably within each such six-month period) and the accrued amount is added to an initial owner's basis for such Original Issue Discount Bond for purposes of determining the amount of gain or loss recognized by such owner upon the redemption, sale or other disposition thereof. The amount to be added to basis for each accrual period is equal to (a) the sum of the issue price and the amount of original issue discount accrued in prior periods multiplied by the yield to stated maturity (determined on the basis of compounding at the close of each accrual period and properly adjusted for the length of the accrual period) less (b) the amounts payable as current interest during such accrual period on such Original Issue Discount Bond.

The federal income tax consequences of the purchase, ownership, redemption, sale or other disposition of Original Issue Discount Bonds which are not purchased in the initial offering at the initial offering price may be determined according to rules which differ from those described above. All owners of Original Issue Discount Bonds should consult their own tax advisors with respect to the determination for federal, state and local income tax purposes of the treatment of interest accrued upon redemption, sale or other disposition of such Original Issue Discount Bonds and with respect to the federal, state, local and foreign tax consequences of the purchase, ownership, redemption, sale or other disposition of such Original Issue Discount Bonds.

Collateral Federal Income Tax Consequences

The following discussion is a summary of certain collateral federal income tax consequences resulting from the purchase, ownership or disposition of the Bonds. This discussion is based on Existing Law, which is subject to change or modification, retroactively.

The following discussion is applicable to investors, other than those who are subject to special provisions of the Code, such as financial institutions, property and casualty insurance companies, life insurance companies, individual recipients of Social Security or Railroad Retirement benefits, individuals allowed an earned income credit, certain S corporations with Subchapter C earnings and profits, foreign corporations subject to the branch profits tax, taxpayers qualifying for the health insurance premium assistance credit, and taxpayers who may be deemed to have incurred or continued indebtedness to purchase tax-exempt obligations.

THE DISCUSSION CONTAINED HEREIN MAY NOT BE EXHAUSTIVE. INVESTORS, INCLUDING THOSE WHO ARE SUBJECT TO SPECIAL PROVISIONS OF THE CODE, SHOULD CONSULT THEIR OWN TAX ADVISORS AS TO THE TAX TREATMENT WHICH MAY BE ANTICIPATED TO RESULT FROM THE PURCHASE, OWNERSHIP AND DISPOSITION OF TAX-EXEMPT OBLIGATIONS BEFORE DETERMINING WHETHER TO PURCHASE THE BONDS.

Interest on the Bonds may be includable in certain corporation's "adjusted financial statement income" determined under section 56A of the Code to calculate the alternative minimum tax imposed by the section 55 of the Code.

Under section 6012 of the Code, holders of tax-exempt obligations, such as the Bonds, may be required to disclose interest received or accrued during each taxable year on their returns of federal income taxation.

Section 1276 of the Code provides for ordinary income tax treatment of gain recognized upon the disposition of a tax-exempt obligation, such as the Bonds, if such obligation was acquired at a "market discount" and if the fixed maturity of such obligation is equal to, or exceeds, one year from the date of issue. Such treatment applies to "market discount Bonds" to the extent such gain does not exceed the accrued market discount of such Bonds; although for this purpose, a de minimis amount of market discount is ignored. A "market discount bond" is one which is acquired by the holder at a purchase price which is less than the stated redemption price at maturity or, in the case of a bond issued at an original issue discount, the "revised issue price" (i.e., the issue price plus accrued original issue discount). The "accrued market discount" is the amount which bears the same ratio to the market discount as the number of days during which the holder holds the obligation bears to the number of days between the acquisition date and the final maturity date.

State, Local and Foreign Taxes

Investors should consult their own tax advisors concerning the tax implications of the purchase, ownership or disposition of the Bonds under applicable state or local laws. Foreign investors should also consult their own tax advisors regarding the tax consequences unique to investors who are not United States persons.

Information Reporting and Backup Withholding

Subject to certain exceptions, information reports describing interest income, including original issue discount, with respect to the Bonds will be sent to each registered holder and to the IRS. Payments of interest and principal may be subject to backup withholding under section 3406 of the Code if a recipient of the payments fails to furnish to the payor such owner's social security number or other taxpayer identification number ("TIN"), furnishes an incorrect TIN, or otherwise fails to establish an exemption from the

backup withholding tax. Any amounts so withheld would be allowed as a credit against the recipient's federal income tax. Special rules apply to partnerships, estates and trusts, and in certain circumstances, and in respect of foreign investors, certifications as to foreign status and other matters may be required to be provided by partners and beneficiaries thereof.

Future and Proposed Legislation

Tax legislation, administrative actions taken by tax authorities, or court decisions, whether at the Federal or state level, may adversely affect the tax-exempt status of interest on the Bonds under Federal or state law and could affect the market price or marketability of the Bonds. Any such proposal could limit the value of certain deductions and exclusions, including the exclusion for tax-exempt interest. The likelihood of any such proposal being enacted cannot be predicted. Prospective purchasers of the Bonds should consult their own tax advisors regarding the foregoing matters.

Qualified Tax-Exempt Obligations for Financial Institutions

Section 265(a) of the Code provides, in pertinent part, that interest paid or incurred by a taxpayer, including a "financial institution," on indebtedness incurred or continued to purchase or carry tax-exempt obligations is not deductible in determining the taxpayer's taxable income. Section 265(b) of the Code provides an exception to the disallowance of such deduction for any interest expense paid or incurred on indebtedness of a taxpayer that is a "financial institution" allocable to tax-exempt obligations, other than "private activity bonds," that are designated by a "qualified small issuer" as "qualified tax-exempt obligations." A "qualified small issuer" is any governmental issuer (together with any "on-behalf of" and "subordinate" issuers) who issues no more than \$10,000,000 of tax-exempt obligations during the calendar year. Section 265(b)(5) of the Code defines the term "financial institution" as any "bank" described in section 585(a)(2) of the Code, or any person accepting deposits from the public in the ordinary course of such person's trade or business that is subject to federal or state supervision as a financial institution. Notwithstanding the exception to the disallowance of the deduction of interest on indebtedness related to "qualified tax-exempt obligations" provided by section 265(b) of the Code, section 291 of the Code provides that the allowable deduction to a "bank", as defined in section 585(a)(2) of the Code, for interest on indebtedness incurred or continued to purchase "qualified tax-exempt obligations" shall be reduced by twenty-percent (20%) as a "financial institution preference item."

The District expects to designate the Bonds as "qualified tax-exempt obligations" within the meaning of section 265(b) of the Code. In furtherance of that designation, the District will covenants to take such action that would assure, or to refrain from such action that would adversely affect, the treatment of the Bonds as "qualified tax-exempt obligations". **Potential purchasers should be aware that if the issue price to the public exceeds \$10,000,000, there is a reasonable basis to conclude that the payment of a de minimis amount of premium in excess of \$10,000,000 is disregarded; however the Internal Revenue Service could take a contrary view. If the Internal Revenue Service takes the position that the amount of such premium is not disregarded, then such obligations might fail to satisfy the \$10,000,000 limitation and the Bonds would not be "qualified tax-exempt obligations."**

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SALE AND DISTRIBUTION OF THE BONDS

Award of the Bonds

After requesting competitive bids for the Bonds, the District accepted the bid resulting in the lowest net interest cost, which bid was tendered by _____ (the “Initial Purchaser”) bearing the interest rates shown on the cover page hereof, at a price of _____% of the principal amount thereof which resulted in a net effective interest rate of _____% as calculated pursuant to Chapter 1204 of the Texas Government Code, as amended.

Prices and Marketability

The delivery of the Bonds is conditioned upon the receipt by the District of a certificate executed and delivered by the Initial Purchaser on or before the date of delivery of the Bonds stating the prices at which the Bonds have been offered for sale to the public. For this purpose, the term “public” shall not include any person who is a bond house, broker, or similar person acting in the capacity of underwriter or wholesaler. Otherwise, the District has no understanding with the Initial Purchaser regarding the reoffering yields or prices of the Bonds. Information concerning reoffering yields or prices is the responsibility of the Initial Purchaser.

The prices and other terms with respect to the offering and sale of the Bonds may be changed at any time by the Initial Purchaser after the Bonds are released for sale, and the Bonds may be offered and sold at prices other than the initial offering prices, including sales to dealers who may sell the Bonds into investment accounts. In connection with the offering of the Bonds, the Initial Purchaser may over-allot or effect transactions that stabilize or maintain the market prices of the Bonds at levels above those that might otherwise prevail in the open market. Such stabilizing, if commenced, may be discontinued at any time.

The District has no control over trading of the Bonds in the secondary market. Moreover, there is no guarantee that a secondary market will be made in the Bonds. In such a secondary market, the difference between the bid and asked price of utility district bonds may be greater than the difference between the bid and asked price of bonds of comparable maturity and quality issued by more traditional municipal entities, as bonds of such entities are more generally bought, sold, or traded in the secondary market. Additionally, there are no assurances that if a secondary market for the Bonds were to develop, that any such secondary market would not be disrupted by events including, but not limited to, the current pandemic associated with the COVID-19 virus. See “RISK FACTORS – Infectious Disease Outbreak (COVID-19).”

Securities Laws

No registration statement relating to the offer and sale of the Bonds has been filed with the United States Securities and Exchange Commission under the Securities Act of 1933, as amended, in reliance upon the exemptions provided thereunder. The Bonds have not been registered or qualified under the Securities Act of Texas in reliance upon various exemptions contained therein; nor have the Bonds been registered or qualified under the securities laws of any other jurisdiction. The District assumes no responsibility for registration or qualification of the Bonds under the securities laws of any other jurisdiction in which the Bonds may be offered, sold or otherwise transferred. This disclaimer of responsibility for registration or qualification for sale or other disposition of the Bonds shall not be construed as an interpretation of any kind with regard to the availability of any exemption from securities registration or qualification provisions in such other jurisdiction.

Ratings and Bond Insurance

No application for a rating on the Bonds has been made.

Application has been made to municipal bond insurance companies for the qualification of the Bonds for municipal bond insurance. If qualified, such insurance will be available at the option and expense of the Initial Purchaser. The rating fees associated with the insurance will be the responsibility of the Initial Purchaser.

PREPARATION OF OFFICIAL STATEMENT

Sources and Compilation of Information

The financial data and other information contained in this Official Statement has been obtained primarily from the District's records, the Developer, the Engineer, the Tax Assessor/Collector, the Appraisal District and information from certain other sources. All of these sources are believed to be reliable, but no guarantee is made by the District as to the accuracy or completeness of the information derived from sources other than the District, and its inclusion herein is not to be construed as a representation on the part of the District except as described below under “Certification of Official Statement.” Furthermore, there is no guarantee that

any of the assumptions or estimates contained herein will be realized. The summaries of the agreements, reports, statutes, resolutions, engineering and other related information set forth in this Official Statement are included herein subject to all of the provisions of such documents. These summaries do not purport to be complete statements of such provisions, and reference is made to such documents for further information.

Financial Advisor

Hilltop Securities, Inc., (“HilltopSecurities”) is employed as the Financial Advisor to the District to render certain professional services, including advising the District on a plan of financing and preparing the Official Statement, including the Official Notice Of Sale and the Official Bid Form for the sale of the Bonds. In its capacity as Financial Advisor, HilltopSecurities has compiled and edited this Official Statement. In addition to compiling and editing, the Financial Advisor has obtained the information set forth herein under the caption indicated from the following sources:

“THE DISTRICT” – the Developer; TRE & Associates, LLC (“Engineer”), and records of the District (“Records”); “THE DEVELOPER” - Developer; “THE SYSTEM” - Engineer; “UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED” - Records; “FINANCIAL STATEMENT” - Records; “ESTIMATED OVERLAPPING DEBT STATEMENT” - Municipal Advisory Council of Texas and Financial Advisor; “TAX DATA” - City of El Paso Tax Assessor/Collector; “MANAGEMENT” - District General Counsel; “PRO-FORMA DEBT SERVICE REQUIREMENTS” - Financial Advisor; “THE BONDS,” “LEGAL MATTERS,” and “TAX EXEMPTION” - McCall, Parkhurst & Horton L.L.P.

The Financial Advisor has provided the following sentence for inclusion in this official statement. The Financial Advisor has reviewed the information in this official statement in accordance with, and as part of, its responsibilities to the District and, as applicable, to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Financial Advisor does not guarantee the accuracy or completeness of such information.

Consultants

In approving this Official Statement the District has relied upon the following consultants.

Engineer: The information contained in this Official Statement relating to engineering matters and to the description of the System and in particular that information included in the sections entitled “THE DISTRICT” and “THE SYSTEM” has been provided by TRE & Associates, LLC, Consulting Engineers, and has been included herein in reliance upon the authority of said firm as experts in the field of civil engineering.

Appraisal District: The information contained in this Official Statement relating to the assessed valuations has been provided by the El Paso Central Appraisal District and has been included herein in reliance upon the authority of such entity as experts in assessing the values of property in El Paso County, including the District.

Tax Assessor/Collector: The information contained in this Official Statement relating to the historical breakdown of the Assessed Valuations, principal taxpayers, and certain other historical data concerning tax rates and tax collections has been provided by the El Paso Central Appraisal District and the City of El Paso Tax Assessor/Collector and is included herein in reliance upon their respective authority as experts in assessing and collecting taxes.

Auditor: The District’s financial statements for the fiscal year ending September 30, 2021 have been audited by West, Davis & Company, LLP. See “APPENDIX A” for a copy of the District’s September 30, 2021, audited financial statements.

Updating the Official Statement

If, subsequent to the date of the Official Statement, the District learns, through the ordinary course of business and without undertaking any investigation or examination for such purposes, or is notified by the Initial Purchaser, of any adverse event which causes the Official Statement to be materially misleading, and unless the Initial Purchaser elects to terminate its obligation to purchase the Bonds, the District will promptly prepare and supply to the Initial Purchaser an appropriate amendment or supplement to the Official Statement satisfactory to the Initial Purchaser; provided, however, that the obligation of the District to so amend or supplement the Official Statement will terminate when the District delivers the Bonds to the Initial Purchaser, unless the Initial Purchaser notifies the District on or before such date that less than all of the Bonds have been sold to ultimate customers, in which case the District's obligations hereunder will extend for an additional period of time as required by law (but not more than 90 days after the date the District delivers the Bonds).

Certification of Official Statement

The District, acting through its Board of Directors in its official capacity, hereby certifies, as of the date hereof, that the information, statements, and descriptions or any addenda, supplement and amendment thereto pertaining to the District and its affairs contained herein, to the best of its knowledge and belief, contain no untrue statement of a material fact and do not omit to state any material fact necessary to make the statements herein, in light of the circumstances under which they are made, not misleading. With respect to information included in this Official Statement other than that relating to the District, the District has no reason to believe that such information contains any untrue statement of a material fact or omits to state any material fact necessary to make the statements herein, in the light of the circumstances under which they are made, not misleading; however, the Board has made no independent investigation as to the accuracy or completeness of the information derived from sources other than the District. In rendering such certificate, the official executing this certificate may state that he has relied in part on his examination of records of the District relating to matters within his own area of responsibility, and his discussions with, or certificates or correspondence signed by, certain other officials, employees, consultants and representatives of the District.

Official Statement “Deemed Final”

For purposes of compliance with Rule 15c2-12, this document, as the same may be supplemental or corrected by the District from time-to-time, may be treated as an official statement with respect to the Bonds described herein “deemed final” by the District as of the date hereof (or of any such supplement or correction).

The Official Statement, when further supplemented by adding information specifying the interest rates and certain other information relating to the Bonds, shall constitute a “final official statement” of the District with respect to the Bonds as that term is defined in Rule 15c2-12.

CONTINUING DISCLOSURE OF INFORMATION

The offering of the Bonds qualifies for the Rule 15c2-12(d)(2) exemption from Rule 15c2-12 regarding the District’s continuing disclosure obligations because the District has less than \$10,000,000 in aggregate amount of outstanding bonds and no person is committed by contract or other arrangement with respect to payment of the Bonds. As required by the exemption, in the Bond Resolution, the District has made the following agreement for the benefit of the holders and beneficial owners of the Bonds. The District is required to observe the agreement for so long as it remains obligated to advance funds to pay the Bonds. Under the agreement, the District will be obligated to provide certain updated financial information and operating data annually, and timely notice of specified material events, to the Municipal Securities Rulemaking Board (the “MSRB”) or to any successor to its functions as a repository through its Electronic Municipal Market Access (“EMMA”) system.

Annual Reports

The District will provide certain financial information and operating data annually to the MSRB. The financial information and operating data which will be provided with respect to the District will be the District’s audited financial statements and supplemental schedules as found in “APPENDIX A - District Audited Financial Statements.” The District will update and provide this information within six months after the end of each of its fiscal years. The District will provide the updated information to the MSRB or any successor to its functions as a repository through the EMMA system. Any information concerning the District so provided shall be prepared in accordance with generally accepted auditing standards or other such principles as the District may be required to employ from time to time pursuant to state law or regulation, and audited if the audit report is completed within the period during which it must be provided. If the audit report of the District is not complete within such period, then the District shall provide unaudited financial statements for the applicable entity and fiscal year to the MSRB within such six month period, and audited financial statements when the audit report becomes available.

The District's current fiscal year end is September 30. Accordingly, it must provide updated information by March 31 in each year, unless the District changes its fiscal year. If the District changes its fiscal year, it will notify the MSRB of the change.

Notice of Certain Events

The District will provide timely notices of certain events to the MSRB, but in no event will such notices be provided to the MSRB in excess of ten business days after the occurrence of an event. The District will provide notice of any of the following events with respect to the Bonds: (1) principal and interest payment delinquencies; (2) non-payment related defaults, if material; (3) unscheduled draws on debt service reserves reflecting financial difficulties; (4) unscheduled draws on credit enhancements reflecting financial difficulties; (5) substitution of credit or liquidity providers, or their failure to perform; (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or

other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds; (7) modifications to rights of Beneficial Owners of the Bonds, if material; (8) bond calls, if material, and tender offers; (9) defeasances; (10) release, substitution, or sale of property securing repayment of the Bonds, if material; (11) rating changes; (12) bankruptcy, insolvency, receivership or similar event of the District or other obligated person within the meaning of Rule 15c2-12; (13) consummation of a merger, consolidation, or acquisition involving the District or other obligated person within the meaning of the Rule or the sale of all or substantially all of the assets of the District or other obligated person within the meaning of the Rule, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of an definitive agreement relating to any such actions, other than pursuant to its terms, if material; (14) appointment of a successor or additional trustee or the change of name of a trustee, if material; (15) incurrence of a financial obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the obligated person, any of which affect security holders, if material; and (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the obligated person, any of which reflect financial difficulties.

For these purposes, any event described in clause (12) of the immediately preceding paragraph is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer of the District in a proceeding under the United States Bankruptcy Court or in any other proceeding under state or federal law in which a court of governmental authority has assumed jurisdiction over substantially all of the assets or business of the District, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers of the District in possession but subject to the supervision and orders of a court of governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the District.

For the purposes of the events described in clauses (15) and (16) of the preceding paragraph, the term “Financial Obligation” is defined in the Bond Resolution to mean (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, and existing or planned debt obligation; or (c) guarantee of a debt obligation or any such derivative instrument; provided that “Financial Obligation” shall not include municipal securities (as defined in the Securities Exchange Act of 1934, as amended) as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule. The Bond Resolution further provides that the District intends the words in such clauses (15) and (16) in the preceding paragraph and in the definition of Financial Obligation to have the meanings ascribed to them in SEC Release No. 34-83885 dated August 29, 2018.

The District will provide notice of the aforementioned events to the MSRB in a timely manner (but not in excess of ten business days after the occurrence of the event). The District will also provide timely notice of any failure by the District to provide annual financial information in accordance with its agreement described above under “Annual Reports.”

Availability of Information from MSRB

The District has agreed to provide the foregoing information only to the MSRB. The MSRB makes the information available to the public without charge through its EMMA internet portal at www.emma.msrb.org.

Limitations and Amendments

The District has agreed to update information and to provide notices of material events only as described above. The District has not agreed to provide other information that may be relevant or material to a complete presentation of its financial results of operations, condition, or prospects or agreed to update any information that is provided, except as described above. The District makes no representation or warranty concerning such information or concerning its usefulness to a decision to invest in or sell Bonds at any future date. The District disclaims any contractual or tort liability for damages resulting in whole or in part from any breach of its continuing disclosure agreement or from any statement made pursuant to its agreement, although holders or beneficial owners of Bonds may seek a writ of mandamus to compel the District to comply with its agreement.

The District may amend its continuing disclosure agreement from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the District, but only if the agreement, as amended, would have permitted an underwriter to purchase or sell Bonds in the offering made hereby in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and either the holders of a majority in aggregate principal amount of the outstanding Bonds consent to the amendment or any person unaffiliated with the District (such as nationally recognized bond counsel) determines that the amendment will not materially impair the interests of the holders and beneficial owners of the Bonds. The District may also amend or repeal the agreement in the Bond Resolution if the SEC amends or repeals the applicable provisions of the Rule or a court of final jurisdiction determines that such provisions are invalid or unenforceable, but only to the extent that its right to do so would not prevent the Initial Purchaser from lawfully purchasing the Bonds in the offering described herein. If the District so amends the agreement, it has agreed to include with any financial information or operating data next provided in accordance with its agreement described above under “Annual Reports” an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information and operating data so provided.

Compliance with Prior Undertakings

Since first entering into a continuing disclosure agreement in 2019, the District has complied in all material respects with such agreements.

MISCELLANEOUS

All estimates, statements and assumptions in this Official Statement and the Appendix hereto have been made on the basis of the best information available and are believed to be reliable and accurate. Any statements in this Official Statement involving matters of opinion or estimates, whether or not expressly so stated, are intended as such and not as representations of fact, and no representation is made that any such statements will be realized.

This Official Statement was approved by the Board of Directors of Paseo del Este Municipal Utility District No. 7, as of the date shown on the cover page.

/s/ _____
President, Board of Directors
Paseo del Este Municipal Utility District No. 7

ATTEST:

/s/ _____
Secretary, Board of Directors
Paseo del Este Municipal Utility District No. 7

AERIAL PHOTOGRAPH
(Approximate boundaries)



PHOTOGRAPHS

The following photographs were taken in the District on September 28, 2022, solely to illustrate the type of improvements which have been constructed in the District. The District cannot predict if any additional improvements will be constructed in the future.





APPENDIX A

District Audited Financial Statements for the fiscal year ended September 30, 2021

APPENDIX B

Form of Bond Counsel's Opinion



Legislation Text

File #: 22-1361, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

Please choose District and Department from drop down menu. Please post exactly as example below.

No Title's, No emails. Please use ARIAL 10 Font.

All Districts

City Manager's Office, Robert Cortinas, (915) 212-1067

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Discussion and action on the Resolution that the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2022 by Paseo Del Este Municipal Utility District No. 5 with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

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

DEPARTMENT: City Manager's Office

AGENDA DATE: October 25, 2022

PUBLIC HEARING DATE: N/A

CONTACT PERSON NAME AND PHONE NUMBER: Robert Cortinas, Chief Financial Officer (915) 212-1067

DISTRICT(S) AFFECTED: All Districts

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

SUBGOAL: 6.5

SUBJECT:

Discussion and action on the resolution that the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2022 by Paseo Del Este Municipal Utility District No. 5 with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

BACKGROUND/ DISCUSSION:

On December 3, 2002 the City Council of the City of **El Paso** ('City') consented to the creation of Paseo Del Este Municipal Utility Districts Nos. 1 through 9 ("Districts") in the City of **El Paso's** Extraterritorial Jurisdiction. The City's conditions for the creation of the Districts was that the City is to review and approve the Districts' bonds and notes prior to issuance and may place restrictions on the terms and provisions of each of the District's bonds and notes issued to provide service to the land and conditions on the sale of the District's bonds and notes to the extent such restrictions and conditions do not generally render the bonds and notes of the Districts unmarketable.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING: N/A

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

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, on December 3, 2002 the City Council of the City of El Paso ("City") consented to the creation of Paseo Del Este Municipal Utility Districts Nos. 1 through 9 ("Districts") in the City of El Paso's Extraterritorial Jurisdiction; and

WHEREAS, the City's consent to the creation of the Districts was subject to several conditions; and

WHEREAS, one of the City's conditions for the creation of the Districts was that the City is to review and approve the Districts' bonds and notes prior to issuance and may place restrictions on the terms and provisions of each of the District's bonds and notes issued to provide service to the land and conditions on the sale of the District's bonds and notes to the extent such restrictions and conditions do not generally render the bonds and notes of the Districts unmarketable; and

WHEREAS, Paseo Del Este Municipal Utility District No. Five ("M.U.D. No. 5") requested review and approval of the issuance of the Unlimited Tax Bonds, Series 2022 Bonds by M.U.D. No. 5 (the "Series 2022 Bonds"); and

WHEREAS, the City reviewed the proposed issuance of Series 2022 Bonds by M.U.D. No. 5 and desires to approve the issuance of the bonds.

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

That the City reviewed and approves the issuance of the Unlimited Tax Bonds, Series 2022 Bonds in the estimated amount of \$1,250,000, by Paseo Del Este Municipal Utility District No. 5, with the acknowledgement that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

APPROVED THIS _____ DAY OF _____ 2022.

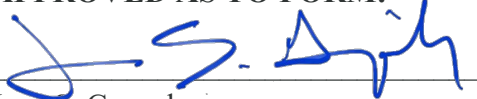
CITY OF EL PASO:

Oscar Leaser, Mayor

ATTEST:

Laura Prine,
City Clerk

APPROVED AS TO FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Robert Cortinas,
Chief Financial Officer

PRELIMINARY OFFICIAL STATEMENT DATED NOVEMBER 29, 2022

THE DELIVERY OF THE BONDS IS SUBJECT TO THE OPINION OF BOND COUNSEL AS TO THE VALIDITY OF THE BONDS AND TO THE EFFECT THAT INTEREST ON THE BONDS IS EXCLUDABLE FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES UNDER STATUTES, REGULATIONS, COURT DECISIONS, AND PUBLISHED RULINGS EXISTING ON THE DATE THEREOF, SUBJECT TO THE MATTERS DESCRIBED UNDER "TAX EXEMPTION" HEREIN, INCLUDING THE ALTERNATIVE MINIMUM TAX ON CERTAIN CORPORATIONS.

THE DISTRICT EXPECTS TO DESIGNATE THE BONDS AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" FOR FINANCIAL INSTITUTIONS. See "TAX EXEMPTION – Qualified Tax – Exempt Obligations for Financial Institutions."

NEW ISSUE - Book Entry Only

\$1,250,000

PASEO DEL ESTE MUNICIPAL UTILITY DISTRICT NO. 5

(A political subdivision of the State of Texas located within El Paso County)

UNLIMITED TAX BONDS, SERIES 2022

Dated: December 15, 2022

Due: August 15, as shown below

Principal of the Bonds will be payable at stated maturity or redemption upon presentation of the Bonds at the principal payment office of the paying agent/registrar, initially BOKF, NA, (the "Paying Agent/Registrar") in Dallas, Texas. Interest on the Bonds will accrue from the date of delivery of the Bonds (expected to be December 21, 2022), and is payable on February 15, 2024 and on each August 15 and February 15 thereafter until the earlier of maturity or redemption. The Bonds will be issued only in fully registered form in denominations of \$5,000 each or integral multiples thereof. Interest will be calculated on the basis of a 360 day year of twelve 30 day months. The Bonds are subject to redemption prior to maturity as shown below.

The Bonds will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds. Beneficial owners of the Bonds will not receive physical certificates representing the Bonds, but will receive a credit balance on the books of the nominees of such beneficial owners. So long as Cede & Co. is the registered owner of the Bonds, the principal of and interest on the Bonds will be paid by the Paying Agent/Registrar directly to DTC, which will, in turn, remit such principal and interest to its participants for subsequent disbursement to the beneficial owners of the Bonds as described herein. See "BOOK-ENTRY-ONLY SYSTEM."

MATURITIES, PRINCIPAL AMOUNTS, INTEREST RATES AND INITIAL REOFFERING YIELDS

Due Aug. 15	Principal Amount ^(a)	Interest Rate	Initial Reoffering Yield ^(b)	CUSIP Number ^(d)	Due Aug. 15	Principal Amount ^(a)	Interest Rate	Initial Reoffering Yield ^(b)	CUSIP Number ^(d)
2025	\$ 30,000				2033	\$ 40,000			
2026	30,000				2034	45,000			
2027	30,000				2035	45,000			
2028	30,000				2036	50,000			
2029	35,000				2037	50,000			
2030	35,000				2038	55,000			
2031	40,000				2039	340,000			
2032	40,000				2040	355,000			

- (a) The Initial Purchasers (as defined herein) may designate one or more maturities as term bonds. See accompanying "OFFICIAL NOTICE OF SALE" and "OFFICIAL BID FORM."
- (b) Initial reoffering yield represents the initial offering yield to the public which has been established by the Initial Purchaser for offers to the public and which may be subsequently changed by the Initial Purchaser and is the sole responsibility of the Initial Purchaser.
- (c) Bonds maturing on or after August 15, 20__ are subject to redemption prior to maturity at the option of the District, in whole or, from time to time in part, on August 15, 20__, or on any date thereafter, at a price equal to the par value thereof plus accrued interest from the most recent interest payment date to the date fixed for redemption. See "THE BONDS – Redemption Provisions."
- (d) CUSIP Numbers have been assigned to the Bonds by CUSIP Global Services and are included solely for the convenience of the purchasers of the Bonds. Neither the District nor the Initial Purchaser shall be responsible for the selection or correctness of the CUSIP Numbers set forth herein.

INSURANCE. . . Application has been made to municipal bond insurance companies for the qualification of the Bonds for municipal bond insurance. If qualified, such insurance will be available at the option and expense of the Initial Purchaser. The rating fees associated with the insurance will be the responsibility of the Initial Purchaser.

The Bonds, when issued, will constitute valid and legally binding obligations of Paseo del Este Municipal Utility District No. 5 (the "District") and will be payable from the proceeds of an annual ad valorem tax, without legal limitation as to rate or amount, levied against all taxable property located within the District. The Bonds are obligations solely of the District and are not obligations of the State of Texas, El Paso County, the City of El Paso or any entity other than the District. Investment in the Bonds is subject to special considerations described herein. See "RISK FACTORS."

The Bonds are offered by the Initial Purchaser subject to prior sale, when, as and if issued by the District and accepted by the Initial Purchaser, subject, among other things, to the approval of the Bonds by the Attorney General of Texas and the approval of certain legal matters by McCall, Parkhurst & Horton L.L.P., Austin, Texas, Bond Counsel. Certain legal matters will be passed upon for the District by Winstead PC, Dallas, Texas as Disclosure Counsel. Delivery of the Bonds through the facilities of DTC is expected on or about December 21, 2022.

BIDS DUE: December 8, 2022 at 8:00 A.M., Mountain Standard Time in El Paso, Texas
BID AWARD: December 8, 2022 at 10:30 A.M., Mountain Standard Time in El Paso, Texas

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The cover page hereof, this page, the appendices included herein and any addenda, supplement or amendment hereto, are part of the Official Statement.

USE OF INFORMATION IN OFFICIAL STATEMENT

No dealer, broker, salesman or other person has been authorized to give any information or to make any representations other than those contained in this Official Statement, and, if given or made, such other information or representation must not be relied upon as having been authorized by the District.

This Official Statement is not to be used in an offer to sell or the solicitation of an offer to buy in any state in which such offer or solicitation is not authorized or in which the person making such offer or solicitation is not qualified to do so or to any person to whom it is unlawful to make such offer or solicitation.

All of the summaries of the statutes, resolutions, contracts, audited financial statements, engineering and other related reports set forth in this Official Statement are made subject to all of the provisions of such documents. These summaries do not purport to be complete statements of such provisions, and reference is made to such documents, copies of which are available from Gordon Davis Johnson & Shane P.C., upon payment of duplication costs.

This Official Statement contains, in part, estimates, assumptions and matters of opinion which are not intended as statements of fact, and no representation is made as to the correctness of such estimates, assumptions or matters of opinion, or as to the likelihood that they will be realized. Any information and expressions of opinion herein contained are subject to change without notice and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the District or other matters described herein since the date hereof. However, the District has agreed to keep this Official Statement current by amendment or sticker to reflect material changes in the affairs of the District and, to the extent that information actually comes to its attention, the other matters described in this Official Statement until delivery of the Bonds to the Initial Purchaser and thereafter only as specified in “PREPARATION OF OFFICIAL STATEMENT- Updating the Official Statement.”

OFFICIAL STATEMENT SUMMARY

The following information is qualified in its entirety by the detailed information appearing elsewhere in this Official Statement.

THE FINANCING

<i>The Issuer</i>	Paseo del Este Municipal Utility District No. 5 (the “District”), a political subdivision of the State of Texas, is located in El Paso County, Texas. See “THE DISTRICT.”
<i>The Issue</i>	The \$1,250,000 Unlimited Tax Bonds, Series 2022 (the “Bonds”) are issued pursuant to a resolution (the “Bond Resolution”) of the District's Board of Directors. The Bonds will be issued as fully registered bonds in denominations of \$5,000 each or integral multiples thereof, maturing on August 15 in each of the years and in the amounts set forth on the cover hereof. Interest on the Bonds accrues from the date of initial delivery of the Bonds (expected to be December 21, 2022), and is payable on February 15, 2024, and on each August 15 and February 15 thereafter until the earlier of maturity or prior redemption.
<i>Redemption</i>	The Bonds maturing on and after August 15, 202_, are subject to redemption, in whole or in part, at the option of the District, prior to their maturity dates, on August 15, 202_, or on any date thereafter. Upon redemption, the Bonds will be payable at a price of par plus accrued interest to the date of redemption. See “THE BONDS - Redemption Provisions.”
<i>Source of Payment</i>	The Bonds are payable from an annual ad valorem tax, without legal limitation as to rate or amount, levied upon all taxable property within the District (see “TAX PROCEDURES”). The Bonds are obligations of the District and are not obligations of the State of Texas, El Paso County, the City of El Paso, Texas (the “City”) or any other political subdivision or agency other than the District. See “THE BONDS - Source of and Security for Payment.”
<i>Use of Proceeds</i>	Proceeds from sale of the Bonds will be used to reimburse the Developers (as hereinafter defined) for funds advanced on behalf of the District for the District's pro rata share of costs relating to facilities constructed by or on behalf of Paseo del Este Municipal Utility District No. 1 (the “Master District”) being a portion of costs of certain regional water, sanitary sewer and storm drainage facilities serving the District and the other “Participant Districts” as hereafter defined, including engineering costs (the “Regional Facilities”), and the cost of certain internal water, wastewater and drainage facilities serving the District (the “Internal Facilities”). Bond proceeds will also be used to pay interest to the Developers (hereinafter defined) on funds expended for the foregoing, including engineering costs, and to pay certain costs associated with the issuance of the Bonds. See “THE SYSTEM - Use and Distribution of Bond Proceeds.”
<i>Payment Record</i>	The District has previously issued three series of unlimited tax bonds, of which an aggregate principal amount of \$8,030,000 currently remains outstanding prior to the issue of the Bonds (the “Outstanding Bonds”). The District has never defaulted in payments of principal of or interest on its unlimited tax debt.
<i>Qualified Tax-Exempt Obligations</i>	The District expects to designate the Bonds as “qualified tax-exempt obligations for financial institutions.” See “TAX EXEMPTION - Qualified Tax-Exempt Obligations for Financial Institutions.”
<i>Ratings</i>	No application for a rating on the Bonds has been made.
<i>Bond Insurance</i>	Application has been made to municipal bond insurance companies for the qualification of the Bonds for municipal bond insurance. If qualified, such insurance will be available at the option and expense of the Initial Purchaser. The rating fees associated with the insurance will be the responsibility of the Initial Purchaser.
<i>General Counsel</i>	Gordon Davis Johnson & Shane P.C., El Paso, Texas
<i>Bond Counsel</i>	McCall, Parkhurst & Horton L.L.P., Austin, Texas.

<i>Disclosure Counsel</i>	Winstead PC, Dallas, Texas.
<i>Financial Advisor</i>	Hilltop Securities, Inc., El Paso, Texas and Dallas, Texas.
<i>Engineer</i>	TRE & Associates, LLC, Austin, Texas and El Paso, Texas.
<i>Risk Factors</i>	The purchase and ownership of the Bonds are subject to special risk factors, including certain risk factors related to the current pandemic associated with COVID-19, and all prospective purchasers are urged to examine carefully the entire Official Statement for a discussion of investment risks, including particularly the section captioned “RISK FACTORS.”

THE DISTRICT

<i>Description</i>	The District was created by division of Paseo del Este Municipal Utility District (the “Original District”) pursuant to a division order adopted by the Original District on May 15, 2003, and operates pursuant to Chapter 443, Acts of the Texas Legislature, Regular Session, 1997 (the “Act”) and Chapters 49 and 54, Texas Water Code. Prior to division, Paseo del Este Municipal Utility District was created as a Conservation and Reclamation District on May 29, 1997 by the Act. The District presently contains approximately 457 acres of land (approximately 218.561 developable acres) located in the southeast portion of El Paso County approximately 15 miles east of the central area of the City. The District is located approximately one mile east of the intersection of Loop 375 and Paseo del Este Boulevard. The District lies totally within the exclusive extraterritorial jurisdiction of the City. See “AERIAL PHOTOGRAPH” herein.
<i>Master District Contract</i>	The District and nine other districts in the Paseo del Este development in eastern El Paso County known as Paseo del Este Municipal Utility District Nos. 2, 3, 4, 6, 7, 8, 9, 10 and 11 (those ten districts and the Master District being collectively referred to as the “Participant Districts” and individually as “Participant District No. –”) have each entered into a “Master District Contract” with the Master District to coordinate the development of the water, sanitary sewer and drainage facilities to serve the area within all eleven Participant Districts. Under the Master District Contract, the Master District will acquire, construct, own and operate the Regional Facilities to serve the area within all eleven Participant Districts; each Participant District will acquire, construct and own its Internal Facilities serving only area within it and lease the Internal Facilities to the Master District for operation; and the Master District will provide retail water and wastewater service to all retail customers in all of the Participant Districts.
<i>Status of Development</i>	The Participant Districts are being developed primarily for single family residential, commercial and industrial purposes, and are within the Paseo del Este development (“Paseo del Este”). Paseo del Este is being developed primarily by Hunt Communities Group, Inc. (“Hunt”) and certain affiliates thereof, and B&G/Sunrise Joint Venture (“B&G”) and is planned to include approximately 4,300 acres of land. The land in Paseo del Este was purchased from the Texas General Land Office by Hunt and affiliates thereof and B&G in varying positions in a series of transactions between 1998 and 2020. As of August 31, 2022 approximately 8,990 single family residential lots have been developed within Paseo del Este, and approximately 7,984 homes are completed or are in various stages of construction in Paseo del Este, including approximately 891 lots and 878 homes within the District.

The development within the District includes Mission Ridge Unit 4, The Pueblos at Mission Ridge Unit 1, Desert Canyon at Mission Ridge Unit 1, Desert Canyon at Mission Ridge Unit 2 and Painted Sky at Mission Ridge Unit 2, which are single family residential subdivisions containing approximately 887 single family lots and encompassing approximately 246.69 acres. The subdivision named The Pueblos at Mission Ridge Unit 1, while primarily a residential development, also included 10.7 acres of commercial development. The subdivision named Desert Canyon at Mission Ridge Unit 2 also included a 1.6 acre commercial corner that now includes an El Paso County Fire Department facility. In 2019, a development named the Mission Ridge Town Center Unit 2 was platted with an 11.6 acre commercial parcel and an 11 acre multi-family parcel. Mission Ridge Towne Center Unit 1 is a commercial development within the District containing approximately 14.405 acres. Development within the District also includes a portion of the Paseo del Este Boulevard and Mission Ridge Boulevard, both 120 foot arterials that run through the District. Hunt Mission Ridge, LLC is the developer of all of the above mentioned subdivisions.

In addition to the development described above, the District contains approximately 43 acres of developable land that are not provided with underground water, sanitary sewer and drainage facilities. See “RISK FACTORS – Undeveloped Acreage” and “THE DISTRICT – Status of Development.”

The Developers.....Major water, sewer and drainage facilities and streets to serve land within the District are being developed by Hunt and B&G. The activities of Hunt and its affiliates include investment management, mortgage banking, direct lending, loan servicing, asset management, property management, development, construction, consulting and advisory. Water, sewer and drainage facilities to serve specific sections within the District have been acquired or constructed by Hunt Mission Ridge, LLC, an affiliate of Hunt. Hunt, B&G and Hunt Mission Ridge, LLC are collectively referred to herein as the “Developers.” As discussed under the “THE DISTRICT - Status of Development,” most of the currently developable land within the District is owned by Hunt. See “THE DEVELOPERS.

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SELECTED FINANCIAL INFORMATION

Tax Year 2022 Certified Assessed Valuation	\$ 199,294,158	(a)
District Debt:		
Gross Debt Outstanding (after the issuance of the Bonds)	\$ 9,280,000	
Estimated Overlapping Debt	\$ 10,355,137	(b)
Gross Debt and Estimated Overlapping Debt	\$ 19,635,136.83	
Ratio of Gross Debt to Tax Year 2022 Certified Assessed Valuation	4.66%	
Ratio of Gross Debt and Estimated Overlapping Debt to Tax Year 2022 Certified Assessed Valuation	9.85%	
Debt Service Funds Available, as of September 8, 2022	\$ 345,584	(c)
Capital Projects Funds Available, as of September 8, 2022.	\$ 101,761	
Operating Funds Available, as of September 8, 2022.	\$ 416,298	
Tax Year 2022 Tax Rates:		
Debt Service	\$ 0.3512	(d)
Contract	0.2900	
Maintenance and Operations	0.0782	
Total	\$ 0.7194	/ \$100 A.V.
Average Annual Debt Service Requirements (2023 - 2040) of the Bonds and Outstanding Bonds ("Average Requirement")	\$ 701,467	(c)(e)
Tax rate required to pay Average Requirement based upon Tax Year 2022		
Certified Assessed Valuation at a 98% collection rate	\$ 0.35916	/ \$100 A.V.
Status of Water Connections as of August 31, 2022:		
Single-family residential - completed and occupied	865	
Single-family residential - completed and vacant	3	
Single-family residential - under construction - builder	10	
Other (Irrigation)	12	
Commercial connections)	13	
Total Connections	903	

- (a) As certified by the El Paso Central Appraisal District (the "Appraisal District"). Represents the assessed taxable valuation within the District as of January 1, 2022. See "TAX PROCEDURES."
- (b) See "ESTIMATED OVERLAPPING DEBT STATEMENT" herein.
- (c) Neither the Bond Resolution nor Texas law requires that the District maintain any particular balance in the Debt Service Fund.
- (d) In connection with its approval of the Bonds, the Texas Commission on Environmental Quality has approved an initial debt service tax rate after issuance of the Bonds of at most \$0.00 per \$100 assessed valuation.
- (e) See "PRO-FORMA DEBT SERVICE REQUIREMENTS."

PRELIMINARY OFFICIAL STATEMENT

\$1,250,000

PASEO DEL ESTE MUNICIPAL UTILITY DISTRICT NO. 5

(A political subdivision of the State of Texas located within El Paso County)

UNLIMITED TAX BONDS, SERIES 2022

This Official Statement provides certain information in connection with the issuance by Paseo del Este Municipal Utility District No. 5 (the “District”) of its \$1,250,000 Unlimited Tax Bonds, Series 2022 (the “Bonds”).

The Bonds are issued pursuant to the Texas Constitution, Chapter 443, Acts of the Texas Legislature, Regular Session, 1997 (the “Act”) and Chapters 49 and 54 of the Texas Water Code, as amended, a resolution authorizing the issuance of the Bonds (the “Bond Resolution”) adopted by the Board of Directors of the District (the “Board”), and an order of the Texas Commission on Environmental Quality (the “TCEQ”).

This Official Statement includes descriptions, among others, of the Bonds and the Bond Resolution, and certain other information about the District and the Developers of land within the District. All descriptions of documents contained herein are only summaries and are qualified in their entirety by reference to each document. Copies of documents may be obtained from Gordon Davis Johnson & Shane P.C., the District’s General Counsel, upon payment of the costs of duplication therefor.

RISK FACTORS

General

The Bonds, which are obligations of the District and not obligations of the State of Texas, El Paso County, the City, or any other political entity other than the District, will be secured by a continuing, direct, annual ad valorem tax levied, without legal limitation as to rate or amount, on all taxable property within the District. The ultimate security for payment of the principal of and interest on the Bonds depends on the ability of the District to collect from the property owners within the District all taxes levied against the property or, in the event of foreclosure, on the value of the taxable property with respect to taxes levied by the District and by other taxing authorities. See “THE BONDS - Source of and Security for Payment.” The collection by the District of delinquent taxes owed to it and the enforcement by the Registered Owners of the District's obligation to collect sufficient taxes may be a costly and lengthy process. Furthermore, the District cannot and does not make any representations that continued development of taxable property within the District will accumulate or maintain taxable values sufficient to justify continued payment of taxes by property owners or that there will be a market for the property in the District or that owners of the property in the District will have the ability to pay taxes. See “Registered Owners' Remedies and Bankruptcy Limitations” below.

Infectious Disease Outbreak (COVID-19)

In March 2020, the World Health Organization and the President of the United States separately declared the outbreak of a respiratory disease caused by a novel coronavirus (“COVID-19”) to be a public health emergency. On March 13, 2020, the Governor of Texas (the “Governor”) declared a state of disaster for all counties in the State of Texas (the “State”) because of the effects of COVID-19. Subsequently, in response to a rise in COVID-19 infections in the State and pursuant to the Chapter 418 of the Texas Government Code, the Governor issued a number of executive orders intended to help limit the spread of COVID-19 and mitigate injury and the loss of life, including limitations imposed on business operations, social gatherings, and other activities.

Over the ensuing year, COVID-19 negatively affected commerce, travel and businesses locally and globally, and negatively affected economic growth worldwide and within the State. Following the widespread release and distribution of various COVID-19 vaccines in 2021 and a decrease in active COVID-19 cases generally in the United States, state governments (including Texas) have started to lift business and social limitations associated with COVID-19. Beginning in March 2021, the Governor issued various executive orders, which, among other things, rescinded and superseded prior executive orders and provide that there are currently no COVID-19 related operating limits for any business or other establishment except in counties with an “area with high hospitalizations” where a county judge may impose COVID-19 related mitigation strategies. The Governor retains the right to impose additional restrictions on activities if needed to mitigate the effects of COVID-19. Additional information regarding executive orders issued by the Governor is accessible on the website of the Governor at <https://gov.texas.gov/>. Neither the information on, nor accessed through, such website of the Governor is incorporated by reference into this Offering Memorandum.

The District has not experienced any decrease in property values, unusual tax delinquencies, or interruptions to service as a result of COVID-19; however the District cannot predict the long-term economic effect of COVID-19 or a similar virus should there be a reversal of economic activity and re-imposition of restrictions.

Factors Affecting Taxable Values and Tax Payments

Economic Factors and Interest Rates: A substantial percentage of the taxable value of the District results from the current market value of single-family residences, undeveloped land and developed lots which are currently being marketed by the Developers (as defined herein) to builders for the construction of primary residences. The market value of such homes and lots is related to general economic conditions affecting the demand for residences. Demand for lots of this type and the construction of residential dwellings thereon can be significantly affected by factors such as interest rates, credit availability (see “Credit Markets and Liquidity in the Financial Markets” below), construction costs, energy availability and the prosperity and demographic characteristics of the urban center toward which the marketing of lots is directed. Decreased levels of construction activity would tend to restrict the growth of property values in the District or could adversely impact such values. See “THE DISTRICT - Status of Development.”

Future development and construction in the District are highly dependent on the availability of financing. Lenders generally have become more selective in making real estate loans throughout the nation, including in Texas. Because of the numerous and changing factors affecting the availability of funds, the District is unable to assess the future availability of such funds to potential home builders and home purchasers.

Credit Markets and Liquidity in the Financial Markets: Interest rates and the availability of mortgage and development funding have a direct impact on the construction activity, particularly short-term interest rates at which Developers are able to obtain financing for development costs. Interest rate levels may affect the ability of a landowner with undeveloped property to undertake and complete construction activities within the District. Because of the numerous and changing factors affecting the availability of funds, the District is unable to assess the future availability of such funds for continued construction within the District. In addition, since the District is located approximately 15 miles east of the central downtown business district of the City, the success of development within the District and growth of District taxable property values are, to a great extent, a function of the El Paso metropolitan and regional economies and national credit and financial markets. A downturn in the economic conditions in the El Paso area and/or decline in the nation’s real estate and financial markets could continue to adversely affect development and home-building plans in the District and restrain the growth of the District’s property tax base.

Competition: The demand for and construction of single-family homes in the District, which is 15 miles east from downtown El Paso, could be affected by competition from other residential developments, including other residential developments located in the northwestern, northeastern and far eastern portion of the El Paso area market. In addition to competition for new home sales from other developments, there are numerous previously-owned homes in the area of the District. Such homes could represent additional competition for new homes proposed to be sold within the District.

The competitive position of the builders in the sale of single-family residential homes within the District is affected by most of the factors discussed in this section. Such a competitive position directly affects the growth and maintenance of taxable values in the District and tax revenues to be received by the District. The District can give no assurance that building and marketing programs in the District by the Developers will be implemented or, if implemented, will be successful.

Landowner Obligation to the District: There are no commitments from or obligations of any Developers or any landowner to the District to proceed at any particular rate or according to any specified plan with the construction of improvements in the District, and there is no restriction on any landowner's right to sell its land. Failure to develop undeveloped land or construct taxable improvements on developed lots or developed tracts of land would restrict the rate of growth of taxable values in the District. The District cannot and does not make any representations that over the life of the Bonds, taxable property within the District will increase or maintain its taxable value. See “Undeveloped Acreage” below.

Dependence on Principal Taxpayers: The ability of any principal taxpayer to make full and timely payments of taxes levied against its property by the District and similar taxing authorities will directly affect the District's ability to meet its debt service obligations. If, for any reason, any one or more principal taxpayers do not pay taxes due or do not pay in a timely manner, the District may need to levy additional taxes or use other funds available for debt service purposes. However, the District has not covenanted in the Bond Resolution, nor is it required by Texas law, to maintain any particular balance in its Debt Service Fund or any other funds to allow for any such delinquencies. Therefore, failure by one or more principal taxpayers to pay their taxes on a timely basis in amounts in excess of the District's available funds could have a material adverse effect upon the District's ability to pay debt service on the Bonds on a current basis. See “TAX DATA – Principal Taxpayers.”

Impact on District Tax Rates: Assuming no further development, the value of the land and improvements currently within the District will be the major determinant of the ability or willingness of District property owners to pay their taxes. The 2022 certified assessed valuation of the District (see “SELECTED FINANCIAL INFORMATION”) is \$199,294,158. After issuance of the Bonds, the projected maximum annual debt service requirement will be \$765,124 (2026) and the projected average annual debt service requirement will be \$701,467 (2023-2040). Assuming no increase or decrease from the 2022 assessed valuation and no use of funds other than tax collections, a tax rate of \$0.3918 per \$100 assessed valuation at a 98% collection rate would be necessary to pay the projected maximum annual debt service requirement of \$765,124 and a tax rate of \$0.3592 per \$100 assessed valuation at a 98% collection rate would be necessary to pay the projected average annual debt service requirement of \$701,467 (see “SELECTED FINANCIAL INFORMATION”). Such calculated rates may be higher than tax rates presently being levied in utility districts in the general vicinity of the District. Although calculations have been made regarding average and maximum tax rates necessary to pay the debt service on the Bonds based upon the 2022 Assessed Valuation, the District can make no representations regarding the future level of assessed valuation within the District. Increases in the tax rate may be required in the event the District's assessed valuation does not continue to increase or in the event major taxpayers do not pay their District taxes timely. Increases in taxable values depend primarily on the continuing construction and sale of homes and other taxable improvements within the District. See “TAX PROCEDURES,” “FINANCIAL STATEMENT,” and “TAX DATA – Projected Tax Adequacy for Debt Service.”

Undeveloped Acreage

There are approximately 43 acres of developable land (the “Developable Land”) within the District that have not been provided with any water, sanitary sewer, storm sewer, road or other facilities necessary for the construction of taxable improvements. See “THE DISTRICT – Status of Development.”

District Operations and Contract Tax

The Master District Contract between the District and the Master District provides that, as partial consideration for the District allowing the Master District to provide retail water and wastewater service to retail customers inside the District’s boundaries, the Master District will pay the District’s administrative expenses to manage the District pursuant to a budget process outlined below. The Master District Contracts between the other Participant Districts and the Master Districts have similar provisions regarding those other Participant Districts. The Master District Contract provides that the District will submit annually a budget for its administrative expenses to the Master District for review and approval by the Master District. Once approved, all such expenses will be paid by the Master District. The District’s budget must be approved by the Master District if it is no more than 10% higher than the average of the annual budgets of the Participant Districts Nos. 2-11. To date, the District’s annual budgets have all been approved by the Master District.

The Master District Contract also provides that the Master District will pay its own operation and administrative expenses and the approved administrative expenses of the Participant Districts from the revenues from the Master District’s water and wastewater system. If the Master District’s water and wastewater system revenues are insufficient to pay all of those costs, the resulting deficit will be paid by all Participant Districts (including the Master District) from the proceeds of an annual ad valorem contract tax levied by each Participant District on all taxable property within its boundaries in an amount sufficient to pay each Participant District’s pro rata share of the deficit. A Participant District’s pro rata share of the deficit each year is determined by multiplying the deficit by a fraction, the numerator of which is the Participant District’s taxable assessed valuation for the year and the denominator of which is the total of the taxable assessed valuations in all the Participant Districts (including the Master District). See “THE SYSTEM - The Master District Contract.”

For the 2022 fiscal year, the District paid its pro rata share of the Master District’s budgeted operating deficit from the \$0.29/\$100 assessed value contract tax levied by the District on September 8, 2022.

Future Debt

At an election held May 14, 2011, District voters authorized the issuance of up to \$33,000,000 of unlimited tax debt. The District reserves in the Bond Resolution the right to issue the remaining \$21,980,000 principal amount of unlimited tax debt authorized but unissued after the issuance of the Bonds for the purpose of acquiring or constructing water, sanitary sewer and drainage facilities and the District may issue additional bonds which may be voted hereafter. The District may also issue revenue bonds and refunding bonds. See “THE BONDS - Issuance of Additional Debt” and “THE SYSTEM – Future Debt.” The issuance of such future obligations may dilute and adversely affect the investment security of the Bonds. The District does not employ any formula with regard to assessed valuations or tax collections or otherwise to limit the amount of bonds which may be issued. Any bonds issued by the District, however, must be approved by the Board of the District, the Attorney General of Texas and, with respect to bonds for water, sewer and drainage improvements, the TCEQ. After sale of the Bonds and reimbursement to the Developers of a portion of the proceeds therefrom, the District will still owe not less than approximately \$228,000 to the Developers for the costs of facilities for which the Developers has not yet been reimbursed.

In addition to the costs of facilities being financed with proceeds from sale of the Bonds, the Developers has financed the engineering and construction of certain other Regional Facilities. After reimbursement from sale of the Bonds, the Developers will have expended approximately \$0 (as of August 31, 2022) for design, construction and acquisition of the District's share of Regional Facilities not yet reimbursed and \$228,000 (as of August 31, 2022) for District Facilities not yet reimbursed. It is anticipated that proceeds from future issues of District bonds will be used, in part, to reimburse the Developers for the District's pro rata share of these costs to the extent allowed by the TCEQ.

Additionally, the Developable Land has not yet been provided with water distribution, wastewater collection and storm drainage facilities. It is anticipated that proceeds from future issues of District bonds will be used to reimburse the Developers for the costs of these facilities. The District can make no representation that any additional development will occur within the District. The Engineer has stated that the District's authorized but unissued bonds will be adequate, under present land use projections, to fully finance water, sewer and drainage improvements to serve the Developable Land. The District expects to sell additional bonds to reimburse the Developers for such costs. See "THE SYSTEM – Future Debt" "THE BONDS – Issuance of Additional Debt," and "UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED."

Environmental Regulation

Wastewater treatment and water supply facilities are subject to stringent and complex environmental laws and regulations. The Master District currently receives wholesale water and wastewater services from the El Paso Water Utilities Public Service Board ("EPWU") for the areas within the Participant Districts. Facilities must comply with environmental laws at the federal, state, and local levels. These laws and regulations can restrict or prohibit certain activities that affect the environment in many ways such as:

- Requiring permits for construction and operation of water supply wells and wastewater treatment facilities;
- Restricting the manner in which wastes are released into the air, water, or soils;
- Restricting or regulating the use of wetlands or other property;
- Requiring action to prevent or mitigate pollution;
- Imposing substantial liabilities for pollution resulting from facility operations.

Compliance with environmental laws and regulations can increase the cost of planning, designing, constructing and operating water production and wastewater treatment facilities. Sanctions against a municipal utility district or other type of district ("Utility Districts") for failure to comply with environmental laws and regulations may include a variety of civil and criminal enforcement measures, including assessment of monetary penalties, imposition of remedial requirements, and injunctive relief as to future compliance of and the ability to operate the Utility District's water supply, wastewater treatment, and drainage facilities. Environmental laws and regulations can also impact an area's ability to grow and develop. It should be noted that changes in environmental laws and regulations occur frequently, and any changes that result in more stringent and costly requirements could materially impact the District.

Tax Collection Limitations

The District's ability to make debt service payments may be adversely affected by its inability to collect ad valorem taxes. Under Texas law, the levy of ad valorem taxes by the District constitutes a lien in favor of the District on a parity with the liens of all other state and local taxing authorities on the property against which taxes are levied, and such lien may be enforced by foreclosure. The District's ability to collect ad valorem taxes through such foreclosure may be impaired by (i) cumbersome, time-consuming and expensive collection procedures, (ii) a bankruptcy court's stay of tax collection procedures against a taxpayer, or (iii) market conditions affecting the marketability of taxable property within the District and limiting the proceeds from a foreclosure sale of such property. While the District has a lien on taxable property within the District for taxes levied against such property, such lien can be foreclosed only in a judicial proceeding. The costs of collecting any such taxpayer's delinquencies could substantially reduce the net proceeds to the District from a tax foreclosure sale. Finally, a bankruptcy court with jurisdiction over bankruptcy proceedings initiated by or against a taxpayer within the District pursuant to the Federal Bankruptcy Code could stay any attempt by the District to collect delinquent ad valorem taxes against such taxpayer. In addition to the automatic stay against collection of delinquent taxes afforded a taxpayer during the pendency of a bankruptcy, a bankruptcy could affect payment of taxes in two other ways: first, a debtor's confirmation plan may allow a debtor to make installment payments on delinquent taxes for up to six years; and, second, a debtor may challenge, and a bankruptcy court may reduce, the amount of any taxes assessed against the debtor, including taxes that have already been paid. See "TAX PROCEDURES - District's Rights in the Event of Tax Delinquencies."

Registered Owners' Remedies and Bankruptcy Limitations

If the District defaults in the payment of principal, interest, or redemption price on the Bonds when due, or if it fails to make payments into any fund or funds created in the Bond Resolution, or defaults in the observation or performance of any other covenants, conditions, or obligations set forth in the Bond Resolution, the Registered Owners have the statutory right of a writ of

mandamus issued by a court of competent jurisdiction requiring the District and its officials to observe and perform the covenants, obligations, or conditions prescribed in the Bond Resolution. Except for mandamus, the Bond Resolution does not specifically provide for remedies to protect and enforce the interests of the Registered Owners. There is no acceleration of maturity of the Bonds in the event of default and, consequently, the remedy of mandamus may have to be relied upon from year to year. Further, there is no trust indenture or trustee, and all legal actions to enforce such remedies would have to be undertaken at the initiative of, and be financed by, the Registered Owners. Statutory language authorizing local governments such as the District to sue and be sued does not waive the local government's sovereign immunity from suits for money damages, so that in the absence of other waivers of such immunity by the Texas Legislature, a default by the District in its covenants in the Bond Resolution may not be reduced to a judgment for money damages. If such a judgment against the District were obtained, it could not be enforced by direct levy and execution against the District's property. Further, the Registered Owners cannot themselves foreclose on property within the District or sell property within the District to enforce the tax lien on taxable property to pay the principal of and interest on the Bonds. The enforceability of the rights and remedies of the Registered Owners may further be limited by a State of Texas statute reasonably required to attain an important public purpose or by laws relating to bankruptcy, reorganization or other similar laws of general application affecting the rights of creditors of political subdivisions, such as the District.

The enforceability of the rights and remedies of Registered Owners may be limited by laws relating to bankruptcy, reorganization or other similar laws of general application affecting the rights of creditors of political subdivisions such as the District. Texas law requires municipal utility districts such as the District to obtain the approval of the TCEQ as a condition to seeking relief under Chapter 9 of the Federal Bankruptcy Code.

If a petitioning district were allowed to proceed voluntarily under Chapter 9 of the Federal Bankruptcy Code, it could file a plan for an adjustment of its debts. If such a plan were confirmed by the bankruptcy court, it could, among other things, affect Registered Owners by reducing or eliminating the amount of indebtedness, deferring or rearranging the debt service schedule, reducing or eliminating the interest rate, modifying or abrogating the collateral or security arrangements, substituting (in whole or in part) other securities, and otherwise compromising and modifying the rights and remedies of the Registered Owners' claims against a district.

A district such as the District may not be forced into bankruptcy involuntarily.

Continuing Compliance with Certain Covenants

The Bond Resolution contains covenants by the District intended to preserve the exclusion from gross income of interest on the Bonds. Failure by the District to comply with such covenants in the Bond Resolution on a continuous basis prior to maturity of the Bonds could result in interest on the Bonds becoming taxable retroactively to the date of original issuance. See "TAX EXEMPTION-Opinion."

Marketability

The District has no agreement with the Initial Purchaser (as defined herein) regarding the reoffering yields or prices of the Bonds and has no control over trading of the Bonds in the secondary market. Moreover, there is no assurance that a secondary market will be made in the Bonds. If there is a secondary market, the difference between the bid and asked price of the Bonds may be greater than the difference between the bid and asked price of bonds of comparable maturity and quality issued by more traditional issuers as such bonds are generally bought, sold or traded in the secondary market. Additionally, there are no assurances that if a secondary market for the Bonds were to develop, that any such secondary market would not be disrupted by events including, but not limited to, the current pandemic associated with COVID-19. See "RISK FACTORS – Infectious Disease Outbreak (COVID-19)."

The failure by the District to comply with its agreement to provide the information and notices required by Rule 15c(2)-12 of the Securities and Exchange Commission ("Rule 15c2-12") could possibly inhibit the sale of the Bonds in the secondary market. See "CONTINUING DISCLOSURE OF INFORMATION."

Bond Insurance

See "BOND INSURANCE – Bond Insurance Risks".

The Effect of FIRREA on Tax Collections of the District

The Financial Institutions Reform, Recovery and Enforcement Act of 1989 ("FIRREA") contains certain provisions which affect the time for protesting property valuations, the fixing of tax liens and the collection of penalties and interest on delinquent taxes on real property owned by the Federal Deposit Insurance Corporation ("FDIC") when the FDIC is acting as the conservator or receiver of an insolvent financial institution.

Under FIRREA, real property held by the FDIC is still subject to ad valorem taxation, but such act states that (i) no real property of the FDIC shall be subject to foreclosure or sale without the consent of the FDIC and no involuntary liens shall attach to such property, (ii) the FDIC shall not be liable for any penalties, interest, or fines, including those arising from the failure to pay any real or personal property tax when due, and (iii) notwithstanding failure of a person to challenge an appraisal in accordance with state law, such value shall be determined as of the period for which such tax is imposed.

To the extent that the FDIC attempts to enforce the same, these provisions may affect the timeliness of collection of taxes on property, if any, owned by the FDIC in the District and may prevent the collection of penalties and interest on such taxes or may affect the valuation of such property.

Changes in Tax Legislation

Certain tax legislation, whether currently proposed or proposed in the future, may directly or indirectly reduce or eliminate the benefit of the exclusion of interest on the Bonds from gross income for federal income tax purposes. Any proposed legislation, whether or not enacted, may also affect the value and liquidity of the Bonds. Prospective purchasers of the Bonds should consult with their own tax advisors with respect to any proposed, pending or future legislation.

THE BONDS

General

Following is a description of some of the terms and conditions of the Bonds, which description is qualified in its entirety by reference to the Bond Resolution of the Board authorizing the issuance and sale of the Bonds. The Bond Resolution authorizes the issuance and sale of the Bonds and prescribes the terms, conditions, and provisions for the payment of the principal of and interest on the Bonds by the District.

The Bonds will be dated December 15, 2022, and will accrue interest from the date of initial delivery of the Bonds (expected to be December 21, 2022). Interest is payable on each February 15 and August 15 commencing February 15, 2024, until the earlier of maturity or prior redemption. The Bonds mature on August 15 in the amounts and years shown on the cover page of this Official Statement. Interest calculations are based on a 360-day year comprised of twelve 30-day months. The Bonds will be issued only in fully registered form in denominations of \$5,000 each or integral multiples thereof.

Authority for Issuance

At a bond election held within the District on May 14, 2011, the voters of the District authorized the issuance of a total of \$33,000,000 principal amount of unlimited tax bonds for water, wastewater and drainage facilities. See “Issuance of Additional Debt” and “UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED” below. The Bonds are the third issuance of debt by the District. The TCEQ has authorized the District to sell the Bonds for the purposes described in “THE SYSTEM - Use and Distribution of Bond Proceeds.”

The Bonds are issued by the District pursuant to the terms and provisions of the Bond Resolution, an Order of the TCEQ, Article XVI, Section 59 of the Texas Constitution, the Act and Chapters 49 and 54 of the Texas Water Code, as amended.

Source of and Security for Payment

While the Bonds or any part of the principal thereof or interest thereon remain outstanding and unpaid, the District covenants in the Bond Resolution to levy an annual ad valorem tax, without legal limitation as to rate or amount, upon all taxable property in the District sufficient to pay the principal of and interest on the Bonds, with full allowance being made for delinquencies and costs of collection.

The Bonds are obligations of the District and are not the obligations of the State of Texas, El Paso County, the City or any entity other than the District.

Record Date

The record date for the interest payable on the Bonds on any interest payment date means the close of business on the last day of the preceding month whether or not a business day

Funds

In the Bond Resolution, the Debt Service Fund is created, and the proceeds from all taxes levied, assessed and collected for and on account of the Bonds authorized by the Bond Resolution shall be deposited, as collected, in such fund.

The remaining proceeds from sale of the Bonds, including interest earnings thereon, shall be deposited into the Capital Projects Fund, to pay the costs of acquiring or constructing Internal Facilities or the District's pro rata share of capacity in Regional Facilities, for paying the District's pro rata share of creation and administrative costs of all Participant Districts and for paying the costs of issuing the Bonds. See "THE SYSTEM - Use and Distribution of Bond Proceeds" for a more complete description of the use of Bond proceeds.

No Arbitrage

The District will certify as of the date the Bonds are delivered and paid for that, based upon all facts and estimates now known or reasonably expected to be in existence on the date the Bonds are delivered and paid for, the District reasonably expects that the proceeds of the Bonds will not be used in a manner that would cause the Bonds, or any portion of the Bonds, to be "arbitrage bonds" under the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations prescribed thereunder. Furthermore, all officers, employees, and agents of the District have been authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the District as of the date the Bonds are delivered and paid for. In particular, all or any officers of the District are authorized to certify to the facts and circumstances and reasonable expectations of the District on the date the Bonds are delivered and paid for regarding the amount and use of the proceeds of the Bonds. Moreover, the District covenants in the Bond Resolution that it shall make such use of the proceeds of the Bonds, regulate investment of proceeds of the Bonds, and take such other and further actions and follow such procedures, including, without limitation, calculating the yield on the Bonds, as may be required so that the Bonds shall not become "arbitrage bonds" under the Code and the regulations prescribed from time to time thereunder.

Redemption Provisions

Optional Redemption: The District reserves the right, at its option, to redeem Bonds having stated maturities on and after August 15, 20__, in whole or in part in principal amounts of \$5,000 or any integral multiple thereof, on August 15, 20__, or any date thereafter, at the par value thereof plus accrued thereon to the date fixed for redemption.

If fewer than all of the Bonds are redeemed at any time, the particular maturities of Bonds to be redeemed shall be selected by the District. If less than all the Bonds of any maturity are redeemed at any time, the particular Bonds within a maturity to be redeemed shall be selected by the Paying Agent/Registrar by lot or other customary method of selection (or by DTC in accordance with its procedures while the Bonds are in book-entry-only form).

Mandatory Sinking Fund Redemption: In the event any of the Bonds are structured as "term" bonds, such term bonds will be subject to mandatory sinking fund redemption in accordance with the applicable provisions of the Bond Resolution and will be described in the final Official Statement.

Notice of Redemption: Notice of any optional redemption identifying the Bonds to be redeemed in whole or in part shall be given by the Paying Agent/Registrar at least thirty (30) days prior to the date fixed for optional redemption by sending written notice by first class mail to the Registered Owner of each Bond to be redeemed in whole or in part at the address shown on the register. Such notices shall state the redemption date, the redemption price, and the place at which the Bonds are to be surrendered for payment and, if fewer than all the Bonds outstanding within any one maturity are to be redeemed, the numbers of the Bonds or the portions thereof to be redeemed. Any notice given shall be conclusively presumed to have been duly given, whether or not the Registered Owner receives such notice. By the date fixed for redemption, due provision shall be made with the Paying Agent/Registrar for payment of the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest to the date fixed for redemption. When Bonds have been called for redemption in whole or in part and due provision has been made to redeem the same as herein provided, the Bonds or portions thereof so redeemed shall no longer be regarded as outstanding except for the purpose of receiving payment solely from the funds so provided for redemption, and the rights of the Registered Owners to collect interest that would otherwise accrue after the redemption date on any Bond or portion thereof called for redemption shall terminate on the date fixed for redemption.

Paying Agent/Registrar

The Board has appointed BOKF, NA, Dallas, Texas, as the initial Paying Agent/Registrar (the “Paying Agent/Registrar”) for the Bonds. The principal of and interest on the Bonds shall be paid to DTC, which will make distribution of the amounts so paid to the beneficial owners of the Bonds. See “BOOK-ENTRY-ONLY SYSTEM.”

Registration and Transfer

So long as any Bonds remain outstanding, the Paying Agent/Registrar shall keep the register at its principal payment office and, subject to such reasonable regulations as it may prescribe, the Paying Agent/Registrar shall provide for the registration and transfer of Bonds in accordance with the terms of the Bond Resolution. While the Bonds are in the Book-Entry-Only System, the Bonds will be registered in the name of Cede & Co. and will not be transferred. See “BOOK-ENTRY-ONLY SYSTEM.”

Replacement of Paying Agent/Registrar

Provision is made in the Bond Resolution for replacement of the Paying Agent/Registrar. If the Paying Agent/Registrar is replaced by the District, the new paying agent/registrar shall act in the same capacity as the previous Paying Agent/Registrar. Any paying agent/registrar selected by the District shall be a national or state banking institution, a corporation organized and doing business under the laws of the United States of America or of any State, authorized under such laws to exercise trust powers, and subject to supervision or examination by federal or state authority, to act as Paying Agent/Registrar for the Bonds.

Issuance of Additional Debt

The District may issue additional bonds, with the approval of the TCEQ in the case of bonds issued for water, sewer and drainage purposes, necessary to provide and maintain improvements and facilities consistent with the purposes for which the District was created. After issuance of the Bonds, the District will have \$21,980,000 of unlimited tax bonds authorized but unissued for water, sanitary sewer and drainage purposes. The Bond Resolution imposes no limitation on the amount of additional parity bonds which may be authorized for issuance by the District's voters or the amount of bonds ultimately issued by the District. See “THE SYSTEM - Future Debt” and “UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED.”

The District is empowered, among other things, to purchase, construct, operate and maintain all works, improvements, facilities and plants necessary for the supply and distribution of water; the collection, transportation, and treatment of wastewater; and the control and diversion of storm water. The District may issue bonds and other forms of indebtedness to purchase or construct such facilities or acquire contract rights therefor. The District is also empowered to establish, operate, and maintain fire-fighting facilities, independently or with one or more conservation and reclamation districts after approval by the City, the TCEQ and the voters of the District.

Annexation by the City of El Paso

The District lies wholly within the extraterritorial jurisdiction of the City, and may be annexed by the City in accordance with existing Texas law. Under prior Texas law, a municipality could annex and dissolve a municipal utility district located within its extraterritorial jurisdiction without consent of the district or its residents. Under House Bill 347 approved during the 86th Regular Legislative Session (“HB 347”), (a) a municipality may annex a district with a population of less than 200 residents only if: (i) the municipality obtains consent to annex the area through a petition signed by more than 50% of the registered voters of the district, and (ii) if the registered voters in the area to be annexed do not own more than 50% of the land in the area, a petition has been signed by more than 50% of the landowners consenting to the annexation; and (b) a municipality may annex a district with a population of 200 residents or more only if: (i) such annexation has been approved by a majority of those voting in an election held for that purpose within the area to be annexed, and (ii) if the registered voters in the area to be annexed do not own more than 50% of the land in the area, a petition has been signed by more than 50% of the landowners consenting to the annexation. Notwithstanding the foregoing, a municipality may annex an area if each owner of land in the area requests the annexation. As of August 31, 2022, the District had an estimated population of 3,337, thus triggering the voter approval and/or landowner consent requirements discussed in clause (b) above. The described election and petition process does not apply, however, during the term of a strategic partnership agreement between a municipality and a district specifying the procedures for annexation of all or a portion of the District. At present, the District and the City have not entered into (and do not currently have plans to enter into) any such strategic partnership agreement.

If the District is annexed, the City must assume the District's assets and obligations (including the Bonds) and dissolve the District within ninety (90) days. Annexation of territory by the City and dissolution of the District is a policy-making matter within the discretion of the Mayor and City Council of the City, subject to HB 347, and therefore, the District makes no representation that the City will ever annex the District and assume its debt, nor does the District make any representation concerning the ability of the City to pay debt service on the District's bonds if annexation were to occur.

Remedies in Event of Default

Other than a writ of mandamus, the Bond Resolution does not provide a specific remedy for a default. If the District defaults, a Registered Owner could petition for a writ of mandamus issued by a court of competent jurisdiction compelling and requiring the District and the District's officials to observe and perform the covenants, obligations or conditions prescribed in the Bond Resolution. Such remedy might need to be enforced on a periodic basis. Based on recent Texas court decisions, it is unclear whether §49.066, Texas Water Code, effectively waives governmental immunity of a municipal utility district for suits for money damages. Even if a judgment against the District for money damages could be obtained, it could not be enforced by direct levy and execution against the District's property. Further, the Registered Owners cannot themselves foreclose on property within the District or sell property within the District to enforce the tax lien on taxable property to pay the principal of and interest on the Bonds. The enforcement of a claim for payment on the Bonds would be subject to the applicable provisions of the federal bankruptcy laws, any other similar laws affecting the rights of creditors of political subdivisions, and general principles of equity which permit the exercise of judicial discretion. Certain traditional legal remedies also may not be available. See "RISK FACTORS - Registered Owners' Remedies and Bankruptcy Limitations."

Legal Investment and Eligibility to Secure Public Funds in Texas

Pursuant to Section 49.186, Texas Water Code, the Bonds, whether rated or unrated, are (a) legal investments for banks, savings banks, trust companies, building and loan associations, savings and loan associations, insurance companies, fiduciaries, and trustees and (b) legal investments for the public funds of cities, towns, villages, school districts, and other political subdivisions or public agencies of the State. The Bonds are also eligible under the Public Funds Collateral Act, Chapter 2257, Texas Government Code, to secure deposits of public funds of the State or any political subdivision or public agency of the State and are lawful and sufficient security for those deposits to the extent of their market value. Most political subdivisions in the State are required to adopt investment guidelines under the Public Funds Investment Act, Chapter 2256, Texas Government Code, and such political subdivisions may impose other, more stringent requirements in order for the Bonds to be legal investments for such entity's funds or to be eligible to serve as collateral for their funds.

No representation is made that the Bonds will be suitable for or acceptable to financial or public entities for investment purposes. No representation is made concerning other laws, rules, regulations, or investment criteria which might apply to or which might be utilized by any of such persons or entities to limit the acceptability or suitability of the Bonds for any of the foregoing purposes. Prospective purchasers are urged to carefully evaluate the investment quality of the Bonds as to the suitability or acceptability of the Bonds for investment or collateral purposes.

Defeasance

The Bond Resolution provides that the District may discharge its obligations to the Registered Owners of any or all of the Bonds to pay principal, interest and redemption price thereon in any manner permitted by law. Under current Texas law, such discharge may be accomplished either (i) by depositing with the Comptroller of Public Accounts of the State of Texas a sum of money equal to the principal of, premium, if any, and all interest to accrue on the Bonds to maturity or redemption or (ii) by depositing with any place of payment (paying agent) of the Bonds or other obligations of the District payable from revenues or from ad valorem taxes or both, or with a commercial bank or trust company designated in the proceedings authorizing such discharge, amounts sufficient to provide for the payment and/or redemption of the Bonds; provided that such deposits may be invested and reinvested only in (a) direct obligations of the United States of America, (b) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the governing body of the District adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (c) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the District adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and which mature and/or bear interest payable at such times and in such amounts as will be sufficient to provide for the scheduled payment and/or redemption of the Bonds.

Upon such deposit as described above, such bonds shall no longer be regarded as outstanding or unpaid. After firm banking and financial arrangements for the discharge and final payment or redemption of the Bonds have been made as described above, all rights of the District to initiate proceedings to call the Bonds for redemption or take any other action amending the terms of the Bonds are extinguished; provided, however, that the right to call the Bonds for redemption is not extinguished if the District: (i) in the proceedings providing for the firm banking and financial arrangements, expressly reserves the right to call the Bonds for redemption; (ii) gives notice of the reservation of that right to the owners of the Bonds immediately following the making of the firm banking and financial arrangements; and (iii) directs that notice of the reservation be included in any redemption notices that it authorizes.

There is no assurance that the current law will not be changed in the future in a manner which would permit investments other than those described above to be made with amounts deposited to defease the Bonds.

BOOK-ENTRY-ONLY SYSTEM

This section describes how ownership of the Bonds is to be transferred and how the principal of and interest on the Bonds are to be paid to and credited by The Depository Trust Company, New York, New York, (“DTC”) while the Bonds are registered in its nominee name. The information in this section concerning DTC and the Book-Entry-Only System has been provided by DTC for use in disclosure documents such as this Official Statement. The District and the Financial Advisor believe the source of such information to be reliable, but neither of the District nor the Financial Advisor takes any responsibility for the accuracy or completeness thereof.

The District cannot and does not give any assurance that (1) DTC will distribute payments of debt service on the Bonds, or redemption or other notices, to DTC Participants, (2) DTC Participants or others will distribute debt service payments paid to DTC or its nominee (as the registered owner of the Bonds), or redemption or other notices, to the Beneficial Owners, or that they will do so on a timely basis, or (3) DTC will serve and act in the manner described in this Official Statement. The current rules applicable to DTC are on file with the Securities and Exchange Commission, and the current procedures of DTC to be followed in dealing with DTC Participants are on file with DTC.

DTC will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC’s partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered certificate will be issued for each maturity of the Bonds, in the aggregate principal amount of such maturity, and will be deposited with DTC.

DTC, the world’s largest depository, is a limited-purpose trust company organized under the New York Banking Law, a “banking organization” within the meaning of the New York Banking Law, a member of the Federal Reserve System, a “clearing corporation” within the meaning of the New York Uniform Commercial Code, and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 2.2 million issues of U.S. and non-U.S. equity, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC’s participants (“Direct Participants”) deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants’ accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation (“DTCC”). DTCC, in turn, is owned by a number of Direct Participants of DTC and Members of the National Securities Clearing Corporation, Fixed Income Clearing Corporation, and Emerging Markets Clearing Corporation (NSCC, FICC, and EMCC, also subsidiaries of DTCC), as well as by the New York Stock Exchange, Inc., the American Stock Exchange LLC, and the National Association of Securities Dealers, Inc. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing companies that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (“Indirect Participants”). DTC has a Standard & Poor’s rating: “AA+.” The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC’s records. The ownership interest of each actual purchaser of each Bond (“Beneficial Owner”) is in turn to be recorded on the Direct and Indirect Participants’ records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC’s partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC’s records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Bonds, such as redemptions, tenders, defaults, and proposed amendments to the Bond documents. For example, Beneficial Owners of Bonds may wish to ascertain that the nominee holding the Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the Paying Agent/Registrar and request that copies of notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all of the Bonds within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

The District may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Bonds unless authorized by a Direct Participant in accordance with DTC's Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the District as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Principal, interest and redemption payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the District or the Paying Agent/Registrar, on the payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Paying Agent/Registrar, or the District, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of principal, interest and redemption payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the District or the Paying Agent/Registrar, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the District or the Paying Agent/Registrar. Under such circumstances, in the event that a successor depository is not obtained, printed certificates for the Bonds are required to be printed and delivered

Use of Certain Terms in Other Sections of this Official Statement. In reading this Official Statement it should be understood that while the Bonds are in the Book-Entry-Only System, references in other sections of this Official Statement to registered owners should be read to include the person for which the Participant acquires an interest in the Bonds, but (i) all rights of ownership must be exercised through DTC and the Book-Entry-Only System, and (ii) except as described above, notices that are to be given to registered owners under the Bond Resolution will be given only to DTC.

Information concerning DTC and the Book-Entry-Only System has been obtained from DTC and is not guaranteed as to accuracy or completeness by, and is not to be construed as a representation by, the District or the Financial Advisor.

BOND INSURANCE

Application for municipal bond insurance has been made by the District. Upon the determination of which entity, if any, will provide such insurance, information relating to the issuer of the municipal bond insurance policy applicable to the Bonds will be set forth in the final Official Statement. The purchase of such insurance, if available, and the payment of all associated costs will be at the option and expense of the Initial Purchaser. If bond insurance is purchased, purchasers of the Bonds should be aware of the following:

Bond Insurance Risks

The District has applied for a bond insurance policy to guarantee the scheduled payment of principal and interest on the Bonds. The District has yet to determine whether an insurance policy will be purchased with respect to the Bonds. If an insurance policy is purchased, the following are risk factors relating to bond insurance.

In the event of default of the payment of principal or interest with respect to the Bonds when all or some becomes due, any owner of the Bond shall have a claim under the applicable Bond Insurance Policy (the "Policy") for such payments. The payment of principal and interest in connection with mandatory or optional prepayment of the Bonds by the District which is recovered by the District from the Bond owner as a voidable preference under applicable bankruptcy law is covered by the Policy, however, such payments will be made by the insurer at such time and in such amounts as would have been due absent such prepayment by the District unless the bond insurer chooses to pay such amounts at an earlier date.

Under no circumstances does default of payment of principal and interest obligate acceleration of the obligations of the bond insurer without their consent, so long as the bond insurer performs its obligations under the applicable Policy. In the event the bond insurer is unable to make payment of principal and interest as such payments become due under the Policy, the Bonds are payable solely from the revenues pledged in the Bond Resolution. In the event the bond insurer becomes obligated to make payments with respect

to the Bonds, no assurance is given that such event will not adversely affect the market price of the Bonds or the marketability (liquidity) for the Bonds.

In the event bond insurance is purchased, the long-term rating on the Bonds, if any, will be dependent in part on the financial strength of the bond insurer and its claims paying ability. The bond insurer's financial strength and claims paying ability are predicated upon a number of factors which could change over time. No assurance is given that the long-term ratings of the bond insurer or of the Bonds, if any, insured by the bond insurer will not be subject to downgrade and such event could adversely affect the market price of the Bonds or the marketability (liquidity) for the Bonds.

The obligations of the bond insurer are general obligations of the bond insurer and in an event of default by the bond insurer the remedies may be limited by applicable bankruptcy law. Neither the District nor the Financial Advisor have made an independent investigation into the claims paying ability of any potential bond insurer and no assurance or representation regarding the financial strength or projected financial strength of any potential bond insurer is given.

THE DISTRICT

General

The District is a conservation and reclamation district created by division of Paseo del Este Municipal Utility District pursuant to a division order adopted by the Original District on May 15, 2003, and operates pursuant to the Act and Chapters 49 and 54, Texas Water Code. Prior to division, Paseo del Este Municipal Utility District was created as a Conservation and Reclamation District by the Act. The District is located wholly within the extraterritorial jurisdiction of the City.

The District is empowered, among other things, to purchase, construct, operate and maintain all works, improvements, facilities and plants, and contract rights therefore, necessary for the supply and distribution of water; the collection, transportation, and treatment of wastewater; and the control and diversion of storm water. The District may issue bonds and other forms of indebtedness to purchase or construct such facilities or contract rights therefor. The District is also empowered to establish, operate, and maintain fire-fighting facilities, independently or with one or more conservation and reclamation districts after approval by the City, the TCEQ and the voters of the District.

The TCEQ exercises continuing supervisory jurisdiction over the District. The District is required to observe certain requirements of the City which limit the purposes for which the District may sell bonds to the acquisition, construction, and improvement of waterworks, wastewater, and drainage facilities or contract rights therefor, and the refunding of outstanding debt obligations; place restrictions on the terms and provisions and conditions on the sale of the District's bonds so long as such restraints and conditions do not render the bonds unmarketable; require approval by the City of District construction plans; and permit connections only to platted lots and reserves which have been approved by the City. Construction and operation of the District's drainage system are subject to the regulatory jurisdiction of additional government agencies. See "THE SYSTEM."

The District presently contains approximately 457 acres of land (218.561 developable acres) located in the southeast portion of El Paso County approximately 15 miles east of the central area of the City. The District is located approximately one mile east of the intersection of Loop 375 and Paseo del Este Boulevard. See "AERIAL PHOTOGRAPH" herein.

Validation of Creation of Participant Districts

The creation of the Original District and its division into Participant District Nos. 1-9 has been validated by a final judgment of the County Court-at-Law of El Paso County, TX. Likewise, creation of Participant District Nos. 10 and 11 has been validated by a final judgment of the District Court of El Paso County, TX. Each of the Participant Districts, including the District, has held a confirmation, bond, refunding bond, maintenance tax and contract tax election. All such election propositions have been approved by voters of the Participant Districts, including the District.

Status of Development

The Participant Districts are being developed primarily for single family residential, commercial and industrial purposes, and are within the Paseo del Este development ("Paseo del Este"). Paseo del Este is being developed primarily by Hunt Communities ("Hunt"), and B&G/Sunrise Joint Venture ("B&G") and is planned to include approximately 4,300 acres of land. The land in Paseo del Este was purchased from the Texas General Land Office by Hunt and affiliates thereof and B&G in varying positions in a series of transactions between 1998 and 2020. As of August 31, 2022, approximately 8,990 single family residential lots have been developed within Paseo del Este, and approximately 7,984 homes are completed or are in various stages of construction in Paseo del Este, including approximately 891 lots and 878 homes within the District.

The development within the District includes Mission Ridge Unit 4, The Pueblos at Mission Ridge Unit 1, Desert Canyon at Mission Ridge Unit 1, Desert Canyon at Mission Ridge Unit 2 and Painted Sky at Mission Ridge Unit 2, which are single family residential subdivisions containing approximately 887 single family lots and encompassing approximately 246.69 acres. The subdivision named The Pueblos at Mission Ridge Unit 1, while primarily a residential development, also included 10.7 acres of commercial development. The subdivision named Desert Canyon at Mission Ridge 2 also included a 1.6 acre commercial corner that now includes an El Paso County Fire Department facility. In 2019, a development named the Mission Ridge Town Center Unit 2 was platted with an 11.6 acres commercial parcel and an 11 acre multi-family parcel. Mission Ridge Towne Center Unit 1 is a commercial development within the District containing approximately 14.405 acres. Development within the District also includes a portion of the Paseo del Este Boulevard and Mission Ridge Boulevard, both 120 foot arterials that run through the District. Hunt Mission Ridge, LLC is the developer of all of the above mentioned subdivisions.

In addition to the development described above, the District contains approximately 43 acres of developable land that are not provided with underground water, sanitary sewer and drainage facilities. See “RISK FACTORS – Undeveloped Acreage.”

Community Facilities

Community facilities are located in the general vicinity of the District. Neighborhood shopping facilities, including supermarkets, pharmacies, cleaners, restaurants, banking facilities and other retail and service establishments are located within five miles of the District along areas adjacent to Loop 375. Fire protection for residents of the District is provided by the El Paso County Emergency Services District No. 2. Police protection is provided by the El Paso County Sheriff. Medical care for District residents is available from various facilities in the City within 15 miles of the District. The land within the District is located within the boundaries of Socorro Independent School District, and children within the District attend elementary and middle schools of Socorro Independent School District located within two (2) miles of the District.

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MANAGEMENT

Board of Directors

The District is governed by the Board of Directors, consisting of five directors, which has control over and management supervision of all affairs of the District. None of the Directors listed below reside within the District; however, each Director owns a small parcel of land in the District. Directors are elected by the voters within the District for four-year staggered terms. Director elections are held in May in odd numbered years. The Directors and Officers of the District are listed below:

Name	Title	Term Expires
Salvador Alonzo, Jr.	President	2023
Humberto Juarez	Vice-President	2023
Gerardo Sanchez	Secretary	2025
Kristen Ortega	Assistant Secretary	2025
Roman Ortiz	Assistant Secretary	2023

While the District does not employ any full time employees, it has contracted for certain services as follows:

Tax Assessor/Collector

Land and improvements within the District are appraised for ad valorem taxation purposes by the El Paso Central Appraisal District. The District's Tax Assessor/Collector is agreed upon by virtue of the interlocal agreement between the City and the District and the District has appointed the City of El Paso Tax Assessor/Collector to serve in this capacity for the District.

Operations

The District contracts with Inframark, LLC for maintenance and operation of the District's System. Inframark, LLC also serves as the operator of the Master District's System.

Bookkeeper

The District has engaged Municipal Accounts & Consulting, L.P., to serve as the District's bookkeeper.

Engineer

The consulting engineer for the District is TRE & Associates, LLC. (the "Engineer").

General Counsel

The District engages Gordon Davis Johnson & Shane P.C., El Paso, Texas, as General Counsel. The fees payable to General Counsel are not contingent upon the issuance sale and delivery of the Bonds.

Bond Counsel

The District has engaged McCall, Parkhurst & Horton L.L.P., Austin, Texas as Bond Counsel. The fees payable to Bond Counsel are contingent upon the issuance, sale and delivery of the Bonds.

Disclosure Counsel

The District has engaged Winstead PC, Dallas, Texas, as Disclosure Counsel. The fees payable to Disclosure Counsel are contingent upon the sale, issuance and delivery of the Bonds.

Financial Advisor

Hilltop Securities, Inc., El Paso, Texas and Dallas, Texas (the "Financial Advisor") serves as financial advisor to the District. The fee to be paid the Financial Advisor is contingent upon sale and delivery of the Bonds.

Auditor

The District's financial statements for the fiscal year ending September 30, 2021 have been audited by West, Davis & Company, LLP.

THE DEVELOPERS

Role of a Developer

In general, the activities of a landowner or developer in a district such as the District include designing the project, defining a marketing program and setting building schedules; securing necessary governmental approvals and permits for development; arranging for the construction of roads and the installation of utilities; and selling or leasing improved tracts or commercial reserves to other Developers or third parties. In most instances, a landowner or Developers will be required by the TCEQ to pay thirty percent (30%) of the cost of placing the water distribution, wastewater collection, and storm drainage facilities in a district, exclusive of water supply and storage and wastewater treatment plants of which the district incurs one hundred percent (100%) of the cost. While a developer is required by the TCEQ to pave streets, a developer is under no obligation to a district to undertake development activities according to any particular plan or schedule. Furthermore, there is no restriction on a developer's right to sell any or all of the land which the developer owns within a district. In addition, the developer is ordinarily the major taxpayer within the district during the early stages of development. The relative success or failure of a developer to perform in the above-described capacities may affect the ability of a district to collect sufficient taxes to pay debt service and retire bonds.

Neither the Developers (as hereinafter defined) nor any of their affiliates, is obligated to pay principal of or interest on the Bonds. See "RISK FACTORS - Factors Affecting Taxable Values and Tax Payments." Furthermore, neither the Developers nor any of their affiliates has any binding commitment to the District to carry out any plan of development, and the furnishing of information relating to the proposed development by the Developers should not be interpreted as such a commitment. Prospective purchasers are encouraged to inspect the District in order to acquaint themselves with the nature of development that has occurred or is occurring within the boundaries of the District.

The Developers

Major water, sewer and drainage facilities and streets to serve land within the District are being developed by Hunt and B&G. The activities of Hunt and its affiliates include investment management, mortgage banking, direct lending, loan servicing, asset management, property management, development, construction, consulting and advisory. Water, sewer and drainage facilities to serve specific sections within the District have been acquired or constructed by Hunt Mission Ridge, LLC, an affiliate of Hunt. Hunt, B&G and Hunt Mission Ridge, LLC may collectively be referred to herein as the "Developers." As discussed under the "THE DISTRICT - Status of Development," most of the currently developable land within the District is owned by Hunt. See "THE DEVELOPERS."

Land within the District is a portion of the development known as Paseo del Este. The Master District and the Participant Districts have been formed to include approximately 4,300 acres of land in and adjacent to the District, approximately 5 percent of which is currently owned by the GLO and under option to Hunt through Hunt's arrangement with B&G. See "THE DISTRICT - Status of Development."

None of the Developers are responsible for, liable for, or has made any commitment for payment of the Bonds or other obligations of the District. The Developers may sell or otherwise dispose of their property within the District, or any other assets, at any time. See "RISK FACTORS - Factors Affecting Taxable Values and Tax Payments - Landowner Obligation to the District".

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Developer Reimbursement Agreements

Each Participant District, including the District, has entered into reimbursement agreements with the developers of the Regional Facilities serving all Participant Districts pursuant to which the Participant District agrees to reimburse the Developers for the Participant District's pro rata share of the costs of the Regional Facilities based on the Participant District's total ultimate estimated connections as compared to the total connections in all eleven Participant Districts. In addition, such reimbursement agreements contemplate the Participant District will reimburse the Developers for the Participant District's pro rata share of (i) the Developers' costs for creation of all eleven Participant Districts and (ii) the administrative and operation advances to all eleven Participant Districts by the Developers, with each Participant District's pro rata share of such expenses based on the ratio of 1 to 11. Finally, each Participant District, including the District, has entered into reimbursement agreements with the Developers of the Internal Facilities serving the specific Participant District pursuant to which the Participant District agrees to reimburse the Developers for the Internal Facilities serving only the specific Participant District. Before such Internal Facilities are purchased by a Participant District, the developers leases them to the Master District for its use in serving the retail customers within the Participant District. After purchase of such Internal Facilities by a Participant District, the Master District will continue to lease the Internal Facilities from the Participant District.

THE SYSTEM

Regulation

According to the Engineer, the District's water supply and distribution, wastewater collection, and storm drainage facilities (collectively, the "System") have been designed in accordance with accepted engineering practices and the then current requirements of various entities having regulatory or supervisory jurisdiction over the construction and operation of such facilities. The construction of the System was required to be accomplished in accordance with the standards and specifications of the District, the TCEQ and EPWU and is subject to inspection by each such entity. Operation of the System is conducted by the Master District; however, EPWU operates the water treatment and storage and sewer treatment facilities providing wholesale service to the Master District. The regulations and requirements of entities exercising regulatory jurisdiction over the System are subject to further development and revision which, in turn, could require additional expenditures by the District in order to achieve compliance. In particular, additional or revised requirements in the future in connection with any permit held by the EPWU for the wastewater treatment plant from which the District receives service could result in the need to construct additional facilities in the future.

The Master District Contract

The District and the remaining Participant Districts have each entered into a "Master District Contract" with the Master District to coordinate the development of the water, sanitary sewer and drainage facilities to serve the area within all eleven Participant Districts. Under the Master District Contract, the Master District will acquire, construct, own and operate the Regional Facilities to serve the area within all eleven Participant Districts; each Participant District will acquire, construct and own its Internal Facilities serving only area within it and lease the Internal Facilities to the Master District for operation; and the Master District will provide retail water and wastewater service to all retail customers in all of the Participant Districts.

Master District Facilities

Source of Water Supply: The District receives its water supply pursuant to the Paseo del Este Wholesale Potable Water Supply and Wastewater Treatment and Transportation Contract (the "Water Supply and Wastewater Agreement") between the Master District and EPWU. Pursuant to terms of the Water Supply and Wastewater Agreement, which expires in 2063, EPWU is obligated to provide wholesale water to meet the needs of the area served by the Master District, including land within the boundaries of the District. EPWU currently supplies water to the Master District facilities from its existing three million gallon elevated storage tank and 12.3 MGD booster pump station. The major components of the EPWU's system serving the Master District's water supply system will serve the anticipated 16,995 equivalent single-family connections and contractually up to 20,000 equivalent single-family connections, of which 1,325 are allocated to the District. As of August 31, 2022, the Master District is serving approximately 9,077 active water connections, of which 903 (including 12 irrigation and 13 commercial connections) are within the District. According to the Engineer, the District's currently allocated water supply capacity (1,325 equivalent connections) is sufficient to serve the District at ultimate build-out.

In order to fully provide water supply to all of the Participant Districts in Paseo del Este, the Master District Facilities will need to be expanded from time to time to meet the demand for such facilities.

Source of Wastewater Treatment: The District is provided wastewater treatment capacity by EPWU through the Water Supply and Wastewater Agreement. Pursuant to the terms of the Water Supply and Wastewater Agreement, EPWU is obligated to provide wholesale wastewater service to meet the needs of the area served by the Master District, including land within the boundaries of the District. The agreement expires in 2063. Wastewater flows are routed to EPWU's Bustamante plant, which has a current permitted capacity of 39 MGD. Current wastewater treatment capacity can serve the anticipated 16,995 equivalent single-family connections and contractually up to 20,000 equivalent single-family connections committed to the Master District. As of August 31, 2022, the Master District is serving approximately 8,990 active wastewater connections, of which 891 (including 13 commercial connections) are within the District. The Master District currently receives wholesale water and wastewater services from the EPWU for the areas within Participant Districts. According to the Engineer, the District's currently allocated wastewater treatment capacity (1,325 equivalent connections) is sufficient to serve the District at ultimate build-out.

Distribution and Wastewater Collection: Water distribution facilities consist of waterlines ranging in size from 8-inch to 16-inch, generally located within the rights-of-way. These water distribution facilities supply water from the EPWU to each Participant District's internal facilities.

The current wastewater collection facilities include sanitary sewer lines ranging in size from 8-inch to 27-inch generally located within the rights-of-way of collector roads. These collection lines collect wastewater from each Participant District and transport it to an EPWU wastewater interceptor.

Drainage: The Master District will provide the Participant Districts with drainage facilities when it is determined that the facilities benefit two or more Participant Districts. These Regional Facilities will be capable of handling a 100-year storm event and will include storm sewers, drainage channels and retention ponds.

Internal Water Distribution, Wastewater Collection and Storm Drainage Facilities

Internal water distribution, wastewater collection and storm drainage facilities ("Internal Facilities") have been constructed by the District with funds advanced by the Developers to serve Mission Ridge Unit 4, The Pueblos at Mission Ridge Unit 1, Desert Canyon at Mission Ridge Unit 1, Desert Canyon at Mission Ridge Unit 2 and Painted Sky at Mission Ridge Unit 2, which are single family residential subdivisions containing approximately 887 single-family lots and compassing approximately 246.69 acres. A portion of the proceeds from sale of the Bonds will be used to reimburse the Developers for certain of the advances.

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Use and Distribution of Bond Proceeds

The estimated use and distribution of Bond proceeds is shown below. Of proceeds to be received from sale of the Bonds, \$913,868 is estimated for construction costs, and \$336,132 is estimated for non-construction costs. The actual amounts to be reimbursed by the District and the non-construction costs, including Developer Interest, will be finalized after sale of the Bonds and review by an independent auditor.

<u>Construction Costs</u>	<u>District's Share</u>
A. District Facilities	
1. Paseo del Este Boulevard Regional Wastewater Line Segments and Regional Water Line Segments E and E-4 and the Pueblos at C3-B to C-4 Mission Ridge Drainage Improvements.....	\$ 133,886
2. Mission Ridge Towne Center Unit One.....	484,424
3. District Engineering.....	51,925
Total Developer Contribution Items	<u>\$ 670,235</u>
B. Regional Facilities	
1. Emerald Park Unit Four Water, Wastewater, and Drainage and Regional Wastewater Improvements.....	\$ 29,508
2. Hillside Park at Mission Ridge Unit One Drainage, Water & Wastewater and Regional Water and Wastewater Improvements.....	61,048
3. Hillside Park at Mission Ridge Unit Two Drainage, Water & Wastewater and Regional Water and Wastewater Improvements.....	34,181
4. Mission Ridge Towne Center Unit One 16" Regional Water Line Improvements.....	18,210
5. Painted Sky at Mission Ridge 3 Regional Wastewater Line Segments C2-B, C2-C & C2-D.....	80,410
6. Regional Engineering	20,278
Total District Items (Regional Facilities)	<u>\$ 243,635</u>
TOTAL CONSTRUCTION COSTS (73% of BIR)	<u>\$ 913,868</u>
<u>Non-Construction Costs</u>	
A. Legal Fees.....	\$ 25,000
B. Financial Advisor Fees	15,625
C. Interest	
1. Capitalized Interest.....	-
2. Developer Interest.....	135,003
D. Bond Discount	37,500
E. Bond Issuance Expenses.....	58,629
F. Bond Application Report.....	60,000
G. Attorney General's Fee (0.10%).....	1,250
H. TCEQ Bond Issuance Fee (0.25%).....	3,125
TOTAL NON-CONSTRUCTION COSTS	<u>\$ 336,132</u>
TOTAL BOND ISSUE REQUIREMENT	<u>\$ 1,250,000</u>

In the event approved estimated amounts exceed actual costs, the difference comprises a surplus which may be expended for uses in accordance with the rules of the TCEQ. In the event actual costs exceed previously approved estimated amounts and contingencies, additional TCEQ approval and the issuance of additional bonds may be required.

Future Debt

In addition to the costs of facilities being financed with proceeds from sale of the Bonds, the Developers have financed the engineering and construction of certain other Internal (District) Facilities and Regional Facilities. After reimbursement from sale of the Bonds, the Developers will have expended approximately \$0 (as of August 31, 2022) for design, construction and acquisition of the District's share of Regional Facilities not yet reimbursed and \$228,000 (as of August 31, 2022) for District Facilities not yet reimbursed. It is anticipated that proceeds from future issues of District bonds will be used, in part, to reimburse the Developers for the District's pro rata share of the costs of the Regional Facilities and all of the costs of the District Facilities and future costs of developing currently undeveloped land, to the extent allowed by the TCEQ.

UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED

<u>Date of Authorization</u>	<u>Purpose</u>	<u>Amount Authorized</u>	<u>Issued to Date</u>	<u>Amount Unissued</u>
5/14/2011	Water, Sanitary Sewer and Drainage	\$33,000,000	\$11,020,000*	\$21,980,000

* Includes the Bonds.

FINANCIAL STATEMENT

Tax Year 2022 Certified Assessed Valuation	\$199,294,158 ^(a)
District Debt:	
Currently Outstanding Bonds	\$ 8,030,000
The Bonds	<u>\$ 1,250,000</u>
Gross Debt Outstanding (after issuance of the Bonds).....	\$ 9,280,000
Ratio of Gross Debt to 2022 Certified Assessed Valuation.....	4.66%

Approximate Area of District – 457 acres

(a) As certified by the El Paso Central Appraisal District (the "Appraisal District"). Represents the assessed valuation within the District as of January 1, 2022. See "TAX PROCEDURES."

Cash and Investment Balances (as of September 8, 2022)

Operating Fund	Cash and Temporary Investments	\$416,298.00
Capital Projects	Cash and Temporary Investments	\$101,761.00
Debt Service Fund	Cash and Temporary Investments	\$345,584.00 ^(a)

See "SELECTED FINANCIAL INFORMATION."

(a) Neither the Bond Resolution nor Texas law requires that the District maintain any particular balance in the Debt Service Fund.

ESTIMATED OVERLAPPING DEBT STATEMENT

Expenditures of the various taxing entities within the territory of the District are paid out of ad valorem taxes levied by such entities on properties within the District. Such entities are independent of the District and may incur borrowings to finance their expenditures. This statement of direct and estimated overlapping ad valorem tax bonds ("Tax Debt") was developed from information contained in the "Texas Municipal Reports" published by the Municipal Advisory Council of Texas. Except for the amounts relating to the District, the District has not independently verified the accuracy or completeness of such information, and no person should rely upon such information as being accurate or complete. Furthermore, certain of the entities listed may have issued additional bonds since the date hereof, and such entities may have programs requiring the issuance of substantial amounts of additional bonds, the amount of which cannot be determined. The following table reflects the estimated share of the overlapping Tax Debt of the District.

Taxing Jurisdiction	Outstanding Bonds	As of	Overlapping	
			Percent	Amount
El Paso County	\$ 170,979,011	9/30/2022	0.31%	\$ 530,035
El Paso County Hospital District	309,920,000	9/30/2022	0.31%	960,752
Socorro Independent School District	777,574,552	9/30/2022	1.14%	8,864,350
Total Estimated Overlapping Debt.				\$ 10,355,137
The District.				\$ 9,280,000 (a)
Total Direct and Estimated Overlapping Debt.				\$ 19,635,137
Ratio of Total Direct and Estimated Overlapping Debt to 2022 Assessed Valuation.				9.85%

(a) Includes the Bonds.

Overlapping Tax Rates for 2022

Taxing Jurisdiction	2022 Tax Rate per \$100 Assessed Valuation
The District	\$ 0.719400
El Paso County	0.426289
El Paso County Emergency Services District No. 2	0.100000
El Paso Community College District	0.122611
Socorro Independent School District	1.249712
University Medical Center	0.235000
Total Overlapping Tax Rate	\$ 2.853012

TAX DATA

Tax Collections

The following statement of tax collections sets forth in condensed form the historical tax collection experience of the District. This summary has been prepared for inclusion herein, based upon information from District records. Reference is made to these records for further and more complete information.

Tax Year	Assessed Valuation	Tax Rate	Tax Levy	Current Collections		Total Collections		Fiscal Year Ending
				Amount	Percent	Amount	Percent	
2018	\$ 140,775,597	\$ 0.7500	\$ 1,055,817	\$ 1,056,189	100.04%	\$ 1,064,689	100.84%	9/30/2019
2019	152,713,583	0.7500	1,145,352	1,156,950	101.01%	1,156,605	100.98%	9/30/2020
2020	162,846,791	0.7500	1,221,351	1,219,976	99.89%	1,222,477	100.09%	9/30/2021
2021	172,406,793	0.7500	1,293,051	1,305,671	100.98%	1,304,812	100.91%	9/30/2022 ^(a)
2022	199,294,158	0.7194	1,433,722	N/A	N/A	N/A	N/A	9/30/2023 ^(b)

(a) Tax Collections billed on October 1. Collections are as of September 30, 2022.

(b) In process of collection.

Taxes are due October 1 and become delinquent if not paid before February 1 of the year following the year in which imposed. No split payments are allowed and no discounts are allowed.

Tax Rate Distribution

	2022	2021	2020	2019	2018
Debt Service	\$0.3512	\$0.3785	\$0.4165	\$0.4200	\$0.4500
Contract (a)	0.2900	0.2900	0.2900	0.2900	0.2700
Maintenance and Operations	0.0782	0.0815	0.0435	0.0400	0.0300
Total	\$0.7194	\$0.7500	\$0.7500	\$0.7500	\$0.7500

(a) See “RISK FACTORS – District Operations and Contract Tax” and “– Contract Tax” below.

Tax Rate Limitations

Debt Service: Unlimited (no legal limit as to rate or amount).

Maintenance and Operations: \$1.00 per \$100 Assessed Valuation.

Debt Service Tax

The Board covenants in the Bond Resolution to levy and assess, for each year that all or any part of the Bonds remain outstanding and unpaid, a tax adequate to provide funds to pay the principal of and interest on the Bonds. In connection with the approval of the Bonds, the TCEQ has approved an initial debt service rate of at most \$0.00 per \$100 assessed valuation.

Contract Tax

Under the Master District Contract, each Participant District has agreed to levy and collect a tax (the “Contract Tax”) to make payments to the Master District for (i) the Participant District’s pro rata share of any operating deficits incurred by the Master District and (ii) the debt service on any bonds issued by the Master District for Regional Facilities payable from the Contract Tax (“Master District Bonds”), with the Participant District’s pro rata share based on the Participant District’s total taxable assessed valuation as compared to the total taxable assessed valuation in all eleven Participant Districts. However, the Master District Contract contemplates that the Master District would not issue Master District Bonds for purposes of reimbursing the Developers for the initial construction of the Regional Facilities. Thus, for the foreseeable future, the District contemplates levying a Contract Tax only for its pro rata share of the operating deficits of the Master District. The District has levied total tax rate of \$0.7194 per \$100 of Assessed Valuation for Tax Year 2022, as follows: \$0.3512 for debt service tax, \$0.290 for Contract Tax and \$0.0782 for maintenance and operations tax.

Maintenance Tax

The Board of Directors of the District has the statutory authority to levy and collect an annual ad valorem tax for maintenance of the District's improvements, if such maintenance tax is authorized by vote of the District's electors. On May 14, 2011, the Board was authorized to levy such a maintenance tax in an amount not to exceed \$1.00 per \$100 of assessed valuation. For the 2022 tax year, the Board has levied a maintenance tax in the amount of \$0.0782 per \$100 assessed valuation. Such tax is in addition to taxes which the District is authorized to levy for paying principal and interest on the District's bonds.

Tax Exemptions

As discussed in the section titled "TAX PROCEDURES" herein, certain property in the District may be exempt from taxation by the District. The District does not exempt any percentage of the market value of any residential homesteads from taxation.

Additional Penalties

The District has contracted with a delinquent tax attorney to collect delinquent taxes. Pursuant to the contract and in accordance with the Texas Property Tax Code, the District recovers certain costs, expenses and fees associated with tax collection suits, including reasonable attorney's fees in the amount of twenty percent (20%) of the total amount of taxes, penalties, and interest due to the District.

Principal Taxpayers

The following list of principal taxpayers is based upon the 2022 tax roll, which reflects ownership at January 1, 2022.

Taxpayer	Type of Property	2022 Taxable Assessed Valuation	% of Taxable Assessed Valuation
Hunt Communities Develop Co II LLC	Home Builder	\$ 2,882,279	1.45%
River Oaks Properties Ltd.	Commercial Real Estate Development & Management	2,457,000	1.23%
Okpalaji Chukwujekwu	Residential	937,224	0.47%
Hunt Communities Develop Co II LLC	Home Builder	878,988	0.44%
Hunt Mission Ridge LLC	Home Builder	842,375	0.42%
Hunt Communities Develop Co II LLC	Home Builder	834,572	0.42%
Palma Juan D	Residential	689,630	0.35%
Pacheco Cynthia I A	Residential	683,373	0.34%
Martinez Donna M	Residential	603,094	0.30%
Zamora Osvaldo & Garcia Lourdes	Residential	568,539	0.29%
Total		<u>\$ 11,377,074</u>	<u>5.71%</u>

Summary of Assessed Valuation

The following summary of the Assessed Valuation is provided by the District's Tax Assessor/Collector based on information contained in the 2018-2022 tax rolls of the District. Differences in totals may vary slightly from other information herein due to differences in dates of data.

	2022	2021	2020	2019	2018
Land and Improvements	\$ 226,610,004	\$ 185,040,505	\$ 170,145,479	\$ 159,820,333	\$ 147,611,390
Personal Property	893,145	962,259	921,671	781,924	625,686
Exemptions	(28,208,991)	(13,595,971)	(8,220,359)	(7,888,674)	(7,461,479)
Total Assessed Valuation	<u>\$ 199,294,158</u>	<u>\$ 172,406,793</u>	<u>\$ 162,846,791</u>	<u>\$ 152,713,583</u>	<u>\$ 140,775,597</u>

Projected Tax Adequacy for Debt Service

The calculations shown below assume, solely for purpose of illustration, no increase or decrease in assessed valuation over the 2022 Certified Assessed Valuation, no use of available funds, and utilization of a tax rate necessary to pay the District's projected average annual debt service requirements on the Bonds.

Average Annual Principal and Interest Requirements, 2023-2040.....	\$	701,467
\$ 0.35916 Tax Rate on the 2022 Assessed Valuation at 98% Collection Produces	\$	701,467

TAX PROCEDURES

Authority to Levy Taxes

The Board is authorized to levy an annual ad valorem tax, without legal limitation as to rate or amount, on all taxable property within the District in an amount sufficient to pay the principal of and interest on the Bonds, and any additional bonds payable from taxes which the District may hereafter issue (see “RISK FACTORS - Future Debt”) and to pay the expenses of assessing and collecting such taxes. The District agrees in the Bond Resolution to levy such a tax from year to year as described more fully herein under “THE BONDS - Source of and Security for Payment.” Under Texas law, the Board may also levy and collect an annual ad valorem tax for the operation and maintenance of the District and its water and wastewater system and for the payment of certain contractual obligations. See “TAX DATA.”

Property Tax Code and County-Wide Appraisal District

The Texas Property Tax Code (the “Property Tax Code”) specifies the taxing procedures of all political subdivisions of the State of Texas, including the District. The District must also follow tax procedures found in the Texas Water Code. These statutory provisions are complex and are not fully summarized here.

The Property Tax Code requires, among other matters, county-wide appraisal and equalization of taxable property values and establishes in each county of the State of Texas an appraisal district with the responsibility for recording and appraising property for all taxing units within a county and an appraisal review board with responsibility for reviewing and equalizing the values established by the appraisal district. The Appraisal District has the responsibility for appraising property for all taxing units within El Paso County, including the District. Such appraisal values are subject to review and change by the El Paso County Appraisal Review Board (the “Appraisal Review Board”).

Property Subject to Taxation by the District

General: Except for certain exemptions provided by Texas law, all real property, tangible personal property held or used for the production of income, mobile homes, and certain categories of intangible personal property with a tax situs in the District are subject to taxation by the District; however, no effort is expected to be made by the Appraisal District to include on a tax roll tangible or intangible personal property not devoted to commercial or industrial use. Principal categories of exempt property include, but are not limited to: property owned by the State of Texas or its political subdivisions if the property is used for public purposes; property exempt from ad valorem taxation by federal law; income producing tangible personal property or mineral interest with a taxable value of less than \$500; certain property used for the control of air, water or land pollution; solar and wind powered energy devices; certain non-profit cemeteries, farm products owned by the producer; and certain property owned by qualified charitable, religious, veterans, youth development, fraternal organizations, designated historical sites, travel trailers, and most individually owned automobiles. Goods, wares, ores and merchandise (other than oil, gas, or petroleum products) that are acquired in or imported into the state and forwarded out of state within 175 days thereafter are also exempt. Article VIII, Section 1-a of the Texas Constitution grants a \$3,000 homestead exemption for all homesteads taxed by counties for farm-to-market roads and flood control purposes. Property owned by a disabled veteran or by the spouse of certain children of a deceased disabled veteran or a veteran who died while on active duty is partially exempt to between \$5,000 and \$12,000 of assessed value depending upon the disability rating of the veteran. A veteran who receives a disability rating of 100% is entitled to an exemption for the full value of the veteran’s residence homestead. Additionally, subject to certain conditions, the surviving spouse or a disabled veteran who is entitled to an exemption for the full value of the veteran's residence homestead is also entitled to an exemption from taxation of the total appraised value of the same property to which the disabled veteran's exemption applied. The surviving spouse of a member of the armed services who was killed in action is entitled to an exemption from taxation of the total appraised value of the surviving spouse's residence homestead where certain condition are met and, subject to certain conditions, an exemption up to the same amount may be transferred to a subsequent residence homestead of the surviving spouse.

The surviving spouse of a first responder who was killed or fatally injured in the line of duty is, subject to certain conditions, entitled to an exemption of the total appraised value of the surviving spouse's residence homestead, and, subject to certain conditions, an exemption up to the same amount may be transferred to a subsequent residence homestead of the surviving spouse. Also partially exempt are residence homesteads of certain persons who are disabled or at least 65 years old, not less than \$3,000 of appraised value or such higher amount as the Board or the District's voters may approve; neither the Board nor the voters have taken any such action. Subject to certain conditions, the surviving spouse of a person 65 or older is entitled to an exemption for the same property in an amount equal to that which the deceased spouse was qualified. The District's tax assessor is authorized by statute to disregard exemptions for the disabled and elderly if granting the exemption would impair the District's obligation to pay tax-supported debt incurred prior to adoption of the exemption by the District. See "TAX DATA."

Residential Homestead Exemptions: The Property Tax Code authorizes the governing body of each political subdivision in the State of Texas to exempt up to twenty percent (20%) (not less than \$5,000) of the appraised value of residential homesteads from ad valorem taxation. Where ad valorem taxes have previously been pledged for the payment of debt, the governing body of a political subdivision may continue to levy and collect taxes against the exempt value of the homesteads until the debt is discharged, if the cessation of the levy would impair the obligations of the contract by which the debt was created. The adoption of a homestead exemption may be considered each year, but must be adopted before July 1. The District has never granted a general residential homestead exemption. See "TAX DATA."

Freeport Goods Exemption: Freeport goods are goods, wares, merchandise, other tangible personal property and ores, other than oil, natural gas and other petroleum products, which have been acquired or brought into the state for assembling, storing, manufacturing, repair, maintenance, processing or fabricating purposes, or used to repair or maintain aircraft of a certified air carrier, and shipped out of the state within one hundred seventy-five (175) days. Freeport goods are exempt from taxation by the District.

Goods-in-Transit Exemptions: A "Goods-in-Transit Exemption" may apply to certain tangible personal property that is acquired in or imported into Texas for assembling, storing, manufacturing or fabrication purposes which is destined to be forwarded to another location in Texas not later than 175 days after acquisition or importation, so long as the location where said goods are detained is not directly or indirectly owned by the owner of the goods. The District has not taken action to allow taxation of goods-in-transit, and accordingly, the exemption is available within the District. However, the District may determine in the future to take action to tax exempt goods-in-transit personal property. A taxpayer may not claim both a Freeport Goods Exemption and a Goods-in-Transit Exemption on the same property.

Tax Abatement

El Paso County may designate all or part of the area within the District as a reinvestment zone. Thereafter, El Paso County, Socorro Independent School District, the District, and, if the District is annexed and dissolved, the City, at the option and discretion of each entity, may enter into tax abatement agreements with owners of property within the zone. Prior to entering into a tax abatement agreement, each entity must adopt guidelines and criteria for establishing tax abatement, which each entity will follow in granting tax abatement to owners of property. The tax abatement agreements may exempt from ad valorem taxation by each of the applicable taxing jurisdictions, including the District, for a period of up to ten (10) years, all or any part of any increase in the assessed valuation of property covered by the agreement over its assessed valuation in the year in which the agreement is executed, on the condition that the property owner make specified improvements or repairs to the property in conformity with the terms of the tax abatement. Each taxing jurisdiction has discretion to determine terms for its tax abatement agreements without regard to the terms approved by the other taxing jurisdictions.

Valuation of Property for Taxation

Generally, property in the District must be appraised by the Appraisal District at market value as of January 1 of each year. Once an appraisal roll is prepared and finally approved by the Appraisal Review Board, it is used by the District in establishing its tax rolls and tax rate. Generally, assessments under the Property Tax Code are to be based on one hundred percent (100%) of market value, as such is defined in the Property Tax Code. In determining market value, either the replacement cost or the income or the market data method of valuation may be used, whichever is appropriate. Nevertheless, certain land may be appraised at less than market value under the Property Tax Code. Increases in the appraised value of residence homesteads are limited by the Texas Constitution to 10 percent annually regardless of the market value of the property.

The Property Tax Code permits land designated for agricultural use, open space or timberland to be appraised at its value based on the land's capacity to produce agricultural or timber products rather than at its market value. Substantially all of the undeveloped land in the District is valued based on agricultural use. The Property Tax Code permits under certain circumstances that residential real property inventory held by a person in the trade or business be valued at the price all such property would bring if sold as a unit to a purchaser who would continue the business. Provisions of the Property Tax Code are complex and are not fully summarized here. Landowners wishing to avail themselves of the agricultural use, open space or timberland designation or residential real

property inventory designation must apply for the designation and the appraiser is required by the Property Tax Code to act on each claimant's right to the designation individually. A claimant may waive the special valuation as to taxation by some political subdivisions while claiming it as to another. If a claimant receives the agricultural use designation and later loses it by changing the use of the property or selling it to an unqualified owner, the District can collect taxes based on the new use, including taxes for the previous three (3) years for agricultural use and taxes for the previous five (5) years for open space land and timberland.

The Property Tax Code requires the Appraisal District to implement a plan for periodic reappraisal of property to update appraisal values. The plan must provide for appraisal of all real property in the Appraisal District at least once every three (3) years. It is not known what frequency of reappraisal will be utilized by the Appraisal District or whether reappraisals will be conducted on a zone or county-wide basis. The District, however, at its expense has the right to obtain from the Appraisal District a current estimate of appraised values within the District or an estimate of any new property or improvements within the District. While such current estimate of appraised values may serve to indicate the rate and extent of growth of taxable values within the District, it cannot be used for establishing a tax rate within the District until such time as the Appraisal District chooses formally to include such values on its appraisal roll.

District and Taxpayer Remedies

Under certain circumstances taxpayers and taxing units (such as the District) may appeal the orders of the Appraisal Review Board by filing a timely petition for review in State district court. In such event, the value of the property in question will be determined by the court or by a jury if requested by any party. Additionally, taxing units may bring suit against the Appraisal District to compel compliance with the Property Tax Code. The Property Tax Code also establishes a procedure for notice to property owners of reappraisals reflecting increased property value, appraisals which are higher than renditions, and appraisals of property not previously on an appraisal roll.

Rollback of Operation and Maintenance Tax Rate

During the 86th Regular Legislative Session, Senate Bill 2 ("SB 2") was passed and signed by the Governor, with an effective date (as to those provisions discussed herein) of January 1, 2020, and the provisions described herein are effective beginning with the 2022 tax year. See "SELECTED FINANCIAL INFORMATION" for a description of the District's current total tax rate. Debt service and contract tax rates cannot be reduced by a rollback election held within any of the districts described below.

SB 2 classifies water districts differently based on their current operation and maintenance tax rate or on the percentage of projected build-out that a district has completed. Districts that have adopted an operation and maintenance tax rate for the current year that is 2.5 cents or less per \$100 of taxable value are classified as "Low Tax Rate Districts." Districts that have financed, completed, and issued bonds to pay for all land, improvements and facilities necessary to serve at least 95% of the projected build-out of the district are classified as "Developed Districts." Districts that do not meet either of the classifications previously discussed are classified as "Developing Districts." The impact each classification has on the ability of a district to increase its maintenance and operations tax rate pursuant to SB 2 is described below.

Low Tax Rate Districts

Special Taxing Units that adopt a total tax rate that would impose more than 1.08 times the amount of the total tax imposed by such district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, are required to hold an election within the district to determine whether to approve the adopted total tax rate. If the adopted total tax rate is not approved at the election, the total tax rate for a Low Tax Rate District is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.08 times the amount of operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, subject to certain homestead exemptions.

Developed Districts

Developed Districts that adopt a total tax rate that would impose more than 1.035 times the amount of the total tax imposed by the district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, plus any unused increment rates, as calculated and described in Section 26.013 of the Tax Code, are required to hold an election within the district to determine whether to approve the adopted total tax rate. If the adopted total tax rate is not approved at the election, the total tax rate for a Developed District is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.035 times the amount of operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, subject to certain homestead exemptions, plus any unused increment rates. In addition, if any part of a Developed District lies within an area declared for disaster by the Governor of Texas or President of the United States,

alternative procedures and rate limitations may apply for a temporary period. If a district qualifies as both a Low Tax Rate District and a Developed District, the district will be subject to the operation and maintenance tax threshold applicable to Low Tax Rate Districts.

Developing Districts

Districts that do not meet the classification of a Low Tax Rate District or a Developed District are classified as Developing Districts. The qualified voters of these districts, upon the Developing District's adoption of a total tax rate that would impose more than 1.08 times the amount of the total tax imposed by such district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, are authorized to petition for an election to reduce the operation and maintenance tax rate. If an election is called and passes, the total tax rate for the Developing District is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.08 times the amount of operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, subject to certain homestead exemptions.

The District

A determination as to a district's status as a Low Tax Rate District, Developed District or Developing District will be made on an annual basis, beginning with the 2022 tax year. With respect to the District's 2022 tax rate, the District has been determined to be a Developing District. The District cannot give any assurances as to what its classification will be at any point in time or whether the District's future tax rates will result in a total tax rate that will reclassify the District into a new classification and new election calculation.

Levy and Collection of Taxes

The District is responsible for the levy and, unless it elects to transfer such functions to another governmental entity, collection of its taxes. By September 1 of each year, or as soon thereafter as practicable, the rate of taxation is set by the Board of Directors based upon: a) the valuation of property within the District as of the preceding January 1, and b) the amount required to be raised for debt service, maintenance purposes and authorized contractual obligations. Taxes are due October 1, or when billed, whichever comes later, and become delinquent if not paid before February 1 of the year following the year in which imposed. A delinquent tax incurs a penalty of six percent (6%) of the amount of the tax for the first calendar month it is delinquent, plus one percent (1%) for each additional month or portion of a month the tax remains unpaid prior to July 1 of the year in which it becomes delinquent. If the tax is not paid by July 1 of the year in which it becomes delinquent, the tax incurs a total penalty of twelve percent (12%) regardless of the number of months the tax has been delinquent and incurs an additional penalty for collection costs of an amount established by the District and a delinquent tax attorney. For those taxes billed at a later date and that become delinquent on or after June 1, they will also incur an additional penalty for collection costs of an amount established by the District and a delinquent tax attorney. The delinquent tax accrues interest at a rate of one percent (1%) for each month or portion of a month it remains unpaid. The Property Tax Code makes provisions for the split payment of taxes, discounts for early payment and the postponement of the delinquency date of taxes under certain circumstances which, at the option of the District, may be rejected.

The District's tax collector is required to enter into an installment payment agreement with any person who is delinquent on the payment of tax on a residence homestead for payment of tax, penalties and interest, if the person requests an installment agreement and has not entered into an installment agreement with the collector in the preceding 24 months. The installment agreement must provide for payments to be made in monthly installments and must extend for a period of at least 12 months and no more than 36 months. Additionally, the owner of a residential homestead property who is (i) sixty-five (65) years of age or older, (ii) disabled, or (iii) a disabled veteran, is entitled by law to pay current taxes on a residential homestead in installments without penalty or to defer the payment of taxes during the time of ownership. In the instance of tax deferral, a tax lien remains on the property and interest continue to accrue during the period of deferral.

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District's Rights in the Event of Tax Delinquencies

Taxes levied by the District are a personal obligation of the owner of the property as of January 1 of the year for which the tax is imposed. On January 1 of each year, a tax lien attaches to property to secure the payment of all state and local taxes, penalties, and interest ultimately imposed for the year on the property. The lien exists in favor of the State of Texas and each local taxing unit, including the District, having power to tax the property. The District's tax lien is on a parity with tax liens of such other taxing units (see "ESTIMATED OVERLAPPING DEBT STATEMENT - Overlapping Tax Rates for 2022"). A tax lien on real property takes priority over the claim of most creditors and other holders of liens on the property encumbered by the tax lien, whether or not the debt or lien existed before the attachment of the tax lien; however, whether a lien of the United States is on a parity with or takes priority over a tax lien of the District is determined by applicable federal law. Personal property under certain circumstances is subject to seizure and sale for the payment of delinquent taxes, penalty, and interest.

At any time after taxes on property become delinquent, the District may file suit to foreclose the lien securing payment of the tax, to enforce personal liability for the tax, or both. In filing a suit to foreclose a tax lien on real property, the District must join other taxing units that have claims for delinquent taxes against all or part of the same property. Collection of delinquent taxes may be adversely affected by the cost of suit and sale, by the amount of taxes owed to other taxing units, by the effects of market conditions on the foreclosure sale price, by taxpayer redemption rights (a taxpayer may redeem property within six (6) months for commercial property and two (2) years for residential and all other types of property after the purchaser's deed issued at the foreclosure sale is filed in the county records) or by bankruptcy proceedings which restrict the collection of taxpayer debts. The District's ability to foreclose its tax lien or collect penalties or interest on delinquent taxes may be limited on property owned by a financial institution which is under receivership or conservatorship by the FDIC. See "RISK FACTORS – The Effect of FIRREA on Tax Collections of the District."

GENERAL FUND OPERATIONS

General

The Bonds are payable from the levy of an ad valorem tax, without legal limitation as to rate or amount, upon all taxable property in the District. Surplus revenues, if any, of the District's general fund are not pledged to the payment of the Bonds but are available for any lawful purpose including payment of debt service on the Bonds, at the discretion and upon action of the Board. It is not expected that significant net revenue, if any, will be available for payment of debt service on the Bonds.

Contract Tax

Under the Master District Contract, each Participant District has agreed to levy and collect the Contract Tax to make payments to the Master District for (i) the Participant District's pro rata share of any operating deficits incurred by the Master District and (ii) the debt service on any Master District Bonds, with the Participant District's pro rata share based on the Participant District's total taxable assessed valuation as compared to the total taxable assessed valuation in all eleven Participant Districts. However, the Master District Contract contemplates that the Master District would not issue Master District Bonds for purposes of reimbursing the Developers for the initial construction of the Regional Facilities. Thus, for the foreseeable future, the District contemplates levying a Contract Tax only for its pro rata share of the operating deficits of the Master District. The District has levied a total tax rate of \$0.7194 per \$100 of Assessed Valuation for Tax Year 2022, as follows: \$0.3512 for debt service tax, \$0.2900 for contract tax and \$0.0782 for maintenance tax.

District Operation and Maintenance Expense

Because the Master District provides retail water and sanitary sewer service to all customers in the area within all eleven Participant Districts, including the District, the District does not expect to incur significant operating expenses; rather it expects to mainly incur administrative expenses. The Master District Contract provides that the Master District will pay each Participant District's ordinary administrative expenses, including the District's, if approved by the Master District as part of an annual budget. The Master District Contract provides an annual budget process where each Participant District submits its budget for approval by the Master District. So long as a Participant District's expenses are no more than ten percent higher than the average of the budgets for Participant Districts Nos. 2-11, the budget must be approved by the Master District. In addition, the District may levy its own maintenance tax to pay such expenses. However, because the Master District provides retail water and sanitary sewer service to all customers in the area within all eleven Participant Districts, including the District, the District does not expect to have any revenues from water and sanitary sewer operations to pay its operation and expenses.

No Water and Sanitary Sewer Revenues

Because the Master District provides retail water and sanitary sewer service to all customers in the area within all eleven Participant Districts, including the District, the District does not expect to have any revenues from water and sanitary sewer operations to pay its operation and maintenance expenses.

Operating Statement

The following statement sets forth in condensed form the historical results of operation of the District's General Fund. Accounting principles customarily employed in the determination of net revenues have been observed and in all instances exclude depreciation. Such summary is based upon information obtained from the District's audited financial statements and the District's bookkeeping records. Reference is made to such statements and records for further and more complete information.

	Fiscal Year Ended September 30,				
	2021	2020	2019	2018	2017
Revenues:					
Transfer From Master District	\$ 112,512	\$ 79,818	\$ 82,545	\$ 76,464	\$ 64,674
Property Taxes	71,103	61,751	43,811	75,467	80,277
Contract Taxes	473,691	447,688	385,060	335,365	70,536
Interest	134	1,489	2,756	874	1,530
Total Revenues	<u>\$ 657,440</u>	<u>\$ 590,746</u>	<u>\$ 514,172</u>	<u>\$ 488,170</u>	<u>\$ 217,017</u>
Expenditures:					
Tax Transfer to Master District	\$ 473,691	\$ 447,688	\$ 385,060	\$ 335,365	\$ 70,536
Legal Fees	24,859	12,153	14,645	15,561	12,714
Audit Fees	5,500	5,500	5,500	5,500	5,500
Accounting Fees	23,475	22,411	23,675	22,425	21,300
Engineering Fees	6,964	6,128	4,272	3,210	2,661
Management Fees	9,287	8,918	8,494	8,026	7,640
Fiscal Fees	1,500	1,500	1,500	1,500	-
Director Salaries and Payroll Taxes	9,689	6,298	6,298	5,652	4,844
Insurance	1,535	1,549	1,549	1,549	874
Tax Assessor/Collector	14,708	13,954	14,757	11,064	5,614
Printing and Office Supplies	684	439	485	764	964
Postage and Delivery	456	151	179	64	174
Legal Notices	1,040	1,457	840	720	782
Travel	14,315	860	1,852	1,930	1,686
Total Expenditures	<u>\$ 587,703</u>	<u>\$ 529,006</u>	<u>\$ 469,106</u>	<u>\$ 413,330</u>	<u>\$ 135,289</u>
Transfer (to) Other Funds	-	-	1	(18,750)	(276,714)
Change in Net Position	<u>\$ 69,737</u>	<u>\$ 61,740</u>	<u>\$ 45,067</u>	<u>\$ 56,090</u>	<u>\$ (194,986)</u>
Fund Balance/Net Position - Beginning	216,139	154,399	109,332	53,242	248,228
Fund Balance/Net Position - Ending	<u>\$ 285,876</u>	<u>\$ 216,139</u>	<u>\$ 154,399</u>	<u>\$ 109,332</u>	<u>\$ 53,242</u>

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PRO-FORMA DEBT SERVICE REQUIREMENTS

Fiscal Year Ending Sept. 30	Outstanding Debt Service	The Bonds ⁽¹⁾			Total Debt Service
		Principal	Interest	Total	
2023	\$ 671,799	\$ -	\$ -	\$ -	\$ 671,799
2024	669,786	-	93,750	93,750	763,536
2025	672,411	30,000	62,500	92,500	764,911
2026	674,124	30,000	61,000	91,000	765,124
2027	665,011	30,000	59,500	89,500	754,511
2028	656,624	30,000	58,000	88,000	744,624
2029	652,968	35,000	56,500	91,500	744,468
2030	643,505	35,000	54,750	89,750	733,255
2031	638,336	40,000	53,000	93,000	731,336
2032	632,274	40,000	51,000	91,000	723,274
2033	620,511	40,000	49,000	89,000	709,511
2034	618,418	45,000	47,000	92,000	710,418
2035	605,268	45,000	44,750	89,750	695,018
2036	601,518	50,000	42,500	92,500	694,018
2037	586,373	50,000	40,000	90,000	676,373
2038	526,040	55,000	37,500	92,500	618,540
2039	188,760	340,000	34,750	374,750	563,510
2040	189,440	355,000	17,750	372,750	562,190
Total	<u>\$ 10,513,164</u>	<u>\$ 1,250,000</u>	<u>\$ 863,250</u>	<u>\$ 2,113,250</u>	<u>\$ 12,626,414</u>

Average Annual Debt Service (2023-2040). \$ 701,467

Maximum Annual Debt Service (2026). \$ 765,124

(1) Preliminary, subject to change. Interest on the Bonds are calculated at a rate of 5% for purposes of illustration only.

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LEGAL MATTERS

Legal Proceedings

Issuance of the Bonds is subject to the approving legal opinion of the Attorney General of Texas to the effect that the Bonds are valid and binding obligations of the District payable from the proceeds of an annual ad valorem tax levied, without legal limit as to rate or amount, upon all taxable property within the District. Issuance of the Bonds is also subject to the legal opinion of McCall, Parkhurst & Horton L.L.P. ("Bond Counsel"), based upon examination of a transcript of the proceedings incident to authorization and issuance of the Bonds, to the effect that the Bonds are valid and binding obligations of the District payable from the sources and enforceable in accordance with the terms and conditions described therein, except to the extent that the enforceability thereof may be affected by governmental immunity, bankruptcy, insolvency, reorganization, moratorium, or other similar laws affecting creditors' rights or the exercise of judicial discretion in accordance with general principles of equity. Bond Counsel's legal opinion will also address the matters described below under "TAX EXEMPTION". Such opinions will express no opinion with respect to the sufficiency of the security for or the marketability of the Bonds. In connection with the issuance of the Bonds, Bond Counsel has been engaged by, and only represents, the District.

The legal fees to be paid Bond Counsel for services rendered in connection with the issuance of the Bonds are based upon a percentage of Bonds actually issued, sold and delivered, and therefore, such fees are contingent upon the sale and delivery of the Bonds.

The various legal opinions to be delivered concurrently with the delivery of the Bonds express the professional judgment of the attorneys rendering the opinions as to the legal issues explicitly addressed therein. In rendering a legal opinion, the attorney does not become an insurer or guarantor of the expression of professional judgment, of the transaction opined upon, or of the future performance of the parties to the transaction, nor does the rendering of an opinion guarantee the outcome of any legal dispute that may arise out of the transaction.

Bond Counsel has reviewed the information appearing in this Official Statement under "THE BONDS," "THE DISTRICT – General" (excluding the last paragraph thereof), "MANAGEMENT – Bond Counsel," "TAX PROCEDURES," "LEGAL MATTERS – Legal Proceedings" (insofar as such section relates to the legal opinion of Bond Counsel), and "TAX EXEMPTION" (insofar as such section relates to the legal opinion of Bond Counsel) and "CONTINUING DISCLOSURE OF INFORMATION" (except under the subheading "Compliance with Prior Undertakings") solely to determine if such information, insofar as it relates to matters of law, is true and correct, and whether such information fairly summarizes the provisions of the documents referred to therein. Bond Counsel has not, however, independently verified any of the factual information contained in this Official Statement nor has it conducted an investigation of the affairs of the District for the purpose of passing upon the accuracy or completeness of this Official Statement. No person is entitled to rely upon Bond Counsel's limited participation as an assumption of responsibility for or an expression of opinion of any kind with regard to the accuracy or completeness of any information contained herein.

No Material Adverse Change

The obligations of the Initial Purchaser to take and pay for the Bonds, and of the District to deliver the Bonds, are subject to the condition that, up to the time of delivery of and receipt of payment for the Bonds, there shall have been no material adverse change in the financial condition of the District from that set forth or contemplated in the Preliminary Official Statement as amended or supplemented through the date of sale.

No-Litigation Certificate

The District will furnish the Initial Purchaser a certificate, executed by both the President and Secretary of the Board, and dated as of the date of delivery of the Bonds, to the effect that no litigation of any nature is pending, or to its knowledge threatened, either in state or federal courts, contesting or attacking the Bonds; restraining or enjoining the levy, assessment and collection of ad valorem taxes to pay the interest or the principal of the Bonds; in any manner questioning the authority or proceedings for the issuance, execution or delivery of the Bonds; or affecting the validity of the Bonds or the title of the present officers of the District.

TAX EXEMPTION

Opinion

On the date of initial delivery of the Bonds, Bond Counsel will render its opinion that, in accordance with statutes, regulations, published rulings and court decisions existing on the date thereof (“Existing Law”), (1) interest on the Bonds for federal income tax purposes will be excludable from the “gross income” of the holders thereof and (2) the Bonds will not be treated as “specified private activity bonds” the interest on which would be included as an alternative minimum tax preference item under section 57(a)(5) of the Internal Revenue Code of 1986 (the “Code”). Except as stated above, Bond Counsel to the District will express no opinion as to any other federal, state or local tax consequences of the purchase, ownership or disposition of the Bonds. See “APPENDIX B – Form of Bond Counsel’s Opinion.”

In rendering its opinion, Bond Counsel to the District will rely upon (a) the District’s federal tax certificate and (b) covenants of the District with respect to arbitrage, the application of the proceeds to be received from the issuance and sale of the Bonds and certain other matters. Failure of the District to comply with these representations or covenants could cause the interest on the Bonds to become includable in gross income retroactively to the date of issuance of the Bonds.

The Code and the regulations promulgated thereunder contain a number of requirements that must be satisfied subsequent to the issuance of the Bonds in order for interest on the Bonds to be, and to remain, excludable from gross income for federal income tax purposes. Failure to comply with such requirements may cause interest on the Bonds to be included in gross income retroactively to the date of issuance of the Bonds. The opinion of Bond Counsel is conditioned on compliance by the District with the covenants and the requirements described in the preceding paragraph, and Bond Counsel has not been retained to monitor compliance with these requirements subsequent to the issuance of the Bonds.

Bond Counsel’s opinion represents its legal judgment based upon its review of Existing Law and the reliance on the aforementioned information, representations and covenants. Bond Counsel’s opinion is not a guarantee of a result. The Existing Law is subject to change by the Congress and to subsequent judicial and administrative interpretation by the courts and the Department of the Treasury. There can be no assurance that such Existing Law or the interpretation thereof will not be changed in a manner which would adversely affect the tax treatment of the purchase, ownership or disposition of the Bonds.

A ruling was not sought from the Internal Revenue Service by the District with respect to the Bonds or the facilities financed or refinanced with the proceeds of the Bonds. Bond Counsel’s opinion represents its legal judgment based upon its review of Existing Law and the representations of the District that it deems relevant to render such opinion and is not a guarantee of a result. No assurances can be given as to whether the Internal Revenue Service will commence an audit of the Bonds, or as to whether the Internal Revenue Service would agree with the opinion of Bond Counsel. If an audit is commenced, under current procedures the Internal Revenue Service is likely to treat the District as the taxpayer and the Bondholders may have no right to participate in such procedure. No additional interest will be paid upon any determination of taxability.

Federal Income Tax Accounting Treatment of Original Issue Discount

The initial public offering price to be paid for one or more maturities of the Bonds may be less than the principal amount thereof or one or more periods for the payment of interest on the Bonds may not be equal to the accrual period or be in excess of one year (the “Original Issue Discount Bonds”). In such event, the difference between (i) the “stated redemption price at maturity” of each Original Issue Discount Bond, and (ii) the initial offering price to the public of such Original Issue Discount Bond would constitute original issue discount. The “stated redemption price at maturity” means the sum of all payments to be made on the Bonds less the amount of all periodic interest payments. Periodic interest payments are payments which are made during equal accrual periods (or during any unequal period if it is the initial or final period) and which are made during accrual periods which do not exceed one year.

Under Existing Law, any owner who has purchased such Original Issue Discount Bond in the initial public offering is entitled to exclude from gross income (as defined in section 61 of the Code) an amount of income with respect to such Original Issue Discount Bond equal to that portion of the amount of such original issue discount allocable to the accrual period. For a discussion of certain collateral federal tax consequences, see discussion set forth below.

In the event of the redemption, sale or other taxable disposition of such Original Issue Discount Bond prior to stated maturity, however, the amount realized by such owner in excess of the basis of such Original Issue Discount Bond in the hands of such owner (adjusted upward by the portion of the original issue discount allocable to the period for which such Original Issue Discount Bond was held by such initial owner) is includable in gross income.

Under Existing Law, the original issue discount on each Original Issue Discount Bond is accrued daily to the stated maturity thereof (in amounts calculated as described below for each six-month period ending on the date before the semiannual anniversary dates of the date of the Bonds and ratably within each such six-month period) and the accrued amount is added to an initial owner's basis for such Original Issue Discount Bond for purposes of determining the amount of gain or loss recognized by such owner upon the redemption, sale or other disposition thereof. The amount to be added to basis for each accrual period is equal to (a) the sum of the issue price and the amount of original issue discount accrued in prior periods multiplied by the yield to stated maturity (determined on the basis of compounding at the close of each accrual period and properly adjusted for the length of the accrual period) less (b) the amounts payable as current interest during such accrual period on such Original Issue Discount Bond.

The federal income tax consequences of the purchase, ownership, redemption, sale or other disposition of Original Issue Discount Bonds which are not purchased in the initial offering at the initial offering price may be determined according to rules which differ from those described above. All owners of Original Issue Discount Bonds should consult their own tax advisors with respect to the determination for federal, state and local income tax purposes of the treatment of interest accrued upon redemption, sale or other disposition of such Original Issue Discount Bonds and with respect to the federal, state, local and foreign tax consequences of the purchase, ownership, redemption, sale or other disposition of such Original Issue Discount Bonds.

Collateral Federal Income Tax Consequences

The following discussion is a summary of certain collateral federal income tax consequences resulting from the purchase, ownership or disposition of the Bonds. This discussion is based on Existing Law, which is subject to change or modification, retroactively.

The following discussion is applicable to investors, other than those who are subject to special provisions of the Code, such as financial institutions, property and casualty insurance companies, life insurance companies, individual recipients of Social Security or Railroad Retirement benefits, individuals allowed an earned income credit, certain S corporations with Subchapter C earnings and profits, foreign corporations subject to the branch profits tax, taxpayers qualifying for the health insurance premium assistance credit, and taxpayers who may be deemed to have incurred or continued indebtedness to purchase tax-exempt obligations.

THE DISCUSSION CONTAINED HEREIN MAY NOT BE EXHAUSTIVE. INVESTORS, INCLUDING THOSE WHO ARE SUBJECT TO SPECIAL PROVISIONS OF THE CODE, SHOULD CONSULT THEIR OWN TAX ADVISORS AS TO THE TAX TREATMENT WHICH MAY BE ANTICIPATED TO RESULT FROM THE PURCHASE, OWNERSHIP AND DISPOSITION OF TAX-EXEMPT OBLIGATIONS BEFORE DETERMINING WHETHER TO PURCHASE THE Bonds.

Interest on the Bonds may be includable in certain corporation's "adjusted financial statement income" determined under section 56A of the Code to calculate the alternative minimum tax imposed by the section 55 of the Code.

Under section 6012 of the Code, holders of tax-exempt obligations, such as the Bonds, may be required to disclose interest received or accrued during each taxable year on their returns of federal income taxation.

Section 1276 of the Code provides for ordinary income tax treatment of gain recognized upon the disposition of a tax-exempt obligation, such as the Bonds, if such obligation was acquired at a "market discount" and if the fixed maturity of such obligation is equal to, or exceeds, one year from the date of issue. Such treatment applies to "market discount Bonds" to the extent such gain does not exceed the accrued market discount of such Bonds; although for this purpose, a de minimis amount of market discount is ignored. A "market discount bond" is one which is acquired by the holder at a purchase price which is less than the stated redemption price at maturity or, in the case of a bond issued at an original issue discount, the "revised issue price" (i.e., the issue price plus accrued original issue discount). The "accrued market discount" is the amount which bears the same ratio to the market discount as the number of days during which the holder holds the obligation bears to the number of days between the acquisition date and the final maturity date.

State, Local and Foreign Taxes

Investors should consult their own tax advisors concerning the tax implications of the purchase, ownership or disposition of the Bonds under applicable state or local laws. Foreign investors should also consult their own tax advisors regarding the tax consequences unique to investors who are not United States persons.

Information Reporting and Backup Withholding

Subject to certain exceptions, information reports describing interest income, including original issue discount, with respect to the Bonds will be sent to each registered holder and to the IRS. Payments of interest and principal may be subject to backup withholding under section 3406 of the Code if a recipient of the payments fails to furnish to the payor such owner's social security number or other taxpayer identification number ("TIN"), furnishes an incorrect TIN, or otherwise fails to establish an exemption from the

backup withholding tax. Any amounts so withheld would be allowed as a credit against the recipient's federal income tax. Special rules apply to partnerships, estates and trusts, and in certain circumstances, and in respect of foreign investors, certifications as to foreign status and other matters may be required to be provided by partners and beneficiaries thereof.

Future and Proposed Legislation

Tax legislation, administrative actions taken by tax authorities, or court decisions, whether at the Federal or state level, may adversely affect the tax-exempt status of interest on the Bonds under Federal or state law and could affect the market price or marketability of the Bonds. Any such proposal could limit the value of certain deductions and exclusions, including the exclusion for tax-exempt interest. The likelihood of any such proposal being enacted cannot be predicted. Prospective purchasers of the Bonds should consult their own tax advisors regarding the foregoing matters.

Qualified Tax-Exempt Obligations for Financial Institutions

Section 265(a) of the Code provides, in pertinent part, that interest paid or incurred by a taxpayer, including a "financial institution," on indebtedness incurred or continued to purchase or carry tax-exempt obligations is not deductible in determining the taxpayer's taxable income. Section 265(b) of the Code provides an exception to the disallowance of such deduction for any interest expense paid or incurred on indebtedness of a taxpayer that is a "financial institution" allocable to tax-exempt obligations, other than "private activity bonds," that are designated by a "qualified small issuer" as "qualified tax-exempt obligations." A "qualified small issuer" is any governmental issuer (together with any "on-behalf of" and "subordinate" issuers) who issues no more than \$10,000,000 of tax-exempt obligations during the calendar year. Section 265(b)(5) of the Code defines the term "financial institution" as any "bank" described in section 585(a)(2) of the Code, or any person accepting deposits from the public in the ordinary course of such person's trade or business that is subject to federal or state supervision as a financial institution. Notwithstanding the exception to the disallowance of the deduction of interest on indebtedness related to "qualified tax-exempt obligations" provided by section 265(b) of the Code, section 291 of the Code provides that the allowable deduction to a "bank", as defined in section 585(a)(2) of the Code, for interest on indebtedness incurred or continued to purchase "qualified tax-exempt obligations" shall be reduced by twenty-percent (20%) as a "financial institution preference item."

The District expects to designate the Bonds as "qualified tax-exempt obligations" within the meaning of section 265(b) of the Code. In furtherance of that designation, the District will covenant to take such action that would assure, or to refrain from such action that would adversely affect, the treatment of the Bonds as "qualified tax-exempt obligations". **Potential purchasers should be aware that if the issue price to the public exceeds \$10,000,000, there is a reasonable basis to conclude that the payment of a de minimis amount of premium in excess of \$10,000,000 is disregarded; however the Internal Revenue Service could take a contrary view. If the Internal Revenue Service takes the position that the amount of such premium is not disregarded, then such obligations might fail to satisfy the \$10,000,000 limitation and the Bonds would not be "qualified tax-exempt obligations."**

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SALE AND DISTRIBUTION OF THE BONDS

Award of the Bonds

After requesting competitive bids for the Bonds, the District accepted the bid resulting in the lowest net interest cost, which bid was tendered by _____ (the “Initial Purchaser”) bearing the interest rates shown on the cover page hereof, at a price of _____% of the principal amount thereof which resulted in a net effective interest rate of _____% as calculated pursuant to Chapter 1204 of the Texas Government Code, as amended.

Prices and Marketability

The delivery of the Bonds is conditioned upon the receipt by the District of a certificate executed and delivered by the Initial Purchaser on or before the date of delivery of the Bonds stating the prices at which the Bonds have been offered for sale to the public. For this purpose, the term “public” shall not include any person who is a bond house, broker, or similar person acting in the capacity of underwriter or wholesaler. Otherwise, the District has no understanding with the Initial Purchaser regarding the reoffering yields or prices of the Bonds. Information concerning reoffering yields or prices is the responsibility of the Initial Purchaser.

The prices and other terms with respect to the offering and sale of the Bonds may be changed at any time by the Initial Purchaser after the Bonds are released for sale, and the Bonds may be offered and sold at prices other than the initial offering prices, including sales to dealers who may sell the Bonds into investment accounts. In connection with the offering of the Bonds, the Initial Purchaser may over-allot or effect transactions that stabilize or maintain the market prices of the Bonds at levels above those that might otherwise prevail in the open market. Such stabilizing, if commenced, may be discontinued at any time.

The District has no control over trading of the Bonds in the secondary market. Moreover, there is no guarantee that a secondary market will be made in the Bonds. In such a secondary market, the difference between the bid and asked price of utility district bonds may be greater than the difference between the bid and asked price of bonds of comparable maturity and quality issued by more traditional municipal entities, as bonds of such entities are more generally bought, sold, or traded in the secondary market. Additionally, there are no assurances that if a secondary market for the Bonds were to develop, that any such secondary market would not be disrupted by events including, but not limited to, the current pandemic associated with the COVID-19 virus. See “RISK FACTORS – Infectious Disease Outbreak (COVID-19).”

Securities Laws

No registration statement relating to the offer and sale of the Bonds has been filed with the United States Securities and Exchange Commission under the Securities Act of 1933, as amended, in reliance upon the exemptions provided thereunder. The Bonds have not been registered or qualified under the Securities Act of Texas in reliance upon various exemptions contained therein; nor have the Bonds been registered or qualified under the securities laws of any other jurisdiction. The District assumes no responsibility for registration or qualification of the Bonds under the securities laws of any other jurisdiction in which the Bonds may be offered, sold or otherwise transferred. This disclaimer of responsibility for registration or qualification for sale or other disposition of the Bonds shall not be construed as an interpretation of any kind with regard to the availability of any exemption from securities registration or qualification provisions in such other jurisdiction.

Ratings and Bond Insurance

No application for a rating on the Bonds has been made.

Application has been made to municipal bond insurance companies for the qualification of the Bonds for municipal bond insurance. If qualified, such insurance will be available at the option and expense of the Initial Purchaser. The rating fees associated with the insurance will be the responsibility of the Initial Purchaser.

PREPARATION OF OFFICIAL STATEMENT

Sources and Compilation of Information

The financial data and other information contained in this Official Statement has been obtained primarily from the District's records, the Developers, the Engineer, the Tax Assessor/Collector, the Appraisal District and information from certain other sources. All of these sources are believed to be reliable, but no guarantee is made by the District as to the accuracy or completeness of the information derived from sources other than the District, and its inclusion herein is not to be construed as a representation on the part of the District except as described below under “Certification of Official Statement.” Furthermore, there is no guarantee that

any of the assumptions or estimates contained herein will be realized. The summaries of the agreements, reports, statutes, resolutions, engineering and other related information set forth in this Official Statement are included herein subject to all of the provisions of such documents. These summaries do not purport to be complete statements of such provisions, and reference is made to such documents for further information.

Financial Advisor

Hilltop Securities, Inc., (“HilltopSecurities”) is employed as the Financial Advisor to the District to render certain professional services, including advising the District on a plan of financing and preparing the Official Statement. In its capacity as Financial Advisor, HilltopSecurities has compiled and edited this Official Statement. In addition to compiling and editing, the Financial Advisor has obtained the information set forth herein under the caption indicated from the following sources:

“THE DISTRICT” – the Developers; TRE & Associates, LLC (“Engineer”), and records of the District (“Records”); “THE DEVELOPERS” - Developers; “THE SYSTEM” - Engineer; “UNLIMITED TAX BONDS AUTHORIZED BUT UNISSUED” - Records; “FINANCIAL STATEMENT” - District records; “ESTIMATED OVERLAPPING DEBT STATEMENT” - Municipal Advisory Council of Texas and Financial Advisor; “TAX DATA” - City of El Paso Tax Assessor/Collector; “MANAGEMENT” - District General Counsel; “PRO-FORMA DEBT SERVICE REQUIREMENTS” - Financial Advisor; “THE BONDS,” “LEGAL MATTERS,” and “TAX EXEMPTION” - McCall, Parkhurst & Horton L.L.P.

The Financial Advisor has provided the following sentence for inclusion in this official statement. The Financial Advisor has reviewed the information in this official statement in accordance with, and as part of, its responsibilities to the District and, as applicable, to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Financial Advisor does not guarantee the accuracy or completeness of such information.

Consultants

In approving this Official Statement the District has relied upon the following consultants.

Engineer: The information contained in this Official Statement relating to engineering matters and to the description of the System and in particular that information included in the sections entitled “THE DISTRICT” and “THE SYSTEM” has been provided by TRE & Associates, LLC, Consulting Engineers, and has been included herein in reliance upon the authority of said firm as experts in the field of civil engineering.

Appraisal District: The information contained in this Official Statement relating to the assessed valuations has been provided by the El Paso Central Appraisal District and has been included herein in reliance upon the authority of such entity as experts in assessing the values of property in El Paso County, including the District.

Tax Assessor/Collector: The information contained in this Official Statement relating to the historical breakdown of the Assessed Valuations, principal taxpayers, and certain other historical data concerning tax rates and tax collections has been provided by the El Paso Central Appraisal District and the City of El Paso Tax Assessor/Collector and is included herein in reliance upon their respective authority as experts in assessing and collecting taxes.

Auditor: The District’s financial statements for the fiscal year ending September 30, 2021 have been audited by West, Davis & Company, LLP. See “APPENDIX A” for a copy of the District’s September 30, 2021, audited financial statements.

Updating the Official Statement

If, subsequent to the date of the Official Statement, the District learns, through the ordinary course of business and without undertaking any investigation or examination for such purposes, or is notified by the Initial Purchaser, of any adverse event which causes the Official Statement to be materially misleading, and unless the Initial Purchaser elects to terminate its obligation to purchase the Bonds, the District will promptly prepare and supply to the Initial Purchaser an appropriate amendment or supplement to the Official Statement satisfactory to the Initial Purchaser; provided, however, that the obligation of the District to so amend or supplement the Official Statement will terminate when the District delivers the Bonds to the Initial Purchaser, unless the Initial Purchaser notifies the District on or before such date that less than all of the Bonds have been sold to ultimate customers, in which case the District's obligations hereunder will extend for an additional period of time as required by law (but not more than 90 days after the date the District delivers the Bonds).

Certification of Official Statement

The District, acting through its Board of Directors in its official capacity, hereby certifies, as of the date hereof, that the information, statements, and descriptions or any addenda, supplement and amendment thereto pertaining to the District and its affairs contained herein, to the best of its knowledge and belief, contain no untrue statement of a material fact and do not omit to state any material fact necessary to make the statements herein, in light of the circumstances under which they are made, not misleading. With respect to information included in this Official Statement other than that relating to the District, the District has no reason to believe that such information contains any untrue statement of a material fact or omits to state any material fact necessary to make the statements herein, in the light of the circumstances under which they are made, not misleading; however, the Board has made no independent investigation as to the accuracy or completeness of the information derived from sources other than the District. In rendering such certificate, the official executing this certificate may state that he has relied in part on his examination of records of the District relating to matters within his own area of responsibility, and his discussions with, or certificates or correspondence signed by, certain other officials, employees, consultants and representatives of the District.

Official Statement “Deemed Final”

For purposes of compliance with Rule 15c2-12, this document, as the same may be supplemental or corrected by the District from time-to-time, may be treated as an official statement with respect to the Bonds described herein “deemed final” by the District as of the date hereof (or of any such supplement or correction).

The Official Statement, when further supplemented by adding information specifying the interest rates and certain other information relating to the Bonds, shall constitute a “final official statement” of the District with respect to the Bonds as that term is defined in Rule 15c2-12.

CONTINUING DISCLOSURE OF INFORMATION

The offering of the Bonds qualifies for the Rule 15c2-12(d)(2) exemption from Rule 15c2-12(b)(5) of the United States Securities and Exchange Commission (“SEC”) regarding the District’s continuing disclosure obligations because the District has less than \$10,000,000 in aggregate amount of outstanding bonds and no person is committed by contract or other arrangement with respect to payment of the Bonds. As required by the exemption, in the Bond Resolution, the District has made the following agreement for the benefit of the holders and beneficial owners of the Bonds. The District is required to observe the agreement for so long as it remains obligated to advance funds to pay the Bonds. Under the agreement, the District will be obligated to provide certain updated financial information and operating data annually, and timely notice of specified material events, to the Municipal Securities Rulemaking Board (the “MSRB”) or to any successor to its functions as a repository through its Electronic Municipal Market Access (“EMMA”) system.

Annual Reports

The District will provide certain financial information and operating data annually to the MSRB. The financial information and operating data which will be provided with respect to the District will be the District’s audited financial statements and supplemental schedules as found in “APPENDIX A - District Audited Financial Statements For Fiscal Year Ended September 30, 2021.” The District will update and provide this information within six months after the end of each of its fiscal years. The District will provide the updated information to the MSRB or any successor to its functions as a repository through the EMMA system. Any information concerning the District so provided shall be prepared in accordance with generally accepted auditing standards or other such principles as the District may be required to employ from time to time pursuant to state law or regulation, and audited if the audit report is completed within the period during which it must be provided. If the audit report of the District is not complete within such period, then the District shall provide unaudited financial statements for the applicable fiscal year to the MSRB within such six month period, and audited financial statements when the audit report becomes available.

The District's current fiscal year end is September 30. Accordingly, it must provide updated information by March 31 in each year, unless the District changes its fiscal year. If the District changes its fiscal year, it will notify the MSRB of the change.

Notice of Certain Events

The District will provide timely notices of certain events to the MSRB, but in no event will such notices be provided to the MSRB in excess of ten business days after the occurrence of an event. The District will provide notice of any of the following events with respect to the Bonds: (1) principal and interest payment delinquencies; (2) non-payment related defaults, if material; (3) unscheduled draws on debt service reserves reflecting financial difficulties; (4) unscheduled draws on credit enhancements reflecting financial difficulties; (5) substitution of credit or liquidity providers, or their failure to perform; (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or

other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds; (7) modifications to rights of Beneficial Owners of the Bonds, if material; (8) bond calls, if material, and tender offers; (9) defeasances; (10) release, substitution, or sale of property securing repayment of the Bonds, if material; (11) rating changes; (12) bankruptcy, insolvency, receivership or similar event of the District or other obligated person within the meaning of Rule 15c-12; (13) consummation of a merger, consolidation, or acquisition involving the District or other obligated person within the meaning of the Rule or the sale of all or substantially all of the assets of the District or other obligated person within the meaning of Rule 15c2-12, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; (14) appointment of a successor or additional trustee or the change of name of a trustee, if material; (15) incurrence of financial obligation of the District, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the obligated person, any of which affect security holders, if material (“Financial Obligation means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii). The term Financial Obligation shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.); and (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the District, any of which reflect financial difficulties. Neither the Bonds nor the Bond Resolution make any provision for debt service reserve or a trustee.

The District will provide notice of the aforementioned events to the MSRB in a timely manner (but not in excess of ten business days after the occurrence of the event). The District will also provide timely notice of any failure by the District to provide annual financial information in accordance with its agreement described above under “Annual Reports.”

Availability of Information from MSRB

The District has agreed to provide the foregoing information only to the MSRB. The MSRB makes the information available to the public without charge through its EMMA internet portal at emma.msrb.org.

Limitations and Amendments

The District has agreed to update information and to provide notices of material events only as described above. The District has not agreed to provide other information that may be relevant or material to a complete presentation of its financial results of operations, condition, or prospects or agreed to update any information that is provided, except as described above. The District makes no representation or warranty concerning such information or concerning its usefulness to a decision to invest in or sell Bonds at any future date. The District disclaims any contractual or tort liability for damages resulting in whole or in part from any breach of its continuing disclosure agreement or from any statement made pursuant to its agreement, although holders or beneficial owners of Bonds may seek a writ of mandamus to compel the District to comply with its agreement.

The District may amend its continuing disclosure agreement from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the District, but only if the agreement, as amended, would have permitted an underwriter to purchase or sell Bonds in the offering made hereby in compliance with Rule 15c2-12, taking into account any amendments or interpretations of Rule 15c2-12 to the date of such amendment, as well as such changed circumstances, and either the holders of a majority in aggregate principal amount of the outstanding Bonds consent to the amendment or any person unaffiliated with the District (such as nationally recognized bond counsel) determines that the amendment will not materially impair the interests of the holders and beneficial owners of the Bonds. The District may also amend or repeal the agreement in the Bond Resolution if the SEC amends or repeals the applicable provisions of Rule 15c2-12 or a court of final jurisdiction determines that such provisions are invalid or unenforceable, but only to the extent that its right to do so would not prevent the Initial Purchaser from lawfully purchasing the Bonds in the offering described herein. If the District so amends the agreement, it has agreed to include with any financial information or operating data next provided in accordance with its agreement described above under “Annual Reports” an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information and operating data so provided.

Compliance with Prior Undertakings

The District made a late filing with the MSRB, on September 12, 2017, of its initial annual disclosure information, which was due on March 31, 2017. A notice of late filing was filed on September 13, 2017. The District implemented additional procedures intended to avoid late filings in the future, and the District has complied fully with its undertakings made under the Rule since such late filing.

MISCELLANEOUS

All estimates, statements and assumptions in this Official Statement and the Appendix hereto have been made on the basis of the best information available and are believed to be reliable and accurate. Any statements in this Official Statement involving matters of opinion or estimates, whether or not expressly so stated, are intended as such and not as representations of fact, and no representation is made that any such statements will be realized.

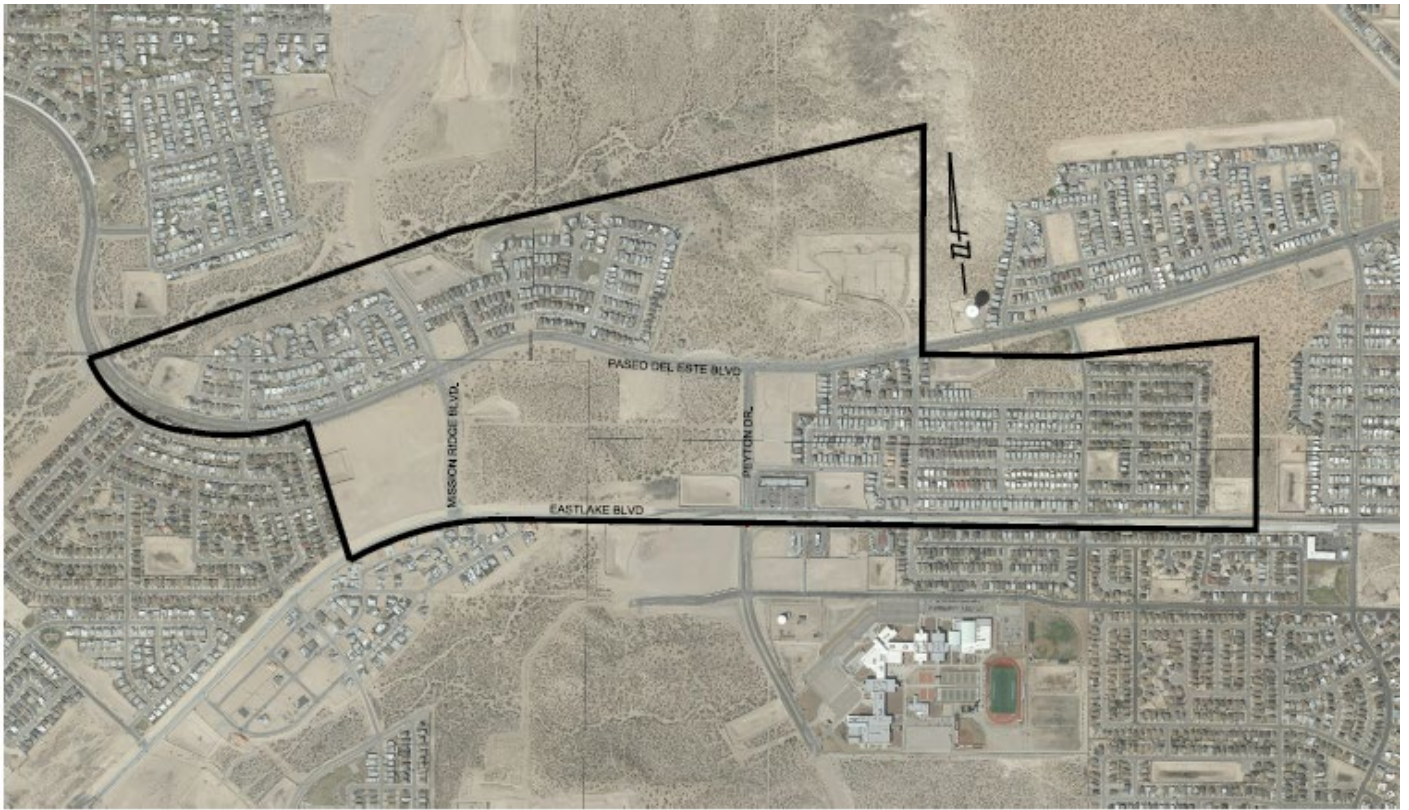
This Official Statement was approved by the Board of Directors of the District, as of the date shown on the cover page.

/s/ _____
President, Board of Directors
Paseo del Este Municipal Utility District No. 5

ATTEST:

/s/ _____
Secretary, Board of Directors
Paseo del Este Municipal Utility District No. 5

AERIAL PHOTOGRAPH
(Approximate boundaries)



PHOTOGRAPHS

The following photographs were taken in the District on October 5, 2022, solely to illustrate the type of improvements which have been constructed in the District. The District cannot predict if any additional improvements will be constructed in the future.







APPENDIX A

District Audited Financial Statements for the fiscal year ended September 30, 2021

APPENDIX B

Form of Bond Counsel's Opinion